

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

TWENTY-SEVENTH 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

Tuesday, May 18, 2010

The Senate was called to order at 2:20 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	Gautreaux B	Mount
Adley	Guillory	Murray
Alario	Hebert	Nevers
Appel	Heitmeier	Peterson
Broome	Jackson	Quinn
Chabert	Kostelka	Riser
Cheek	Long	Shaw
Claitor	Michot	Smith
Donahue	Morrell	Thompson
Duplessis	Morrish	
Total - 29		

ABSENT

Amedee	Gautreaux N	McPherson
Crowe	LaFleur	Walsworth
Dorsey	Marionneaux	
Erdey	Martiny	
Total - 10		

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

Prayer

The prayer was offered by Pastor James Drumgold, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Kostelka, the reading of the Journal was dispensed with and the Journal of May 17, 2010, was adopted.

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 17, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 15—
BY SENATOR APPEL**

AN ACT

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

Reported with amendments.

SENATE BILL NO. 143—

BY SENATOR LONG AND REPRESENTATIVES AUBERT, DIXON, DOERGE, GISCLAIR, GUINN, HILL, MONTOUCET AND ST. GERMAIN
AN ACT

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

Reported without amendments.

SENATE BILL NO. 223—

BY SENATORS MOUNT, ALARIO, APPEL, BROOME, CHAISSON, CHEEK, DONAHUE, DORSEY, ERDEY, B. GAUTREAUX, GUILLORY, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE GEYMAN

AN ACT

To designate that section of Louisiana Highway US 171 between its intersection with Sam Houston Jones Parkway and its intersection with You Winn Road as the "Senior Trooper Duane Dalton Memorial Highway"; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 251—

BY SENATORS DORSEY, ALARIO, AMEDEE, APPEL, BROOME, ERDEY, B. GAUTREAUX, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES AUBERT, DIXON, GISCLAIR, GUINN, HILL, MONTOUCET AND ST. GERMAIN

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the annual fee and disposition of such fee for such plates; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 270—

BY SENATOR WALSWORTH AND REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 47:463.73(C)(2), and (E), relative to special prestige license plates for Louisiana public and private high schools; to provide relative to collection of royalty fees; and to provide for related matters.

Reported without amendments.

May 18, 2010

SENATE BILL NO. 273—
BY SENATOR WALSWORTH AND REPRESENTATIVES HOFFMANN AND KATZ

AN ACT

To designate a portion of Interstate 20 as the "Powell, Barnes, and Deal Memorial Highway"; and to provide for related matters.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 80—
BY SENATOR MARIONNEAUX

A RESOLUTION

To commend New Orleans Saints' defensive back, Tracy Porter of Port Allen, Louisiana, for his contributions towards the Saints' 2009 NFL championship season.

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

SENATE RESOLUTION NO. 81—
BY SENATOR THOMPSON

A RESOLUTION

To urge and request the Board of Regents to study the feasibility of establishing a program at certain public colleges and universities that will allow students in colleges of education to earn college credit for providing tutoring and study skills assistance to students in elementary and secondary schools situated in poverty stricken areas of the state where such services are not readily available.

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

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 17, 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. 300 HB No. 301 HB No. 334
HB No. 845 HB No. 1019 HB No. 1173
HB No. 1189 HB No. 1410 HB No. 23
HB No. 1476

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 23—
BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 14:402(D)(9) and (E)(7), relative to contraband on the grounds of correctional institutions; to add component hardware of telecommunications equipment in the definition of "contraband"; and to provide for related matters.

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

HOUSE BILL NO. 300—
BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to fees levied by the Louisiana Tax Commission; to authorize the continued levy and collection of fees associated with the various services performed by the commission; 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. 301—
BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 36:801(introductory paragraph) and 801.1(A), to enact R.S. 36:4(B)(18), and to repeal R.S. 36:459(D), relative to the Louisiana Tax Commission; to transfer the commission to the office of the governor, division of administration; to provide for the budget and procurement authority of the commission; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 334—
BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 27:247 and 270(A)(3)(a), relative to the casino support services contract; to provide for the funding of such contract; to establish the Casino Support Services Fund as a special treasury fund; to provide for 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. 845—
BY REPRESENTATIVE NOWLIN

AN ACT

To amend and reenact R.S. 47:337.26(C) and (D)(1)(introductory paragraph) and (c) and to enact R.S. 47:337.26(D)(3), (F), and (G), relative to collection of local sales and use tax; to provide for requirements governing certain activities of private contractors; to prohibit the sharing of certain taxpayer information; to provide with respect to contracts; to provide for oversight by the legislative auditor; and to provide for related matters.

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

HOUSE BILL NO. 1019—
BY REPRESENTATIVES GREENE, FANNIN, HENRY, HOFFMANN, AND JANE SMITH

AN ACT

To enact R.S. 47:1676, relative to collections by the Department of Revenue; to establish the Louisiana Debt Recovery Program in the Department of Revenue to collect certain delinquent debts owed to or collected by the state; to provide for definitions; to provide for the administration of the program; to authorize

political subdivisions to participate in the program under certain circumstances; to provide relative to the procedure for collection of certain debts; to provide for certain requirements and limitations; to authorize the collection of a fee; to authorize the secretary of the department to establish an electronic debt registry; to authorize the promulgation of rules and regulations; 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. 1173—
BY REPRESENTATIVE TUCKER
AN ACT

To enact R.S. 39:136, relative to the deposit and expenditure of federal funds; to provide for legislative approval of any Action Plan or Proposed Action Plan Amendment relative to recovery from Hurricanes Katrina, Rita, Gustav, or Ike; to require legislative approval of certain contracts and cooperative endeavor agreements, and modifications to certain contracts and cooperative endeavor agreements executed pursuant to such Action Plan or Action Plan Amendments; and to provide for related matters.

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

HOUSE BILL NO. 1189—
BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 32:781(13)(a)(i), 783(F)(3) and (6) and (G), 784(A)(4), 791(A)(1), (B)(1) and (4)(a), (G)(1), and (J), 792(A)(introductory paragraph) and (B)(introductory paragraph), and 802(D), (F), and (G) and to enact R.S. 32:781(17) and (18), 784(A)(5) and (D), and 794, relative to the Louisiana Used Motor Vehicle Commission; to define "used motor vehicle dealer"; to define "public or retail motor vehicle auction"; to define "wholesale motor vehicle auction"; to provide for the sale of a used motor vehicle "as is"; to provide for the commission's power to hold hearings; to establish a license for rental motor vehicle dealers; to authorize off-premises permits; to provide for the Louisiana Used Motor Vehicle Commission Fund; to provide for application procedures; to provide for expiration of licenses; to provide for a bond requirement; to provide for education requirements; to repeal expired provisions; to provide for denial of a license; to authorize revocation or suspension of a license, issuance of a civil fine or penalty, or injunction for certain acts; to provide for wholesale motor vehicle auction violations; to provide for suspension, revocation, or refusal of a license or permit for committing an unlawful action during a wholesale motor vehicle auction; to authorize an injunction or civil fines and penalties for committing an unlawful action during a wholesale motor vehicle auction; and to provide for related matters.

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

HOUSE BILL NO. 1410—
BY REPRESENTATIVES MICHAEL JACKSON, ARNOLD, BARROW, BROSSETT, HENRY BURNS, BURRELL, CARMODY, CARTER, DIXON, DOWNS, EDWARDS, FOIL, HARDY, HARRISON, HINES, ROSALIND JONES, LEGER, MONTOUCET, NORTON, PUGH, RICHARD, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, THIBAUT, AND WILLIAMS
AN ACT

To enact Chapter 35 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2171 through 2189, relative to the development of transportation infrastructure; to authorize the creation of the Louisiana Intrastate Rail Compact; to provide for the powers and duties of such compact; to authorize the compact to issue bonds and raise revenues subject to voter approval; to provide the mechanism for entities to become a part of the Louisiana Intrastate Rail Compact under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1476— (Substitute for House Bill No. 1258 by Representative Harrison)
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 30:2154(B)(9) and to repeal R.S. 30:2157 and 2157.1, relative to providing for permits, licenses, registrations, variances, or compliant schedules issued by the Department of Environmental Quality; to provide for emergency response standards; to provide for certification of certain abilities of local fire departments; to provide for the emergency response standards of certain solid waste facilities; 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 17, 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:

HOUSE CONCURRENT RESOLUTION NO. 168—
BY REPRESENTATIVES CARMODY AND WADDELL AND SENATOR SHAW

A CONCURRENT RESOLUTION

To commend Shreveport's Captain Shreve High School upon receipt of the 2010 National Gold Council of Excellence Award.

HOUSE CONCURRENT RESOLUTION NO. 169—
BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to develop a uniform form to be used by all courts in Louisiana to notify defendants charged with operating a vehicle while intoxicated of their rights and the penalty range for subsequent charges of operating a vehicle while intoxicated.

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

Senator Claitor in the Chair

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 168—
BY REPRESENTATIVES CARMODY AND WADDELL AND SENATOR SHAW

A CONCURRENT RESOLUTION

To commend Shreveport's Captain Shreve High School upon receipt of the 2010 National Gold Council of Excellence Award.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Donahue	Long	Smith
Duplessis	Michot	Thompson
Total - 30		

NAYS

Total - 0

ABSENT

Amedee	LaFleur	McPherson
Crowe	Marionneaux	Morrell
Dorsey	Martiny	Walsworth
Total - 9		

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

HOUSE CONCURRENT RESOLUTION NO. 169—
BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to develop a uniform form to be used by all courts in Louisiana to notify defendants charged with operating a vehicle while intoxicated of their rights and the penalty range for subsequent charges of operating a vehicle while intoxicated.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Murray
Adley	Guillory	Nevers
Alario	Hebert	Peterson
Appel	Heitmeier	Quinn
Chabert	Jackson	Riser
Cheek	Kostelka	Shaw
Donahue	Long	Smith
Duplessis	Michot	Thompson
Erdey	Morrish	
Gautreaux B	Mount	
Total - 28		

NAYS

Total - 0

ABSENT

Amedee	Dorsey	McPherson
Broome	LaFleur	Morrell
Claitor	Marionneaux	Walsworth
Crowe	Martiny	
Total - 11		

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

House Bills and Joint Resolutions on
Second Reading

HOUSE BILL NO. 207—
BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(E), (F), (G), (H), (I), (J), and (K) and to enact Code of Criminal Procedure Article 894.2(L), relative to home incarceration; to require that written notice be given to local law enforcement when an offender is sentenced to home incarceration; and to provide for related matters.

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

HOUSE BILL NO. 524—
BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 14:35.3(G)(1), relative to domestic abuse battery; to delete the provision of law authorizing the court to determine prior convictions of domestic abuse battery; 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. 554—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for domestic abuse battery shall not be released on his own recognizance; 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. 609—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 14:62.8(B)(2) and to enact R.S. 14:2(B)(42), relative to the crime of home invasion; to require that the sentence imposed for the crime of home invasion shall be served at hard labor; to add the crime of home invasion to the list of enumerated crimes of violence; 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. 740—
BY REPRESENTATIVE LOPINTO
AN ACT

To enact Code of Criminal Procedure Article 523, relative to pretrial motions; to provide relative to notice of pretrial motion hearings; to provide relative to the defendant's appearance at pretrial motion hearings; 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. 772—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 15:257, relative to compulsory process; to amend provisions relative to securing the presence of a material witness; and to provide for related matters.

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

HOUSE BILL NO. 775—

BY REPRESENTATIVE SIMON

AN ACT

To enact R.S. 15:827(A)(6), relative to the Department of Public Safety and Corrections; to provide with respect to the General Education Development test for certain incarcerated offenders; to provide for a comprehensive program; and to provide for related matters.

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

HOUSE BILL NO. 925—

BY REPRESENTATIVES AUSTIN BADON, BOBBY BADON, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, GISCLAIR, GUILLORY, HARDY, HOFFMANN, LIGI, AND ROBIDEAUX AND SENATORS APPEL, DONAHUE, DUPLESSIS, MARTINY, AND QUINN

AN ACT

To enact R.S. 17:10.1(D), relative to the Louisiana school and district accountability system; to provide for the assignment of letter grades to schools and school districts that are reflective of their performance; 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. 985—

BY REPRESENTATIVES WHITE AND BARROW

AN ACT

To amend and reenact R.S. 40:2173(A), (B)(7), (E), and (F), 2844(B)(introductory paragraph) and (1), (C)(1) and (2), 2845(A)(1) and (D), and R.S. 44:4.1(B)(24) and to enact R.S. 40:2173(B)(8) and (9), 2844(B)(21), (22), and (23), 2845(A)(6) and (7), (E), and (F), and 2845.1, relative to the Louisiana Emergency Response Network; to provide for requirements for trauma centers; to provide for membership of the LERN board; to provide for powers and functions of the LERN board; to provide for a statewide trauma registry; to provide for confidentiality requirements for the statewide trauma registry; to provide authority to develop stroke and STEMI systems; to create a LERN fund; to provide authority for publishing materials; to provide for public records exceptions; 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. 1168—

BY REPRESENTATIVE SCHRODER

AN ACT

To enact R.S. 18:55(F) and 59(M); relative to the compensation of registrars of voters and certain employees of the registrar; to prohibit certain increases during certain time periods; 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. 1175—

BY REPRESENTATIVES TUCKER AND BROSETT

AN ACT

To enact R.S. 39:136, relative to federal funds; to provide for the distribution and allocation of unspent federal funds available for recovery from Hurricanes Katrina and Rita; 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 Finance.

HOUSE BILL NO. 1267—

BY REPRESENTATIVE BROSETT

AN ACT

To amend and reenact R.S. 39:6(C), relative to the duties of the commissioner of administration; to require that certain information concerning state contracts be included on the state spending website; 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 Finance.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE GIROD JACKSON

AN ACT

To amend and reenact R.S. 15:1403.1(B), relative to criminal street gangs; to provide with respect to the crime of solicitation of membership in a criminal street gang; 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 Judiciary C.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 56:1948.5(57) and to enact R.S. 56:1948.5(63), relative to highways; to designate a section of certain highways as the Myths and Legends Byways and the Cane River National Heritage Trail Scenic Byway; 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. 1335—

BY REPRESENTATIVE HINES

AN ACT

To amend and reenact Children's Code Article 899(B)(2)(b) and to enact Children's Code Article 779(B)(5), relative to juvenile dispositions; to authorize the court to require certain persons to perform community service; and to provide for related matters.

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

HOUSE BILL NO. 1357—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 14:81.1.1, relative to sexual offenses affecting minors; to create the crime of sexting; to provide for elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1361—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 15:321(D) and 323(A) and (B) and to enact R.S. 15:323(G), relative to the Louisiana Sentencing Commission; to provide for evaluation of sentencing structure; to provide for membership of the commission; to provide for the appointment of a proxy; and to provide for related matters.

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

HOUSE BILL NO. 1368—

BY REPRESENTATIVES JANE SMITH, BOBBY BADON, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, DOVE, GISCLAIR, HARDY, HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, ROBIDEAUX, SIMON, SMILEY, WILLIAMS, AND WOOTON AND SENATORS APPEL, BROOME, DONAHUE, DUPLESSIS, MARTINY, AND QUINN

AN ACT

To enact Chapter 44 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031 through 4040, relative to public elementary and secondary education; to authorize the State Board of Elementary and Secondary Education to exempt school districts from various laws and regulations pertaining to education; to provide procedures regarding request for and approval of such waivers; to provide for terms and conditions on such waivers; to provide with respect to schools within the jurisdiction of the Recovery School District and schools which

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may be transferred to that jurisdiction; to provide for reports; 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. 1403—
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 24:58(D)(1), R.S. 42:1157(A)(3), and R.S. 49:78(D)(1), relative to late filing fees for certain lobbyist disclosure reports; to provide for the amount of the late filing fees for certain lobbyist expenditure reports; 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. 1412—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 15:571.36, relative to electronic monitoring equipment; to require the Department of Public Safety and Corrections to develop policies and procedures for the availability, storage, and use of the equipment; and to provide for related matters.

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

HOUSE BILL NO. 1418—
BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 32:1735.1, relative to storage of motor vehicles; to allow law enforcement agencies to place holds on motor vehicles stored at a licensed storage facility; to provide for notification; to provide for payment of the storage of the motor vehicle; 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. 1450—
BY REPRESENTATIVES ELLINGTON AND RITCHIE
AN ACT

To enact Subpart R of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.130 and 100.131, relative to state grants and capital outlay; to establish the Rural Hospital Capital Improvement Act; to provide for a grant program for certain rural hospitals; to authorize rulemaking; 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. 1473— (Substitute for House Bill No. 984 by Representative Abramson)
BY REPRESENTATIVE ABRAMSON
AN ACT

To enact R.S. 40:2133(C), 2133.1, and 2136(C), relative to ambulatory surgical centers; to provide for a definition of a use agreement; to provide authorization for ambulatory surgical centers to enter into use agreements; to provide for promulgation of rules, regulations, and minimum standards; 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. 1474— (Substitute for House Bill No. 1191 by Representative Talbot)

BY REPRESENTATIVES TALBOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CONNICK, FOIL, GREENE, GUINN, HAZEL, HENRY, HOFFMANN, HUTTER, KLECKLEY, LABRUZZO, LAMBERT, LIGI, LOPINTO, LORUSSO, MONICA, PEARSON, POPE, PUGH, RICHARDSON, SCHRODER, SIMON, SMILEY, JANE SMITH, TEMPLET, AND WOOTON

AN ACT

To enact R.S. 22:1016, relative to the sale and purchase of health insurance coverage; to provide for public policy; to prohibit any resident of this state from being required to purchase health insurance coverage; to authorize the attorney general to initiate litigation relative to such prohibition; to provide for recovery of delinquent medical expenses incurred by uninsured individuals; 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. 1477— (Substitute for House Bill No. 1015 by Representative Baldone)

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:1110, relative to juvenile detention; to provide relative to juvenile detention facilities and procedures; to provide for the development of licensing standards; to provide for the creation of the Task Force on Juvenile Detention Standards and Licensing; to require the licensing of juvenile detention facilities; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY C**

Senator Yvonne Dorsey, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 18, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 406—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 15:587.1(B) and R.S. 44.9(F), (G) and (I), and to enact R.S. 15:587(A)(1)(f), relative to criminal records; to provide for criminal background checks; to provide for certain entities' access to expunged records; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 502—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 15:1352(A)(11) through (15) and to enact R.S. 15:1352(A)(20) through (45), relative to "racketeering activity"; to provide for inclusion of additional enumerated crimes to the definition of "racketeering activity," and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 780—
BY SENATOR CHEEK AND REPRESENTATIVE BURFORD
AN ACT

To amend and reenact R.S. 15:543.1, 544(B)(1) and (E) and to enact R.S. 15:553, relative to sex offenders; to provide for lifetime

registration; to prohibit certain types of employment of sex offenders; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 8—
BY REPRESENTATIVE WILLIAMS
AN ACT

To enact Code of Criminal Procedure Article 228.4, relative to the disposal of noncontraband unclaimed property seized in certain criminal investigations; to provide for the disposal of noncontraband unclaimed property seized in criminal investigations; to provide for the procedure for petitioning the court for the disposal of the noncontraband unclaimed property; to provide for the distribution of proceeds derived from the disposal of the noncontraband unclaimed property; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 286—
BY REPRESENTATIVES BURRELL, BARROW, AND HARDY
AN ACT

To amend and reenact Code of Criminal Procedure Articles 312, 313, 315, 318, 319, 322(A), (B), and (C), 326(B), 330.2(E), 332(A), 334.1, 334.3(A)(2), 338, 342, 344, 345(A), (B), (C), (D)(introductory paragraph) and (1) and (2), (G), (I)(introductory paragraph) and (2), (J)(introductory paragraph) and (2) and 955(F), R.S. 13:846(A)(1)(c), R.S. 15:85, 86, and 88, and R.S. 22:1441(A)(2), (4), and (5), (C)(1) and (2)(b), (d), and (e), and (D), and 1585(A), to enact Code of Criminal Procedure Articles 349 through 349.9, and to repeal Code of Criminal Procedure Articles 322(D) and (E), 339, and 340(E) and R.S. 15:87, relative to bail; to provide for a comprehensive revision of the law regarding bail; to provide for the types of bail; to provide relative to sureties, personal sureties, and secured personal sureties; to provide for bail procedures; to provide relative to the establishment of a legal mortgage over immovable property to secure a bail obligation; to provide for procedures for the establishment of a legal mortgage; to provide for the cancellation of the mortgage; to provide for sanctions for furnishing false or incorrect information; to provide for bail at various stages of proceedings; to provide with respect to forfeitures and forfeiture procedures; to provide for the failure to appear and issuance of arrest warrant; to provide for procedures relative to recordation of judgments of bond forfeitures; to provide for appeals; to provide for enforcement and satisfaction of judgments of bond forfeiture; to provide for failure to satisfy judgment of bond forfeiture; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 640—
BY REPRESENTATIVE HAZEL
AN ACT

To enact R.S. 15:544(D)(3)(e), relative to sex offender registration and notification; to provide with respect to the duration of sex offender registration and notification periods; to amend the definition of "clean record"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1259—
BY REPRESENTATIVE BURRELL
AN ACT

To enact R.S. 14:40.7, relative to assault and battery and related offenses; to create the crime of cyberbullying; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1260—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:95.1(C), relative to the possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to remove the authorization for law enforcement to issue permits allowing certain felons to possess firearms or carry concealed weapons; and to provide for related matters.

Reported favorably.

Respectfully submitted,
YVONNE DORSEY
Chairman

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

SENATE BILL NO. 1—
BY SENATOR CHAISSON
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(C) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for incorporation of monies in the Budget Stabilization Fund into the official forecast for the current fiscal year and the next fiscal year; to direct the treasurer to transfer monies from the Budget Stabilization Fund to the state general fund in certain circumstances; to suspend deposits into the Budget Stabilization Fund in certain circumstances; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 2, change "10.3(C)" to "10.3(A)(2) and (C)"

AMENDMENT NO. 2
On page 1, line 3, after "Fund;" insert "to provide for the dedication and deposit of certain revenues into the Budget Stabilization Fund; to delete the provisions relative to the amount of mineral revenues received by the state before mineral revenues may be deposited into the Budget Stabilization Fund;"

AMENDMENT NO. 3
On page 1, at the beginning of line 7, insert "or reduce"

AMENDMENT NO. 4
On page 1, line 13, change "10.3(C)" to "10.3(A)(2) and (C)"

AMENDMENT NO. 5
On page 1, delete lines 16 and 17 and insert the following:
"Section 10.3(A) There is hereby established in the state treasury a Budget Stabilization Fund hereinafter referred to as the fund. Money shall be deposited in the fund as follows:

* * *

(2)(a) **Beginning in Fiscal Year 2012-2013 and Fiscal Year 2013-2014, five percent, and in Fiscal Year 2014-2015 and thereafter, ten percent of all All revenues received in each fiscal year by the state in excess of seven hundred fifty million dollars, hereinafter referred to as the base, as a result of the production of or exploration for minerals, hereinafter referred to as mineral revenues, including severance taxes, royalty payments, bonus payments, or rentals, and excluding such revenues designated as nonrecurring pursuant to Article VII, Section 10(B) of the constitution, any such revenues received by the state as a result of grants or donations when the terms or conditions thereof require otherwise, and revenues**

derived from any tax on the transportation of minerals, shall be deposited in the fund after the following allocations of said mineral revenues have been made:

(i)(a) To the Bond Security and Redemption Fund as provided by Article VII, Section 9 (B) of this constitution.

(ii)(b) To the political subdivisions of the state as provided in Article VII, Sections 4 (D) and (E) of this constitution.

(iii)(c) As provided by the requirements of Article VII, Section 10-A and 10.1 of this constitution.

(b) The base may be increased every ten years beginning in the year 2000 by a law enacted by two-thirds of the elected members of each house of the legislature. Any such increase shall not exceed fifty percent in the aggregate of the increase in the consumer price index for the immediately preceding ten years.

* * *

AMENDMENT NO. 6

On page 3, delete lines 12 through 14, and insert

~~"(4) No (6) For Fiscal Years 2009-2010, 2010-2011, and 2011-2012, no deposit shall be made to the fund except pursuant to a specific appropriation by the legislature. For any fiscal year thereafter except pursuant to a specific appropriation by the legislature, no appropriation or deposit to the fund shall be made if such appropriation or deposit would cause the balance in the fund to exceed four percent of total state revenue receipts for the previous fiscal year one billion dollars."~~

AMENDMENT NO. 7

On page 3, line 17, after "made" and before "in the" insert "in Fiscal Year 2010-2011, Fiscal Year 2011-2012, nor"

AMENDMENT NO. 8

On page 3, at the end of line 19, insert the following: **"Notwithstanding any other provision of this Section to the contrary, in the fiscal year immediately following the fiscal year in which a specified amount of the fund is incorporated into the official forecast or an appropriation or transfer is made from the fund, no more than five percent of mineral revenues shall be deposited in the fund, except pursuant to a specific appropriation by the legislature to the fund."**

AMENDMENT NO. 9

On page 3, line 27, after "provide" and before "that monies" insert the following: "for the dedication and deposit of certain mineral revenues into the Budget Stabilization Fund; to delete provisions requiring a base amount of mineral revenues received by the state before deposits can be made to the Budget Stabilization Fund; to provide"

AMENDMENT NO. 10

On page 4, line 2, change "directs" to "to direct"

AMENDMENT NO. 11

On page 4, line 4, change "suspends" to "to suspend or reduce"

AMENDMENT NO. 12

On page 4, line 5, after "Fund in" and before "the same" insert "certain fiscal years including"

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

SENATE BILL NO. 2— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 39:94(C), relative to the Budget Stabilization Fund; to provide for the incorporation of monies in the Budget Stabilization Fund into the official forecast for the current fiscal year and the next fiscal year; to direct the treasurer to transfer monies from the Budget Stabilization Fund to the state general fund in certain circumstances; to suspend deposits into the Budget Stabilization Fund in certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, change "39:94(C)," to "39:94(A)(2) and (C),"

AMENDMENT NO. 2

On page 1, at the end of line 2, insert "for the dedication and deposit of certain revenues into the Budget Stabilization Fund; to delete the provisions relative to the amount of mineral revenues received by the state before mineral revenues may be deposited into the Budget Stabilization Fund; to provide"

AMENDMENT NO. 3

On page 1, line 6, after "to suspend" and before "deposits", insert "or reduce"

AMENDMENT NO. 4

On page 1, line 10, change "39:94(C) is" to "39:94(A)(2) and (C) are"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"A. There is hereby created in the state treasury a special fund to be designated as the Budget Stabilization Fund, hereafter referred to in this Section as the "fund", which shall consist of all money deposited into the fund in accordance with Article VII, Section 10.3 of the Constitution of Louisiana. Money shall be deposited in the fund as follows:

* * *

(2)(a) **Beginning in Fiscal Year 2012-2013 through Fiscal Year 2013-2014, five percent, and in Fiscal Year 2014-2015 and thereafter, ten percent of all All revenues received in each fiscal year by the state in excess of eight hundred fifty million dollars, hereinafter referred to as the "base," as a result of the production of or exploration for minerals, hereinafter referred to as "mineral revenues," including severance taxes, royalty payments, bonus payments, or rentals, and excluding such revenues designated as nonrecurring pursuant to Article VII, Section 10(B) of the Constitution of Louisiana, any such revenues received by the state as a result of grants or donations when the terms or conditions thereof require otherwise and revenues derived from any tax on the transportation of minerals, shall be deposited in the fund after the following allocations of said mineral revenues have been made:**

(i)(a) To the Bond Security and Redemption Fund as provided by Article VII, Section 9(B) of the Constitution of Louisiana.

(ii)(b) To the political subdivisions of the state as provided in Article VII, Sections 4(D) and (E) of the Constitution of Louisiana.

(iii)(c) As provided by the requirements of Article VII, Sections 10-A and 10.1 of the Constitution of Louisiana.

(b) The base may be increased every ten years beginning in the year 2014 by a law enacted by two-thirds of the elected members of each house of the legislature. Any such increase shall not exceed fifty percent in the aggregate of the increase in the consumer price index for the immediately preceding ten years."

AMENDMENT NO. 6

On page 3, delete lines 19 through 21 and insert the following:

~~"(4)(a) No (6) For Fiscal Years 2009-2010, 2010-2011, and 2011-2012, no deposit shall be made to the fund except pursuant to a specific appropriation by the legislature. For any fiscal year thereafter except pursuant to a specific appropriation by the legislature, no appropriation or deposit to the fund shall be made if such appropriation or deposit would cause the balance in the fund to exceed four percent of total state revenue receipts for the previous fiscal year one billion dollars. For the purposes of this"~~

AMENDMENT NO. 7

On page 3, line 27, after "made" and before "in the same", insert "**in Fiscal Year 2010-2011, Fiscal Year 2011-2012, nor"**

AMENDMENT NO. 8

On page 4, at the end of line 2, insert the following: **"Notwithstanding any other provision of this Section to the contrary, in the fiscal year immediately following the fiscal year in which a specified amount of the fund is incorporated into the official forecast or an appropriation or transfer is made from the fund, no more than five percent of mineral revenues shall be deposited in the fund, except pursuant to a specific appropriation by the legislature to the fund."**

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

SENATE BILL NO. 13—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:292, 570, 930, 951.3, 952.3, 1378, 1905, 3014, 3051, 3111, 3140, 3198, 3229, 3321(A), 3345, 3389, 3408, 3440, 3470, 3513, 3608(A), 3691, 3770, 3800, and 3823, and R.S. 13:3881(D)(1), relative to garnishment or seizure of pension or retirement benefits; to provide for garnishment or seizure of benefits from public retirement or pension systems, plans, or funds; to provide relative to the applicability of certain court orders to such benefits; to provide for garnishment or seizure of such benefits to pay any fine or restitution ordered for certain felony convictions associated with service as an elected official; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 29—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:1901(B), relative to the Orleans Parish assessor; to provide that the tax assessor for Orleans Parish shall take office on July first of the year in which he is elected; and to provide for related matters.

Reported by substitute by the Committee on Local and Municipal Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 29 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R.S. 47:1992(G), relative to the Orleans Parish Assessor; to provide a procedure for inspection of assessment lists in Orleans Parish; to provide for hearing by board of review; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1901(B) is hereby amended and reenacted to read as follows:
§1901. Election

* * *

B. At the local municipal election held every four years, there shall be elected in Orleans Parish by the qualified voters thereof, one tax assessor, who shall hold office for four years from and after the **thirty-first first** day of **December July** of the year in which he is elected.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Morrell, the committee substitute bill was adopted and becomes Senate Bill No. 797 by Senator Morrell, substitute for Senate Bill No. 29 by Senator Morrell.

SENATE BILL NO. 797— (Substitute of Senate Bill No. 29 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To enact R.S. 47:1992(G), relative to the Orleans Parish Assessor; to provide a procedure for inspection of assessment lists in Orleans Parish; to provide for hearing by board of review; and to provide for related matters.

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

SENATE BILL NO. 85—

BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:62(8)(a) and (b), 1946, and 1966, relative to the Parochial Employees' Retirement System; to provide for ranges for employee contributions for Plans A and B; to provide the board of trustees with authority to set the employee contribution rates for members of Plan A and Plan B within the ranges; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 274—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701 (introductory paragraph), (11), and (33)(b)(i), 728(A)(4), (C)(1)(a) and (b)(ii) and (iii) and (2) and 17:3997(A)(2) and (3), to enact R.S. 11:701(33)(d) and (e) and 728(G), and to repeal R.S. 11:701(33)(a)(xii), relative to the Teachers' Retirement System of Louisiana; to provide for definitions; to provide that membership in such system includes certain charter school employees; to provide for purchase of service credit; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 274 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 3 after "Board of" and before "Education" insert **"Elementary and Secondary"**

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

SENATE BILL NO. 345—

BY SENATOR DONAHUE

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.1(C) of the Constitution of Louisiana, relative to the constitutional requirements and procedures for the imposition or increase in a fee or civil fine; to provide exceptions relative to public postsecondary education tuition amounts and mandatory fees; to provide with respect to the cost of attendance at public institutions of postsecondary education; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 356—

BY SENATOR MORRELL

AN ACT

To enact R.S. 33:2590, relative to New Orleans; to provide with respect to the public meetings of the New Orleans Civil Service Commission; and to provide for related matters.

May 18, 2010

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

SENATE BILL NO. 357—

BY SENATOR MORRELL

AN ACT

To enact R.S. 33:2590.1, relative to Orleans Parish; to provide relative to promotional exams given by the New Orleans Civil Service Commission; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 357 by Senator Morrell

AMENDMENT NO. 1

On page 1, between lines 7 and 8, insert:

"§2590.1. New Orleans Civil Service Commission; exams for firefighters"

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

SENATE BILL NO. 391—

BY SENATOR CHAISSON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 391 by Senator Chaisson

AMENDMENT NO. 1

On page 1, delete line 8, and insert the following: "ballot proposition."

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

SENATE BILL NO. 392—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 39:75(C)(2)(b) and (E)(1) and (2), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 410—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 39:98.1(A)(3), relative to the Millennium Trust; to change the amount of deposits into the Millennium Trust from monies received as a result of the Master settlement; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 434—

BY SENATOR CHAISSON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(A)(1)(c) of the Constitution of Louisiana, relative to the Millennium Trust; to change the amount of deposits into the Millennium Trust from monies received as a result of the Master Settlement; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 478—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 4:165(A)(1) and (2) and (B)(1) and (2), relative to certain horse racing purses and breeders' awards; to provide with respect to monies allocated for purses and breeders' awards; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 478 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 15, after "provisions" delete the remainder of the line, delete lines 16 through 18, and insert the following: "hereof, according to a schedule or formula and within a period which is or shall be established by the Executive Committee of the Louisiana Thoroughbred Breeders Association. Any"

AMENDMENT NO. 2

On page 3, line 12, after "provisions" delete the remainder of the line, delete lines 13 through 16, and insert the following: "hereof, according to the schedule or formula which is or shall be established by the Executive Committee of the Louisiana Quarter Horse Breeders Association, not later than the thirtieth day following the close of the race meeting at which the breeder award was earned."

AMENDMENT NO. 3

On page 3, at the beginning of line 17, delete "earned."

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

SENATE BILL NO. 500—

BY SENATOR MARIONNEAUX

AN ACT

To enact Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3121 through 3124, relative to the Angel Investor Rebate Program; to provide for the purposes; to provide for the amount of the rebate; to provide for the qualifications of the rebate; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to provide for rules; to provide for excess unused tax rebates to carry

forward to subsequent tax years; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 500 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 5, after "rebate;" insert: "to provide for reductions in a certain fund equal to the amount of such rebates;"

AMENDMENT NO. 2

On page 1, line 7, after "rules;" delete the remainder of the line, and on line 8, delete "forward to subsequent tax years;"

AMENDMENT NO. 3

On page 1, line 9, change "the legislature" to "the Department of Economic Development by a Louisiana Entrepreneurial Business"

AMENDMENT NO. 4

On page 5, line 8, after "**program.**" delete the remainder of the line, and delete lines 7 through 20

AMENDMENT NO. 5

On page 5, line 21, change "**(d)**" to "**(c)**"

AMENDMENT NO. 6

On page 5, line 23, after "**a rebate certificate.**" and before "**The**" insert the following: "**The rebate shall be payable over five years with the rebate for the first year payable twenty-four months from the date that the Department of Economic Development certifies the amount of investment and the rebate for each subsequent year shall be payable twelve months after the prior year's rebate.**"

AMENDMENT NO. 7

On page 6, line 4, change "**(e)**" to "**(d)**"

AMENDMENT NO. 8

On page 7, between lines 10 and 11, insert:
"Section 2. Notwithstanding any other provision of law to the contrary, the Louisiana Mega-Project Development Fund provided for in R.S. 51:2365 shall be reduced each fiscal year by an amount which equals the rebate which is awarded pursuant to the provisions of this Act."

AMENDMENT NO. 9

On page 7, line 11, change "Section 2." to "Section 3."

On motion of Senator Adley, the committee amendment was adopted. The amended bill was returned to the Calendar, Subject to Call.

SENATE BILL NO. 505—

BY SENATOR JACKSON

AN ACT

To enact Chapter 20-F of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3046 through 3046.2, relative to need-based financial assistance for students enrolled in Louisiana colleges and universities; to statutorily create the Louisiana GO Grant program; to provide with respect to eligible colleges and universities; to provide for eligibility requirements for student participation in the program; to provide for program rules and administration; and to provide for related matters.

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

SENATE BILL NO. 509—

BY SENATOR LONG

AN ACT

To enact R.S. 17:1968.1 and to repeal R.S. 17:1969, relative to funding for the Louisiana School for Math, Science, and the Arts; to provide for the inclusion of the school in the minimum foundation program formula; to provide for the allocation of minimum foundation program funds attributable to such inclusion; to provide relative to appropriations from the state general fund; to provide relative to the school's annual budget; and to provide for related matters.

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

SENATE BILL NO. 517—

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 17:236.1(G) and (H), relative to home study programs; to require that approved home study diplomas carry the same privileges as those issued by public schools and approved private schools; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 517 by Senator Walsworth)

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 17:236.1(G), relative to home study programs; to provide that a high school diploma awarded by an approved home study program shall be recognized by certain educational institutions and governmental entities in the same manner as one awarded by an approved nonpublic school; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:236.1(G) is hereby enacted to read as follows:

§236.1. Approval of home study programs

G. Notwithstanding any rule, regulation, or other provision of law to the contrary, a high school diploma awarded by a home study program approved by the State Board of Elementary and Secondary Education shall be deemed by all public postsecondary educational institutions, all state departments, agencies, boards, and commissions, and all other state and local governmental entities to have all of the rights and privileges afforded to a high school diploma awarded by a state-approved nonpublic school.

On motion of Senator Nevers, the committee substitute bill was adopted and becomes Senate Bill No. 798 by Senator Nevers, substitute for Senate Bill No. 517 by Senator Walsworth.

SENATE BILL NO. 798— (Substitute of Senate Bill No. 517 by Senator Walsworth)

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 17:236.1(G), relative to home study programs; to provide that a high school diploma awarded by an approved home study program shall be recognized by certain educational institutions and governmental entities in the same manner as one awarded by an approved nonpublic school; and to provide for related matters.

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

SENATE BILL NO. 526—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:4076.1, relative to the Sewage and Water Board of New Orleans; to prohibit unauthorized firearms or other explosive devices on board property; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 526 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, delete "Sewage" and insert "Sewerage"

AMENDMENT NO. 2

On page 1, between lines 4 and 5, insert the following: "Notice of intention to introduce this Act has been published."

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

SENATE BILL NO. 534— BY SENATOR HEBERT

AN ACT

To enact R.S. 56:1691, relative to possession of firearms; to allow the possession of firearms on certain state lands; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 534 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R. S. 56:109(C) and to"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." insert "R.S. 56:109(C) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert: "§109. Wildlife management areas; wildlife refuges; public hunting grounds and recreation areas; notice; signs; disabled hunters * * *

C. No person shall knowingly take, attempt to take, disturb, or destroy any wild bird or wild quadruped or the nest, egg, or young thereof on lands set apart as wildlife management areas and wildlife refuges, or have in his possession or keep, while on the lands, any firearm; trap, snare, or other device capable of being used in the taking or disturbance of the birds or quadrupeds on such areas, unless the person previously has been expressly authorized by a permit from the department to do so and only for the purpose and under the conditions specified in the permit. * * *

AMENDMENT NO. 4

On page 1, delete lines 10 and 11, and insert "preservation area, wildlife management area, or wildlife refuge."

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

SENATE BILL NO. 559— BY SENATOR WALSWORTH

AN ACT

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

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

SENATE BILL NO. 565— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 47:302.2(A) and (B) and the introductory paragraph of R.S. 47:302.2(C) and 332.6, relative to certain collections in the city of Shreveport; to provide for the uses of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 565 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 47:302(A), (B), and (C)(1)(a), (d), and (f)(i) and (ii)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "47:302.2(C)"

AMENDMENT NO. 3

On page 1, line 4, change "uses" to "use"

AMENDMENT NO. 4

On page 1, line 5, change "Fund;" to "Fund; to correct the names of certain entities receiving allocations from the fund;"

AMENDMENT NO. 5

On page 1, delete lines 8 and 9, and insert the following: "Section 1. R.S. 47:302(A), (B), and (C)(1)(a), (d), and (f)(i) and (ii) and 332.6 are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 6

On page 2, delete line 11 and insert the following: "shall be used as follows:

(1) For allocation from all monies in the fund in the following amounts:

(a) Three percent to the African-American Theater of the Performing Arts Theatre of Performing Arts of Shreveport.

(d) One and one-third percent for Ark-La-Tex Antique and Classic Vehicle/Shreveport Firefighters Museum Shreveport Regional Sports Authority, Inc.

(f) Three percent for the following:

(i) One percent for the New Dimensions Choral Society New Arts Cultural Society, Inc.

(ii) One percent for Pamoja Art Society."

AMENDMENT NO. 7

On page 2, line 28, after "Pamoja" and before "for African-", insert "Art Society"

AMENDMENT NO. 8

On page 3, line 1, change "Friends of Rho Omega" to "Friends of Rho-Omega Rho Omega and Friends, Inc."

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

SENATE BILL NO. 567—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 47:337.2(B)(1), (C)(4)(b)(iii), and (D), 337.4(A) and (D), 337.27, 337.45, 337.51(A) and (B), 337.53(C), 337.54, 337.56, 337.63(A)(1)(a), 337.67(D)(2), 337.77(F), 337.81, 1401, 1402, 1408, 1410, 1431, 1432, 1434, 1435, 1436, 1437, 1438, and 1451, and to enact R.S. 47:337.2(A)(1)(c), 337.6(A)(4), 337.81-A, and 1407(3), and to repeal R.S. 47:337.61 and 337.67(B)(2), relative to the sales and use tax of political subdivisions of the state; to require an assessment of such tax and to authorize an appeal to a division of the board of tax appeals; to authorize and appeal to such division of the board of tax appeals from the disallowance of certain claims for refund of such taxes; to create the local sales tax division of the board of tax appeals and provide for its authority with respect to such taxes; to provide for appeals from the judgments of the board of tax appeals; to provide with respect to the assessment and distraint procedure for such taxes; and to provide for related matters.

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

SENATE BILL NO. 624—
BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 51:2366, relative to economic development; to provide for the Louisiana Mega Project Energy Assistance Rebate; to provide for the businesses eligible for such rebate; to provide for the amount of such rebate; to provide certain authority to the secretary of the Department of Economic Development and the Department of Revenue; and to provide for a penalty for failure to file certain reports; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 624 by Senator Marionneaux

AMENDMENT NO. 1

On page 3, line 17, change "may" to "shall"

AMENDMENT NO. 2

On page 3, line 20, change "may" to "shall"

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

SENATE BILL NO. 646—
BY SENATOR HEBERT

AN ACT

To enact R.S. 33:1236.29, relative to municipalities and parishes; to authorize a pilot program for certain parishes; to provide excavation equipment to parish residents for drainage maintenance and improvement; to provide for criteria for such agreement; to provide for limitation of liability; to provide for program effective and termination dates; and to provide for related matters.

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

SENATE BILL NO. 688—
BY SENATOR MORRELL

AN ACT

To enact R.S. 17:1990(I), relative to the Recovery School District; to provide for the creation of community advisory boards for schools within the district located in Orleans Parish; to provide

relative to the membership, duties, and functions of such boards; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 688 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 3, between "for" and "schools" insert "certain"

AMENDMENT NO. 2

On page 1, delete line 12 and insert "directly operated by the Recovery School District in Orleans Parish that is being considered for conversion to a charter school. Each such advisory board shall be composed of seven"

AMENDMENT NO. 3

On page 2, line 9, after "Education" insert a period "." and delete the remainder of the line and delete lines 10 through 23 in their entirety.

AMENDMENT NO. 4

On page 2, at the beginning of line 24, change "(5)" to "(2)"

AMENDMENT NO. 5

On page 2, line 25, after "school," delete the remainder of the line, delete line 26, and at the beginning of line 27, delete "Orleans Parish,"

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

SENATE BILL NO. 693—
BY SENATOR MORRISH

AN ACT

To enact R.S. 38:291(AA) and 329.5, relative to levee districts; to create the Chenier Plain Coastal Restoration and Protection Authority; to provide for its boundaries and membership; to provide for the powers, functions and duties of the board of commissioners; to provide terms, conditions, and requirements; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 693 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 13, delete "Acadia,"

AMENDMENT NO. 2

On page 1, line 14, delete "Jefferson Davis,"

AMENDMENT NO. 3

On page 2, line 1, change "fifteen" to "nine"

AMENDMENT NO. 4

On page 2, delete lines 3 through 5

AMENDMENT NO. 5

On page 2, line 6, change "(b)" to "(a)"

AMENDMENT NO. 6

On page 2, line 9, change "(c)" to "(b)"

AMENDMENT NO. 7

On page 2, delete lines 12 through 14

AMENDMENT NO. 8

On page 2, line 15, change "(e)" to "(c)"

AMENDMENT NO. 9

On page 2, between lines 25 and 26, insert:

"(5) At least one member from each parish shall be either an engineer, or a professional in a related field such as geotechnical, hydrological, or environmental science."

AMENDMENT NO. 10

On page 3, line 3, after "levy" insert "property"

AMENDMENT NO. 11

On page 3, line 5, after "levy" insert "property"

AMENDMENT NO. 12

On page 3, delete lines 8 through 18

AMENDMENT NO. 13

On page 3, line 19, change "(4)" to "(3)"

AMENDMENT NO. 14

On page 3, line 21, after "et seq." delete the remainder of the line and delete line 22

AMENDMENT NO. 15

On page 4, between lines 7 and 8, insert:

"(2) The board shall elect a president who shall serve for a two year term. The office of president shall be rotated among the parishes so that a representative from each parish shall serve as president during every six year period."

AMENDMENT NO. 16

On page 4, line 8, change "(2)" to "(3)"

AMENDMENT NO. 17

On page 4, at the end of line 10, insert "An advisory commission shall be composed of equal representation from each parish."

AMENDMENT NO. 18

On page 4, line 20, delete "Acadia," and delete "Jefferson"

AMENDMENT NO. 19

On page 4, line 21, delete "Davis,"

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

SENATE BILL NO. 707—

BY SENATOR ALARIO

AN ACT

To amend and reenact R.S. 47:342(3), relative to the occupational license tax; to define contractor for purposes of the occupational license tax; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed Senate Bill No. 707 by Senator Alario

AMENDMENT NO. 1

On page 1, line 3, after "tax" insert "in certain parishes"

AMENDMENT NO. 2

On page 1, line 12, after "(3)" insert "(a)"

AMENDMENT NO. 3

On page 1, at the end of line 17, delete "or" and on page 2, line 1, delete "movable"

AMENDMENT NO. 4

On page 2, line 4, delete "fabricators and"

AMENDMENT NO. 5

On page 2, in between lines 9 and 10, insert the following:

"(b) Notwithstanding any provision of law to the contrary, in any parish with a population of between four hundred and fifty thousand and four hundred and eighty thousand, according to the latest federal decennial census, "contractor" shall be synonymous with the term "builder" and means a person, firm, partnership, corporation, association, or other organization, or a combination of them, which undertakes to or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation, or other structure or movable, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structure or works in connection therewith and includes subcontractors and specialty contractors. As such, the word, "Contractor" shall include oil field-related fabrication and oil field service contractors, including those contractors performing maintenance, construction, and fabrication of tangible property, movable or immovable, and general oil well servicing, maintenance, and construction when conducted as a single company unit. "General oil well servicing" and "fabrication" shall include welding, pipe coating, pipe inspection, wireline service, automation, workover, logging, analysis, seismograph, installing and servicing equipment, packing, platform work, perforating, and completion."

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

SENATE BILL NO. 711—

BY SENATORS CHEEK AND LAFLEUR

AN ACT

To enact Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2901 through 2903, relative to the Community Hospital Stabilization Fund; to create the Community Hospital Stabilization Fund as a special fund in the state treasury; to provide for deposit of certain monies into the fund; to provide for the uses of monies in the fund; to provide for certified public expenditures; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 711 by Senator Cheek

AMENDMENT NO. 1

On page 1, lines 3 and 10, change "46:2901 through 2903" to "46:2901"

AMENDMENT NO. 2

On page 1, line 6, change "to provide for certified public expenditures;" to "to provide for certain Medicaid and disproportionate share payments to non-rural, non-state community hospitals;"

AMENDMENT NO. 3

On page 1, line 16, after "legislature" delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete line 17 and insert "or any other monies"

AMENDMENT NO. 5

On page 2, delete lines 10 through 29 and insert the following:

"(1) Supplemental payments for inpatient and outpatient Medicaid hospital services, Medicaid outlier payments, and

Medicaid Disproportionate Share Hospital (DSH) payments to non-state, non-rural community hospitals.(2) Enhanced Medicaid payments to non-state, non-rural community hospitals.(3) Enhanced DSH payments and uncompensated care payments to non-state, non-rural community hospitals.(4) Payments for services of the state Medicaid program for non-state, non-rural community hospitals that are subject to federal financial participation in matching funds."AMENDMENT NO. 6

Delete pages 3 and 4

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

SENATE BILL NO. 718—

BY SENATOR MORRISH

AN ACT

To enact R.S. 32:387.19, relative to special permits; to authorize issuance of special permits for one-way hauls of bagged rice for export within a sixty-mile radius of the Port of Lake Charles; to authorize the Department of Transportation and Development to promulgate rules and regulations; to provide for limitations; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 718 by Senator Morrish

AMENDMENT NO. 1On page 1 line 15, change "will" to "shall"AMENDMENT NO. 2On page 1, line 16, change "will" to "shall"AMENDMENT NO. 3On page 2, line 1, change "will" to "shall"AMENDMENT NO. 4

On page 2, line 4, after "pounds" insert a period "." and delete the remainder of the line and delete line 5 and insert the following: "No tandem axle set equipped with low pressure pneumatic tires shall exceed thirty-four thousand pounds on the interstate system or thirty-seven thousand pounds off the interstate system. No tridum axle set equipped with low pressure pneumatic tires shall exceed forty-two thousand pounds on the interstate system or forty-five thousand pounds off the interstate system."

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

SENATE BILL NO. 724—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 41:642(A)(2), relative to sixteenth section and school board indemnity lands; to provide for revenues generated by certain sixteenth section and school board indemnity lands; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 724 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, delete lines 4 and 5 and insert the following: "sixteenth section lands shall be credited, subject to an appropriation specifically for proceeds attributable to Fiscal Years 2007-2008, 2008-2009, and 2009-2010, to the account of the school fund of the parish in which such sixteenth section lands are located. Beginning in Fiscal Year 2010-2011 and thereafter, such proceeds shall be credited to the account of the current school fund of the parish in which such sixteenth section lands are located. The"

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

SENATE BILL NO. 739—

BY SENATOR MORRISH

AN ACT

To enact Chapter 10 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1001 through 1005, and R.S. 39:94(A)(2)(a)(iv), relative to the Louisiana Carbon Capture and Enhanced Oil Recovery Act; to provide relative to enhanced oil and gas recovery projects utilizing injection of carbon dioxide; to provide for the duties and powers of the commissioner of conservation and the secretary of the Department of Natural Resources; to provide definitions, terms and conditions; to establish a special custodial trust fund; to provide for the uses of certain monies deposited into such fund; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 739 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 6, delete "the commissioner of conservation and"

AMENDMENT NO. 2

On page 2, line 10, after "benefit from" delete the remainder of the line and delete lines 11 and 12, and insert "industrial processes that will capture significant amounts of carbon dioxide for use in enhanced oil recovery."

AMENDMENT NO. 3

On page 2, delete lines 13 through 15

AMENDMENT NO. 4On page 2, line 16, change "(5)" to "(4)"AMENDMENT NO. 5On page 2, line 17, delete "the following"AMENDMENT NO. 6

On page 2, line 19, after "recovery" delete the semicolon and insert a period

AMENDMENT NO. 7

On page 2, delete lines 20 through 24

AMENDMENT NO. 8

On page 2, line 25, delete "commissioner of conservation" and insert "secretary"

AMENDMENT NO. 9

On page 3, delete lines 7 through 11

AMENDMENT NO. 10On page 3, line 12, change "(4)" to "(2)"

AMENDMENT NO. 11

On page 3, delete lines 13 through 15

AMENDMENT NO. 12

On page 3, line 16, change "(6)" to "(3)"

AMENDMENT NO. 13

On page 3, line 18, change "(7)" to "(4)"

AMENDMENT NO. 14

On page 3, line 20, change "(8)" to "(5)"

AMENDMENT NO. 15

On page 3, delete lines 21 and 22 and on line 23, change "(10)" to "(6)"

AMENDMENT NO. 16

On page 3, line 24, change "(11)" to "(7)"

AMENDMENT NO. 17

On page 3, delete lines 27 through 29, and insert

"(8) 'Qualified low carbon energy project' means a project that produces at least two hundred fifty thousand tons per year of carbon dioxide and captures"

AMENDMENT NO. 18

On page 4, line 1, delete "the" and insert "such"

AMENDMENT NO. 19

On page 4, line 2, after "recovery" insert a period and delete the remainder of the line

AMENDMENT NO. 20

On page 4, delete lines 3 through 5

AMENDMENT NO. 21

On page 4, line 6, change "(13)" to "(9)"

AMENDMENT NO. 22

On page 4, delete lines 8 through 11

AMENDMENT NO. 23

On page 4, line 12, delete "commissioner" and insert "secretary"

AMENDMENT NO. 24

On page 4, line 13, delete "office's" and insert "department's"

AMENDMENT NO. 25

On page 4, line 14, delete "commissioner" and insert "secretary"

AMENDMENT NO. 26

On page 4, line 15, delete "commissioner" and insert "secretary"

AMENDMENT NO. 27

On page 4, delete lines 16 and 17, and insert **"have the authority to certify, based on the evaluation of the technology assessment division of the department, any project as a qualified low carbon energy project if the"**

AMENDMENT NO. 28

On page 4, line 18, change "2013" to "2020"

AMENDMENT NO. 29

On page 4, line 19, delete "(12)" and insert "(8)"

AMENDMENT NO. 30

On page 4, delete lines 20 through 23

AMENDMENT NO. 31

On page 4, line 24, delete "commissioner" and insert "secretary"

AMENDMENT NO. 32

On page 4, line 25, delete "secretary" and insert "project"

AMENDMENT NO. 33

On page 4, delete line 27, and insert "**C. Upon issuance of the certificate certifying a**"

AMENDMENT NO. 34

On page 4, line 28, after "energy project" insert a colon ":" and delete the remainder of the line and line 29

AMENDMENT NO. 35

On page 5, delete lines 1 through 9, and insert:

"(1) The Public Service Commission is granted jurisdiction to entertain a request by any qualified low carbon energy project for a rate order from the Public Service Commission that includes a request that the Public Service Commission utilize the fund as provided in R.S. 30:1005, and any ensuing order of the Public Service Commission granting such request shall require the project to deposit with the Public Service Commission, upon commercial operation, up to one hundred fifty million dollars ('initial deposit') depending on the size or portion of the project subject to the order. The initial deposit shall be held in trust and controlled by the Public Service Commission through a third-party administrator, with the expenses of the administration of such fund to be paid from the initial deposit, but such deposit, unless and until used by the Public Service Commission as provided herein, shall remain the property of the owner of the qualified low carbon energy project which made the initial deposit."

AMENDMENT NO. 36

On page 5, delete line 10, and insert:

**"(2) The secretary shall do the following:
(a) Make the monies in the fund attributable to"**

AMENDMENT NO. 37

On page 5, line 11, delete "produces substitute natural gas" and insert "**obtains a rate order from the Public Service Commission**"

AMENDMENT NO. 38

On page 5, line 13, delete "at the discretion of the secretary" and insert "**presentation of documentation supporting such request**"

AMENDMENT NO. 39

On page 5, line 16, after "1005" and before the period, insert ", **but only after the initial deposit has been exhausted**"

AMENDMENT NO. 40

On page 5, line 17, delete "(3)" and insert "(b)" and delete ", **not including the initial deposit,**" and insert "**in the fund**"

AMENDMENT NO. 41

On page 5, line 18, after "project" delete the remainder of the line and insert "**to the extent such project is not subject to any rate order of the Public Service Commission,**"

AMENDMENT NO. 42

On page 5, line 25, after "project" delete the remainder of the line and insert "**to the extent such project is not subject to any rate order of the Public Service Commission with monies from the**"

AMENDMENT NO. 43

On page 5, line 29, after "If" delete the remainder of the line and insert "**a portion of the output of a project is subject to a rate order of the Public Service Commission,**"

AMENDMENT NO. 44

On page 6, line 1, delete "**chemicals,**"

AMENDMENT NO. 45

On page 6, line 2, after "that" delete the remainder of the line and insert "**is subject to a rate order of the Public Service Commission**"

AMENDMENT NO. 46

On page 6, line 3, delete "natural gas"

AMENDMENT NO. 47

On page 6, line 5, delete "produces chemicals" and insert "is not subject to a rate order of the Public Service Commission"

AMENDMENT NO. 48

On page 6, line 7, delete "receives" and insert "issues" and delete "from the commissioner"

AMENDMENT NO. 49

On page 6, line 8, after "monies are" insert "dedicated and"

AMENDMENT NO. 50

On page 6, delete lines 27 through 29

AMENDMENT NO. 51

On page 7, line 1, delete "(2)" and insert "B."

AMENDMENT NO. 52

On page 7, line 3, after "projects" insert "shall be deposited into the fund"

AMENDMENT NO. 53

On page 7, delete lines 4 and 5, and insert "after the amount provided in Article VII, Section 10.3(A)(2)(a) of the Constitution of Louisiana and R.S. 39:94(A)(2)(a), referred to as the "base", has been satisfied each fiscal year, and which fifty percent portion shall be applied only to the increase in production of oil or gas resulting from the injection of such carbon dioxide."

AMENDMENT NO. 54

On page 7, line 6, delete "into such fund" and insert "made with the Public Service Commission"

AMENDMENT NO. 55

On page 7, line 7, delete "that produces substitute natural gas"

AMENDMENT NO. 56

On page 7, line 8, after "Commission" insert "exclusively for the purposes"

AMENDMENT NO. 57

On page 7, line 9, after "shall be" delete the remainder of the line and insert "so used prior to the distribution to the Public Service Commission of any royalties, rentals."

AMENDMENT NO. 58

On page 7, line 11, delete "there is no initial deposit or if"

AMENDMENT NO. 59

On page 7, line 13, delete "until" and insert "subject to"

AMENDMENT NO. 60

On page 7, line 14, delete "has been satisfied"

AMENDMENT NO. 61

On page 7, line 15, delete ", at the discretion of the secretary."

AMENDMENT NO. 62

On page 7, at the end of line 16, insert "The Public Service Commission shall promptly notify the secretary when the initial deposit has been exhausted."

AMENDMENT NO. 63

On page 7, line 18, after "project" delete the remainder of the line and insert "to the extent it is not subject to any rate order of the Public Service Commission"

AMENDMENT NO. 64

On page 7, line 19, delete "electric power"

AMENDMENT NO. 65

On page 7, line 28, after "project" delete the remainder of the line and insert "to the extent it is not subject to any rate order of the Public Service Commission"

AMENDMENT NO. 66

On page 8, line 1, delete "In addition to" and insert "After the exhaustion of"

AMENDMENT NO. 67

On page 8, line 3, after "project" delete the remainder of the line and insert "that is subject to a rate order from the Public Service Commission shall"

AMENDMENT NO. 68

On page 8, line 17, delete "secretary" and insert "Public Service Commission"

AMENDMENT NO. 69

On page 8, at the end of line 24, insert "The carbon dioxide produced by a qualified low carbon energy project and utilized in enhanced oil or gas recovery pursuant to the provisions of this Chapter shall be metered or otherwise measured to provide an accurate tracking of the amount of such carbon dioxide so utilized. However, the operator conducting the enhanced oil or gas recovery activities shall be permitted to physically inject, for purposes of enhanced oil or gas recovery under the provisions of this Chapter, carbon dioxide, whether anthropogenic or naturally occurring, other than the carbon dioxide produced by a qualified low carbon energy project, provided the operator can show to the secretary's satisfaction that the metered or measured amount of carbon dioxide received by the operator from a qualified low carbon energy project matches the amount of other carbon dioxide utilized in the enhanced oil or gas recovery operations."

On motion of Senator N. Gautreaux, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 741—

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 41:1215.3, relative to certain state leases; to provide for leases transferred from the office of state parks to the office of state lands; to provide for the uses of property subject to such lease; and to provide for related matters.

Reported by substitute by the Committee on Natural Resources. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 741 by Senator B. Gautreaux)

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 41:1215.3, relative to the leasing of certain state property; to provide for the property description; to provide for terms and conditions; to provide for the uses of the property subject to the lease; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 41:1215.3 is hereby enacted to read as follows:

Notwithstanding with any other provision of law to the contrary, the secretary of the Department of Culture, Recreation and Tourism and the commissioner of administration are hereby authorized and empowered to enter into a lease of all or any portion of the state owned property north of Highway 90 at Fort Pike to the Rigolets Marina Inc. The lease shall provide for the uses of the property and the lease shall be subject to approval by the federal government. The compensation received by the state shall be at least five percent of the appraised value of the property to be paid bi-annually to the state.

May 18, 2010

On motion of Senator N. Gautreaux, the committee substitute bill was adopted and becomes Senate Bill No. 799 by Senator B. Gautreaux, substitute for Senate Bill No. 741 by Senator B. Gautreaux.

SENATE BILL NO. 799 — (Substitute of Senate Bill No. 741 by Senator B. Gautreaux)

BY SENATOR B. GAUTREAUX AN ACT

To enact R.S. 41:1215.3, relative to the leasing of certain state property; to provide for the property description; to provide for terms and conditions; to provide for the uses of the property subject to the lease; and to provide for related matters.

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

SENATE BILL NO. 743—

BY SENATOR BROOME AN ACT

To amend and reenact R.S. 24:973.1(B)(1) and (2), and (E)(5), relative to the Legislative Youth Advisory Council; to provide for the selection of members nominated for membership by certain school clubs and community organizations; to provide for submission of an annual report; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 743 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "and (2)," insert "(D),"

AMENDMENT NO. 2

On page 1, line 3, after "Council;" insert "to provide for membership and terms;"

AMENDMENT NO. 3

On page 1, line 4, after "organizations;" insert "to provide relative to the selection process;"

AMENDMENT NO. 4

On page 1, line 7, after "and (2)," insert "(D),"

AMENDMENT NO. 5

On page 2, between lines 6 and 7, insert the following: "(iii) In the event two qualified applicants cannot be found to represent a particular congressional district, in lieu of directly filling any such vacancy, the commission may select a qualified applicant from among youths nominated by a school club or community organization, as provided in Subparagraph (b) of this Paragraph, to serve as an at-large member in order to ensure full membership on the council."

AMENDMENT NO. 6

On page 3, between lines 1 and 2, insert as follows: "D. Terms of office. (†) Members appointed by the commission pursuant to Subparagraph (B)(1)(a) of this Section shall serve a two-year term of one year and may be reappointed for a subsequent term, provided that they are eligible at the time of reappointment. However, no member of the council shall serve more than two consecutive terms.

(2) A member representing an eligible club or organization pursuant to Subparagraph (B)(1)(b) of this Section shall serve a term of one year."

AMENDMENT NO. 7

On page 3, after line 7, insert as follows: "Section 2. The provisions of this Act shall be effective for the members appointed to the Legislative Youth Advisory Council beginning with the 2010-2011 term.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 744—

BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 17:3096(G), relative to monies in certain qualified tuition programs and civil procedure; to exempt certain funds from attachment, levy, garnishment, or legal process; to provide terms and conditions, and to provide for related matters.

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

SENATE BILL NO. 749—

BY SENATOR MURRAY AN ACT

To amend and reenact R.S. 24:653(H)(2), relative to the Joint Legislative Committee on the Budget; to provide for the review of certain negotiations, compromises or settlements by the Litigation Subcommittee of the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 749 by Senator Murray

AMENDMENT NO. 1

On page 1, line 15, after "more than" delete the remainder of the line and insert "one million"

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

SENATE BILL NO. 752—

BY SENATOR LONG AN ACT

To enact R.S. 39:1367(E)(2)(b)(v) and Chapter 17-F of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1800.21 through 1800.35, relative to the creation of a nonprofit corporation to provide for the financing and leasing of centers of excellence; to provide for its board of directors; to authorize the lease and sublease of the facilities; to authorize the issuance of bonds and certificates of participation; to empower the nonprofit corporation, the Louisiana Community and Technical College System and the state to take such other actions or enter into such other agreements as may be necessary and appropriate to carry out its responsibilities; to provide that debt issued by the nonprofit corporation is excluded from net state tax supported debt; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 752 by Senator Long

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "Chapter" delete "R.S. 39:1367(E)(2)(b)(v) and"

AMENDMENT NO. 2

On page 1, line 10 after "responsibilities;" delete the remainder of the line and at the beginning of line 11, delete "excluded from net state tax supported debt;"

AMENDMENT NO. 3

On page 1, on line 13, after "Section 1." delete "R.S. 39:1367(E)(2)(b)(v) and"

AMENDMENT NO. 4

On page 1, line 14, after "1800.35," change "are" to "is"

AMENDMENT NO. 5

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 9

AMENDMENT NO. 6

On page 3, line 9, after "means the" and before "nonprofit" insert "public"

AMENDMENT NO. 7

On page 3, line 12, after "by law." delete the remainder of the line and delete lines 13 through 16

AMENDMENT NO. 8

On page 3, line 26, after "means the" and before "acquisition" insert "planning."

AMENDMENT NO. 9

On page 3, delete lines 27 and 28, and insert the following: "improvement, equipping, or expansion of a public facility by the corporation, provided that no more than fifty percent of the total project cost shall be financed with funds provided through bonds issued pursuant to this Chapter. At least fifty percent of the total cost of each project shall be from contributions by private sources through donations of cash, immovable property, or equipment, or a combination thereof, or from contributions by parishes, municipalities, or their agencies or instrumentalities."

AMENDMENT NO. 10

On page 4, line 19, after "expansion of" and before "to be leased" change "facilities" to "centers of excellence"

AMENDMENT NO. 11

On page 4, at the end of line 20, insert: "However, the financing of such centers of excellence shall be in addition to any other funds or appropriations provided to the Louisiana Community and Technical College System, and such financing shall not displace, replace, supplant, or prevent funding for such system or system's projects from the capital outlay act or appropriations acts."

AMENDMENT NO. 12

On page 5, delete line 4, and insert:

"(7) The executive director of the Workforce Commission, or his designee."

AMENDMENT NO. 13

On page 5, at the end of line 18, insert the following: "With the approval of the commissioner of administration, projects shall either be included in the annual capital outlay act or obtain legislative approval as provided in R.S. 39:112(G). Projects shall be administered by the office of facility planning and control in accordance with the provisions of R.S. 39:121 through 128."

AMENDMENT NO. 14

On page 6, line 14, after "improvement," and before "or expansion" insert "equipping,"

AMENDMENT NO. 15

On page 6, line 25, change "thirty" to "forty"

AMENDMENT NO. 16

On page 7, line 14, after "Louisiana" insert: ", including the office of risk management"

AMENDMENT NO. 17

On page 7, line 22, after "state" and before "and the" insert "or a third party"

AMENDMENT NO. 18

On page 7, between lines 22 and 23, insert the following:

"(8) To participate in any capacity with new market tax credit financing and other tax credits."

AMENDMENT NO. 19

On page 7, at the beginning of line 23, change "(8)" to "(9)"

AMENDMENT NO. 20

On page 8, line 1, change "thirty" to "forty"

AMENDMENT NO. 21

On page 8, line 12, change "thirty" to "forty"

AMENDMENT NO. 22

On page 8, line 23, after "from" and before "any" and insert "lawfully available funds, including but not limited to"

AMENDMENT NO. 23

On page 9, line 4, change "thirty" to "forty"

AMENDMENT NO. 24

On page 9, line 5, after "such form" delete the remainder of the line and on line 6, delete "coupon or registered."

AMENDMENT NO. 25

On page 10, line 7, after "pledging" and before "all or" insert "or assigning"

AMENDMENT NO. 26

On page 10, line 24, after "facilities." and before "Such" insert "A Form UCC-1 need not be filed."

AMENDMENT NO. 27

On page 11, delete line 8, and insert "credit, guaranty agreements, surety bonds, and liquidity facilities."

AMENDMENT NO. 28

On page 11, line 22, after "agreements," delete "and"

AMENDMENT NO. 29

On page 11, line 24, after "rates," and before "subject" insert "and any other derivative product," and after "Commission" insert ", including specific approval of the necessity, amount, and the recipient of fees or other charges associated with any of the contracts, agreements, or products"

AMENDMENT NO. 30

On page 12, line 8, after "of the" and before "faith" insert "full"

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

SENATE BILL NO. 767—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:266(B) and to enact R.S. 32:57(I), relative to traffic offenses; to provide relative to the disposition of fines for exceeding the posted speed limit on an interstate highway; to change the name of the "Louisiana Highway Safety Commission Fund"; to provide relative to court costs for multiple offenses; and to provide for related matters.

May 18, 2010

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 767 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "R.S.32:266(B)" delete "and to enact R.S. 32:57(I)"

AMENDMENT NO. 2

On page 1, line 5, after "Fund";" delete "to provide relative to court costs for multiple offenses;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" delete "and R.S. 32:57(I) is" and on line 9 delete "hereby enacted"

AMENDMENT NO. 4

On page 1, delete line 10 through 16

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

SENATE BILL NO. 779—

BY SENATORS LAFLEUR AND MICHOT AND REPRESENTATIVE MONTOUCKET

AN ACT

To amend and reenact R.S. 25:651 through 653, and to enact R.S. 25:654 through 657, relative to the Council for the Development of French in Louisiana; to provide for membership; to provide for the domicile; to provide its purpose and mission; to provide for the powers; to provide for appointment of an executive committee; to provide for an executive director; to provide for compensation of members; to provide for funding; to provide for an annual report; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 779 by Senator Lafleur and Michot and Representative Montoucet)

BY SENATOR LAFLEUR

AN ACT

To amend and reenact Chapter 13 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:651 through 655, relative to the Council for the Development of French in Louisiana; to statutorily create the council; to provide relative to the council's domicile, purposes, membership, powers, duties, and functions; to provide relative to members' terms and compensation; to provide relative to vacancies; to provide for the appointment of an executive committee and an executive director; to provide for policies and bylaws; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 13 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:651 through 655, is hereby amended and reenacted to read as follows:

CHAPTER 13. COUNCIL FOR THE DEVELOPMENT OF FRENCH

IN LOUISIANA

§651. Council authorized; membership; powers

The governor is hereby authorized to establish the Council for the Development of French in Louisiana, said agency to consist of no more than fifty members and including a chairman appointed by the governor from names recommended to him by legislators. Said council is empowered to do any and all things necessary to accomplish the development, utilization and preservation of the French language as found in the state of Louisiana for the cultural, economic and tourist benefit of the state:

§651. Creation; domicile; purposes

A. The Council for the Development of French in Louisiana, hereinafter referred to as the "council", is hereby created within the Department of Culture, Recreation and Tourism to preserve, promote, and develop Louisiana's French and Creole culture, heritage, and language.

B. The council shall be domiciled in Lafayette, Louisiana.

C. The purposes of the council shall include the following:

(1) To oversee the development and expansion of the state's economic development and tourism activities designed to promote our French culture, heritage, and language.

(2) To promote, develop, and oversee cultural and educational relations and exchanges between the state of Louisiana and other countries, provinces, and states that share Louisiana's historical French heritage, culture, and language.

(3) To promote, support, and enhance French language immersion educational programs and instruction at all levels of elementary and secondary education in the state by working cooperatively and collaboratively with the State Board of Elementary and Secondary Education and the state Department of Education.

(4) To develop a model French immersion program which can be used by any school seeking to establish a French immersion program within its curriculum.

(5) To increase the number of French immersion schools in the state, with the specific goal of establishing, not later than September 1, 2015, at least one French immersion school in each of the following parishes which comprise the Acadiana Region:

- (a) Acadia
(b) Ascension
(c) Assumption
(d) Avovelles
(e) Calcasieu
(f) Cameron
(g) Evangeline
(h) Iberia
(i) Iberville
(j) Jefferson Davis
(k) Lafayette
(l) LaFourche
(m) Pointe Coupee
(n) St. Charles
(o) St. James
(p) St. Landry
(q) St. Martin
(r) St. Mary
(s) St. John the Baptist
(t) Terrebonne
(u) Vermillion
(v) West Baton Rouge

(6) To develop a certification system whereby vendors, festivals, and restaurants may be designated "Francophone Friendly" and design and issue a marquee that may be displayed by each certified entity.

§652. Cooperation with other agencies

The Council for the Development of French in Louisiana may cooperate with and advise other state agencies, including public institutions of education:

§652.Membership; appointment; terms; vacancies; compensation

A. The council shall be composed of twenty-three members as follows:

- (1) Two members appointed by the governor.
(2) Four members appointed by the Louisiana section of the Assemblée des parlementaires Francophones.
(3) Two members appointed by the council's Consortium of Louisiana Colleges and Universities.
(4) One member appointed by the Le Centre International de Lafayette.
(5) One member appointed by the Louisiana Cultural Economy Foundation.
(6) The mayor of New Orleans, or his designee.
(7) One member appointed by the French-American Chamber of Commerce, Louisiana Chapter.

(8) One member appointed by the Louisiana Educational Television Authority.

(9) One member appointed by La Fondation Louisiane.

(10) Four members appointed by the Louisiana Consortium of Immersion Schools.

(11) Two members appointed by the American Association of Teachers of French, Louisiana Chapter.

(12) One member appointed by the United Houma Nation.

(13) One member appointed by the Association Louisiane-Acadie.

(14) One member appointed by the Louisiana Bar Association, Francophone Section.

B. All members shall be confirmed by the Senate.

C. Members shall serve four-year terms, concurrent with that of the governor.

D. Vacancies shall be filled in the manner of original appointment and each member shall serve until his successor is appointed and takes office.

E. Members of the council shall serve without compensation.

§653. Duties, powers, and functions
A. The council shall serve as the official state agency in all relations and exchanges between the state of Louisiana and other countries, provinces, and states enjoying membership or observer status in the Organisation Internationale de la Francophonie and similar organizations.

B. A majority of the council shall constitute a quorum for the transaction of official business. All official actions of the council shall require the affirmative vote of a majority of the members present and voting.

C. The council shall elect a chairman, who shall be fluent in the French language, and may elect such other officers as deemed necessary to effectively conduct the council's business. Officers shall serve two-year terms.

D. The council shall:

(1) Meet at least once a year, or at the call of the chairman, and at such other times deemed necessary by the chairman or the executive committee.

(2)(a) Create an executive committee consisting of seven members of the council, including the chairman of the council and six other council members as the council may determine. All members of the executive committee shall be fluent in the French language.

(b) A majority of the members of the executive committee shall constitute a quorum for the transaction of business. However, when the council has delegated to the committee full power to act with respect to a matter, affirmative action by a majority of the entire committee membership shall be required.

(3)(a) Appoint an executive director, who shall be fluent in French, and who shall perform such duties and possess such qualifications as established by the council.

(b) The executive director shall be in the unclassified service of the state and his compensation shall be determined by the council.

(4) Adopt bylaws and establish policies to govern the operations of the council and the executive committee.

E. The council may:

(1) Cooperate with and advise other state agencies, including public institutions of education.

(2) Establish such committees as it deems necessary to efficiently conduct the council's business.

§653 654. Donations and grants

The Council for the Development of French in Louisiana may receive accept donations and grants from individuals, corporations and governments any source, public and private, in order to further the provisions of this section accomplish the purposes of the council.

§655. Annual Report

The council shall submit an annual report to the governor, the president of the Senate, the speaker of the House of Representatives, the chairman of the Senate Committee on Education, and the chairman of the House Committee on Education, not later than March first, regarding all actions taken and progress made toward achieving the purposes and duties set forth for the council in this Chapter.

Section 2. The terms of the members of the Council for the Development of French in Louisiana in office on the effective date of this Act shall terminate on December 31, 2010.

Section 3. The initial terms of the members of the Council for the Development of French in Louisiana appointed pursuant to the provisions of this Act shall commence on January 1, 2011.

On motion of Senator Nevers, the committee substitute bill was adopted and becomes Senate Bill No. 800 by Senator LaFleur, substitute for Senate Bill No. 779 by Senator LaFleur.

SENATE BILL NO. 800 — (Substitute of Senate Bill No. 779 by Senator LaFleur and Michot and Representative Montoucet)

BY SENATOR LAFLEUR

AN ACT

To amend and reenact Chapter 13 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:651 through 655, relative to the Council for the Development of French in Louisiana; to statutorily create the council; to provide relative to the council's domicile, purposes, membership, powers, duties, and functions; to provide relative to members' terms and compensation; to provide relative to vacancies; to provide for the appointment of an executive committee and an executive director; to provide for policies and bylaws; and to provide for related matters.

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

Rules Suspended

Senator Claitor asked for and obtained a suspension of the rules to take up at this time:

Senate Resolutions on Second Reading

Called from the Calendar

Senator Claitor asked that Senate Resolution No. 80 be called from the Calendar.

SENATE RESOLUTION NO. 80—

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend New Orleans Saints' defensive back, Tracy Porter of Port Allen, Louisiana, for his contributions towards the Saints' 2009 NFL championship season.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 63—

BY REPRESENTATIVE GEYMAN

AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to Sidney J. and Sherilyn M. Cormier from the division of administration; and to provide for related matters.

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

HOUSE BILL NO. 70—

BY REPRESENTATIVE GEYMAN

AN ACT

To enact Subpart B-4-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.81 through 130.83, relative to the Wards 4 and 6

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Economic Development Board in Beauregard Parish; to establish the board; to provide for appointment of members to the board; to provide the powers and duties of the board; and to provide for related matters.

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

HOUSE BILL NO. 81—
BY REPRESENTATIVES SAM JONES AND MILLS
AN ACT

To amend and reenact R.S. 56:796(A) and (B)(1), relative to the Lake Fausse Point and Grand Avoille Cove Advisory Board; to provide relative to membership of the board; to provide with respect to jurisdiction over Lake Dauterive; and to provide for related matters.

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

HOUSE BILL NO. 96—
BY REPRESENTATIVE RICHARD
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 144—
BY REPRESENTATIVE GEYMANN
AN ACT

To enact R.S. 33:3812(I), relative to waterworks districts in Beauregard Parish; to authorize the parish to create commissioner districts within Waterworks District No. 3; to provide a definition of commissioner districts; to provide for representation on the board of commissioners; and to provide for related matters.

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

HOUSE BILL NO. 211—
BY REPRESENTATIVE PUGH
AN ACT

To enact R.S. 32:299(A)(3), relative to off-road vehicles; to provide that off-road vehicles can be driven by certain persons on university and college streets; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 356—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To designate U.S. 90, a future I-49 Corridor, at its intersection with Louisiana Highway 675 interchange in Iberia Parish as the George T. Gros Memorial Overpass; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 372—
BY REPRESENTATIVE PEARSON
AN ACT

To repeal R.S. 32:63.1, relative to speed limits; to repeal provisions relative to speed limits on Interstate 10 in St. Tammany Parish.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 495—
BY REPRESENTATIVE HARRISON
AN ACT

To enact R.S. 9:1103, relative to carbon sequestration; to provide for ownership of compensation from certain carbon sequestration; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 515—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:108(B)(3), (C), and (F), relative to the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the Municipal Police Employees' Retirement System, provides for the organization, governance, administration, and membership of the Funding Review Panel charged with studying the funding and benefit provisions of such systems; to provide with respect to election of a chairman for such panel; to provide for reporting requirements; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 517—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:62(5)(c) and to repeal R.S. 24:36(E), relative to the Louisiana State Employee's Retirement System; to provide for the employee contribution rate of the clerk and sergeant at arms of the Louisiana House of Representatives and the secretary and sergeant at arms of the Louisiana Senate; to provide for the employee contribution rate of legislators, the governor, lieutenant governor, and certain other elected officials; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 518—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:403(1), relative to the Louisiana State Employee's Retirement System; to provide for the definition of "accumulated contributions"; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 587—
BY REPRESENTATIVE GARY SMITH
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Charles Parish to the Pontchartrain Levee District from the Department of Transportation and Development; and to provide for related matters.

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

HOUSE BILL NO. 646—BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 38:330.1(C)(2)(a)(xi), relative to the Southeast Louisiana Flood Protection Authorities; to add a member to the nominating committee; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 647—BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 32:318(H), relative to audible and visual signals on certain vehicles; to provide for exceptions; to provide for publicly owned fire trucks with fire apparatuses; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 670—BY REPRESENTATIVES HENRY, BILLIOT, GISCLAIR, GIROD JACKSON, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To amend and reenact R.S. 33:9611(A), 9612, and 9613(D) and (E)(2) and (5), relative to local ethics entities; to provide for the creation and administration of local ethics entities by certain parishes; to provide for the powers of local ethics entities; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The Local and Municipal Affairs was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 688—BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 49:214.6.2(E), relative to the Coastal Protection and Restoration Authority; to authorize the authority to assist in the formation of a coastal science consortium; to provide relative to the membership and governing council of the consortium; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 688 by Representative Foil

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert
"(g) A representative of McNeese State University appointed by the president."

AMENDMENT NO. 2

On page 2, line 16, change "(g)" to "(h)"

AMENDMENT NO. 3

On page 2, line 19, change "(h)" to "(i)"

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

HOUSE BILL NO. 746—BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d), relative to the Louisiana State Employees' Retirement System; to provide for calculation of benefits for persons electing early retirement; to provide for

different calculation methods depending upon whether such persons are in service at the time of retirement; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 748—BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:102(B)(3)(a) and (d)(v) and to enact R.S. 11:102(C), relative to the Louisiana State Employees' Retirement System; to provide relative to system funding; to require individualized normal cost payments for employers; to require individualized payments for changes in actuarial liability for employers; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 748 by Representative Pearson

AMENDMENT NO. 1

On page 2, line 7, change "2010-2011" to "2011-2012"

AMENDMENT NO. 2

On page 2, line 26, change "2010-2011" to "2011-2012"

AMENDMENT NO. 3

On page 3, line 28, change "2010-2011" to "2011-2012"

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

HOUSE BILL NO. 749—BY REPRESENTATIVES POPE, CORTEZ, DOERGE, DOWNS, HENDERSON, HOFFMANN, AND MONTOUCKET
AN ACT

To amend and reenact R.S. 11:1503(7) and 1530(K)(2) and to repeal R.S. 11:231(A)(5), relative to the Clerks' of Court Retirement and Relief Fund; to provide for average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for transitional provisions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 759—BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:1(26), relative to the traffic regulations; to revise the definition of "intersection"; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 835—BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 47:2243, 2245, and 2246 and to enact R.S. 47:2196(E), relative to redemption of properties adjudicated at tax sales; to provide for the lease, transfer, and sale of property adjudicated to the state for nonpayment of taxes for the years 1880 through 1973; to provide for redemption of property adjudicated to the state; and to provide for related matters.

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

HOUSE BILL NO. 842—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 41:131, 133, 134(D), and 135 and to enact R.S. 41:1338(A)(2)(c), relative to sale of public lands; to provide for the sale of property adjudicated to the state for nonpayment of taxes for the years 1880 through 1973; to provide for the advertisement of sale of property adjudicated to the state; and to provide for the disposition of proceeds from the sale of property adjudicated to the state; and to provide for related matters.

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

HOUSE BILL NO. 870—

BY REPRESENTATIVE GEYMAN

AN ACT

To direct the Department of Public Safety and Corrections to not implement the provisions of the Federal PASS ID Act of 2009; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 870 by Representative Geymann

AMENDMENT NO. 1

On page 2, delete lines 13 through 18, and insert:

"(7) That the proposed Pass ID Act contains provisions which authorize the states to opt out of the Act and, therefore, for the reasons stated herein, the legislature hereby utilizes this Act as its statement to the Congress that the state of Louisiana will elect not to participate in or enforce the provisions of the Pass ID Act of 2009, if enacted."

AMENDMENT NO. 2

On page 2, lines 22 through 26

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

HOUSE BILL NO. 874—

BY REPRESENTATIVES HARRISON, DOVE, AND ST. GERMAIN AND SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:10(B)(7)(a) and (D), 103(C)(1), 103.1(B)(1), 153, the heading of Subpart A-2 of Part IV of Chapter 1 of Title 56, 164(A) and (B)(introductory paragraph), 165, and 649.1(A) and to repeal R.S. 56:152, 154, 161, 162, and 163, relative to the issuance of stamps for hunting wild turkey and duck; to change the name of the wild turkey stamp to the wild turkey "license"; to provide for a distinction between "duck stamp" and "duck license"; to provide for fees associated with the purchase of duck stamps and issuance of duck licenses; and to provide for related matters.

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

HOUSE BILL NO. 977—

BY REPRESENTATIVE HARRISON

AN ACT

To amend and reenact R.S. 30:136(A)(1)(c) and to enact R.S. 44:4(44), relative to the office of mineral resources; to provide for the confidentiality of records while an audit is being performed by the office of mineral resources of the Department of Natural Resources; and to provide for related matters.

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

HOUSE BILL NO. 1043—

BY REPRESENTATIVE HENRY

AN ACT

To enact R.S. 32:1734(E), relative to gate fees; to prohibit towing or storage companies from charging gate fees when a vehicle is towed outside of normal business hours; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1090—

BY REPRESENTATIVE DOVE AND SENATOR CHABERT

AN ACT

To amend and reenact R.S. 36:351(B), R.S. 38:111, 112, 213, 221, and 226, R.S. 39:366.3(1), 1482(A)(1)(a), R.S. 41:1701.1(D) and 1702(D)(1), and R.S. 49:214.61(A) and to enact R.S. 39:14(7) and R.S. 49:214.5.2(F) and 214.6.10(C), relative to the Office of Coastal Protection and Restoration; to provide relative to responsibilities of the office with coastal levees; to provide relative to immunity for cooperating landowners; to provide for the responsibilities of the office in reclamation of land; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 1090 by Representative Dove

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 49:214.5.2(F)" insert a comma "," and "214.6.3(B)(5),"

AMENDMENT NO. 2

On page 1, line 8, after "land;" insert "to provide certain terms, conditions, and procedures;"

AMENDMENT NO. 3

On page 8, line 11, after "49:214.5.2(F)" insert a comma "," and "214.6.3(B)(5),"

AMENDMENT NO. 4

On page 8, between lines 19 and 20, insert the following: "§214.6.3. Functions and responsibilities; hurricane protection and flood control

B. Office of Coastal Protection and Restoration duties and responsibilities regarding hurricane protection and flood control:

(5) No funds of the state nor of any political subdivision or political corporation of the state shall be used nor provided to the United States or any of its agencies, by contract, agreement, a required contribution of a project cost-share or otherwise, for the expropriation of property for the purpose of compensatory mitigation of wetlands or other natural habitat, as authorized or required by state or federal law, to offset, compensate, or replace actual or anticipated damages to or loss of wetlands or other natural habitat caused by the Comite River Diversion Project, Amite River and Tributaries, Louisiana. However, the provisions of this Section shall not apply where such funds are to be used to obtain property voluntarily offered for compensatory mitigation purposes, including but not limited to mitigation banking.

AMENDMENT NO. 5

On page 8, line 22, after "Landowners" insert "or persons holding an interest in property"

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

HOUSE BILL NO. 1126—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 11:1521(A) and (C) and 1530(K)(2)(a), relative to the Clerks' of Court Retirement and Relief Fund; to provide for retirement eligibility and calculation of retirement benefits for persons whose system membership begins on or after January 1, 2011; to provide for calculation of benefits for post-Deferred Retirement Option Plan participation; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1142—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:539(A)(1) and to enact R.S. 11:441(G), 502.3(D), 538.1, and 538.2; relative to the Louisiana State Employees' Retirement System; to provide for conformity and compliance with qualified plan provisions of the Internal Revenue Code; to provide for limitations on contributions to a plan; to provide relative to the reversion of funds to employers; to provide for rollovers of distributions; to require the distribution of certain information relative to such rollover distributions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1150—

BY REPRESENTATIVE ABRAMSON

AN ACT

To provide for the transfer or lease of certain state property in Orleans Parish from the division of administration and to provide for specific use of the property.

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

HOUSE BILL NO. 1165—

BY REPRESENTATIVES ARNOLD, ABRAMSON, ANDERS, ARMES, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSETT, HENRY BURNS, TIM BURNS, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, DIXON, DOERGE, DOWNS, EDWARDS, FANNIN, FRANKLIN, GALLOT, GISCLAIR, GUILLORY, GUINN, HARDY, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, LABRUZZO, LAFONTA, LEBAS, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTUCET, MORRIS, NORTON, PEARSON, POPE, PUGH, RICHARDSON, RICHMOND, ROBIDEAUX, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR CROWE

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to honor the 2009 World Champion New Orleans Saints; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to create a foundation and provide for foundation members; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 1165 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 5 after "plates;" delete "to create a foundation and" and on line 6 delete "provide for foundation members;"

AMENDMENT NO. 2

On page 1, line 10, change "**plates**" to "**plate**"

AMENDMENT NO. 3

On page 2, line 1, after "**such plates.**" change "**These**" to "**The**" and after "**license**" change "**plates**" to "**plate**"

AMENDMENT NO. 4

On page 2, line 12, at the end of the line change "**costs**" to "**cost**"

AMENDMENT NO. 5

On page 2, delete lines 15 through 28 and on page 3, delete lines 1 through 16 and insert the following:

"F. The annual royalty fee shall be collected by the department and deposited into the state treasury. The money received from the royalty fees shall be used solely to pay debt service on state debt issued to fund improvements to the Louisiana Superdome."

AMENDMENT NO. 6

On page 3, line 17, change "**J.**" to "**G.**"

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

HOUSE BILL NO. 1255—

BY REPRESENTATIVE AUSTIN BADON

AN ACT

To amend and reenact R.S. 56:56, relative to seizure of things illegally used or possessed; to authorize the voluntary surrender to the Department of Wildlife and Fisheries of live animals illegally possessed; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1255 by Representative Austin Badon

AMENDMENT NO. 1

On page 2, line 19, delete "**indemnified**" and insert "**immune**"

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

HOUSE BILL NO. 1277— (Substitute for House Bill No. 53 by Representative Roy)

BY REPRESENTATIVE ROY

AN ACT

To enact R.S. 32:387.19, relative to special permits; to authorize the use of a portion of Interstate 49 as an alternate route for U.S. Highway No. 71 and U.S. Highway No. 167 to haul agronomic or horticultural crops on the interstate; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 1277 by Representative Roy

AMENDMENT NO. 1

On page 1, delete lines 2 through 19 and on page 2 delete line 1 and insert the following:

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"To enact R.S. 32:387.9.1, relative to special permits; to authorize vehicles hauling agronomic or horticultural crops by special permit to travel upon a segment of Interstate 49 as an alternate route to US 71 and US 167; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:387.9.1 is hereby enacted to read as follows:
"§387.9.1 Special permits; vehicles hauling agronomic or horticultural crops; authorization to travel upon segment of Interstate 49 as alternate route to US 71 and US 167;

Notwithstanding any other provision of law to the contrary, and provided the federal government does not raise any objection to such permitted weight limit, any vehicle issued an annual special permit pursuant to the provisions of R.S. 32:387.9 may travel upon that segment of Interstate 49 between its interchange with US 71 and US 167 (MacArthur Drive) south of the City of Alexandria and its interchange with Rapides Station Road north of the City of Alexandria as an alternate route to US 71 and US 167."

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

Reconsideration

The vote by which Senate Bill No. 788 failed to pass on Monday, May 17, 2010, was reconsidered.

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.

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

Mr. President in the Chair

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To direct the division of administration, the Louisiana Workforce Commission, the Department of Economic Development, the Department of State Civil Service, the office of group benefits, the Louisiana State University System, the Southern University System, the University of Louisiana System, the Louisiana Community and Technical College System, the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, and the State Police Pension and Retirement System to work together to develop a plan to support state employees who are terminated due to budget-reduction measures in their preparation to reenter the workforce in the private sector.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 53 by Senator Peterson

AMENDMENT NO. 1

On page 3, line 9, change "May" to "June"

On motion of Senator Michot, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Adley, Amedee, Appel, Broome, Chabert, Cheek, Dorsey, Duplessis, Erdey, Gautreaux B, Total - 31

NAYS

Total - 0

ABSENT

Table listing names of members who were ABSENT: Alario, Claitor, Crowe, Total - 8

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 792— (Substitute for Senate Bill No. 136 by Senator Morrish)

BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:1421, the introductory paragraph of 1422(A), 1422(C), the introductory paragraph of 1427, 1427(1) and (3), 1428(A)(1) and (4)(b)(ii) and (C), and 1429 and to enact R.S. 22:2134(B)(3)(e) and R.S. 40:1428(A)(4)(b)(iv), relative to the insurance fraud investigation unit within the Department of Public Safety and Corrections, public safety services, office of state police; to provide for definitions; to provide for powers and duties of the unit; to provide for reporting; to provide relative to the Insurance Fraud Investigation Fund; to extend the termination date of the unit; and to provide for related matters.

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

SENATE BILL NO. 443—

BY SENATOR LAFLEUR

AN ACT

To enact R.S. 40:1299.59, and to repeal R.S. 40:1299.39.1 and 1299.47, relative to civil actions 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 repeal provisions of law relative to medical review panels for both state and private claims; to provide for an effective date; and to provide for related matters.

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

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.

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

SENATE BILL NO. 769—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 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; to provide relative to injury to persons; to provide relative to injury to firefighters, law enforcement officers, and first responders; to provide for authority to make arrests; and to provide for related matters.

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

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 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.

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

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.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 18 by Senator Murray

AMENDMENT NO. 1

On page 1, line 9, at the beginning of the line and before "management" change "The" to "Appointees to the"

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 18 by Senator Murray

AMENDMENT NO. 1

On page 1, line 5, after "Orleans;" insert "to provide relative to financial disclosure;"

AMENDMENT NO. 2

On page 1, line 9, at the beginning of the line before "The" insert "A."

AMENDMENT NO. 3

On page 1, between lines 15 and 16, insert the following:
"B. The provisions of R.S. 42:1124.2.1 shall be applicable to those entities specified in Subsection A of this Section."

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	McPherson
Adley	Duplessis	Morrell
Amedee	Gautreaux B	Murray
Appel	Gautreaux N	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Jackson	Smith
Claitor	Kostelka	
Total - 23		

NAYS

Alario	Long	Riser
Donahue	Martiny	Shaw
Erdey	Michot	Thompson
Guillory	Mount	Walsworth
Total - 12		

ABSENT

Crowe	Marionneaux
LaFleur	Morrish
Total - 4	

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

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

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ROLL CALL

The roll was called with the following result:

YEAS

Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdey, Total - 29, Gautreaux B, Guillory, Hebert, Heitmeier, Jackson, Kostelka, Long, Martiny, McPherson, Michot, Morrell, Morrish, Murray, Nevers, Quinn, Riser, Shaw, Thompson, Walsworth

NAYS

Adley, Alario, Total - 5, Gautreaux N, Peterson, Smith

ABSENT

Mr. President, Amedee, Total - 5, LaFleur, Marionneaux, Mount

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. 181—

BY SENATOR N. GAUTREAUX

AN ACT

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

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

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.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 371 by Senator Walsworth

AMENDMENT NO. 1

On page 2, line 13, following "of" and before "copies" change "said" to "the"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur, Marionneaux, Total - 2

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

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

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 forty-five years of age and who have met certain conditions; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 494 by Senator Martiny

AMENDMENT NO. 1

On page 2, lines 3, 5 and 6, following "GED" insert "certification"

AMENDMENT NO. 2

On page 2, line 14, following "shall" and before "to" change "only apply" to "apply only"

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 494 by Senator Martiny

AMENDMENT NO. 1

On page 2, line 1, change "R.S. 15:827.1." to "R.S. 15:827.1(C)."

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	LaFleur	Peterson
Amedee	Martiny	Shaw
Jackson	Morrell	
Kostelka	Murray	
Total - 10		

NAYS

Adley	Erdey	Mount
Alario	Gautreaux B	Nevers
Appel	Gautreaux N	Quinn
Chabert	Guillory	Riser
Cheek	Hebert	Smith
Claitor	Heitmeier	Thompson
Crowe	Long	Walsworth
Donahue	Michot	
Dorsey	Morrish	
Total - 25		

ABSENT

Broome	Marionneaux
Duplessis	McPherson
Total - 4	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Martiny moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

SENATE BILL NO. 520—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 29:725.6(B)(6)(a)(ii)(ee), (b)(ii)(cc), and (c)(ii)(cc), 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.

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

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

Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Quinn
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

Marionneaux	Peterson
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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. 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 provide for the authority to incur debt and issue general bonds; to provide for legislative findings; and to provide for related matters.

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

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.

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

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.

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

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.

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

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ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gautreaux N Marionneaux
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. 204— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:1300.53, relative to criminal history checks of licensed ambulance personnel or nonlicensed persons; to remove provisions which allow an employer to waive certain provisions; and to provide for related matters.

Senator Broome in the Chair

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 204 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 1, after "R.S." and before ", 30" delete "14:28" and insert "14:28.1"

AMENDMENT NO. 2

On page 2, line 3, after "66," and before "67.21" delete "67,"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Hebert Mount
Alario Heitmeier Murray
Amedee Jackson Nevers
Appel Kostelka Peterson

Broome LaFleur Quinn
Chabert Long Shaw
Cheek Martiny Smith
Crowe McPherson Thompson
Donahue Michot Walsworth
Duplessis Morrell
Gautreaux B Morrish
Total - 31

NAYS

Claitor Erdey Riser
Total - 3

ABSENT

Mr. President Gautreaux N Marionneaux
Dorsey Guillory
Total - 5

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

SENATE BILL NO. 408—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:1300.291(B)(3), relative to the hospital prospective payment methodology; to provide for the criteria that must be met in order to be deemed a major teaching hospital; and to provide for related matters.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 408 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 40:1300.291(B)(2) and to"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." and before "R.S." insert "R.S. 40:1300.291(B)(2) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 10 and 11, insert the following: "(2) Maintain an intern and resident full-time equivalency of at least twenty fourteen filled positions with an approved medical residency program in family practice located more than one hundred fifty miles from the medical school accredited by the Liaison Committee on Medical Education."

On motion of Senator Morrish, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux B 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	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Erdey	Morrell	
Total - 37		

NAYS

Total - 0

ABSENT

Mr. President	Marionneaux
Total - 2	

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

SENATE BILL NO. 793— (Substitute of Senate Bill No. 331 by Senator Hebert)

BY SENATOR HEBERT

AN ACT

To enact R.S. 37:223, relative to district attorneys; to prohibit certain legal representation by a district attorney or his staff; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 794— (Substitute of Senate Bill No. 355 by Senator Mount)

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 2200.16, relative to proton beam radiotherapy; to provide for the registration of all proton beam radiotherapy equipment; to provide for an equipment utilization review process for proton beam radiotherapy equipment; to provide for definitions; to provide for rules and regulations and penalties; and to provide for related matters.

Floor Amendments

Senator Mount proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 794 by Senator Mount

AMENDMENT NO. 1

On page 4, delete lines 16 through 21 in their entirety and insert the following:

"(3) A Louisiana non-profit corporation organized and formed to undertake, promote, develop, support, and carry on the treatment of patients with cancer through charitable, scientific, and educational activities which meets any of the following:

(a) Serves as the primary clinical training site for an accredited radiation oncology residency program.

(b) Operates a radiation oncology physics residency program accredited by the Commission on Accreditation of Medical Physics Education Programs, Inc. (CAMPEP).

(c) Operates with a state university a joint graduate medical physics program that is accredited by the Commission on Accreditation of Medical Physics Education Programs, Inc. (CAMPEP)."

AMENDMENT NO. 2

On page 4, between lines 23 and 24, insert the following:

"(5) A state operated hospital located in a city in which a state operated medical school is located."

On motion of Senator Mount, the amendments were adopted.

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 794 by Senator Mount

AMENDMENT NO. 1

On page 1, line 3, change "2200.16" to "2200.17"

AMENDMENT NO. 2

On page 1, line 10, change "2200.16" to "2200.17"

AMENDMENT NO. 3

On page 4, between lines 23 and 24, insert:

**"§2200.17. Termination of Part
The provisions of this Part shall terminate and be null and void on July 1, 2020."**

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Guillory	Marionneaux
Total - 2	

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

SENATE BILL NO. 795— (Substitute Bill for Senate Bill No. 359 by Senator Broome)

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; provides for the filing of the network of participating health care providers; provides for definitions; requires all health insurance

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issuers to have an adequate network of providers; provides for penalties for violation of network adequacy rules; and to provide for related matters.

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

SENATE BILL NO. 796— (Substitute of Senate Bill No. 690 by Senator Adley)

BY SENATORS ADLEY AND THOMPSON
AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B), 193(F), 197, 401(B), 402(B), the introductory paragraph of (C), (E), and (G), 433(G)(1) and the introductory paragraph of (H)(1), 434(A)(1), the introductory paragraph of (C), and (D)(1) and (2), 435(A)(1) and (B), 436, 453(A) and (B), the introductory paragraph of 467 and (2), 468(A), 481, 491(A) and (C), 511(A) and (B), 512(B), 535(B), the introductory paragraph of 552(A), 1272(A), 1278(B), 1279, 1285(B)(1)(a), 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (E), 1308(A)(2)(a), 1314(B) and (C), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), and 1461(A)(17), and to repeal R.S. 18:1275.1 through 1275.24, relative to elections; to provide for an open primary system of elections for congressional offices; to provide relative to objections to candidacy and contests of elections; to provide relative to changes to and challenge and cancellation of voter registration; to provide relative to procedures for voting; to provide for election dates; to provide relative to courses of instruction for commissioners; to provide relative to selection and replacement of commissioners; to provide relative to alternate commissioners; to provide relative to watchers; to provide relative to dual candidacy; to provide relative to qualification of candidates; to provide relative to the election of candidates in a primary and general election; to provide relative to notice of location of precincts and polling places; to provide relative to election materials; to provide relative to filling vacancies in federal offices; to provide relative to recall elections; to provide relative to absentee by mail and early voting; to provide relative to voting machines; to provide relative to election offenses; and to provide for related matters.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 796 by Senator Adley

AMENDMENT NO. 1

On page 7, line 10, after "(e)" delete "(i)"

AMENDMENT NO. 2

On page 7, delete lines 13 through 19

AMENDMENT NO. 3

On page 8, line 9, after "(e)" delete "(i)"

AMENDMENT NO. 4

On page 8, delete lines 14 through 16

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dorsey	Long
Alario	Duplessis	McPherson
Amedee	Erdey	Michot
Appel	Gautreaux B	Morrell
Broome	Gautreaux N	Mount
Chabert	Hebert	Nevers
Cheek	Heitmeier	Quinn
Claitor	Jackson	Smith
Crowe	Kostelka	Thompson
Donahue	LaFleur	
Total - 29		

NAYS

Guillory	Riser	Walsworth
Murray	Shaw	
Total - 5		

ABSENT

Mr. President	Martiny	Peterson
Marionneaux	Morrish	
Total - 5		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Adley 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 intended to vote nay on Senate Bill No. 796, and asked that the Official Journal so state.

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

Called from the Calendar

Senator Murray asked that Senate Bill No. 751 be called from the Calendar.

SENATE BILL NO. 751—

BY SENATORS MURRAY, PETERSON, HEITMEIER, DUPLESSIS AND MORRELL AND REPRESENTATIVES BROSSETT, HENDERSON, ARNOLD, LORUSSO, ABRAMSON, LEGER, HINES AND STIAES

AN ACT

To amend and reenact R.S. 43:202(A), relative to judicial and legal advertisements in Orleans Parish; to authorize judicial advertisements in specified weekly news publications; to provide for public bid; to provide for requirements for the weekly news publication; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 751 by Senator Murray

AMENDMENT NO. 1

On page 2, line 10, following "43:301(24)" and before "and" insert " "

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 751 by Senator Murray

AMENDMENT NO. 1

On page 2, line 10, change "R.S. 43:301(24)" to "R.S. 47:301(24)"

On motion of Senator Murray, the amendments were adopted.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 751 by Senator Murray

AMENDMENT NO. 1

On page 1, line 4, after "publications;" delete "to provide for public bid;"

AMENDMENT NO. 2

On page 1, line 10, after "A." delete "(1)"

AMENDMENT NO. 3

On page 2, delete lines 20 through 22

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	LaFleur
Alario	Duplessis	Martiny
Appel	Gautreaux B	Murray
Chabert	Hebert	Peterson
Donahue	Heitmeier	
Total - 14		

NAYS

Adley	Gautreaux N	Riser
Amedee	Guillory	Shaw
Broome	Long	Smith
Cheek	Michot	Thompson
Claitor	Morrish	Walsworth
Crowe	Mount	
Erdey	Nevers	
Total - 19		

ABSENT

Jackson	Marionneaux	Morrell
Kostelka	McPherson	Quinn
Total - 6		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Murray moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

**SENATE
STATE OF LOUISIANA**

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Pursuant to La. Revised Statute 42:1120, I am recusing myself from voting on SB 751 out of an abundance of caution. Pursuant to La. R.S. 42:1112, a legislator shall recuse himself from voting on a matter "in which he has a personal substantial economic interest." Pursuant to La. R.S. 42:1102(21), a "substantial economic interest" is defined as "an economic interest which is of greater benefit to the public servant [...] than to a general class or group of persons." Further, "economic value" is not confined to actual "money." (See La. R.S. 42:1102(22)(a))

Gambit Communication is a newspaper publication distributed in the metropolitan New Orleans area which chooses which political candidates to support or oppose through endorsements and the accompanying newspaper article. I have received the endorsement of Gambit in the past, indeed for my current state senate seat, and may seek to obtain the endorsement in the future. Additionally, co-owner Clancy Dubs is a political commentator on WWL television who opines on elected officials' ability to retain or lose their position.

While my vote on SB 751 is certainly not tied to any future endorsement or not by Gambit or oral support or criticism by Mr. Dubos, out of an abundance of caution or appearance of impropriety, I am abstaining from voting on Gambit's request for an exception to current law.

JULIE QUINN
State Senator
District 6

Called from the Calendar

Senator Donahue asked that Senate Bill No. 286 be called from the Calendar.

**SENATE BILL NO. 286—
BY SENATOR DONAHUE**

AN ACT

To enact R.S. 39:32.1(G), relative to budget request forms for higher education formula funded agencies; to provide for reporting certain personnel information for institutions of higher education; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Jackson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 286 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 11 after "G." insert "(1)"

AMENDMENT NO. 2

On page 2, line 1 at the beginning of the line delete "(1)" and insert "(a)"

AMENDMENT NO. 3

On page 2, line 3 at the beginning of the line delete "(2)" and insert "(b)"

AMENDMENT NO. 4

On page 2, line 6 at the beginning of the line delete "(3)" and insert "(c)"

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AMENDMENT NO. 5

On page 2, line 8 at the beginning of the line delete "(4)" and insert "(d)"

AMENDMENT NO. 6

On page 2, line 10 at the beginning of the line delete "(5)" and insert "(e)"

AMENDMENT NO. 7

On page 2, line 13 at the beginning of the line delete "(6)" and insert "(f)"

AMENDMENT NO. 8

On page 2, line 15 at the beginning of the line delete "(7)" and insert "(g)"

AMENDMENT NO. 9

On page 2, between lines 16 and 17 insert the following:
"(2) Nothing in this Subsection shall limit the authority of the management boards of public post secondary education to manage the institutions under their authority, pursuant to the Louisiana Constitution or as otherwise provided in R.S. 17:3351 et seq."

On motion of Senator Jackson, 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

Table with 3 columns of names: Alario, Appel, Crowe, Donahue, Gautreaux N, Total - 15; Guillory, Kostelka, McPherson, Morrell, Morrish; Nevers, Quinn, Smith, Thompson, Walsworth

NAYS

Table with 3 columns of names: Adley, Amedee, Broome, Chabert, Cheek, Claitor, Total - 18; Dorsey, Duplessis, Erdey, Gautreaux B, Hebert, Heitmeier; Jackson, Long, Mount, Murray, Peterson, Shaw

ABSENT

Table with 3 columns of names: Mr. President, LaFleur, Total - 6; Marionneaux, Martiny; Michot, Riser

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Donahue moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

Called from the Calendar

Senator Broome asked that Senate Bill No. 528 be called from the Calendar.

SENATE BILL NO. 528— BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 40:1299.35.2 and the introductory paragraph of 1299.35.6(B), (B)(1)(h), and (C)(1)(a), and to enact R.S. 40:1299.35.6(B)(1)(i), relative to abortions; to require an

obstetric ultrasound to be performed prior to an abortion; to provide for exceptions; to provide for penalties; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 528 by Senator Broome

AMENDMENT NO. 1

On page 1, line 3, following "and" and before "(C)(1)(a)" insert "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 8, following "and" and before "(C)(1)(a)" insert "the introductory paragraph of"

AMENDMENT NO. 3

On page 5, line 29, following "physician" and before "the" change "or" to "nor"

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Broome proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 528 by Senator Broome

AMENDMENT NO. 1

On page 3, between lines 18 and 19 insert the following:
"(d) Orally read the following statement to the pregnant woman in the examination room prior to beginning the ultrasound examination: "Louisiana law requires that you be informed of three options that you may request at any time during this ultrasound examination:
(1) You have the option to view the ultrasound screen at any time during the examination.
(2) You have the option to receive an oral explanation of the ultrasound images.
(3) You have the option to receive an ultrasound photographic print.
Please inform me now or at any time during the ultrasound examination if you want to view the screen, receive an oral explanation or receive an ultrasound print."

AMENDMENT NO. 2

On page 3, line 19, change "(d)" to "(e)"

AMENDMENT NO. 3

On page 3, line 22, change "(e)" to "(f)"

AMENDMENT NO. 4

On page 3, line 23, change "(d)" to "(e)"

AMENDMENT NO. 5

On page 3, delete line 29 in its entirety

AMENDMENT NO. 6

On page 4, delete lines 1 through 6 in their entirety

AMENDMENT NO. 7

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

AMENDMENT NO. 8

On page 4, line 24, change "(5)" to "(4)"

AMENDMENT NO. 9

On page 4, line 28, change "(6)" to "(5)"

On motion of Senator Broome, the amendments were adopted.

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 528 by Senator Broome

AMENDMENT NO. 1

On page 5, between lines 7 and 8, insert:

"E. Notwithstanding any other provision of this Section, nothing shall supercede the medical decision-making of the woman's physician."

Senator Heitmeier moved adoption of the amendments.

Senator Broome objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Morrell
Dorsey	Jackson	Murray
Gautreaux B	Kostelka	Peterson
Total - 9		

NAYS

Adley	Duplessis	Mount
Alario	Erdey	Nevers
Amedee	Gautreaux N	Quinn
Appel	Hebert	Riser
Broome	LaFleur	Shaw
Chabert	Long	Smith
Cheek	Martiny	Thompson
Claitor	McPherson	Walsworth
Crowe	Michot	
Donahue	Morrish	
Total - 28		

ABSENT

Guillory	Marionneaux
Total - 2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Michot
Alario	Gautreaux B	Morrell
Amedee	Gautreaux N	Morrish
Appel	Guillory	Mount
Broome	Hebert	Nevers
Chabert	Heitmeier	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw

Crowe	Long	Smith
Donahue	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 33		

NAYS

Dorsey	Murray
Jackson	Peterson
Total - 4	

ABSENT

Mr. President	Marionneaux
Total - 2	

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

Called from the Calendar

Senator Hebert asked that Senate Bill No. 662 be called from the Calendar.

SENATE BILL NO. 662—
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1661, 1662, 1664(C), 1665 (D), and 1667(A) and to enact R.S. 22:1665(E), relative to claims adjusters; to provide with respect to definitions and general exemptions; to provide for application for claims adjuster license and resident license; to provide with respect to catastrophe or emergency claims adjuster registration; and to provide for related matters.

Senator N. Gautreaux in the Chair

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 662 by Senator Hebert

AMENDMENT NO. 1

On page 3, line 24, following "May" and before "by" change "only be utilized" to "be utilized only"

On motion of Senator Amedee, 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. 662 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 2, after "1667(A)", insert a comma (,) and delete "and"

AMENDMENT NO. 2

On page 1, line 3, after "1665(E)," insert "and to repeal R.S. 22:1669(C),"

AMENDMENT NO. 3

On page 1, line 13, delete "**a person**" and insert "an individual"

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AMENDMENT NO. 4

On page 3, delete lines 6 through 10 in their entirety and in lieu thereof insert the following: "(4) A producer of an authorized insurer or a licensed employee of a producer who processes an undisputed or uncontested loss for the insurer under a policy issued by the producer."

AMENDMENT NO. 5

On page 3, delete lines 13 through 29 in their entirety and in lieu thereof insert the following:

"(6)(a) An individual who collects claim information from, or furnishes claim information to, insured or claimants, who conducts data entry including entering data into an automated claims adjudication system provided such individual is an employee of a business entity licensed pursuant to this Chapter, or an employee of an affiliate of a business entity licensed pursuant to the Chapter, if there are no more than twenty-five individuals under the supervision of one licensed individual adjuster or licensed individual insurance producer. As used in this Part, "automated claims adjudication system" means a preprogrammed computer system designed for the collection, data entry, calculation and system generated final resolution of consumer electronic products insurance claims which:

(i) May only be utilized by a licensed adjuster or licensed producer, or supervised individuals operating pursuant to this Paragraph;

(ii) Must comply with all claims payment requirements of the Louisiana Insurance Code; and

(iii) Must be certified as compliant with this Section by a licensed adjuster that is an officer of a licensed business entity under this Chapter.

(b) Individuals who are licensed as producers pursuant to R.S. 22:1543 are not required to be licensed as an adjuster for purposes of this Section."

AMENDMENT NO. 6

On page 4, delete lines 26 and 27 in their entirety.

AMENDMENT NO. 7

On page 4, line 28, delete "(16)" and insert "(15)"

AMENDMENT NO. 8

On page 5, delete lines 13 through 24 in their entirety and in lieu thereof insert the following

"(2) All business entities applying to do business as independent adjusting companies must provide a listing of all executive officers and directors of the applicant and of all executive officers and directors of entities owning and any individuals owning, directly or indirectly, ten percent or more of the outstanding voting securities of the applicant. In order to make a determination of eligibility, the commissioner may require any person listed above to submit addresses, social security numbers, criminal and administrative history, fingerprints, background checks, and biographical statements."

AMENDMENT NO. 9

On page 6, line 27, delete "a person" and insert "an individual"

AMENDMENT NO. 10

On page 7, line 1, delete "persons" and insert "individuals"

AMENDMENT NO. 11

On page 7, after line 2, insert the following:

"Section 2. The provisions of R.S. 22:1669(C) are hereby repealed."

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	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	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 38		

NAYS

Total - 0

ABSENT

Marionneaux

Total - 1

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.

Mr. President in the Chair

Called from the Calendar

Senator B. Gautreaux asked that Senate Bill No. 599 be called from the Calendar.

SENATE BILL NO. 599—

BY SENATOR B. GAUTREAUX

AN ACT

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

Floor Amendments

Senator B. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Engrossed Senate Bill No. 599 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, delete line 6, and insert "exceptions;"

AMENDMENT NO. 2

On page 1, line 13, delete "No" and insert "**In each fiscal year, at least two hundred thousand dollars but no**"

AMENDMENT NO. 3

On page 1, line 14, delete "**energy**" and insert "**oil and gas**"

AMENDMENT NO. 4

On page 1, line 15, after "fees." delete the remainder of the line and delete lines 16 and 17

AMENDMENT NO. 5

On page 2, delete lines 1 through 4 and insert: "The provisions of this Paragraph shall not apply to the following:

(a) Any revenues received by the state pursuant to Section 1337(g) of Title 43 of the United States Code, also known as "8(g)" funds.

(b) Any securitization or other monetizing of all or any portion of the federal revenues received by the state generated from Outer Continental Shelf oil and gas activity.

(c) Any monies received by the state for reimbursement of costs in response to the Deepwater Horizon oil spill."

On motion of Senator B. Gautreaux, the amendments were adopted.

The bill was read by title. Senator B. Gautreaux 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	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Kostelka	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux N	Jackson	Marionneaux
Total - 3		

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

Explanation of Vote

Senator N. Gautreaux stated he appeared as absent on the vote on Senate Bill No. 599. He intended to vote yea and asked that the Official Journal so state.

Called from the Calendar

Senator Long asked that Senate Bill No. 49 be called from the Calendar.

SENATE BILL NO. 49—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 38:2324(B) and 2330.2(B) and R.S. 44:23.1(A), relative to the Sabine River Authority; to establish the Sabine River Authority as a nonbudget unit of the state; to provide with regard to certain records of the Sabine River Authority; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Gautreaux N	Mount
Appel	Guillory	Nevers
Broome	Hebert	Quinn
Chabert	Kostelka	Riser
Cheek	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Martiny	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Gautreaux B	Morrish	
Total - 28		

NAYS

Adley	Dorsey	Morrell
Alario	Heitmeier	Murray
Claitor	Jackson	Peterson
Total - 9		

ABSENT

Mr. President	Marionneaux
Total - 2	

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

Rules Suspended

Senator Kostelka asked for and obtained a suspension of the rules to advance to the order of:

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 292—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B), 193(F), 197, 401(B), 402(B), (C)(introductory paragraph), (E), and (G), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A)(1) and (B), 436, 453(A) and (B), 467(introductory paragraph) and (2), 468(A), 481, 491(A) and (C), 511(A) and (B), 512(B), 535(B), 552(A)(introductory paragraph), 1272(A), 1278(B), 1279, 1285(B)(1)(a), 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (E), 1308(A)(2)(a), 1314(B) and (C), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), and 1461(A)(17) and to repeal R.S. 18:1275.1 through 1275.24, relative to elections; to provide for an open primary system of elections for congressional offices; to provide relative to objections to candidacy and contests of elections; to provide relative to changes to and challenge and cancellation of voter registration; to provide relative to procedures for voting; to provide for election dates; to provide relative to courses of instruction for commissioners; to provide relative to selection and replacement of commissioners; to provide relative to alternate commissioners; to provide relative to watchers; to provide relative to dual candidacy; to provide relative to qualification of candidates; to provide relative to the election of candidates in a primary and general election; to provide relative to notice of location of precincts and polling places; to provide relative to election materials; to provide relative to filling vacancies in federal offices; to provide relative to recall elections; to provide relative to absentee by mail and early

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voting; to provide relative to voting machines; to provide relative to election offenses; and to provide for related matters.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed House Bill No. 292 by Representative Greene

AMENDMENT NO. 1

On page 29, delete line 20 and insert the following: "Section 3. This Act shall become effective on July 1, 2010."

Senator Amedee moved adoption of the amendments.

Senator Walsworth objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, McPherson, Adley, Erdey, Michot, Alario, Gautreaux B, Morrell, Amedee, Gautreaux N, Murray, Broome, Hebert, Nevers, Chabert, Heitmeier, Peterson, Cheek, Jackson, Smith, Dorsey, LaFleur, Total - 23

NAYS

Table with 3 columns of names: Appel, Kostelka, Riser, Claitor, Long, Shaw, Crowe, Morrish, Thompson, Donahue, Mount, Walsworth, Guillory, Quinn, Total - 14

ABSENT

Table with 2 columns of names: Marionneaux, Martiny, Total - 2

The Chair declared the amendments were adopted.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 292 by Representative Greene

AMENDMENT NO. 1

On page 7, line 11, after "(e)" delete "(i)"

AMENDMENT NO. 2

On page 7, delete lines 14 through 20

AMENDMENT NO. 3

On page 8, line 11, after "(e)" delete "(i)"

AMENDMENT NO. 4

On page 8, delete lines 16 through 18

On motion of Senator Adley, the amendments were adopted.

Floor Amendments

Senator N. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed House Bill No. 292 by Representative Greene

AMENDMENT NO. 1

On page 29, delete line 20, and insert: "Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator N. Gautreaux, the amendments were adopted.

Senator Amedee moved to reconsider the vote by which his amendment to House Bill No. 292 was adopted.

Without objection, so ordered.

On motion of Senator Amedee his amendment to House Bill No. 292 was withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Hebert, Murray, Appel, Heitmeier, Nevers, Chabert, Jackson, Quinn, Cheek, Kostelka, Shaw, Claitor, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, McPherson, Duplessis, Michot, Total - 31

NAYS

Table with 3 columns of names: Broome, Peterson, Walsworth, Guillory, Riser, Total - 5

ABSENT

Table with 3 columns of names: Crowe, Marionneaux, Martiny, Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Kostelka 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 House Bill No. 292. He intended to vote nay and asked that the Official Journal so state.

Rules Suspended

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

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 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. 82—
BY SENATORS DONAHUE AND NEVERS
A CONCURRENT RESOLUTION**

To commend the Boy Scouts of America on the occasion of its 100th anniversary.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATOR RISER
A CONCURRENT RESOLUTION**

To commend Ali Armstrong upon her many accomplishments while attending Louisiana State University and serving at the capitol.

Reported without amendments.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 18, 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. 440 HB No. 555 HB No. 564

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

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

**HOUSE BILL NO. 440—
BY REPRESENTATIVE MILLS
AN ACT**

To enact R.S. 37:796(E) and (F), relative to the Louisiana State Board of Dentistry; to establish a deadline for the adoption of

rules by the Louisiana State Board of Dentistry; to provide for the removal of board members for the failure to timely adopt rules relating to the provision of dental services at mobile dental clinics and locations other than the dental office; and to provide for related matters.

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

**HOUSE BILL NO. 555—
BY REPRESENTATIVE ROSALIND JONES
AN ACT**

To amend and reenact R.S. 14:67(B), 67.2(B)(1), (2), and (3), 67.5(B), 67.10(B)(1), (2), and (3), 67.13(B), 67.18(B), 67.21(C)(1), (2), and (3), 67.23(C), 67.26(C), 68.2(C), 68.7(B)(1), 69(B)(1), (2), and (3), 70.2(C)(2), (3), and (4), 70.4(E)(1), (2), and (3), and 71(C), (D), and (E), relative to offenses involving misappropriation without violence; to provide for a uniform system of gradations based upon the value of the goods taken for certain offenses involving theft or misappropriation without violence; to provide with respect to criminal penalties for certain offenses; and to provide for related matters.

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

**HOUSE BILL NO. 564—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT**

To enact R.S. 44:9(L), relative to expungement of arrest records in misdemeanor and felony cases; to require the Louisiana State Law Institute to develop a uniform expungement form and a uniform order of expungement; 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 18, 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. 20 HCR No. 171

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

House Concurrent Resolutions

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

**HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVES CARTER, BOBBY BADON, HENRY BURNS,
TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY,
HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, ROBIDEAUX, SIMON,
SMILEY, WILLIAMS, AND WOOTON AND SENATORS APPEL,
DONAHUE, DUPLESSIS, MARTINY, AND QUINN**

May 18, 2010

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to make certain changes to the minimum foundation program formula beginning with the minimum foundation program formula adopted for the 2010-2011 school year.

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

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVES JANE SMITH, HENRY BURNS, AND ROY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the impact of expanding the territorial jurisdiction of the Coastal Protection and Restoration Authority to include any levee district that is not in the coastal area and under its current jurisdiction or authority.

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

ENVIRONMENTAL QUALITY

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 18, 2010

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adopt Senate Joint Resolution 26 disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under Section 202(a) of the Clean Air Act.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES KATZ, BILLIOT, HENRY BURNS, CHAMPAGNE, DOVE, GISCLAIR, LITTLE, AND ST. GERMAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to postpone the United States Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing federal Clean Air Act authority until congress adopts a balanced approach to address climate and energy supply issues without crippling the economy.

Reported favorably.

HOUSE BILL NO. 892—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 30:2153(5), relative to solid waste management; to provide for the definition of a solid waste disposal facility; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 898—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

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

Reported favorably.

HOUSE BILL NO. 904—

BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to solid waste; to provide for the registration and permits of certain solid waste facilities; to provide for buffer zones; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 913—

BY REPRESENTATIVES CHAMPAGNE, BALDONE, BARRAS, BILLIOT, HENRY BURNS, CARMODY, CARTER, CHANDLER, CORTEZ, DOWNS, FANNIN, FOIL, GISCLAIR, GUINN, HARRISON, HAZEL, HOFFMANN, SAM JONES, KATZ, LANDRY, LIGI, MILLS, MONTOUCET, MORRIS, ROBIDEAUX, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, TUCKER, AND WHITE

AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(4) and (23), 2074(A)(4), 2397, R.S. 33:4548.13, and R.S. 40:2821(B)(2) and 2824(B), to enact Chapter 14 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2301 through 2306, and R.S. 39:1022(C), and to repeal R.S. 30:2078 through 2088, relative to certain loans for water infrastructure from the revolving loan funds; to provide for the Department of Environmental Quality; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to redesignate the Municipal Facilities Revolving Loan Fund as the Clean Water State Revolving Fund; to provide for notices of intention to issue certain bonds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1163—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 30:2022(D), relative to issuance of permits by the Department of Environmental Quality; to require written summaries of certain permit renewals, extensions, and modifications; to provide for preliminary review of certain draft permits, modifications, and revisions by permit applicants; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LEE "JODY" AMEDEE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 18, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 132—
BY SENATOR MORRELL

AN ACT

To enact R.S. 9:344(E), relative to visitation rights; to prohibit visitation rights of a family member in certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 219—
BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Articles 863(B) and (D) and to enact Code of Civil Procedure Article 863(G), relative to pleadings in civil actions; to provide with respect to the requirements of signing pleadings; to provide with respect to sanctions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 366—
BY SENATOR MICHOT

AN ACT

To amend and reenact Code of Civil Procedure Art. 45, relative to venue and conflicts between articles; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 606—
BY SENATOR MARTINY

AN ACT

To enact Part XIX of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5230 through 5244, relative to religious freedoms; to create a cause of action for the preservation of religious freedom; to provide for definitions; to provide for applicability; to provide for remedies; to require notice; to provide for remediation; to provide for limitations and procedures; to waive government immunity; to provide for fraudulent or frivolous claims; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 618—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for automatic renewal of contracts; to provide for the termination of such contracts; to provide for cancelling contracts electronically using the Internet; to provide for exceptions; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 681—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:1484.2(8), relative to air-supported structures; to amend the definition of operator; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 720—
BY SENATOR MORRELL

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide that certain contracts obtained through fraud, bribery, corruption or other criminal acts are against public policy and are absolutely null and void and unenforceable; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 731—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 49:258(1), relative to private contractual legal services to represent the state or a state agency; to provide relative to time limits for publication of certain documents; to require that the documents be published in certain publications; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE LANDRY

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Bar Association and the Louisiana Supreme Court to develop a centralized system for monitoring the certification and registration of mediators and to make the list of currently certified mediators readily available to the general public.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study and make recommendations for the revision of the laws pertaining to the expropriation of immovable property by private entities.

Reported favorably.

HOUSE BILL NO. 14—
BY REPRESENTATIVE MONTOU CET

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(C), (D), (E), (F), and (G), relative to the civil jurisdiction of city courts; to increase the civil jurisdictional amount in dispute in the City Court of Baker, in the City Court of Baton Rouge, in the City Court of Crowley, in the City Court of Rayne, and in the City Court of Zachary; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 31—
BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:134, 134.1(A), and 134.2(3)(b) and (c), relative to expropriation by a declaration of taking; to authorize the city of Lake Charles to expropriate property by a declaration of taking for certain purposes; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 113—
BY REPRESENTATIVE CHANDLER

AN ACT

To enact R.S. 13:783(F)(7), relative to the expenses of the clerk's office; to provide with respect to expenses of the offices of clerks of court in Caldwell Parish, Franklin Parish, Grant Parish, LaSalle Parish, and Winn Parish; to require the payment of medical insurance premium costs for certain retired personnel; to provide for eligibility; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 135—
BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 2164, relative to appeals; to provide relative to sanctions for frivolous appeals

and writ applications; to provide for attorney fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 137—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Articles 44(B), 596, 1293(B), 1313(A)(4) and (B), 1462(B) and (C), 3652, 3656, 3662, 5152, and R.S.13:3471(8), relative to the continuous revision of the Code of Civil Procedure; to provide for service by private persons; to provide for class action prescription; to provide for service by electronic means; to provide for the right of a surety to plead discussion; to provide for discovery of electronic information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 142—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Title VIII of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 2660 through 2667, relative to the contract of exchange; to provide for the definition of exchange; to provide for rights and obligations of the parties to a contract of exchange; to provide for rights of the party evicted in exchange; to provide for rescission for lesion in exchange; to provide for application of the rules of sale in exchange; and to provide for related matters

Reported favorably.

HOUSE BILL NO. 150—
BY REPRESENTATIVE LIGI
AN ACT

To enact R.S. 15:255(N), relative to the mayor's court of the city of Kenner; to provide for the allocation of monies collected in the witness fee fund; to provide for the use of such monies; to prohibit the reduction of monies in the fund below fifty thousand dollars; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 319—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand the class of petitioners; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 397—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact Children's Code Articles 1131(E)(1) and (G) and 1243.2(A)(1) and (C), relative to records checks in adoption proceedings; to provide for uniformity in records checks procedures in agency, private, and intrafamily adoptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 645—
BY REPRESENTATIVES ABRAMSON AND TIM BURNS
AN ACT

To amend and reenact R.S. 9:5647, relative to powers of attorney; to clarify the application of the five-year prescriptive period for actions to set aside certain recorded documents; to provide for retroactive application; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 782—
BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact R.S. 19:351 and 352(A), relative to expropriation by a declaration of taking; to provide for definitions; to authorize the parish of St. Tammany to expropriate property by a declaration of taking for certain purposes; to repeal the termination date regarding the authority of expropriation by a declaration of taking; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 828—
BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 9:203(E)(8), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal magistrate judges to preside over a marriage ceremony for a specified period of time; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JULIE QUINN
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 18, 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. 312—
BY SENATOR MORRISH
AN ACT

To amend and reenact R.S. 15:571.3(B)(1), relative to diminution of sentence for good behavior; to provide for application; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 316—
BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 16:1(A), relative to district attorneys; to provide with respect to each judicial district and parish of Orleans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 399—
BY SENATOR RISER
AN ACT

To enact Chapter 19-E of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1749.1 through 1749.4, relative to the use of tracking devices; to prohibit the tracking of the location or movement of another person without the consent of that person; to provide definitions; to provide exceptions; to provide remedies for violations; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 719—
BY SENATOR MICHOT

AN ACT

To enact R.S. 27:319(B)(2)(e), relative to penalties for allowing underage persons to play video draw poker devices, to provide for revocation of certain permits, designations and identification cards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 10—
BY REPRESENTATIVE WOOTON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 28—
BY REPRESENTATIVE WOOTON AND SENATOR MARTINY

AN ACT

To enact Code of Criminal Procedure Article 957, relative to emergency sessions of court; to authorize the release of certain defendants on bail through an unsecured personal surety without proof of security interest under certain conditions; to provide for the conditions and criteria for the release of defendants without proof of security; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 255—
BY REPRESENTATIVES WOOTON, ARMES, BALDONE, GUINN, HARDY, LEGER, MCVEA, MILLS, POPE, RICHARD, JANE SMITH, ST. GERMAIN, AND WILLIAMS AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:574.4 and to enact R.S. 15:574.4.1 through 574.4.3, relative to parole; to provide for technical changes to the parole statutes; to direct the Louisiana State Law Institute to redesignate the provisions of R.S. 15:574.4.1 and 574.4.2 as R.S. 15:574.4 and 574.4.5; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 907—
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 26:273(A)(2), relative to wholesaler dealer's permits; to provide for limitations of issuance of wholesaler dealer's permits; to provide with respect to exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1060—
BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 13:847(A)(1) through (8) and to repeal R.S. 13:846(A)(1)(b) and 847(A)(9) through (38), (B), and (C), relative to fees charged and received in criminal cases; to consolidate the fees charged by the clerks of the district courts, except Orleans Parish, in criminal matters; to increase certain

fees the clerks of court charge in criminal matters; to repeal certain fees the clerks of court charge in criminal matters; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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

Senator N. Gautreaux asked for and obtained a suspension of the rules to take up out of its Regular Order House Bill No. 907 just reported by Committee.

HOUSE BILL NO. 907—
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 26:273(A)(2), relative to wholesaler dealer's permits; to provide for limitations of issuance of wholesaler dealer's permits; to provide with respect to exceptions; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Judiciary A.

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

Senator Claitor asked for and obtained a suspension of the rules to take up out of its Regular Order Senate Bill No. 606 just reported by Committee.

SENATE BILL NO. 606—
BY SENATOR MARTINY

AN ACT

To enact Part XIX of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5230 through 5244, relative to religious freedoms; to create a cause of action for the preservation of religious freedom; to provide for definitions; to provide for applicability; to provide for remedies; to require notice; to provide for remediation; to provide for limitations and procedures; to waive government immunity; to provide for fraudulent or frivolous claims; 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. 606 by Senator Martiny

AMENDMENT NO. 1
On page 1, line 3, change "5244" to "5242"

AMENDMENT NO. 2
On page 1, delete line 6 and 7 and insert "remediation; to provide certain limitations and procedures; to provide relative to fraudulent or frivolous claims; and to provide for related"

AMENDMENT NO. 3
On page 1, line 11, change "13:5243" to "5242"

AMENDMENT NO. 4

On page 2, delete lines 7 through 10, and insert

"C. At the time of adoption of Article 1, Section 8, the United States Supreme Court interpreted the First Amendment to provide the same level of protection for an action of the government that explicitly burdened religious exercise as for an action that indirectly burdened religious exercise through its effect. In both"

AMENDMENT NO. 5

On page 2, line 13, after "**restrictive**" change "**to**" to "**of a**"

AMENDMENT NO. 6

On page 2, line 16, after "**Louisiana**" insert "**in 1974**"

AMENDMENT NO. 7

On page 2, line 22, after "**achieve**" change "**their**" to "**its**"

AMENDMENT NO. 8

On page 3, line 7, change "**Substantially burden**" to "**Burden**"

AMENDMENT NO. 9

On page 3, line 9, change "**Significantly constrains**" to "**Constrains**"

AMENDMENT NO. 10

On page 3, line 10, change "**religious belief**" to "**religious tenet or belief**"

AMENDMENT NO. 11

On page 3, line 14, change "**persons**" to "**person's**"

AMENDMENT NO. 12

On page 3, line 15, delete "**specific**" and after "**tenet**" insert "**or belief**"

AMENDMENT NO. 13

On page 3, line 17, after "**means**" insert "**the practice or observance of religion under Article 1, Section 8, of the Louisiana Constitution and the First Amendment of the United States Constitution and includes**"

AMENDMENT NO. 14

On page 3, delete lines 21 through 23

AMENDMENT NO. 15

On page 3, delete line 24, and insert

"C. "A person" includes an individual and also includes a church, association of churches"

AMENDMENT NO. 16

On page 3, line 26, change "**501(3)**" to "**501(c)(3)**"

AMENDMENT NO. 17

On page 3, line 28, change "**E.**" to "**D.**"

AMENDMENT NO. 18

On page 4, line 1, after "**commission.**" insert "**court.**"

AMENDMENT NO. 19

On page 4, line 5, after "**agency.**" insert "**court.**"

AMENDMENT NO. 20

On page 4, line 10, change "**F.**" to "**E.**"

AMENDMENT NO. 21

On page 4, line 11, delete "**under the standard of clear and convincing evidence**"

AMENDMENT NO. 22

On page 4, delete lines 21 and 22 and insert

"C. Nothing in this Part shall be construed to authorize any relationship, marital or otherwise, that would violate Article XII, Section 15, of the Louisiana Constitution.

D. Nothing in this Part shall be construed to authorize the enforcement of any law, rule, or legal code or system established and used or applied in a jurisdiction outside of the states or territories of the United States."

AMENDMENT NO. 23

On page 4, line 24, at the beginning of the line add "**A.**"

AMENDMENT NO. 24

On page 4, delete line 27 and insert

"Part. B. Nothing in this Part shall create or preclude a right of any religious"

AMENDMENT NO. 25

On page 5, line 6, after "**including**" insert "**but not limited to**"

AMENDMENT NO. 26

On page 5, delete lines 7 and 8, and insert the following:

"(1) Injunctive relief, protective order, writ of mandamus or prohibition, or declaratory relief to prevent any violation of these"

AMENDMENT NO. 27

On page 6, delete line 5, and insert

"(4) The claim is asserted as a counterclaim, objection, or defense in a pending"

AMENDMENT NO. 28

On page 6, line 9, at the beginning of the line change "**5238**" to "**5237**" and at the end of the line change "**5238**" to "**5237**"

AMENDMENT NO. 29

On page 6, line 15, after "**Section.**" insert "**and except as to objections, protective orders or writs of mandamus or prohibition.**"

AMENDMENT NO. 30

On page 6, line 16, delete "**13:5108**" and insert "**5108, the Corrections Administrative Remedy Procedure, R.S. 15:1171 through 1179, and the Prison Litigation Reform Act, R.S. 15:1181 through 1191, as applicable,**"

AMENDMENT NO. 31

On page 6, line 21, change "**5238**" to "**5237**"

AMENDMENT NO. 32

On page 6, line 22, change "**seventy fifth**" to "**seventy-fifth**"

AMENDMENT NO. 33

On page 6, delete lines 23 through 25

AMENDMENT NO. 34

On page 6, line 26, change "**5241**" to "**5240**"

AMENDMENT NO. 35

On page 7, line 8, change "**5242**" to "**5241**"

AMENDMENT NO. 36

On page 7, line 17, change "**5243**" to "**5242**"

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title. Senator Claitor moved that the amended bill be ordered engrossed and recommitted to the Committee on Finance.

**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 18, 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 Bills have been properly enrolled:

SENATE BILL NO. 143—

BY SENATOR LONG AND REPRESENTATIVES AUBERT, DIXON, DOERGE, GISCLAIR, GUINN, HILL, MONTOUCET AND ST. GERMAIN
AN ACT

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

SENATE BILL NO. 223—

BY SENATORS MOUNT, ALARIO, APPEL, BROOME, CHAISSON, CHEEK, DONAHUE, DORSEY, ERDEY, B. GAUTREAU, GUILLORY, JACKSON, KOSTELKA, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MORRISH, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE GEYMAN
AN ACT

To designate that section of Louisiana Highway US 171 between its intersection with Sam Houston Jones Parkway and its intersection with You Winn Road as the "Senior Trooper Duane Dalton Memorial Highway"; and to provide for related matters.

SENATE BILL NO. 251—

BY SENATORS DORSEY, ALARIO, AMEDEE, APPEL, BROOME, ERDEY, B. GAUTREAU, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAU, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES AUBERT, DIXON, GISCLAIR, GUINN, HILL, MONTOUCET AND ST. GERMAIN
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the annual fee and disposition of such fee for such plates; to provide for the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 270—

BY SENATOR WALSWORTH AND REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 47:463.73(C)(2), and (E), relative to special prestige license plates for Louisiana public and private high schools; to provide relative to collection of royalty fees; and to provide for related matters.

SENATE BILL NO. 273—

BY SENATOR WALSWORTH AND REPRESENTATIVES HOFFMANN AND KATZ
AN ACT

To designate a portion of Interstate 20 as the "Powell, Barnes, and Deal Memorial Highway"; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

**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 18, 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. 78—

BY SENATOR JACKSON AND REPRESENTATIVE WILLIAMS
A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 79—

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

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR CHAISSON
A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$198,396,069.63, not to exceed one-third (1/3) of the balance of the Budget Stabilization Fund due to the reduction of the revenue forecast for the current fiscal year in the amount of \$319,000,000 as adopted by the Revenue Estimating Conference and recognized by the Joint Legislative Committee on the Budget at their meetings of April 14, 2010.

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATOR CHABERT AND REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility and costs of constructing additional exit ramps or of reconstructing the US 90 Overpass [Future I-49] with LA 1 and LA 308 in Lafourche Parish.

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATOR MORRELL AND REPRESENTATIVE BROSSETT
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on the implementation of laws in Louisiana relative to surrogacy agreements and to report its findings to the legislature.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

May 18, 2010

ATTENDANCE ROLL CALL**PRESENT**

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	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 38		

ABSENT

Marionneaux
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur ½ Day Marionneaux ½ Day

Announcements

The following committee meetings for May 19, 2010, were announced:

Commerce	1:00 P.M.	Hainkel Rm
Health & Welfare	9:00 A.M.	Room E
Insurance	9:00 A.M.	Room A

Adjournment

On motion of Senator Thompson, at 7:15 o'clock P.M. the Senate adjourned until Wednesday, May 19, 2010, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, May 19, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk