

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

**TWENTY-EIGHTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 19, 2010

The Senate was called to order at 3:15 o'clock P.M. by Hon. Sharon Weston Broome, President Pro Tempore of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Amedee	Hebert	Nevers
Broome	Jackson	Riser
Claitor	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneau	Thompson
Erdey	McPherson	Walsworth
Gautreaux B	Morrish	
Guillory	Mount	
Total - 22		

**ABSENT**

Mr. President	Crowe	Michot
Adley	Duplessis	Morrell
Alario	Gautreaux N	Murray
Appel	Heitmeier	Peterson
Chabert	Kostelka	Quinn
Cheek	Martiny	
Total - 17		

The President Pro Tempore of the Senate announced there were 22 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Freddy Jack, 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 Nevers, the reading of the Journal was dispensed with and the Journal of May 18, 2010, was adopted.

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 19, 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. 18—**

BY SENATOR DONAHUE

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State University Board of Supervisors to study fully implementing the recommendations from the March 23, 2009, Interim LSU Public Hospital Financial and Operational Assessment performed by Alvarez and Marsal and to expand the findings to applications in all hospitals operated by the Louisiana State University System where it is found to be appropriate.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

May 19, 2010

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills and reengrossed bill.

**HOUSE BILL NO. 63—**

BY REPRESENTATIVE GEYMANN

**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 without amendments.

**HOUSE BILL NO. 70—**

BY REPRESENTATIVE GEYMANN

**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 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 without amendments.

**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 Avouille 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 without amendments.

May 19, 2010

**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 without amendments.

**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 without amendments.

**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 with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 211 by Representative Pugh

AMENDMENT NO. 1  
On page 1, line 15, and before "authorized" change "is" to "are"

**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 without amendments.

**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 without amendments.

**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 with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 495 by Representative Harrison

AMENDMENT NO. 1  
On page 1, line 8, following "derived" and before "the" delete "for" and insert "from"

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**HOUSE BILL NO. 749—**

BY REPRESENTATIVES POPE, CORTEZ, DOERGE, DOWNS, HENDERSON, HOFFMANN, AND MONTOUÇET

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 without amendments.

**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 without amendments.

**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.

Reported without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

May 19, 2010

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1150 by Representative Abramson

AMENDMENT NO. 1  
On page 1, line 19, change "are" to "arc"

AMENDMENT NO. 2  
On page 1, line 24, change "inc" to "inch"

**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 without amendments.

**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 without amendments.

**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 without amendments.

Respectfully submitted,  
ROB MARIONNEAUX  
Chairman

**Adoption of Legislative Bureau Report**

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

**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. 82—**  
BY SENATORS CLAITOR AND DORSEY  
A RESOLUTION

To commend St. James Episcopal Day School in Baton Rouge upon being named a Blue Ribbon School of Excellence by the United States Department of Education.

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

**SENATE RESOLUTION NO. 83—**  
BY SENATOR CHEEK  
A RESOLUTION

To commend and honor the Gillyard, Johnson, and Mahoney families on the occasion of their family reunion to be held on the August 6-8, 2010 weekend, and for their commitment to preserving and perpetuating family values.

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

**SENATE RESOLUTION NO. 84—**

BY SENATOR MARIONNEAUX

A RESOLUTION

To commend and congratulate Evelyn Lewis Smith on the celebration of her eighty-second birthday and to honor her lifetime of accomplishments.

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

**Introduction of  
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 85—**

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To commend Katherine Putnam on her reign as Miss Louisiana for 2009, and to recognize Wednesday, May 26, 2010, as Miss Louisiana Organization Day at the Louisiana State Capitol.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Erdey	Morrell	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	Gautreaux N	Quinn
Alario	Kostelka	
Total - 5		

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

**SENATE CONCURRENT RESOLUTION NO. 86—**

BY SENATOR B. GAUTREAU

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, the division of administration, and the Department of Education to study the feasibility of appropriating directly to the state retirement systems those funds currently included in the Minimum Foundation Program (MFP) appropriation for payment of the employer contributions to the retirement systems.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Erdey	Morrell	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	Gautreaux N	Quinn
Alario	Kostelka	
Total - 5		

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

May 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. 102	HB No. 180	HB No. 219
HB No. 277	HB No. 348	HB No. 486
HB No. 488	HB No. 563	HB No. 829
HB No. 1251	HB No. 1461	

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

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

**HOUSE BILL NO. 102—**

BY REPRESENTATIVE EDWARDS

AN ACT

To amend and reenact R.S. 44:9(K)(2) and to enact R.S. 44:9(K)(3), relative to expungement of arrest records in misdemeanor and felony cases; to provide that no fee shall be charged in certain expungement cases; and to provide for related matters.

May 19, 2010

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

**HOUSE BILL NO. 180—**  
BY REPRESENTATIVES ROY, POPE, AND JANE SMITH  
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 amend provisions regarding criminal background checks; to provide entities with access to criminal history information; to provide for the type of information available to those entities; to provide for confidentiality; and to provide for related matters.

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

**HOUSE BILL NO. 219—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 14:102.24, relative to offenses affecting public sensibility; to create the crime of unlawful restraint of a dog; to provide for definitions; to provide for exceptions; to provide for applicability; to provide criminal penalties; and to provide for related matters.

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

**HOUSE BILL NO. 277—**  
BY REPRESENTATIVE SAM JONES  
AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4550.1 through 4550.12, relative to St. Mary Parish; to create and provide for the St. Mary Hydroelectric Authority as a political subdivision within such parish; to provide for the boundaries, governance, and powers and duties of the district; to provide for district funding, including the issuance of bonds and the use of district funds; and to provide for related matters.

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

**HOUSE BILL NO. 348—**  
BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 14:95.1(B), relative to the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to provide with respect to penalties for violations and attempted violations; and to provide for related matters.

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

**HOUSE BILL NO. 486—**  
BY REPRESENTATIVES HARRISON, ARNOLD, BALDONE, HENRY BURNS, CARMODY, CARTER, ELLINGTON, GISCLAIR, HARDY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLET, TUCKER, AND WILLIAMS  
AN ACT

To enact R.S. 17:3006, relative to school guidance counselors; to require school guidance counselors employed in public high schools to complete an academic profile for each student in the ninth grade; to provide for information to be included in the profile; to provide for student and parental involvement in completing the profile; to provide for annual review of the profile; and to provide for related matters.

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

**HOUSE BILL NO. 488—**  
BY REPRESENTATIVES HARRISON, CARTER, GISCLAIR, HARDY, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 17:53, relative to training and instruction of school board members; to require each member of a local public school board to receive certain training; to authorize certain training during a member's first year of service; to provide for the designation of Distinguished School Board Member for school board members completing certain training; to require certain dissemination of information about training completed by school board members; and to provide for related matters.

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

**HOUSE BILL NO. 563—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 15:571.35.1, relative to incarceration; to authorize the Lafourche Parish Sheriff's Office to establish a pilot program utilizing home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program; to require the development of rules and regulations for the development, implementation, and administration of such program; to provide for applicability; to provide for a limitation of liability; to require the inclusion of certain conditions within the rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; to provide for termination of the program; and to provide for related matters.

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

**HOUSE BILL NO. 829—**  
BY REPRESENTATIVE LIGI  
AN ACT

To amend and reenact R.S. 14:102.1(B), (C), and (D), to enact R.S. 14:102(10), and to repeal R.S. 14:102.1(A)(1)(g), relative to cruelty to animals; to amend the crime of cruelty to animals; to provide for definitions; and to provide for related matters.

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

**HOUSE BILL NO. 1251—**  
BY REPRESENTATIVES CONNICK, CHAMPAGNE, CORTEZ, FANNIN, GEYMANN, HAZEL, LAMBERT, LEBAS, LEGER, LIGI, MCVEA, MORRIS, SMILEY, AND WHITE  
AN ACT

To enact R.S. 39:116, relative to capital outlay; to require certain information relative to capital outlay projects to be reported annually; to require the reporting of information on certain completed capital outlay projects; to provide relative to the information that must be reported; to provide for certain requirements; and to provide for related matters.

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

**HOUSE BILL NO. 1461— (Substitute for House Bill No. 230 by Representative Pearson)**  
BY REPRESENTATIVE PEARSON  
AN ACT

To amend and reenact R.S. 11:62(4), 1141(A) and (C)(1)(a), and 1144(B)(2)(a) and to enact R.S. 11:1144(B)(4) and 1147(C)(2)(a)(iii), relative to the Louisiana School Employees' Retirement System; to provide with respect to employee contributions; to provide with respect to calculation of benefits; to provide with respect to retirement eligibility; 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 Bills and Joint Resolutions on Second 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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Revenue and Fiscal Affairs.

**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 referred by the President to the Committee on Senate and Governmental Affairs.

**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 referred by the President to the Committee on Finance.

**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 referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**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 referred by the President to the Committee on Judiciary C.

**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 referred by the President to the Committee on Judiciary B.

**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 referred by the President to the Committee on Revenue and Fiscal Affairs.

**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 referred by the President to the Committee on Revenue and Fiscal Affairs.

**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 referred by the President to the Committee on Finance.

May 19, 2010

**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 referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**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 referred by the President to the Committee on Transportation, Highways and Public Works.

**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 referred by the President to the Committee on Environmental Quality.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

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

May 19, 2010

To the President and Members of the Senate:

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

**SENATE BILL NO. 421—**

BY SENATOR MURRAY  
AN ACT

To enact R.S. 22:1052, relative to therapeutic switching of medications under certain circumstances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 33:1448(G)(1) and to enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in Webster Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 204—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To amend and reenact R.S. 22:972(A), relative to health and accident insurance policies; to increase the amount of time before a form for such a policy is deemed approved before the commissioner of insurance's approval; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 285—**

BY REPRESENTATIVE PEARSON  
AN ACT

To enact R.S. 22:446, relative to surplus lines insurance; to exempt approved unauthorized insurers delivering such insurance in this state from laws regarding form and rate filing and approval; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 324—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and (c), relative to the Department of Insurance; to authorize that department to accept credit and debit cards for payment of obligations owed to the state through use of a private third-party processor with a convenience fee charged by such processor; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 447—**

BY REPRESENTATIVE PEARSON  
AN ACT

To amend and reenact R.S. 22:881.1, relative to certificates of insurance; to define such certificates and otherwise provide with respect to their issuance and effect; to provide for the responsibilities of the commissioner of insurance relative to



such certificates, including approval of forms and enforcement; to provide for prohibitions and penalties; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 581—**  
BY REPRESENTATIVE KLECKLEY  
AN ACT

To amend and reenact R.S. 22:361(7) and (8) and 364(introductory paragraph) and to enact R.S. 22:361(9) and (10) and 364(B), relative to vehicle mechanical breakdown insurers; to provide a definition of road hazard and vehicle component coverage contracts; to provide an exception to the licensing requirements for vehicle mechanical breakdown insurers; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
TROY HEBERT  
Chairman

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

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

May 19, 2010

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 75—**  
BY SENATOR MARIONNEAUX  
A CONCURRENT RESOLUTION

To direct the Office of Mental Health to include certain requirements for contracts of a term of more than three years in duration entered into by the Department of Health and Hospitals for the privatization of services currently provided by facilities operated by the Office of Mental Health, provide the method of source selection, and evaluation factors to be included in a request for proposals, to require legislative approval, and to direct the Department of Health and Hospitals to submit certain reports to the Senate and House committees on health and welfare.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 77—**  
BY SENATOR MCPHERSON  
A CONCURRENT RESOLUTION

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

Reported favorably.

**SENATE BILL NO. 591—**  
BY SENATOR MCPHERSON  
AN ACT

To amend and reenact RS. 37:970, relative to the licensure of nurses; to provide for the qualifications for licensure as a practical nurse; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 773—**  
BY SENATOR DONAHUE  
AN ACT

To enact R.S. 28:22.1, relative to corners; to create health solutions centers in certain parishes according to the latest decennial census; to provide for legislative intent; to authorize certain services; to provide for consent; and to provide for related matters.

Reported by substitute.

**HOUSE BILL NO. 114—**  
BY REPRESENTATIVE MILLS  
AN ACT

To repeal R.S. 40:1005(A)(5), relative to the Prescription Monitoring Program Advisory Council; to remove the president of the Louisiana State Board of Examiners of Psychologists from the Prescription Monitoring Program Advisory Council.

Reported favorably.

**HOUSE BILL NO. 153—**  
BY REPRESENTATIVE LAFONTA  
AN ACT

To amend and reenact R.S. 40:2018.1(G), relative to the Louisiana Commission on HIV, AIDS, and Hepatitis C; to provide for a termination date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 197—**  
BY REPRESENTATIVE MILLS  
AN ACT

To amend and reenact R.S. 40:1005(A)(5) and 1013(C) and to enact R.S. 40:1003(6)(e) and 1005(A)(26), relative to the Prescription Monitoring Program; to further define "dispenser"; to provide for the membership of the Prescription Monitoring Program Advisory Council; to provide with respect to the levying and collection of fees by the Louisiana Board of Pharmacy; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 312—**  
BY REPRESENTATIVE SMILEY  
AN ACT

To amend and reenact R.S. 40:1097, relative to the donation of blood by certain minors; to provide for the criteria that must be met in order for certain minors to donate blood; to provide for consent; to provide restrictions upon compensation for blood donation by certain minors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 380—**  
BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 40:1300.143(7)(a)(xiii)(introductory paragraph), relative to the Rural Hospital Preservation Act; to provide for the definition of certain rural hospitals; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 582—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 39:1659 and 40:1300.281(F), relative to prosthetic and orthotic services; to provide for exceptions; and to provide for related matters.

Reported favorably.

May 19, 2010

**HOUSE BILL NO. 615—**  
BY REPRESENTATIVE KATZ  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 766—**  
BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 46:2742(B)(introductory paragraph), (2), (5)(d), (7), and (11), relative to the Medicaid case mix reimbursement methodology for nursing homes; to provide for a date for promulgation of rules and regulations; to modify the reimbursement for direct care costs; to change the minimum occupancy penalty; to provide for the frequency of rate rebasing; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 776—**  
BY REPRESENTATIVE WILLMOTT  
AN ACT

To amend and reenact R.S. 40:2116(J)(1)(introductory paragraph) and (c), relative to facility need review approvals; to provide for applicability of facility need review approvals; to extend the period of facility need review approval for certain facilities; to provide for certain exceptions to facility need review approval extension; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 872—**  
BY REPRESENTATIVE MILLS  
AN ACT

To enact R.S. 37:1218, relative to the administration of influenza immunizations; to provide for allowable pharmacist services; to provide for conditions under which pharmacists may administer influenza immunizations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1030—**  
BY REPRESENTATIVES ST. GERMAIN, BOBBY BADON, BARROW, BILLIOT, BURRELL, DIXON, DOERGE, GISCLAIR, GUILLORY, HILL, JOHNSON, LAFONTA, MONTOUCET, NORTON, PUGH, GARY SMITH, PATRICIA SMITH, AND STIAES  
AN ACT

To amend and reenact R.S. 40:1232.1(A)(2) and (3) and 1232.3, relative to emergency medical services; to set a maximum fee for an emergency medical technician-basic certification and recertification for any individual who is an employee or volunteer of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, a volunteer fire department, or a municipal law enforcement agency; to exempt certain employees or volunteers of the state of Louisiana or another public entity, a municipal fire department, a fire protection district, or a volunteer fire department from the authority of the Louisiana Emergency Medical Services Certification Commission to conduct disciplinary hearings, request investigations, and initiate prosecution, with certain exceptions and conditions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1095—**  
BY REPRESENTATIVE MILLS  
AN ACT

To amend and reenact R.S. 40:1006(B) and (E) and R.S. 40:1007(D), (E)(1) and (2), and (F)(introductory paragraph), relative to the Prescription Monitoring Program; to provide for reporting; to provide for access to information; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1198—**  
BY REPRESENTATIVE KATZ  
AN ACT

To amend and reenact R.S. 17:1518.1(J) and 1519.5(C), R.S. 23:1(A) and 17(A), R.S. 28:821(C) and 824(I), (J)(1)(b), (K), and (L), R.S. 36:258(F), 301(B), 308(B), and 471(B), R.S. 38:2261(C) and (D), R.S. 39:1554(D)(1)(d) and 1595.4(B), (C), and (D), R.S. 40:1300.14(B)(introductory paragraph) and (13), R.S. 46:51(2) and (10), 2116.1(1), (2), and (4), 2116.2(A), 2351(A)(introductory paragraph), 2353, 2632(2), 2633(C) and (E), 2634(A) and (B)(1), and 2635(B), R.S. 47:305.15(A) and 360(A), R.S. 48:307(B)(2) and (3), to enact R.S. 23:1(B)(6) and Chapter 15 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:3001 through 3061, R.S. 36:259(K) and (N), and 309(E), and to repeal R.S. 36:474(F) and 478(C), (D), (E), (G), (I), and (J), Subparts B and C of Part III of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:331 through 373, Chapter 26 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2101 through 2106, and Chapter 50 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2651 through 2655, relative to the office of Louisiana Rehabilitation Services within the Department of Social Services; to provide for the transfer of such functions from the Department of Social Services to the Department of Health and Hospitals and the Louisiana Workforce Commission; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1271—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 40:1232.2(B)(1)(introductory paragraph) and (b) and to enact R.S. 40:1232.2(B)(1)(d) and (e), relative to the Louisiana Emergency Medical Services Certification Commission; to provide for membership; to provide for a date for change of certain membership; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
WILLIE L. MOUNT  
Chairman

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

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

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 219 by Senator Appel

AMENDMENT NO. 1

On page 2, line 21, after "fee." delete the remainder of the line and lines 22 and 23

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

**SENATE BILL NO. 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 by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 312 by Senator Morrish

AMENDMENT NO. 1

On page 2, delete lines 6 and 7 and insert the following: "**applicable to persons convicted of offenses on or after January 1, 1992.**"

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

**SENATE BILL NO. 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 by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 316 by Senator Hebert

AMENDMENT NO. 1

On page 1, line 2, after "To" change "amend and reenact R.S. 16:1(A)," to "enact R.S. 16:1(E),"

AMENDMENT NO. 2

On page 1, line 3, delete "each judicial district and the parish of Orleans;" and insert in lieu thereof "the district attorney of the Sixteenth Judicial District;"

AMENDMENT NO. 3

On page 1, line 5, after "R.S." change "16:1 is hereby amended and reenacted" to "16:1(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 7 through 16 in their entirety and insert in lieu thereof the following:

\* \* \*

**E. The district attorney or any assistant district attorney of the Sixteenth Judicial District shall not use governmental resources in his private legal practice for which he receives compensation.**

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

**SENATE BILL NO. 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 by the Committee on Judiciary A. The bill was read by title, ordered engrossed and passed to a third reading.

**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 by the Committee on Judiciary B. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. — (Substitute of Senate Bill No. 399 by Senator Riser)**

BY SENATOR RISER

AN ACT

To enact R.S. 14:323, 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 for definitions; to provide for exceptions; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 14:323 is hereby enacted to read as follows:

**§323. Tracking devices prohibited; penalty**

**A. No person shall use a tracking device to determine the location or movement of another person without the consent of that person.**

**B. Whoever violates this Section shall be fined not less than one hundred dollars and not more than five hundred dollars or imprisoned for not more than six months, or both.**

**C. The provisions of this Section shall not apply to the following:**

**(1) The owner of a motor vehicle who has consented to the use of the tracking device with respect to such vehicle.**

**(2) The lessor or lessee of a motor vehicle and the person operating the motor vehicle who have consented to the use of a tracking device with respect to such vehicle.**

**(3) Any law enforcement agency, including state, federal, and military law enforcement agencies, who is acting pursuant to a court order.**

**D. For the purposes of this Section, a "tracking device" means any device that reveals its location or movement by the transmission of electronic signals.**

On motion of Senator Martiny, the committee substitute bill was adopted and becomes Senate Bill No. 801 by Senator Riser, substitute for Senate Bill No. 399 by Senator Riser.

May 19, 2010

SENATE BILL NO. 801— (Substitute of Senate Bill No. 399 by Senator Riser)

BY SENATOR RISER

AN ACT

To enact R.S. 14:323, 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 for definitions; to provide for exceptions; to provide for penalties; and to provide for related matters.

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

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 502 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "1352(A)" delete "(11) through (15)" and insert "(12)"

AMENDMENT NO. 2

On page 1, line 3, after "through" delete "(45)" and insert "(29)"

AMENDMENT NO. 3

On page 1, line 7, after "1352(A)" delete "(11) through (15) are" and insert "(12) is"

AMENDMENT NO. 4

On page 1, line 8, after "through" delete "(45)" and insert "(29)"

AMENDMENT NO. 5

On page 1, delete line 17

AMENDMENT NO. 6

On page 2, line 1, after "(E)" insert "(F)(1-3)"

AMENDMENT NO. 7

On page 2, delete lines 2 through 29 in their entirety and insert the following:

- (20) R.S. 14:45
(21) R.S. 14:52
(22) R.S. 14:60
(23) R.S. 14:62
(24) R.S. 14:62.1
(25) R.S. 14:62.2
(26) R.S. 14:62.3
(27) R.S. 14:64.1

\* \* \*

(28) R.S. 14:64.4

(29) R.S. 14:65

\* \* \*

AMENDMENT NO. 8

On page 3, delete lines 1 through 3 in their entirety

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

SENATE BILL NO. 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 by the Committee on Judiciary A. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. —(Substitute of Senate Bill No. 618 by Senator McPherson)

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for automatic renewal of contracts; to provide for disclosure of procedures regarding cancellation of such contracts; to provide for exceptions upon failure to notify consumers; to provide for applicability and exceptions; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2716 is hereby enacted to read as follows:

§2716. Contracts with automatic renewal clauses

A. Any person, firm, or corporation engaged in commerce that sells, leases, or offers to sell or lease, any products or services to a consumer pursuant to a contract, where the contract automatically renews unless the consumer cancels the contract, shall disclose the automatic renewal clause clearly and conspicuously in the contract or contract offer.

B. Any person, firm, or corporation engaged in commerce that sells, leases, or offers to sell or lease, any products or services to a consumer pursuant to a contract, where the contract automatically renews unless the consumer cancels the contract, shall disclose clearly and conspicuously how to cancel the contract in the initial contract, contract offer, or with delivery of products or services.

C. A person, firm, or corporation that fails to comply with the requirements of this Section is in violation of this Section unless the person, firm, or corporation demonstrates that all of the following are its routine business practice:

(1) It has established and implemented written procedures to comply with this Section and enforces compliance with the procedures.

(2) Any failure to comply with this Section is the result of error.

(3) Where an error has caused the failure to comply with this Section, it provides a full refund or credit for all amounts billed to or paid by the consumer from the date of the renewal until the date of the termination of the contract, or the date of the subsequent notice of renewal, whichever occurs first.

D. The provisions of this Section shall not apply to the following:

(1) The Louisiana Rental-Purchase Agreement Act as provided in R.S. 9:3351 through 3362.

(2) Banks, trust companies, savings and loan associations, savings banks, or credit unions licensed or organized under the laws of any state or the United States, or any foreign bank maintaining a branch or agency licensed under the laws of the United States, or any subsidiary or affiliate thereof.

(3) Insurers licensed under Title 22 of the Louisiana Revised Statutes of 1950.

(4) A contract entered into before January 1, 2011.

**(5) A contract that allows for cancellation by the consumer by written notice within thirty days or within one month, after the initial period has expired.**

**E. Any contract automatically renewed in violation of this Section shall revert to a thirty day renewal contract in accordance with the same terms.**

On motion of Senator Quinn, the committee substitute bill was adopted and becomes Senate Bill No. 802 by Senator McPherson, substitute for Senate Bill No. 618 by Senator McPherson.

**SENATE BILL NO. 802— (Substitute of Senate Bill No. 618 by Senator McPherson)**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for automatic renewal of contracts; to provide for disclosure of procedures regarding cancellation of such contracts; to provide for exceptions upon failure to notify consumers; to provide for applicability and exceptions; and to provide for related matters.

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

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

**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 by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 719 by Senator Michot

**AMENDMENT NO. 1**

On page 1, line 16, after "**applicable**" and before the comma ", " insert "**by the appropriate permitting or licensing authority**"

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

**SENATE BILL NO. 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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 720 by Senator Morrell

**AMENDMENT NO. 1**

On page 1, line 8, delete "**private person**" and insert "**person or entity**"

**AMENDMENT NO. 2**

On page 1, at the end of line 9, insert "**for which a final conviction has been obtained.**"

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

**SENATE BILL NO. 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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 731 by Senator Chaisson

**AMENDMENT NO. 1**

On page 1, line 3, after "agency;" delete the remainder of the line

**AMENDMENT NO. 2**

On page 1, delete lines 4 and 5 in their entirety and insert the following: "to authorize the attorney general to enter into certain contingent fee contracts with contracting private attorneys or law firms; to provide for definitions; to provide for approval of such contracts; to provide relative to record keeping; to provide for limitations on such contingent fee contracts; and to provide for related matters."

**AMENDMENT NO. 3**

On page 1, line 7, change "R.S. 49:258(1)" to "R.S. 49:258.1" and change "amended and reenacted" to "enacted"

**AMENDMENT NO. 4**

On page 1, delete lines 8 through 17 in their entirety and insert the following:

"§258.1. Contingent fee contracts; approval; requirements; fee determination; definitions

A. As used in this Section:

(1) "Contingent fee" means the percentage or percentages that shall accrue to an attorney or law firm in the event of settlement, trial, or appeal for professional services performed under a contingent fee contract, the amount or payment of which is contingent on the outcome of the matter for which the services were obtained.

(2) "Contingent fee contract" means a contract for legal services under which the amount or the payment of the fee for the services and reimbursement of reasonable costs and expenses is contingent in whole or in part on the outcome of the matter for which the services were obtained.

(3) "State funds" means all funds owed to or received by the state from any source whatsoever, including but not limited to federal funding sources, or funds which have been misused, misappropriated, stolen, or are due the state by law or contract.

(4) "State property" means both "public things" as provided for in Civil Code Articles 450 through 452 and "private things" belonging to the state as provided for in Civil Code Article 453.

(5) "Defendant" means a person or entity against whom a claim is made.

B.(1) The attorney general may enter into a contingent fee contract with a contracting private attorney or law firm appointed for representation of the state or any of its agencies, boards, commissions or departments for claims relating to the recovery of state property or state funds or the payment of compensation owed to the state or any of its agencies, boards, or commissions on a contingent fee basis provided that all of the following terms are complied with:

(a) The attorney general reports to the Litigation Subcommittee of the Joint Legislative Committee on the Budget that the claims are

valid with substantial evidence to indicate a true loss to the state or any of its agencies, boards, commissions or departments.

(b) The attorney general has identified and interviewed no less than three attorneys or law firms with the resources, experience and ability to handle the case on behalf of the state.

(c) The attorney general, prior to entering a contingency fee contract with a private attorney or law firm, shall make a written determination that the representation is both cost-effective and in the public's best interest.

(d) The attorney general, prior to entering a contingency fee contract with a private attorney or law firm, shall make a written determination that there are not sufficient legal or financial resources within the Attorney General's Office to handle the matter.

(e) The attorney general, after notice to the defendant, has obtained the approval of the contract at a public hearing of the Litigation Subcommittee of the Joint Legislative Committee on the Budget.

(2) The attorney general shall at all times retain the legal authority to control litigation initiated through a contingent fee contract, including but not limited to the authority to settle or to voluntarily dismiss the case.

C.(1) The contingent fee contract shall require that the contracting private attorney or law firm keep current and report monthly on the attorney's time, complete costs, and expenses and describe in detail those items relative to performing the contract.

(2) The contracting private attorney or law firm shall permit the attorney general and the legislative auditor each to inspect or obtain copies of the expense records at any time on request.

(3) All payment of contingency fees shall be available for public inspection on the attorney general's website within fifteen days of payment and remain on the attorney general's website for three years after the contract is terminated.

(4) Copies of the contracts and written determinations shall be available for public inspection on the attorney general's website within five days after the date of execution of the contract and remain on the attorney general's website for three years after the contract is terminated.

D. If the contracting private attorney or law firm has been appointed pursuant to this Section to represent the state on a contingency fee basis, such fee shall be payable out of all sums the contracting private attorney or law firm recovers for the state. The attorney general shall not enter into a contingency fee contract that provides for the contracting private attorney or law firm to receive an aggregate contingency fee in excess of:

(a) Twenty-five percent of any recovery of up to fifty million dollars.

(b) Twenty percent of any portion of such recovery between fifty million and one hundred million dollars.

(c) Fifteen percent of any portion of such recovery exceeding one hundred million to two hundred fifty million dollars.

(d) Ten percent of any portion of such recovery exceeding two hundred fifty million dollars.

E.(1) In addition to the contingency fee, reasonable costs and expenses incurred in the prosecution of the claim shall be reimbursed to the contracting private attorney or law firm as provided for in this Subsection.

(2) Prior to the court making an award of reasonable costs and expenses in contingent fee cases, each attorney or law firm employed on such basis by the attorney general shall submit affidavits of correctness to the court required by this Section for reimbursement of costs and expenses pursuant to this Subsection. No cost or expense shall be paid unless submitted by an affidavit as provided in this Paragraph to the court.

F.(1) A contingent fee under a contract with the attorney general, and all reasonable costs and expenses as provided for in Paragraphs (E)(1) and (E)(2) of this Section, shall be payable out of all sums the private attorney or law firm recovers for the state. Such payments shall not exceed the amount of all sums the contracting private attorney or law firm recovers for the state. If no sums are recovered by the private attorney or law firm, no amounts, including amounts for costs and expenses, shall be owed or paid by the state to the contracting private attorney or law firm.

(2) All monies recovered for the state under any such contract shall, after private attorney fees, costs, and expenses are deducted, be transmitted to the state treasurer for deposit into the state treasury.

G. The attorney general shall adopt rules and regulations in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., to implement the provisions of this Section.

H. The provisions of R.S. 49:257(G)(1)(d) and 49:258 shall not be applicable to this Section.

I. This Section shall not apply to nor shall otherwise affect the authority to enter into contingency fee contracts independently granted to other agencies under any other law, including but not limited to R.S. 41:922, R.S. 47:1512, R.S. 42:1157.3, R.S. 37:2153, and R.S. 23:1669.

Section 2. The provisions of this Act are deemed procedural in nature and shall be applicable to contracts entered into subsequent to March 29, 2010."

AMENDMENT NO. 5

On page 2, delete lines 1 through 10 in their entirety

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

SENATE BILL NO. 780—

BY SENATORS CHEEK, DORSEY, DUPLESSIS AND MOUNT 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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 780 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 2, after "15:543.1" delete the comma "," and delete "544(B)(1) and (E)"

AMENDMENT NO. 2

On page 1, line 7, after "15:543.1" delete the comma "," and delete "544(B)(1) and (E)" and change "are" to "is"

AMENDMENT NO. 3

On page 8, delete lines 18 through 29 and on page 9, delete lines 1 through 23 in their entirety

AMENDMENT NO. 4

On page 9, line 26, delete "**carnival or**"

AMENDMENT NO. 5

On page 9, line 27, delete "**amusement ride,**"

AMENDMENT NO. 6

On page 10, between lines 1 and 2, insert the following:  
**"C. It shall be unlawful for any person whose offense involved a minor child and who is required to maintain registration pursuant to Chapter 3-B of Title 15 to operate any carnival or amusement ride."**

AMENDMENT NO. 7

On page 10, line 2, change "C." to "D."

AMENDMENT NO. 8

On page 10, line 18, change "C." to "E."

AMENDMENT NO. 9

On page 10, between lines 21 and 22, insert:

**"F. The provisions of this Section shall only apply to offenses occurring on or after August 15, 2010."**

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

### Senate Bills and Joint Resolutions on Second Reading

#### 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.

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

#### 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.

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

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

BY SENATOR B. GAUTREAU

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.

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

#### 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.

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

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

#### HOUSE BILL NO. 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 by the Committee on Judiciary C.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 8 by Representative Williams

#### AMENDMENT NO. 1

On page 2, line 5 after "(2)" insert "(a)"

#### AMENDMENT NO. 2

On page 2, between lines 13 and 14 insert the following:

"(b) The district attorney shall have a duty to determine if any of the property for which disposal is sought is subject to a prior recorded mortgage, lien or security interest held by a federally insured financial institution defined herein as an "interest holder". If an "interest holder's" name and address are required by law to be recorded with the parish clerk of court, the motor vehicle division of the Department of Public Safety and Corrections, the vessel division of the Department of Wildlife and Fisheries, or another state or federal agency to perfect an interest in the property, and the "interest holder's" current address is not known, he shall mail a copy of the notice by certified mail, return receipt requested, to any address of record with any of the described agencies, or if the "interest holder's" address is not on record, he shall notify the "interest holder" by publication as required in Subparagraph (a) of this Paragraph."

#### AMENDMENT NO. 3

On page 2, line 24, after "satisfaction of the" delete "court"

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

#### 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 by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

#### 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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

**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 recordination 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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 286 by Representative Burrell



**AMENDMENT NO. 1**

On page 29, line 16, after "of the" delete "commissioner's"

**AMENDMENT NO. 2**

On page 29, line 18, after "hearing," delete "the insurance commissioner" and insert "the hearing officer"

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

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

**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 by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

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

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

**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 by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 904 by Representative Austin Badon

**AMENDMENT NO. 1**

On page 1, delete lines 13 through 20 and insert the following:

"(h) (1) In addition to any other rule or regulation promulgated pursuant to this Chapter, no solid waste landfill or any other solid waste disposal facility which receives residential or commercial solid waste shall store, process, or dispose of such waste within three hundred feet from the inside of the facility's property line where such property line is adjacent to a structure currently being used as a church. In order for this Subparagraph to apply, the church shall have been utilized as such prior to the department's receipt of the facility's permit application. The department may promulgate rules and regulations providing for a waiver of the provisions of this Subparagraph upon the consent from all landowners having an ownership interest in property otherwise subject to this Subparagraph.

(2) The provisions of this Subparagraph shall not apply to any landfill or disposal facility existing prior to April 1, 2010, to any portion of such facility that has been closed or that has ceased operations, or to future expansions of the permitted disposal area of any such facility."

**AMENDMENT NO. 2**

On page 2, delete lines 1 through 5

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

HOUSE BILL NO. 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 by the Committee on Environmental Quality. The bill was read by title and referred to the Legislative Bureau.

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

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1259 by Representative Burrell

AMENDMENT NO. 1

On page 1, line 9, after "with the" insert "malicious and willful"

AMENDMENT NO. 2

On page 2, after line 5, insert the following:

"(4) Whoever commits the crime of Cyberbullying when the offender is over the age of eighteen shall be fined not more than three thousand dollars or imprisoned for not more than one year, or both."

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

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

Rules Suspended

Senator Martiny asked for and obtained a suspension of the rules to recall Senate Bill No. 606 from the Committee on Finance.

Senator Claitor objected.

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 5242, 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 certain limitations and procedures; to provide relative to fraudulent or frivolous claims; and to provide for related matters.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Gautreaux B	McPherson
Appel	Gautreaux N	Morrish
Broome	Guillory	Mount
Chabert	Hebert	Quinn
Crowe	Heitmeier	Riser
Donahue	Jackson	Shaw
Dorsey	LaFleur	Smith
Duplessis	Long	
Erdey	Martiny	
Total - 25		

NAYS

Adley	Marionneaux	Peterson
Cheek	Murray	Thompson
Claitor	Nevers	
Total - 8		

ABSENT

Mr. President	Kostelka	Morrell
Alario	Michot	Walsworth
Total - 6		

The Chair declared that the rules were suspended.

On motion of Senator Martiny, the bill was read by title and passed to a third reading.

**Rules Suspended**

Senator Jackson asked for and obtained a suspension of the rules to recall House Bill No. 907 from the Committee on Judiciary A.

**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.

The bill was read by title and referred to the Legislative Bureau.

**Reconsideration**

The vote by which Senate Bill No. 286 failed to pass on Tuesday, May 18, 2010, was reconsidered.

**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.

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

**Reconsideration**

The vote by which Senate Bill No. 494 failed to pass on Tuesday, May 18, 2010, was reconsidered.

**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.

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

**Reconsideration**

The vote by which Senate Bill No. 751 failed to pass on Tuesday, May 18, 2010, was reconsidered.

**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.

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

**Senate Bills and Joint Resolutions  
Returned from the House of Representatives  
with Amendments**

**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.

The bill was read by title. Returned from the House of Representatives with amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 15 by Senator Appel

AMENDMENT NO. 1  
On page 1, line 2, following "Chapter 4" and before "of Title 47" insert "of Subtitle II"

AMENDMENT NO. 2  
On page 1, line 8, following "Chapter 4" and before "of Title 47" insert "of Subtitle II"

Senator Appel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mr. President	Kostelka
Total - 2	

The Chair declared the amendments proposed by the House were concurred in. Senator Appel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Bagneris Rule**

Senator B. Gautreaux moved to suspend the rules to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

**SENATE BILL NO. 1—**

BY SENATOR CHAISSON

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 10.3(A)(2) and (C) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; 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; 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 or reduce 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.

On motion of Senator Chaisson Senate Bill No. 1, which is on Third Reading and Final Passage, was made Special Order of the Day No. 1 on Tuesday, May 25, 2010.

**SENATE BILL NO. 2—**

BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 39:94(A)(2) and (C), relative to the Budget Stabilization Fund; 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; 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 or reduce deposits into the Budget Stabilization Fund in certain circumstances; to provide for an effective date; and to provide for related matters.

On motion of Senator Chaisson Senate Bill No. 2, which is on Third Reading and Final Passage, was made Special Order of the Day No. 2 on Tuesday, May 25, 2010.

**SENATE BILL NO. 13—**

BY SENATOR B. GAUTREUX

**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.

**Floor Amendments**

Senator Marionneaux sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 13 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 5, lines 7 and 9, following "the" delete "said"

AMENDMENT NO. 2

On page 8, lines 13, 15, 25, 27, following "the" delete "said"

AMENDMENT NO. 3

On page 10, lines 7, 9, 20, 22, following "the" delete "said"

On motion of Senator Marionneaux, the amendments were adopted.

On motion of Senator B. Gautreaux, the amended bill was read by title and returned to its regular order in Third Reading and Final Passage.

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 37

**NAYS**

Total - 0

**ABSENT**

Alario	Kostelka
Total - 2	

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka  
Total - 1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka  
Total - 1

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

**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.

On motion of Senator Chaisson Senate Bill No. 391, which is on Third Reading and Final Passage, was made Special Order of the Day No. 3 on Tuesday, May 25, 2010.

**Mr. President in the Chair**

**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.

On motion of Senator Chaisson Senate Bill No. 392, which is on Third Reading and Final Passage, was made Special Order of the Day No. 4 on Tuesday, May 25, 2010.

**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.

On motion of Senator Chaisson Senate Bill No. 410, which is on Third Reading and Final Passage, was made Special Order of the Day No. 5 on Tuesday, May 25, 2010.

**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.

On motion of Senator Chaisson Senate Bill No. 434, which is on Third Reading and Final Passage, was made Special Order of the Day No. 6 on Tuesday, May 25, 2010.

May 19, 2010

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Crowe Marionneaux Smith
Donahue Martiny Thompson
Dorsey McPherson Walsworth
Duplessis Michot

Total - 38

NAYS

Total - 0

ABSENT

Kostelka
Total - 1

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

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.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Morrell and Murray to Engrossed Senate Bill No. 509 by Senator Long

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 17:1970.27(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "Arts" delete the remainder of the line and insert the following: "and the New Orleans Center for the Creative Arts; to provide for the inclusion of the schools in"

AMENDMENT NO. 3

On page 1, line 6, after "to the" delete the remainder of the line, delete line 7, and insert the following: "annual budget of the Louisiana School for Math, Science, and the Arts; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." insert "R.S. 17:1970.27(A) is hereby amended and reenacted and"

AMENDMENT NO. 5

On page 2, between lines 21 and 22, insert the following:

"\* \* \*

§1970.27. Funding; acceptance of other funds

A. (1) Funds for the operation of the center New Orleans Center for the Creative Arts and the programs provided by the center New Orleans Center for the Creative Arts shall come from monies appropriated therefor by the legislature and through funds appropriated for the minimum foundation program and allocated to the school by the Department of Education.

(2) For the purposes of this Section, the New Orleans Center for the Creative Arts shall be considered a public secondary school and, as such, shall be included by the State Board of Elementary and Secondary Education in the formula required by Article VIII, Section 13 of the Constitution of Louisiana used to determine the cost of a minimum foundation program of education in all public elementary and secondary schools.

**(3) Minimum foundation program funds allocated to the New Orleans Center for the Creative Arts shall be based upon that portion of the New Orleans Center for the Creative Arts' enrollment which is not included in the enrollment count for the minimum foundation program of any city, parish, or other local public school system and each student shall be funded at one hundred percent of the state base per pupil amount as contained in the minimum foundation program budget letter approved by the State Board of Elementary and Secondary Education.**

**(4) The amount of funding for any budget request submitted as provided in this Section that is not provided through the minimum foundation program formula shall be determined by the legislature.**

\* \* \*

On motion of Senator Morrell, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Jackson                      Kostelka  
Total - 2

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

**SENATE BILL NO. 534—**

BY SENATOR HEBERT

**AN ACT**

To amend and reenact R. S. 56:109(C) and 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Michot
Adley	Erdey	Morrell
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray

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

**NAYS**

Total - 0

**ABSENT**

Gautreaux B                      Kostelka                      Morrish  
Total - 3

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

**SENATE BILL NO. 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.

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	Peterson
Chabert	Jackson	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 38		

**NAYS**

Total - 0

**ABSENT**

Kostelka  
Total - 1

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. 565—**

BY SENATOR JACKSON

**AN ACT**

To amend and reenact R.S. 47:302(A), (B), and (C)(1)(a), (d), and (f)(i) and (ii) and 332.6, relative to certain collections in the city of Shreveport; to provide for the use of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to correct the names of certain entities receiving allocations from the fund; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 565 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, following "R.S." and before "(A)" change "47:302" to "47:302.2"

AMENDMENT NO. 2

On page 1, line 8, following "R.S." and before "(A)" change "47:302" to "47:302.2"

AMENDMENT NO. 3

On page 3, line 13, following "to" delete "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

NAYS

Total - 0

ABSENT

Claitor Kostelka
Total - 2

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

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.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 624 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 14, following "grant" and before "a" insert "assistance to"

AMENDMENT NO. 2

On page 2, line 5, following "may" and before "if" change "only be granted" to "be granted only"

AMENDMENT NO. 3

On page 2, line 25, following "businesses" and before "in" insert "described"

AMENDMENT NO. 4

On page 2, line 29, following "make" change "a" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 624 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 11, after "rebate of" and before "severance" insert "Louisiana"

AMENDMENT NO. 2

On page 3, line 13, after "of" and before "severance" insert "Louisiana"

AMENDMENT NO. 3

On page 3, at the end of line 24, after "Act." insert the following: "Where specific identification of the amount of severance tax paid on natural gas consumed directly or indirectly in the operation of the mega project is determined by the department not to be reasonably possible, the rules and regulations may provide for the determination by estimate of the amount to be rebated."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek; Erdey, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, LaFleur; Morrell, Morrish, Mount, Murray, Nevers, Peterson, Quinn, Riser



Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 38		

NAYS

Total - 0

ABSENT

Kostelka  
Total - 1

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

**SENATE BILL NO. 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.

**Floor Amendments**

Senator Marionneaux sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 646 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 16, following "**Paragraph**" and before "1" change "**(3) of Subsection B**" to "**(B)(3) of this Section**"

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Chabert	Claitor	Kostelka
Total - 3		

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

**SENATE BILL NO. 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 certain 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Guillory	Mount
Alario	Hebert	Murray
Amedee	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Long	Quinn
Cheek	Marionneaux	Riser
Dorsey	Martiny	Shaw
Duplessis	McPherson	Smith
Erdey	Michot	Thompson
Gautreaux B	Morrell	Walsworth
Total - 33		

NAYS

Appel	Claitor	Donahue
Total - 3		

ABSENT

Crowe	Kostelka	LaFleur
Total - 3		

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

**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.

The bill was read by title. Senator Morrish 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

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Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	Michot	Walsworth
Total - 36		

NAYS

Claitor  
Total - 1

ABSENT

Kostelka  
Total - 2

McPherson

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

**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 in certain parishes; and to provide for related matters.

**Floor Amendments**

Senator Alario proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Alario to Reengrossed Senate Bill No. 707 by Senator Alario

**AMENDMENT NO. 1**

On page 3, after line 1, insert the following:

"Section 2. The provisions of R.S. 47:342(3)(b) as enacted by this Act shall cease to be effective on July 1, 2011."

On motion of Senator Alario, the amendments were adopted.

The bill was read by title. Senator Alario 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	LaFleur	Quinn
Cheek	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	
Duplessis	Michot	
Total - 34		

NAYS

Claitor  
Jackson  
Total - 4

Riser  
Walsworth

ABSENT

Kostelka  
Total - 1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Morrish
Adley	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	LaFleur	Quinn
Crowe	Long	Riser
Dorsey	Marionneaux	Shaw
Duplessis	Martiny	Smith
Erdey	Michot	Thompson
Gautreaux B	Morrell	Walsworth
Total - 33		

NAYS

Claitor  
Total - 1

ABSENT

Alario	Donahue	McPherson
Broome	Kostelka	
Total - 5		

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

**SENATE BILL NO. 724—**  
BY SENATOR N. GAUTREAU

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Long	Riser
Crowe	Marionneau	Shaw
Donahue	Martiny	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 36		

**NAYS**

Claitor  
Total - 1

**ABSENT**

Kostelka LaFleur  
Total - 2

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

**SENATE BILL NO. 743—**  
BY SENATOR BROOME

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Long	Riser
Crowe	Marionneau	Shaw
Donahue	Martiny	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 36		

**NAYS**

Claitor  
Total - 1

**ABSENT**

Kostelka LaFleur  
Total - 2

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

**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.

The bill was read by title. Senator Marionneau 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	Long	Shaw
Crowe	Marionneau	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrell	
Total - 35		

**NAYS**

Claitor  
Total - 1

**ABSENT**

Kostelka LaFleur Martiny  
Total - 3

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

**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.

**Floor Amendments**

Senator Murray proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 749 by Senator Murray

AMENDMENT NO. 1

On page 1, lines 13 and 14, delete "or R.S. 13:5108.2"

On motion of Senator Murray, the amendments were adopted.

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

May 19, 2010

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	McPherson
Adley	Erdey	Michot
Amedee	Gautreaux B	Morrell
Appel	Guillory	Murray
Broome	Hebert	Nevers
Chabert	Heitmeier	Peterson
Cheek	Jackson	Quinn
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	
Total - 29		

**NAYS**

Alario	Mount	Walsworth
Claitor	Riser	
Gautreaux N	Thompson	
Total - 7		

**ABSENT**

Kostelka	LaFleur	Morrish
Total - 3		

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. 752—**  
BY SENATOR LONG

**AN ACT**

To enact 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; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Claitor  
Total - 1

**ABSENT**

Kostelka  
LaFleur  
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.

**SENATE BILL NO. 767—**  
BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 32:266(B), 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"; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Claitor  
Total - 1

**ABSENT**

Kostelka  
LaFleur  
Morrish  
Mount  
Total - 4

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

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

**Called from the Calendar**

Senator Martiny asked that Senate Bill No. 284 be called from the Calendar.

**SENATE BILL NO. 284—**  
BY SENATOR MARTINY

**AN ACT**

To enact Code of Civil Procedure Article 2542, relative to foreign defamation judgments; to provide the grounds for the recognition of foreign defamation judgments; to provide for

jurisdiction; to provide definitions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 36

**NAYS**

Total - 0

**ABSENT**

Claitor	Jackson	Kostelka
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Total - 3

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

**Called from the Calendar**

Senator Martiny asked that Senate Bill No. 460 be called from the Calendar.

**SENATE BILL NO. 460—**  
BY SENATOR MARTINY

**AN ACT**

To enact Chapter 1 of Code Title I of Code Book IV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:6000, relative to the application of foreign laws; to provide for definitions; to provide for legislative findings; to prohibit the enforcement of foreign laws under certain circumstances; to provide for applicability to certain persons; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 33

**NAYS**

Claitor	Gautreaux N	Thompson
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Total - 3

**ABSENT**

Jackson	Kostelka	LaFleur
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Total - 3

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

**Called from the Calendar**

Senator Martiny asked that Senate Bill No. 615 be called from the Calendar.

**SENATE BILL NO. 615—**  
BY SENATOR MARTINY

**AN ACT**

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

**Floor Amendments**

Senator Marionneaux sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 615 by Senator Martiny

AMENDMENT NO. 1

On page 6, line 8, following "**influence**" and before "**the voter**" delete "1"

AMENDMENT NO. 2

On page 6, line 19, change "**succeeding**" to "**subsequent**"

AMENDMENT NO. 3

On page 7, line 25, change "**succeeding**" to "**subsequent**"

AMENDMENT NO. 4

On page 9, line 13, change "**succeeding**" to "**subsequent**"

AMENDMENT NO. 5

On page 10, line 8, change "**succeeding**" to "**subsequent**"

AMENDMENT NO. 6

On page 10, line 20, following "**accurate**" and before "**timely**" change "**and/or**" to "**and**"

AMENDMENT NO. 7

On page 11, line 17, change "**succeeding**" to "**subsequent**"

AMENDMENT NO. 8

On page 12, line 2, change "**succeeding**" to "**subsequent**"

On motion of Senator Marionneaux, 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. 615 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 14, after "Elections Compliance Unit" insert ", upon the receipt of a complaint of any election irregularity."

AMENDMENT NO. 2

On page 16, delete lines 19 through 23 and insert the following: "Section 3. This Act shall become effective on January 1, 2011."

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators under YEAS: Mr. President, Duplessis, Michot, Adley, Erdey, Morrell, Alario, Gautreaux B, Morrish, Amedee, Gautreaux N, Murray, Appel, Guillory, Nevers, Broome, Hebert, Peterson, Chabert, Heitmeier, Quinn, Cheek, Jackson, Riser, Claitor, Long, Shaw, Crowe, Marionneaux, Smith, Donahue, Martiny, Thompson, Dorsey, McPherson, Walsworth. Total - 36

NAYS

Total - 0

ABSENT

Table listing names of senators under ABSENT: Kostelka, LaFleur, Mount. Total - 3

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

Called from the Calendar

Senator Morrish asked that Senate Bill No. 792 be called from the Calendar.

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.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 792 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 22:2134(B)(3)(d),"

AMENDMENT NO. 2

On page 1, line 3, change "(4)(b)(ii)" to "(4)(a)"

AMENDMENT NO. 3

On page 1, delete line 4, and insert "and 1429, relative"

AMENDMENT NO. 4

On page 1, delete line 11, and insert the following:

"Section 1. R.S. 22:2134(B)(3)(d) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 2, delete lines 4 through 6 in their entirety and insert the following:

"(d) Conducting educational and public awareness programs designed to inform motor vehicle owners the citizens of the state about methods of preventing motor vehicle theft and combating insurance fraud."

AMENDMENT NO. 6

On page 2, line 9, change "(4)(b)(ii)" to "(4)(a)"

AMENDMENT NO. 7

On page 2, delete line 10, and insert "are hereby amended and reenacted to read"

AMENDMENT NO. 8

On page 2, delete lines 23 through 25 in their entirety and insert the following:

"(5) "Insurance fraud section" means the insurance fraud section within the Louisiana Department of Insurance."

AMENDMENT NO. 9

On page 4, line 10, after "shall" and before "submit" delete "each" and after "submit" change "an" to "a combined"

AMENDMENT NO. 10

On page 4, line 22, after "section" and before the period "." insert "; as applicable to each"

AMENDMENT NO. 11

On page 5, delete line 8 and insert the following:

"(4)(a) Prior to making the allocations specified in Subparagraph (b) of this Paragraph, the commissioner of insurance is authorized to withhold the sum of thirty thousand dollars per year from the fees collected pursuant to this Section to defray the expense of collection of the fees, enforcement of this Subpart, and operation of the Department of Insurance and shall withhold one hundred eighty-seven thousand dollars to fund the Louisiana Automobile Theft and Insurance Fraud Prevention Authority pursuant to R.S. 22:2134."

\* \* \*

AMENDMENT NO. 12

On page 5, delete lines 9 through 19 in their entirety

AMENDMENT NO. 13

On page 6, line 5, after "shall be" delete the remainder of the line and on line 6, delete "Insurance to be"

AMENDMENT NO. 14

On page 6, at the end of line 12, change "2016." to "2012."

AMENDMENT NO. 15

On page 6, after line 12, insert the following: "Section 3. This Act shall become effective on July 1, 2010."

On motion of Senator Morrish, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and NAYS. Lists names of senators and their counts for each category.

NAYS

Total - 0

ABSENT

Table with 3 columns: Claitor, Donahue, and Kostelka. Lists names of absent senators and their counts.

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

Called from the Calendar

Senator Dorsey asked that Senate Bill No. 736 be called from the Calendar.

SENATE BILL NO. 736— BY SENATOR DORSEY

AN ACT

To amend and reenact the Code of Criminal Procedure Article 876 and to enact the Children's Code Article 857(D), relative to criminal procedure; to provide for sentencing of adults for certain crimes committed as a child; to provide for certain adults charged for crimes committed as a child; to provide for requirements of sentencing; to provide for terms, conditions, and procedures; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 736 by Senator Dorsey

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "Code" delete "the"

AMENDMENT NO. 2

On page 1, line 2, following "enact" and before last word of the sentence delete "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and NAYS. Lists names of senators and their counts for each category.

Total - 0

ABSENT

Table with 2 columns: Jackson and Kostelka. Lists names of absent senators and their counts.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 308 be called from the Calendar.

SENATE BILL NO. 308— BY SENATOR MARIONNEAUX

AN ACT

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

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 308 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 7, following "forth" and before "this" change "below in" to "in Paragraph (5) of"

May 19, 2010

AMENDMENT NO. 2

On page 2, line 15, following "adopt" and before "without" insert ";

AMENDMENT NO. 3

On page 2, line 16, following "peril" and before "emergency" insert ";

AMENDMENT NO. 4

On page 3, line 9, following "Administrative" and before "Act" change "Procedures" to "Procedure"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 308 by Senator Marionneaux

AMENDMENT NO. 1

On page 2, line 16, delete "webless migratory game bird"

AMENDMENT NO. 2

On page 2, line 18, after "limits" and before the period, insert ", and all rules and regulations pursuant thereto"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Adley Alario Claitor
Total - 3

ABSENT

Kostelka
Total - 1

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 334 be called from the Calendar.

SENATE BILL NO. 334

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 40:1300.253(1) and to repeal R.S. 40:1300.256(B)(5), relative to prohibiting smoking in certain places; to provide for definitions; to provide relative to exceptions; and to provide for related matters.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 334 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, delete line 15, and insert: "mean that food sales shall be no more than ten percent of the total gross sales of food and beverages sold."

On motion of Senator Marionneaux, the amendments were adopted.

Senator Thompson in the Chair

Senator N. Gautreaux moved to place the bill on the Involuntary Calendar.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Chabert Jackson Murray
Claitor Martiny Nevers
Donahue Michot Riser
Gautreaux N Morrell Shaw
Guillory Morrish
Total - 14

NAYS

Adley Dorsey McPherson
Alario Duplessis Mount
Appel Gautreaux B Peterson
Broome Heitmeier Quinn
Cheek Long Smith
Crowe Marionneaux Thompson
Total - 18

ABSENT

Mr. President Hebert Walsworth
Amedee Kostelka
Erdey LaFleur
Total - 7

The Chair declared the Senate refused to place the amended bill on the Involuntary Calendar.



**Mr. President in the Chair**

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Erdey	Mount
Broome	Gautreaux B	Nevers
Crowe	Long	Peterson
Dorsey	Marionneaux	Shaw
Duplessis	McPherson	Walsworth
Total - 15		

**NAYS**

Mr. President	Donahue	Morrell
Adley	Gautreaux N	Morrish
Alario	Guillory	Murray
Appel	Heitmeier	Quinn
Chabert	Jackson	Riser
Cheek	Martiny	Smith
Claitor	Michot	Thompson
Total - 21		

**ABSENT**

Hebert	Kostelka	LaFleur
Total - 3		

The Chair declared the amended bill failed to pass.

**Notice of Reconsideration**

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

**Called from the Calendar**

Senator Appel asked that Senate Bill No. 16 be called from the Calendar.

**SENATE BILL NO. 16—**  
BY SENATOR APPEL

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Heitmeier	Peterson
Chabert	LaFleur	Quinn
Cheek	Long	Riser
Claitor	Marionneaux	Shaw
Crowe	Martiny	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

**NAYS**

Total - 0

**ABSENT**

Hebert	Jackson	Kostelka
Total - 3		

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

**Rules Suspended**

Senator B. Gautreaux asked for and obtained a suspension of the rules to revert to the order of:

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

**SENATE BILL NO. 85—**

BY SENATOR B. GAUTREAU

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Marionneaux
Adley	Gautreaux B	Morrish
Amedee	Guillory	Peterson
Appel	Heitmeier	Quinn
Donahue	LaFleur	
Total - 14		

**NAYS**

Alario	Jackson	Nevers
Broome	Long	Riser
Chabert	Martiny	Shaw
Claitor	Morrell	Smith
Crowe	Mount	Thompson
Dorsey	Murray	Walsworth
Total - 18		

**ABSENT**

Cheek	Hebert	Michot
Erdey	Kostelka	
Gautreaux N	McPherson	
Total - 7		

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

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

**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 19, 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. 85—**

BY SENATOR WALSWORTH

**A CONCURRENT RESOLUTION**

To commend Katherine Putnam on her reign as Miss Louisiana for 2009, and to recognize Wednesday, May 26, 2010, as Miss Louisiana Organization Day at the Louisiana State Capitol.

Reported without amendments.

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

**Introduction of  
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 87—**

BY SENATOR DORSEY

**A CONCURRENT RESOLUTION**

To enact Louisiana Administrative Code 34:V.145(13), relative to procurement of professional, personal, consulting and social services; to provide for disadvantaged business enterprises and veteran owned businesses; and to direct the Louisiana Register to print the amendment in the Louisiana Administrative Code.

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

**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 19, 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. 729

HB No. 795

HB No. 1120

HB No. 1170

HB No. 698

HB No. 876

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

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

**HOUSE BILL NO. 698—**

BY REPRESENTATIVE HARRISON

**AN ACT**

To enact R.S. 22:1892.1, relative to automobile insurance; to provide with respect to the use of arbitration or any other type of binding mediation by automobile insurers for certain purposes; and to provide for related matters.

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

**HOUSE BILL NO. 729—**

BY REPRESENTATIVE CARMODY

**AN ACT**

To amend and reenact R.S. 41:892(C), (D), and (E) and to enact R.S. 41:892(F), relative to surplus property of school boards; to provide relative to the minimum bid which may be accepted when a school board attempts to sell such property; and to provide for related matters.

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

**HOUSE BILL NO. 795—**

BY REPRESENTATIVE WOOTON

**AN ACT**

To amend and reenact R.S. 15:587(F), relative to criminal background information; to provide relative to an employer's access to criminal background information of a potential employee; to provide for duties of the Louisiana Bureau of Criminal Identification and Information; and to provide for related matters.

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

**HOUSE BILL NO. 876—**

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

**AN ACT**

To amend and reenact R.S. 56:427(A) and 428(B), relative to oyster leases; to delineate responsibility for obtaining a survey of the lease area; to provide relative to a lease application fee; and to provide for related matters.

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

**HOUSE BILL NO. 1120—**

BY REPRESENTATIVE JOHNSON

**AN ACT**

To amend and reenact R.S. 40:1058.3(C)(1) and to enact R.S. 40:1058.3(C)(4), relative to licensure of substance abuse and addiction treatment facilities; to provide for a moratorium on licensure of additional methadone maintenance programs; to provide for exceptions; to establish a needs assessment task force; and to provide for related matters.

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

**HOUSE BILL NO. 1170—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To enact R.S. 32:414.2(E), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; 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 19, 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. 176—**  
BY REPRESENTATIVE MCVEA AND SENATOR RISER  
A CONCURRENT RESOLUTION  
To commend Louise Williams of Wyanoke upon the celebration of her one-hundred-tenth birthday on June 15, 2010.

**HOUSE CONCURRENT RESOLUTION NO. 177—**  
BY REPRESENTATIVE SIMON  
A CONCURRENT RESOLUTION  
To urge and request television cable companies to determine methods to improve customer relations for the hearing impaired.

**HOUSE CONCURRENT RESOLUTION NO. 179—**  
BY REPRESENTATIVE AUSTIN BADON  
A CONCURRENT RESOLUTION  
To urge and request the Department of Social Services and the state Department of Education to work collaboratively to ensure that children enter kindergarten ready to learn, to establish and maintain an infrastructure for the coordination of data, and to submit by March first annually a school readiness report to the governor, the House Committee on Education, the Senate Committee on Education, and the State Board of Elementary and Secondary Education.

**HOUSE CONCURRENT RESOLUTION NO. 180—**  
BY REPRESENTATIVES GREENE, MICHAEL JACKSON, AND KATZ  
AND SENATOR ERDEY  
A CONCURRENT RESOLUTION  
To commend East Baton Rouge Parish upon winning the Sixteenth Annual Elementary Championship Fitness Meet of the Governor's Games sponsored by the Governor's Council on Physical Fitness and Sports.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 176—**  
BY REPRESENTATIVE MCVEA AND SENATOR RISER  
A CONCURRENT RESOLUTION

To commend Louise Williams of Wyanoke upon the celebration of her one-hundred-tenth birthday on June 15, 2010.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Donahue	Nevers
Adley	Gautreaux B	Peterson
Alario	Gautreaux N	Riser
Appel	Heitmeier	Shaw
Broome	Jackson	Smith
Chabert	LaFleur	Thompson
Cheek	Martiny	Walsworth
Claitor	Mount	
Crowe	Murray	

Total - 25

**NAYS**

Total - 0

**ABSENT**

Amedee	Hebert	Michot
Dorsey	Kostelka	Morrell
Duplessis	Long	Morrish
Erdey	Marionneaux	Quinn
Guillory	McPherson	

Total - 14

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

**HOUSE CONCURRENT RESOLUTION NO. 177—**  
BY REPRESENTATIVE SIMON  
A CONCURRENT RESOLUTION

To urge and request television cable companies to determine methods to improve customer relations for the hearing impaired.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Crowe	Mount
Adley	Donahue	Murray
Alario	Gautreaux B	Nevers
Appel	Gautreaux N	Riser
Broome	Heitmeier	Shaw
Chabert	Jackson	Smith
Cheek	LaFleur	Thompson
Claitor	Martiny	Walsworth

Total - 24

**NAYS**

Total - 0

**ABSENT**

Amedee	Hebert	Michot
Dorsey	Kostelka	Morrell
Duplessis	Long	Morrish

May 19, 2010

Erdey Marionneaux Peterson
Guillory McPherson Quinn
Total - 15

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

HOUSE CONCURRENT RESOLUTION NO. 179—
BY REPRESENTATIVE AUSTIN BADON
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services and the state Department of Education to work collaboratively to ensure that children enter kindergarten ready to learn, to establish and maintain an infrastructure for the coordination of data, and to submit by March first annually a school readiness report to the governor, the House Committee on Education, the Senate Committee on Education, and the State Board of Elementary and Secondary Education.

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

HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVES GREENE, MICHAEL JACKSON, AND KATZ AND SENATOR ERDEY
A CONCURRENT RESOLUTION

To commend East Baton Rouge Parish upon winning the Sixteenth Annual Elementary Championship Fitness Meet of the Governor's Games sponsored by the Governor's Council on Physical Fitness and Sports.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux N Peterson
Alario Heitmeier Riser
Appel Jackson Shaw
Chabert LaFleur Smith
Cheek Martiny Thompson
Claitor Mount Walsworth
Crowe Murray
Donahue Nevers
Total - 22

NAYS

Total - 0

ABSENT

Adley Gautreaux B McPherson
Amedee Guillory Michot
Broome Hebert Morrell
Dorsey Kostelka Morrish
Duplessis Long Quinn
Erdey Marionneaux
Total - 17

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

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

May 19, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 100—
BY REPRESENTATIVE ARNOLD
AN ACT

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

Reported favorably.

HOUSE BILL NO. 297—
BY REPRESENTATIVE GUINN
AN ACT

To enact Part VIII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1486.1 and 1486.2, relative to safe transportation of offshore oil platform workers; to provide for purpose; to provide for flotation devices to be equipped with personal locator beacons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 340—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:1123.115(A) and to enact R.S. 9:1121.111, relative to the Louisiana Condominium Act; to require an advance be put in escrow accounts when purchasing a condominium unit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 370—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 9:3891(8) and (9) and to enact R.S. 9:3891(14), relative to agency relations in real estate transactions; to provide for a change in the definition of "designated agency" and "designated agent"; to provide for a definition of "substantive contact"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 396—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 40:1749.13(B)(1) and (3) and 1749.14(A) and (B), to enact R.S. 40:1749.12(14) and 1749.15.1, and to repeal R.S. 40:1749.13(E), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define priority calls; to require regional notification centers to

receive emergency locate requests twenty-four hours a day; to authorize a notice of intent to excavate to be sent electronically; to require a member operator to furnish the regional notification center with emergency contact information; to require a record of electronic notice to be retained by the regional notification center; to require an operator of an underground cable television utility to participate in regional notification centers; to provide for an exemption for priority calls; to repeal expired temporary notification provisions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 448—**  
BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 37:1864.1(A), 1866, and 1867(A) and to enact R.S. 37:1862.1, relative to secondhand dealers; to provide for record and reporting requirements; to require secondhand dealers to photograph merchandise that is purchased; to provide for changes to daily reports required by secondhand dealers; to provide for the location of items purchased by a secondhand dealer; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 591—**  
BY REPRESENTATIVE ARNOLD

AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 614—**  
BY REPRESENTATIVE PONTI

AN ACT

To enact R.S. 37:1490, relative to home inspections; to prohibit the performance of both home inspection services and real estate professional services by the same person in a transaction; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1078—**  
BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 36:104(A)(7) and (14) and R.S. 51:935, 2341(D)(2), and 2461 and to repeal R.S. 25:318(E), R.S. 33:130.753(C) and 4708(C)(5), R.S. 36:104(A)(8), R.S. 39:1953(B)(8), 2006(E), and 2176(E), R.S. 47:6020.4, 6027(F), and 6036(D)(5) and R.S. 51:1786(4), 1927.2, 2312(F), and 2319, relative to reporting requirements of the Louisiana Department of Economic Development and the Louisiana Economic Development Corporation; to provide for changes to reporting requirements of the Louisiana Department of Economic Development to various state agencies; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1207—**  
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 10:9-109(c)(4), (5), and (6)(C) and to enact R.S. 10:9-109(c)(7) and Part VII of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1251 through 1261, relative to utilities; to provide for security interests in investment recovery property; to provide for legislative intent and definitions; to provide with respect to issuance of financing orders; to provide for appeals of financing orders; to provide for a utility's interest in a financing order; to provide for investment recovery property; to provide for the sale

of investment recovery property; to provide for the perfection and true sale status of a sale of investment recovery property; to provide for subsidiaries of electric utilities; to provide for conflicts of laws; to provide for the creation, perfection, and priority of security interests in investment recovery property; to provide a state pledge of non-impairment of investment recovery bonds; to exempt investment recovery bonds from being public debt; to provide an exclusion from secured transaction provisions of the uniform commercial laws; to provide for non-impairment of the jurisdiction of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1407— (Substitute for House Bill No. 450 by Representative Foil)**

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 3:3807(B)(2), relative to retail florists; to repeal certain examination requirements for retail florists; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1408— (Substitute for House Bill No. 1208 by Representative Tucker)**

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 4:185.1, relative to gaming proceeds; to provide for auditing of the Horsemen's Benevolent and Protective Association and its operations and programs by the legislative auditor; to provide for guidelines; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1464— (Substitute for House Bill No. 1089 by Representative Ellington)**

BY REPRESENTATIVE ELLINGTON

AN ACT

To enact R.S. 32:1268.3 and to repeal R.S. 32:1268.1(B), relative to repurchase of marine products; to provide for the repurchase of marine products by a manufacturer, distributor, or wholesaler; to provide for termination agreements; to provide for exemptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ANN D. DUPLESSIS  
Chair

**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 19, 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. 82—**

BY SENATORS DONAHUE AND NEVERS

A CONCURRENT RESOLUTION

May 19, 2010

To commend the Boy Scouts of America on the occasion of its 100<sup>th</sup> anniversary.

**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.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

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

**Message to the Governor**

**SIGNED SENATE BILLS**

May 19, 2010

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 39—**

BY SENATOR MCPHERSON AND REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 48:231(A), relative to the state highway system and the final highway construction program; to provide with respect to the duties of the Joint Highway Priority Construction Committee; and to provide for related matters.

**SENATE BILL NO. 50—**

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH AND REPRESENTATIVES BOBBY BADON, CHANEY, GUINN, HOWARD, LEBAS, LITTLE, PERRY, RITCHIE, ST. GERMAIN AND THIBAUT  
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(i), relative to the Department of Agriculture and Forestry, including provisions to provide for the re-creation of the Department of Agriculture and Forestry 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.

**SENATE BILL NO. 146—**

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH  
AN ACT

To amend and reenact the heading of Part I of Chapter 19-A of Title 3 of the Louisiana Revised Statutes of 1950, R.S. 3:3101, 3102(A) and 3104, relative to regulation of farm-raised exotic animals; to authorize the commissioner to adopt rules and regulations setting forth the requirements for the raising, slaughtering, and sale of exotic cervidae for commercial purposes; to require a license; to provide relative to fencing requirements; and to provide for related matters.

**SENATE BILL NO. 169—**

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 8:502.3, relative to the funeral merchandise trust fund; to provide for exemption from seizure of merchandise trust fund monies; and to provide for related matters.

**SENATE BILL NO. 689—**

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 37:212(C), relative to the practice of law; to provide for the definition of "practice of law"; and to provide for related matters.

**SENATE BILL NO. 145—**

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH AND REPRESENTATIVES BOBBY BADON, CHANEY, GUINN, LEBAS, LITTLE, RITCHIE AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 3:4617(C), 4734(G)(2) and (3), and 4735(B), relative to the definition of catfish; to provide that the definition of catfish includes certain families; to provide for technical corrections; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the House**

**SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

May 19, 2010

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 48—**

BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON  
AN ACT

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

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:315.1(A), relative to transfer of small deposits; to provide for changes to the transfer of small deposits upon the death of a depositor; and to provide for related matters.

**HOUSE BILL NO. 127—**

BY REPRESENTATIVE KLECKLEY  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to the Recreation District No. One of Ward Three of Calcasieu Parish from the division of administration; and to provide for related matters.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact R.S. 33:9091.6(F)(3)(b), relative to the Upper Hurstville Security District in Orleans Parish; to provide relative to the renewal of parcel fees; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 172—**

BY REPRESENTATIVE HENRY  
AN ACT

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

**HOUSE BILL NO. 182—**

BY REPRESENTATIVES GISCLAIR AND BALDONE  
AN ACT

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

**HOUSE BILL NO. 198—**

BY REPRESENTATIVES THIBAUT, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CROMER, DIXON, EDWARDS, FANNIN, FOIL, GALLOT, GISCLAIR, GUILLORY, HARDY, HARRISON, HAZEL, HILL, HINES, HOFFMANN, HUTTER, MICHAEL JACKSON, JOHNSON, KATZ, KLECKLEY, LAFONTA, LANDRY, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTOUCEY, NORTON, NOWLIN, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, ROY, SCHRODER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TEMPLER, THIERRY, TUCKER, WADDELL, WILLIAMS, AND WOOTON AND SENATORS ADLEY, ERDEY, MCPHERSON, MOUNT, RISER, AND SHAW

AN ACT

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

**HOUSE BILL NO. 209—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:3561.1(A), relative to payment of licensing fees; to change the method of payment for individuals seeking licenses to make consumer loan transactions; and to provide for related matters.

**HOUSE BILL NO. 242—**

BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON  
AN ACT

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

**HOUSE BILL NO. 295—**

BY REPRESENTATIVES HUTTER, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, CARTER, GUINN, HARDY, HENDERSON, MONICA, AND ST. GERMAIN  
AN ACT

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

**HOUSE BILL NO. 335—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:1088(E)(3) and 1094(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph) and to repeal R.S. 6:1094(A)(1)(d), (B)(1)(d), (C), (D), (E), and (G), relative to the licensing requirements of mortgage loan originators; to provide for changes to the minimum requirements for licensure of a mortgage loan originator; to provide for changes to the pre- and post-licensing continuing education requirements of mortgage loan originators; and to provide for related matters.

**HOUSE BILL NO. 373—**

BY REPRESENTATIVE HUTTER  
AN ACT

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

**HOUSE BILL NO. 411—**

BY REPRESENTATIVE BARROW  
AN ACT

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

**HOUSE BILL NO. 412—**

BY REPRESENTATIVE BARROW  
AN ACT

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

**HOUSE BILL NO. 430—**

BY REPRESENTATIVE PUGH AND SENATORS LONG, NEVERS, RISER, SMITH, THOMPSON, AND WALSWORTH  
AN ACT

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

**HOUSE BILL NO. 638—**

BY REPRESENTATIVE HAZEL  
AN ACT

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

**HOUSE BILL NO. 704—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Iberville Parish to the Cora Texas Manufacturing Company, L.L.C., from the division of administration; and to provide for related matters.

**HOUSE BILL NO. 764—**

BY REPRESENTATIVE POPE  
AN ACT

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

**HOUSE BILL NO. 877—**

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

To enact R.S. 34:851.14.1, relative to closure of waterways; to provide for the authority to close or restrict the access of a waterway; and to provide for related matters.

**HOUSE BILL NO. 880—**

BY REPRESENTATIVES WHITE, DOVE, HARRISON, AND ST. GERMAIN AND SENATORS N. GAUTREAUX AND WALSWORTH  
AN ACT

To enact R.S. 34:851.14.1, relative to safety zones and security zones; to provide for definitions; to prohibit violating restrictions of an established safety zone or security zone; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 891—**

BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact R.S. 36:231(C)(1), to enact R.S. 30:2011(D)(26), and to repeal R.S. 30:2011(C)(1)(b) and R.S. 36:238(C), relative to the offices within the Department of

May 19, 2010

Environmental Quality; to provide for the purposes for the offices within the Department of Environmental Quality; to provide for the elimination of the office of environmental assessment; and to provide for related matters.

HOUSE BILL NO. 893—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

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

HOUSE BILL NO. 967—
BY REPRESENTATIVES GUINN, ARMES, AUBERT, BOBBY BADON, BARROW, BILLIOT, HENRY BURNS, CARMODY, CHANDLER, CONNICK, FANNIN, GISCLAIR, HAZEL, HENRY, HILL, HOFFMANN, HOWARD, HUTTER, KATZ, LEGER, LIGI, LORUSSO, MONICA, MONTOUCKET, NORTON, POPE, RICHARD, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STIAES, TEMPLET, THIERRY, TUCKER, AND WOOTON
AN ACT

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

HOUSE BILL NO. 1002—
BY REPRESENTATIVE BARROW
AN ACT

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

HOUSE BILL NO. 1088—
BY REPRESENTATIVE PONTI AND SENATORS RISER AND WALSWORTH
AN ACT

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

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

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

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

ATTENDANCE ROLL CALL

PRESENT

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

- Crowe
Donahue
Dorsey
Duplessis
Total - 38

- Marionneaux
Martiny
McPherson
Michot

- Smith
Thompson
Walsworth

ABSENT

- Kostelka
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

- Kostelka 1 Day

Announcements

The following committee meetings for May 20, 2010, were announced:

- Education At Adj Hainkel Rm
Local & Mun. Affairs At Adj Room F
Natural Resources At Adj Room A
Transportation At Adj Room E

Adjournment

On motion of Senator Thompson, at 7:05 o'clock P.M. the Senate adjourned until Thursday, May 20, 2010, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, May 20, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk