

**DAILY PROOF OF THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
THIRTY-SIXTH 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

Thursday, June 3, 2010

The Senate was called to order at 3:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Duplessis	Morrell
Adley	Gautreaux N	Morrish
Alario	Guillory	Murray
Amedee	Hebert	Quinn
Appel	Jackson	Riser
Broome	Kostelka	Shaw
Chabert	LaFleur	Smith
Claitor	Long	Thompson
Crowe	Marionneaux	Walsworth
Donahue	Martiny	
Total - 29		

ABSENT

Cheek	Heitmeier	Nevers
Dorsey	McPherson	Peterson
Erdey	Michot	
Gautreaux B	Mount	
Total - 10		

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

Prayer

The prayer was offered by Senator Claitor, 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 Smith, the reading of the Journal was dispensed with and the Journal of June 2, 2010, was adopted.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules to allow the Senate Committee on Health & Welfare to continue to meet while the Senate is in Session.

Senator Jackson objected.

**Privilege Report of the
Legislative Bureau**

June 3, 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.

HOUSE BILL NO. 146—
BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 33:9091.16, relative to Orleans Parish; to create the Seabrook Neighborhood Improvement and Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 147—
BY REPRESENTATIVE BROSSETT
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 149—
BY REPRESENTATIVE EDWARDS
AN ACT

To enact R.S. 33:4574.18, relative to the St. Helena Parish Tourist Commission; to authorize commission members to receive a per diem; to provide restrictions on the per diem; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 183—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 33:1448.1(C) and (D), relative to the Bossier Parish Retired Employees Insurance Fund; to provide for the investments and use of the Bossier Parish Retired Employees Insurance Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 216—
BY REPRESENTATIVES FOIL, THIBAUT, AND WILLIAMS
AN ACT

To enact Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031, relative to the establishment of a school choice pilot program in certain parishes for certain students with exceptionalities; to provide for the purpose of the program; to provide program eligibility requirements for participating students and nonpublic schools; to provide for program administration, implementation, and reporting; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 298—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 32:197 and 329(B) and to enact R.S. 32:329(C), (D), (E), (F), and (G), relative to bicycles and roadways; to provide relative to light requirements on the rear of bicycles; to provide for installation requirements; to allow persons riding bicycles upon a roadway the option of riding a bicycle on the improved shoulder under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 303—

BY REPRESENTATIVES HENRY, BOBBY BADON, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HINES, LABRUZZO, LAMBERT, LIGI, NOWLIN, SMILEY, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, AND QUINN
AN ACT

To enact R.S. 17:236.3, relative to the eligibility of students in state-approved home study programs to participate in interscholastic athletics in certain high schools; to provide applicability; to provide guidelines and conditions for participation; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 332—

BY REPRESENTATIVE NOWLIN
AN ACT

To repeal R.S. 13:997 and Act No. 492 of the 1962 Regular Session of the Legislature, relative to the Natchitoches Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any obligations, property, records, and employees of the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 390—

BY REPRESENTATIVE DOWNS
AN ACT

To enact R.S. 33:4712.14, relative to naming a recreation center; to authorize the governing authority of the town of Farmerville to name the Farmerville Recreation Center in honor of Willie Davis, Jr.; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 405—

BY REPRESENTATIVE DIXON
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 420—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3995(A)(1) and (2) and to repeal R.S. 17:3995(A)(3), relative to charter school funding; to provide relative to the use of certain local revenues for computing and allocating the per pupil amount provided to all charter schools; to provide exceptions; to remove provisions requiring certain minimum per pupil funding amounts pursuant to the most recent

legislatively approved minimum foundation program formula; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 534—

BY REPRESENTATIVE CARTER
AN ACT

To enact R.S. 33:9097.8, relative to East Baton Rouge Parish; to create a crime prevention and improvement district for the Westminster and Pine Park Subdivisions; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; to provide for indemnity and exculpation of board members; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 534 by Representative Carter

AMENDMENT NO. 1

On page 2, line 20, following "the" and before "Council" change "Metro" to "East Baton Rouge Parish Metropolitan"

AMENDMENT NO. 2

On page 2, line 22, following "of" change "Baton Rouge" to "East Baton Rouge Parish"

HOUSE BILL NO. 539—

BY REPRESENTATIVE KATZ AND SENATORS KOSTELKA, THOMPSON, AND WALSWORTH
AN ACT

To authorize and provide for the sale of specified school property by the City of Monroe School Board; to authorize such sale at public auction or private sale; to require an ordinance providing for such sale; to provide for public notice and a public hearing; to provide for legal challenges to the sale; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 539 by Representative Katz

AMENDMENT NO. 1

On page 1, line 12, following "Tucker" and before "school" insert "Elementary"

HOUSE BILL NO. 560—

BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 33:4766(E)(1), relative to the condemnation of dilapidated and dangerous structures; to provide relative to the enforcement of privileges and liens granted in favor of a parish or municipality for the costs incurred in the demolition, removal, repair, or maintenance of any such structure; to authorize a parish and municipality seeking to enforce a privilege or lien as a tax against immovable property to submit the attested bills for such costs to the tax assessor of the parish in which the property is located as an alternative to submitting any such bill to the director of administration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 656—BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 56:722.1, relative to the Lafourche Parish Game and Fish Commission; to authorize the commission to govern, regulate, and control Lake Long; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 694—BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 38:329.3(I), relative to the St. Mary Levee District; to provide for the transfer of certain property from the Atchafalaya Basin Levee District to the St. Mary Levee District; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 709—BY REPRESENTATIVES BROSETT, CARTER, CONNICK, HAZEL, HINES, HUTTER, MICHAEL JACKSON, LAFONTA, LEGER, LIGI, MILLS, RICHMOND, STIAES, AND WILLMOTT
AN ACT

To amend and reenact R.S. 11:701(33)(c), the heading of Part II-B of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, R.S. 17:1970.21, 1970.22(1) and (2), 1970.23(A), 1970.24(A), (B)(1)(a) through (c) and (2)(a), (C), (E)(1)(b), (d), (i), (m), and (n) and (2)(f), 1970.25(A), 1970.26(A)(2)(b), (B)(2), and (C)(1)(introductory paragraph) and (2), and 1970.27, R.S. 36:651(D)(8), and R.S. 42:1111(A)(3), relative to the New Orleans Center for the Creative Arts/Riverfront; to provide with respect to legislative intent; to provide relative to the center's placement as a state agency in the Department of Education; to provide for a change in the center's name; to provide relative to student eligibility, board membership, terms, powers, duties, and faculty; to provide relative to funding, including the center's inclusion in the minimum foundation program formula; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 709 by Representative Brossett

AMENDMENT NO. 1

On page 2, line 28, following "Center" and before "Creative" change "of" to "for"

AMENDMENT NO. 2

On page 7, line 2, following "president" and before "chief" change "/" to "or"

AMENDMENT NO. 3

On page 7, line 12, following "president" and before "chief" change "/" to "or"

HOUSE BILL NO. 716—BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 33:4574.1.1(I), relative to hotel occupancy taxes levied by the Iberia Parish Tourist Commission; to provide for dedication of tax revenues; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 726—BY REPRESENTATIVES CORTEZ, BOBBY BADON, HENRY BURNS, DOVE, FOIL, GISCLAIR, GUINN, HENDERSON, LITTLE, MONTOUCET, MORRIS, ST. GERMAIN, AND WILLIAMS
AN ACT

To enact Subpart B of Part XIII of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.

33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; to create the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources; to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; to establish the Alternative Fuel Vehicle Revolving Loan Fund and to provide with respect thereto; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 844—BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 49:214.30(A), relative to coastal use permits; to provide for consistency with the state's master plan for coastal protection and restoration activities under such permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 858—BY REPRESENTATIVE GALLOT
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 873—BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 23:1170(A), 1171.1(C)(1), 1172(A), 1172.1(C), and 1172.2(D), relative to workers' compensation coverage; to require an increase in penalties for employers who fail to secure coverage; to provide for all fines collected to be deposited in the Workers' Compensation Administrative Fund; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 897—BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4), relative to motor vehicle inspection and maintenance programs; to require certain motor vehicle inspections in certain ozone nonattainment areas; and to provide for related matters.

Reported without amendments.

June 3, 2010

HOUSE BILL NO. 911—
BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact Paragraph (A)(7) of Section 2 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 353 of the 1986 Regular Session of the Legislature, Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, Act No. 440 of the 1997 Regular Session of the Legislature, and Act Nos. 562 and 1214 of the 2003 Regular Session of the Legislature, relative to hospital service districts; to provide relative to the St. Tammany Parish Hospital Service District No.1 to provide relative to the governing board of the district; to increase the maximum amount of per diem authorized to be paid to members of the board; to increase the number of meetings for which members may receive per diem; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 934—
BY REPRESENTATIVE NOWLIN

AN ACT

To amend and reenact R.S. 17:3367(C), relative to public postsecondary education management boards; to provide relative to the purposes for which public postsecondary education management boards shall use revenues from oil, gas, and mineral leases; to provide relative to certain capital projects; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 941—
BY REPRESENTATIVE MILLS

AN ACT

To enact R.S. 33:4883, relative to the authority of local governmental subdivisions to install culverts; to provide authority for parishes and municipalities to install culverts in certain circumstances; to provide for adoption of ordinances relative to such installations; to provide for content of such ordinances; and to provide for related matters.

Reported without amendments.

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

AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 942 by Representative Carter

AMENDMENT NO. 1

On page 3, line 19, following "board" change "will" to "shall"

HOUSE BILL NO. 1023—
BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 48:461.1(10), (11), and (12), 461.2(C), and 461.6(C), relative to outdoor advertising; to provide for definitions; to allow certain outdoor advertising to be considered legal and conforming; to permit new display sign technologies under certain circumstances; to provide for certain procedures relative to outdoor advertising subject to expropriation by the state; to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1023 by Representative Foil

AMENDMENT NO. 1

In Senate Committee Amendment No.1, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 2, 2010, on line 2 between "page" and "line" insert "1,"

AMENDMENT NO. 2

In Senate Committee Amendment No.3, proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 2, 2010, on line 9 change "461.2(C)" to "461.2(C),"

HOUSE BILL NO. 1129—
BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 23:1293(A)(1), (3), and (5) and to enact R.S. 23:1293(A)(6), relative to confidential records regarding workers' compensation; to authorize the disclosure of specific information relating to an injured employee's claim; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 1199—
BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 23:108(B)(1) and (C), 111(C)(10) and (11) and (F), and 113 and to enact R.S. 23:108(F) and 111(C)(12), relative to employment services; to provide penalties for violations; to provide a cause of action and legal recourse; to prohibit certain actions by employment services; to provide for penalties for unlicensed persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1206—
BY REPRESENTATIVE EDWARDS

AN ACT

To amend and reenact R.S. 32:412.2(A)(2), relative to disabled veterans; to decrease the disability threshold for exemption from driver's license fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1225—

BY REPRESENTATIVE DIXON

AN ACT

To enact R.S. 17:7(29), to provide relative to approval by the State Board of Elementary and Secondary Education of certain alternative schools and alternative education programs; to provide for a report to the House Committee on Education and the Senate Committee on Education by not later than September 15, 2010, relative to specific standards and criteria used by the board to approve schools; to provide guidelines for such report; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1231—

BY REPRESENTATIVES PERRY, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOERGE, DOWNS, GISCLAIR, GUILLORY, HILL, HOFFMANN, SAM JONES, KATZ, LABRUZZO, LEGER, LIGI, LITTLE, MILLS, MONTOUCET, POPE, PUGH, RICHARD, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GUILLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To amend and reenact R.S. 32:414(B)(1), relative to driver's license suspension; to provide for the suspension of driving privileges of persons convicted of certain crimes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1236—

BY REPRESENTATIVES LEGER, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, DOERGE, DOWNS, GISCLAIR, GUILLORY, HILL, HOFFMANN, HOWARD, LABRUZZO, LIGI, LITTLE, MILLS, POPE, PUGH, RICHARD, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GUILLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To enact R.S. 32:667(J), relative to driver's licenses; to provide for driver's license suspension for removal of ignition interlock device; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1239—

BY REPRESENTATIVE DIXON

AN ACT

To enact R.S. 17:7(29), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and adopt rules and regulations relative to the physical abuse of public school teachers and other school employees by students; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1240—

BY REPRESENTATIVES PERRY, AUSTIN BADON, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, GUILLORY, HOFFMANN, KATZ, LABRUZZO, LEGER, LIGI, MILLS, POPE, PUGH, RICHARD, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, GUILLORY, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To enact R.S. 32:667(I)(4), relative to driver's licenses; to provide for ignition interlock code on certain driver's licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1256—

BY REPRESENTATIVE CROMER AND SENATOR DONAHUE

AN ACT

To enact R.S. 56:1847(64) and 1855(N), relative to the natural and scenic rivers program; to add Bayou Liberty in St. Tammany Parish; to provide for certain authorized activities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1274—

BY REPRESENTATIVE MONICA

AN ACT

To amend and reenact R.S. 32:414(B)(2)(b), relative to driver's license suspension; to provide for a restricted driver's license after a certain amount of time following driver's license suspension; to provide for the installment of interlock devices; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1304—

BY REPRESENTATIVE HILL

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1334—

BY REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact the heading of Subpart L of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950 and R.S. 56:638.1 through 638.5 and to repeal R.S. 56:57.2, as enacted by Act No. 283 of the 1987 Regular Session of the Legislature and as enacted by Act No. 891 of the 1987 Regular Session of the Legislature and R.S. 56:57.4, relative to fishery management, conservation, and sustainability; to provide that the Wildlife and Fisheries Commission is responsible for management of all fisheries in the state; to repeal the prohibition on state enforcement of federal laws relative to turtle excluder devices; to repeal the prohibition on state enforcement of federal laws relative to fish excluder devices; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1334 by Representative Lambert

AMENDMENT NO. 1

On page 5, line 18, following "practicable," and before "carried" delete "shall be"

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1410 by Representative Michael Jackson

AMENDMENT NO. 1

In Senate Committee Amendment No.6 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 2, 2010, on page 2, line 4, after "be" and before "and" change "know" to "known"

AMENDMENT NO. 2

In Senate Committee Amendment No.8 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 2, 2010, on page 2, line 13, after "remainder of the line" insert "and delete line 23 in its entirety"

AMENDMENT NO. 3

In Senate Committee Amendment No.20 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 2, 2010, on page 3, line 11, change "6" to "5"

AMENDMENT NO. 4

On page 10, line 3, before "with" change "same" to "roads"

AMENDMENT NO. 5

On page 13, line 2, following "exercise" and before "a compact" change "of" to "by"

HOUSE BILL NO. 1470— (Substitute for House Bill No. 938 by Representative Michael Jackson)

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To amend and reenact R.S. 32:1305(C) and to enact R.S. 32:1304(H) and 1306.1, relative to motor vehicles; to require certain vehicles to be inspected in certain parishes; to authorize an increased fee for inspection and maintenance programs in parishes in the nonattainment area; to permit local option elections in parishes in the nonattainment area; to provide relative to the conduct of such elections and the costs thereof; to exempt certain parishes; 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.

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**

June 3, 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. 96—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to consider recommendations to amend the Stafford Act regarding disaster recovery for Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 98—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To commend the Louisiana Cancer Control Partnership and their efforts to develop the Comprehensive Cancer Control Plan for Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to establish a task force to review statutory provisions relative to student discipline and make recommendations for revisions that will result in student discipline laws that are comprehensive, fair, consistent, and designed to promote a conducive learning environment.

Reported without amendments.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 3, 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. 214—

BY REPRESENTATIVE DOVE AND SENATOR CHABERT

A CONCURRENT RESOLUTION

To urge and request Secretary of the Interior, Ken Salazar, to reconsider the directive that he issued which instituted six-month moratorium on oil and gas exploration in the Gulf of

Mexico and to possibly alter that directive to minimize the negative economic impact of such directive on the already damaged economies of the state of Louisiana and the other oil and gas producing states along the Gulf of Mexico.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 214— BY REPRESENTATIVE DOVE AND SENATOR CHABERT A CONCURRENT RESOLUTION

To urge and request Secretary of the Interior, Ken Salazar, to reconsider the directive that he issued which instituted six-month moratorium on oil and gas exploration in the Gulf of Mexico and to possibly alter that directive to minimize the negative economic impact of such directive on the already damaged economies of the state of Louisiana and the other oil and gas producing states along the Gulf of Mexico.

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 419— BY REPRESENTATIVE BARROW AN ACT

To enact R.S. 40:2405.6, relative to law enforcement officers; to provide for training on the use of electronic control devices; to require manufacturers to provide training; 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. 957— BY REPRESENTATIVE LORUSSO AN ACT

To enact R.S. 33:9038.64, relative to Orleans Parish; to create and provide for the Lake Area Taxing District within the parish; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to the powers and duties of the district including the power to provide for tax increment financing; to provide for the term of the district; and to provide for related matters.

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

HOUSE BILL NO. 1195— BY REPRESENTATIVE LITTLE AND SENATOR WALSWORTH AN ACT

To amend and reenact Paragraph (6) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 540 of the 1954 Regular Session of the Legislature, and Act No. 16 of the 1968 1st Extraordinary Session of the Legislature; Paragraph (15) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature; and Section 6 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 127 of the 1987 Regular Session of the Legislature, relative to the city of Bastrop; to provide relative to the powers and duties of the city; to remove certain restrictions; to provide relative to penalties for the violation of city ordinances; and to provide for related matters.

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

HOUSE BILL NO. 1220— BY REPRESENTATIVE HUTTER AN ACT

To authorize the transfer of operational control of the St. Claude Avenue Bridge across the Inner-Harbor Navigation Canal in the city of New Orleans from the Board of Commissioners of the Port of New Orleans to the Department of Transportation and Development.

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

HOUSE BILL NO. 1337— BY REPRESENTATIVES ROBIDEAUX, TIM BURNS, CARMODY, CARTER, CORTEZ, GREENE, HARDY, HENDERSON, KATZ, LANDRY, LIGI, PEARSON, AND TUCKER AN ACT

To amend and reenact R.S. 11:62(4), (5)(a) and (c) and (10), 203, 211, 212, 214, 231, 403(5), 441(A) and (F), 444(A), 461(B), 471(A), 478(A), 551, 553 (introductory paragraph), 581, 601(B), 602, 701(5)(a), (b), and (c)(i), 761(A)(3), 768(B)(2), 778(C) and (D), 779, 1002(6)(b), 1141(A), 1144(B)(2)(a) and (3), 1147(C)(2)(b), 1151(A), 1307(A), 1310(A), 1313(B) (introductory paragraph), 1316(A), 1317(A)(1) (introductory paragraph), 1318(A), 1319, 1320(A), 1321(A)(1), 1322(A) (introductory paragraph) and to enact R.S. 11:62(5)(g), 471.1, Subpart D of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:611 through 619, 761(A)(4), 779.1, 1002(6)(c), 1144(B)(4), 1147(C)(2)(a)(iii), 1151.1, 1313(C), 1323, 1323.1, Part III of Chapter 4 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1345.1 through 1345.9, and R.S. 24:36(M), relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the State Police Pension and Retirement System, and the Louisiana School Employees' Retirement System; to provide relative to membership, employee contributions, benefit calculation, survivor benefits, disability benefits, and retirement eligibility for members of such systems newly hired after a certain date; 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 Retirement.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

June 3, 2010

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 28— BY REPRESENTATIVE DOVE A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2010-2011, as adopted by the Coastal Protection and Restoration Authority.

Reported favorably.

June 3, 2010

HOUSE BILL NO. 140—

BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 32:297.1 and R.S. 47:462(A)(introductory paragraph) and (1) and (B)(3)(a)(introductory paragraph) and to enact R.S. 47:462(D), relative to mini-trucks; to remove restrictions on the use of mini-trucks on state roads and highways; to require the office of motor vehicles to register mini-trucks; to provide for the definition of mini-truck; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 351—

BY REPRESENTATIVES CONNICK AND WOOTON AND SENATOR ALARIO
AN ACT

To designate Leo Kerner/Lafitte Parkway on Louisiana Highway 3134 in Jefferson Parish from the intersection with Barataria Boulevard in Marrero to the Jean Lafitte Tourist Information Center as a Blue Star Memorial Highway.

Reported with amendments.

HOUSE BILL NO. 472—

BY REPRESENTATIVE MONTOU CET
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1125—

BY REPRESENTATIVE WILLIAMS
AN ACT

To enact R.S. 32:202 and R.S. 47:463.141, relative to special prestige license plates; to provide for the creation and issuance of the "Share the Road" license plate; to provide for fees and distribution of fees; to provide for the promulgation of rules and regulations; to create the Louisiana Bicycle and Pedestrian Safety Fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1137—

BY REPRESENTATIVES WILLIAMS, AUSTIN BADON, BARROW, BURRELL, CARMODY, DIXON, GISCLAIR, GUINN, HINES, ROSALIND JONES, LAFONTA, NORTON, RICHMOND, SIMON, ST. GERMAIN, STIAES, AND WADDELL
AN ACT

To amend and reenact R.S. 17:270(A), R.S. 32:1(48) and (65), 76.1(B), 106, 197(A), 296(A), and 300.2, and R.S. 48:21(B), 163.1(A), (B), (D), (E)(introductory paragraph), (F), (G), and (H), to enact R.S. 32:1(95) through (100), 197(D) and (E), 202, and 300.8, and R.S. 48:1 (24), and to repeal R.S. 32:197(C) and 283 and R.S. 48:163.1(C), relative to bicycles; to revise provisions relative to bicyclists and traffic; to provide for definitions; to provide for construction of bicycle facilities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:463.102, relative to the Rotary District 6200 special prestige license plate; to provide for the name; to provide for eligibility; to provide for distribution and use of royalty fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1243—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 38:2214(A), relative to public contracts; to remove the requirement that a public entity include the time and place for bids in its resolution; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1268—

BY REPRESENTATIVE BROSSETT
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 distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

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

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

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

Reported with amendments.

HOUSE BILL NO. 1339—

BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 32:405.1 and 407(A)(3), (4), and (5), to enact R.S. 32:407(A)(6), and to repeal R.S. 32:407(E), relative to driver's licenses for minors; to provide additional requirements and restrictions for driver's licenses for minors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1418—

BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 32:1735.1, relative to storage of motor vehicles; to allow law enforcement agencies to place holds on motor vehicles stored at a licensed storage facility; to provide for notification; to provide for payment of the storage of the motor vehicle; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON,
Chairman

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

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

June 3, 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 CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to study the potential economic impact on barge line, towing, and water transportation companies if the legislature authorized an income and corporation franchise tax credit for ad valorem taxes assessed against such company's public service properties paid to political subdivisions.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To urge and request all cable and satellite television providers serving the citizens of Louisiana to provide access to all three Louisiana Public Broadcasting channels to their customers.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To oppose measures which would require health-related warning labels on wireless devices and packaging or require disclosure of any health-related information about wireless devices at the point of sale.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE MICHAEL JACKSON

A CONCURRENT RESOLUTION

To urge and request the Office of Financial Institutions to study the feasibility of creating a state-owned bank and report any findings or recommendations to the legislature prior to the start of the 2011 Regular Session of the Legislature.

Reported with amendments.

HOUSE BILL NO. 435—

BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 37:1464(C)(4), relative to the Real Estate Research and Education Fund; to authorize additional use of monies in the Real Estate Research and Education Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 436—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 37:842(A)(1), 848(C), and 872(B)(1), relative to licenses issued by the Louisiana State Board of Embalmers and Funeral Directors; to repeal the licensure requirement that a funeral director be a resident of Louisiana; to repeal the licensure requirement that a crematory retort operator be a resident of Louisiana; to require funeral directing or embalming businesses to be licensed Louisiana establishments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 451—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 37:831(11), (40), and (72) and 846(A)(introductory paragraph), (2), and (3), relative to solicitation by funeral homes; to define "capper", "steerer", or "runner"; to define "funeral goods and services"; to define "solicitation"; to authorize the imposition of sanctions or fines; to prohibit solicitation by funeral home directors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 590—

BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact R.S. 40:1568(B) and to enact R.S. 40:1568(D), relative to the state fire marshal; to provide the state fire marshal with the authority to issue subpoenas, summon witnesses, and administer oaths and affirmations when investigating fires of suspicious origin; to require fire marshal employees to serve any process that is issued by the state fire marshal when investigating fires of suspicious origin; to provide that a person who fails to properly answer a subpoena issued by the state fire marshal shall be punishable by the judge as contempt; to authorize the judge to enforce obedience by fine, imprisonment, or both; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 944—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 40:1629(A)(introductory paragraph) and (C), relative to cigarettes; to require certification to the attorney general of compliance with the "Cigarette Fire Safety and Firefighter Protection Act"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1042—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:1720.1, relative to stored motor vehicles; to provide that a hold harmless agreement between a holder of a lien on a motor vehicle and a storage facility or a repair or body shop shall not require notarization; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1058—

BY REPRESENTATIVE GREENE

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE HENRY

AN ACT

To amend and reenact R.S. 32:1728(D)(3), (4), and (5) and 1728.2(D)(introductory paragraph), (F)(introductory paragraph), and (G)(2) and (6) and to enact R.S. 32:1728(D)(6), relative to the disposal of stored motor vehicles; to require a receipt of certificate of mailing to show proof of mailing of notices; to require submission of a photograph of the vehicle prior to disposal; to provide for the inspection of a stored motor vehicle prior to disposal; to require applications for crushing vehicles to be completed in a format specified by the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1189—

BY REPRESENTATIVE WADELLE
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.

Reported with amendments.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 9:1105, relative to storage tanks; to provide for certain rights relative to the placement of certain storage tanks; to provide for an exemption; to provide for preemption; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE DIXON AND SENATORS MCPHERSON AND B. GAUTREAUX
AN ACT

To amend and reenact R.S. 51:61, 64, and 65, relative to foreign trade zones; to provide for a board making an application to be designated as a foreign trade zone; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1350—

BY REPRESENTATIVE ARNOLD
AN ACT

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

Reported favorably.

Respectfully submitted,
ANN D. DUPLESSIS
Chair

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 547—

BY SENATOR MARIONNEAUX
AN ACT

To enact Civil Code Article 2315.8, relative to offenses and quasi offenses; to provide for exemplary damages; 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. 547 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 6, after "Art. 2315.8." delete the remainder of the line and insert "Additional damages; certain activities"

AMENDMENT NO. 2

On page 1, line 8, after "awarded" delete the remainder of the line and line 9 and insert ", if it is proved that the plaintiff's injuries were caused by the defendant's wanton or reckless disregard for public safety in the drilling, equipping, operating, or producing of an oil or gas well, or in the commercial storage, handling, or transportation of oil, gas, product of oil or gas, or hazardous or toxic substance."

AMENDMENT NO. 3

On page 1, line 10, after "Section 2." delete the remainder of the line and lines 11 through 14 and insert the following "The provisions of this Act shall be retroactive to March 29, 2010."

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. 642—

BY SENATOR MORRELL
AN ACT

To enact Code of Criminal Procedure Art. 334.3(A)(4), relative to bail; to provide for release on bail; to provide for forfeiture or revocation of bail; to provide for procedure; 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. 642 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 15, after "consents." insert "Previous instances of revocation or forfeiture of bail in unrelated cases is admissible at that contradictory hearing. The relief shall only be available at the first instance of revocation or forfeiture of that bail and within six months of the posting of the bail."

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 Bills and Joint Resolutions
on Second Reading

SENATE BILL NO. 807— (Substitute of Senate Bill No. 657 by Senator Hebert)

BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 39:1308 and 1310 and to enact R.S. 39:1309(E), relative to local government budgets; to require certain budgetary information to be published on the official Internet website or portal of the district attorney for the Sixteenth Judicial District; to provide for an effective date; and to provide for related matters.

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

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees, Subject to Call**

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 432 be called from the Calendar.

SENATE BILL NO. 432—

BY SENATOR MARIONNEAUX

A JOINT RESOLUTION

Proposing to Article VII, Section 4(B) and to repeal Article IX, Section 9 of the Constitution of Louisiana, relative to taxes related to natural resources and the use of such taxes; to repeal certain severance taxes; to allow certain natural resources to be subject to the levy of a tax upon hydrocarbon processing in the state imposed under the legislature's general authority to tax under the Constitution of Louisiana; to require certain dedications if such tax is levied; to provide for distribution of the revenues from such tax; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without action by the Committee on Revenue and Fiscal Affairs.

Senator Marionneaux moved that the bill be ordered engrossed and passed to a third reading.

Senator Donahue objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Mr. President	Gautreaux B	Murray
Adley	Hebert	Nevers
Amedee	Jackson	Peterson
Broome	LaFleur	Quinn
Claitor	Marionneaux	Thompson
Dorsey	McPherson	
Duplessis	Morrell	
Total - 19		

NAYS

Alario	Gautreaux N	Morrish
Appel	Guillory	Mount
Chabert	Heitmeier	Riser
Cheek	Long	Shaw
Donahue	Martiny	Smith
Erdey	Michot	Walsworth
Total - 18		

ABSENT

Crowe	Kostelka
Total - 2	

Senator McPherson asked for a ruling from the Chair as to the vote required on the motion.

The Chair ruled that the vote required was a majority of the members present and voting. Therefore, the bill was ordered engrossed and passed to a third reading.

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

HOUSE BILL NO. 20—

BY REPRESENTATIVES SIMON, BALDONE, BARROW, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CHANDLER, CHANEY, CONNICK, CROMER, DOVE, GISCLAIR, GUILLORY, GUINN, HINES, HOWARD, KATZ, LAMBERT, LIGI, LITTLE, MILLS, NOWLIN, POPE, SMILEY, GARY SMITH, JANE SMITH, STIAES, TEMPLET, TUCKER, WADDELL, AND WOOTON

AN ACT

To amend and reenact R.S. 15:1503(2) and to enact R.S. 15:1503(13), relative to mandatory reporting of abuse of adults; to amend the definition of "abuse"; to provide for a definition of "sexual abuse"; 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. 30—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 15:825.2(A), relative to special agents of the Department of Public Safety and Corrections; to increase the pool of employees who are eligible to be appointed special agents; 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. 47—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:308.1(E), relative to civil penalties for violations of the Video Draw Poker Devices Control Law; to provide for the remote shutdown of devices for failure to remit civil penalties; 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 Reengrossed House Bill No. 47 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:" delete the remainder line and insert "3(13) and 308.1(E), relative to the Gaming Control Law;"

AMENDMENT NO. 2

On page 1, line 3, change "Draw Poker Devices Control Law;" to "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and insert: "R.S. 27:3(13) and 308.1(E) are hereby amended and reenacted to read as follow:"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:
"§3. Definitions

For the purposes of this Title, the following terms have the following meanings, unless the context clearly indicates otherwise:

- (13) "Institutional investor" means a person that is:
 - (a) A plan or trust established and maintained by the United States Government, a state, or a political subdivision of a state for the benefit of its respective employees.
 - (b) An investment company that is registered under the Investment Company Act of 1940.

June 3, 2010

(c) A Collective Investment Trust organized by a bank under Part Nine of the rules of the Comptroller of the Currency.

(d) A closed end investment trust registered with the United States Securities and Exchange Commission.

(e) A mutual fund.

(f) A life insurance company or property and casualty insurance company.

(g) A federal or state bank.

(h) An investment advisor registered under the Investment Advisors Act of 1940.

(i) Any other regulated investor as the board may determine in its sole discretion consistent with the provisions of this Title.

AMENDMENT NO. 5

On page 1, line 11, after "(2)" insert "(i)"

AMENDMENT NO. 6

On page 1, line 12, after "operated" and before "or" insert "at" and change "entity" to "location"

AMENDMENT NO. 7

On page 1, line 13, after "penalty," delete the remainder of the line and insert "The provisions of this Item shall only apply in those instances where no administrative hearing has been timely requested."

AMENDMENT NO. 8

On page 1, between lines 14 and 15, insert the following:

"(ii) Upon payment of the penalty, the devices shall be reactivated."

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

HOUSE BILL NO. 52—

BY REPRESENTATIVE PERRY

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.4, relative to probation and parole; to remove provisions authorizing the extension of a period of parole from completion of a monetary obligation; 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. 58—

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact R.S. 9:2087(B), relative to trusts; to provide for the delegation of certain duties by the trustee; 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. 66—

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact R.S. 9:2371, relative to donations inter vivos; to provide for acceptance of donations of immovable property; to provide for recordation; to provide form requirements; 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. 80—

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact Code of Civil Procedure Article 3061, relative to judgments of possession; to provide for the automatic inclusion of the terms of a testamentary usufruct; to provide for

the automatic inclusion of the terms of a testamentary trust; 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. 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.

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

HOUSE BILL NO. 108—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to increase the jurisdictional amount in dispute for the city courts of New Iberia and Jeanerette; 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. 112—

BY REPRESENTATIVE LITTLE

AN ACT

To enact R.S. 14:329, relative to offenses affecting the public generally; to create the crime of interfering with a law enforcement investigation; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 120—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.1(D) and (E)(introductory paragraph), relative to sentencing; to provide for certain obligations of the sentencing court and the Department of Public Safety and Corrections; 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. 121—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(E)(9) and R.S. 40:966(B)(3), (E), and (F), to enact R.S. 40:964(Schedule I)(C)(13.1), (16.1), (32), (Schedule II)(A)(1)(s), (B)(28), and (C)(7), (Schedule III)(E)(12.1), (15.1), and (44.1), (Schedule IV)(B)(4.1) and (22.1), and (Schedule V)(D)(2), and to repeal R.S. 40:964(Schedule IV)(B)(52), relative to the Uniform Controlled Dangerous Substances Law; to add certain drugs to Schedules I, II, III, IV, and V; to provide for technical changes; 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. 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.

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

HOUSE BILL NO. 191—

BY REPRESENTATIVES PERRY, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, NOWLIN, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, THIERRY, WHITE, AND WILLIAMS AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CROWE, DUPLESSIS, HEITMEIER, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, SHAW, AND THOMPSON

AN ACT

To amend and reenact R.S. 15:529.1(A), (C), (D), and (E), relative to the habitual offender law; to provide for increased penalties for multiple sex offenses; to repeal statutory language authorizing the use of juvenile adjudications of delinquency to enhance penalty provisions for felony offenses; to provide for technical changes; 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. 194—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 15:571.3(A)(1) and (B)(2)(a) and 574.4(B), relative to criminal sentences of certain offenders; to provide for the earning rate of diminution of sentence for an inmate convicted of a crime of violence; to reduce the percentage of the length of sentence a person convicted of a crime of violence must serve before being eligible for parole; 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. 212—

BY REPRESENTATIVE WADDELL
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 judges to preside over a marriage ceremony for a particular 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. 232—

BY REPRESENTATIVE GEYMANN
AN ACT

To amend and reenact R.S. 14:43(A)(2), relative to simple rape; to clarify provisions regarding simple rape; 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. 233—

BY REPRESENTATIVE GEYMANN
AN ACT

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

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

HOUSE BILL NO. 243—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:254.9(B)(1), relative to Plaquemines Parish; to provide with respect to the witness fee fund; to provide for the payment of benefits for employees of the

Plaquemines Parish Sheriff's Office; 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. 264—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(ii)(introductory paragraph) and 1299.41(A)(10), relative to medical malpractice; to provide for certain persons to be included in the definition of health care provider under the private and state medical malpractice acts; 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. 271—

BY REPRESENTATIVE MILLS
AN ACT

To enact R.S. 14:102.24, relative to offenses affecting the public generally; to create the crime of unlawfully supplying any product for the purpose of falsifying a screening test; to provide for penalties; to create certain presumptions; to provide for definitions; 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. 276—

BY REPRESENTATIVES LEGER, HINES, AND BROSSETT
A JOINT RESOLUTION

Proposing to amend Article I, Section 4(H)(1) of the Constitution of Louisiana, to provide relative to the sale of certain expropriated property; to provide an exception for the sale of property expropriated for the removal of a threat to public health or safety; to provide for submission of the proposed amendment to the electors; 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. 294—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 46:2751(B)(1) and to enact R.S. 46:2751(B)(3), relative to the Juvenile Justice Reform Act Implementation Commission; to provide with respect to the composition of the commission; to provide for the chairmanship of the commission; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 294 by Representative Leger

AMENDMENT NO. 1

On page 2, between lines 5 and 6, insert the following:
"(g) One representative appointed by the state public defender."

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

HOUSE BILL NO. 320—

BY REPRESENTATIVE RICHARDSON
AN ACT

To enact R.S. 15:33, relative to forfeiture; to provide for the confiscation and destruction of items used in the commission of an offense; to provide for exceptions; to provide for definitions; and to provide for related matters.

June 3, 2010

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

HOUSE BILL NO. 357—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 35:412, relative to notaries public; to provide for the appointment of certain persons licensed to practice law in Louisiana as notaries public ex officio; to provide for statewide authority; to require bond or insurance; 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. 408—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 14:102.6(A)(2), relative to the seizure and destruction of dogs and equipment used in dogfighting; to authorize certain persons to humanely euthanize dogs seized in connection with dogfighting; 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. 428—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 14:102.2(C), relative to offenses affecting public sensibility; to provide with respect to the seizure of animals treated cruelly; 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 Engrossed House Bill No. 428 by Representative Leger

AMENDMENT NO. 1
On page 1, line 18, after "shall" delete the remainder of the line and delete lines 19 and 20 in their entirety

AMENDMENT NO. 2
On page 2, at the beginning of line 1, delete "(ii) The amount of the bond shall"

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. 429—
BY REPRESENTATIVE CHANDLER AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 37:2554(B) and (D), 2555(B), and 2556(A), relative to court reporters; to provide for qualifications; to provide for definitions; to provide for the appointment of court reporters; 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. 445—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and (G), relative to city courts; to increase the jurisdictional amount in dispute for the City Court of Monroe; 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. 462—
BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact Code of Criminal Procedure Article 648(A)(2), relative to procedures after a determination of mental capacity or incapacity; to provide for treatment after a determination of mental capacity or incapacity; to provide with respect to inpatient and outpatient treatment for persons charged with certain crimes; 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. 473—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and employees of the Bossier Parish Sheriff's Office; to provide for eligibility for payment of premium costs; 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. 497—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 13:4688 and to repeal R.S. 9:2800.7, relative to reporting information concerning actions for offenses and quasi offenses; to provide for the reporting of actions to the judicial administrator of the supreme court; to provide for fees; to repeal provisions requiring reporting of specified information to the commissioner of insurance; to repeal the required categories for reporting monetary damages awarded; to repeal provisions requiring the commissioner of insurance to create an advisory committee; 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 Reengrossed House Bill No. 497 by Representative LaFonta

AMENDMENT NO. 1
On page 1, line 18, after "of" and before "dollars" change "two" to "five"

AMENDMENT NO. 2
On page 1, line 18, after "and" and before "dollars" change "two" to "five"

AMENDMENT NO. 3
On page 2, line 2, change "four dollars" to "ten dollars"

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

HOUSE BILL NO. 524—
BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact R.S. 14:35.3(G)(1), relative to domestic abuse battery; to delete the provision of law authorizing the court to determine prior convictions of domestic abuse battery; and to provide for related matters.

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

HOUSE BILL NO. 525—BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 47:299.21, relative to offset claims against individual income tax refunds; to require the Department of Public Safety and Corrections and the Board of Parole to file such a claim under certain circumstances; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 531—BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 14:46.2(A), relative to the crime of human trafficking; to amend the elements of the crime of human trafficking; 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. 570—BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact Code of Criminal Procedure Article 334.2, relative to bail; to provide with respect to the prohibition of releasing a defendant arrested for a crime of violence on his own recognizance or upon the signature of another person; to provide for technical changes; 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. 617—BY REPRESENTATIVE LABRUZZO
AN ACT

To amend and reenact R.S. 46:460.10(A), (B), (C), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of cash assistance; to require participants to consent to possible drug testing prior to receipt of cash benefits; to require drug testing for twenty percent of recipients of cash assistance; to establish a cost savings program for drug testing; to provide for an effective date; 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. 617 by Representative LaBruzzo

AMENDMENT NO. 1

On page 4, line 2, after "shall" and before "with" delete "be negotiated" and insert "follow the public bid law"

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

HOUSE BILL NO. 624—BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact Code of Criminal Procedure Article 322(A) and (B) and R.S. 15:85(1), (2), (4), and (7), relative to bail; to require the inclusion of additional information on bail bonds and judgments of bond forfeiture; to provide that a bail bond or judgment of bond forfeiture shall not be set aside for the invalidity or failure to include such information; to provide for the liability of a bail agent representing a surety as an insurance agent; to provide for the reliance on this additional information with respect to judgments of bond forfeiture; to provide that a judgment of bond forfeiture containing inaccurate information shall be deemed ineffective as a judicial mortgage to third

parties who rely upon the information; 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. 702—BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact Children's Code Articles 305(A)(1)(b) and (B)(1)(b), 804(3), 841(A) and (C), 855(B)(7), 858(B), 860(A), (B), and (D), and 867(A) and (C) and to enact Children's Code Articles 841(D), 867(E), 869.3(E), and 884.1, relative to the continuous revision of the Children's Code; to provide for divestiture of juvenile court jurisdiction; to provide for criminal court jurisdiction; to provide for definitions; to provide for advice of rights; to provide for notice of a motion to transfer; to provide for sex offender registration and notification requirements; to provide for confidentiality; to provide for informal adjustment agreements; to provide for certain types of medical examinations in motions to transfer and in adjudication hearings; to provide for the report of the sanity commission; 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. 702 by Representative Leger

AMENDMENT NO. 1

On page 1, line 3, change "860(A), (B), and (D)" to "860(A) and (B)"

AMENDMENT NO. 2

On page 1, line 4, delete "867(E), 869.3(E),"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, delete "provide for confidentiality; to"

AMENDMENT NO. 4

On page 1, line 15, change "860(A), (B), and (D)" to "860(A) and (B)"

AMENDMENT NO. 5

On page 1, line 16, delete "867(E), 869.3(E),"

AMENDMENT NO. 6

On page 6, line 1, after "psychiatrist." and before "examination" delete "The" and insert "Unless waived by the child, the"

AMENDMENT NO. 7

On page 6, delete lines 7 through 15

AMENDMENT NO. 8

On page 6, line 20, after "audiologist." and before "examination" delete "The" and insert "Unless waived by the child, the"

AMENDMENT NO. 9

On page 6, delete lines 27 and 28 and on page 7, delete lines 1 through 10 in their entirety

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. 773—BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 3:17(E), relative to limitations of liability; to provide a rebuttable presumption of nonnegligence for prescribed burnings; and to provide for related matters.

June 3, 2010

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

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.

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

HOUSE BILL NO. 802—
BY REPRESENTATIVE TIM BURNS
AN ACT

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

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

HOUSE BILL NO. 803—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:2941.1(A), relative to bond for deed contracts; to provide relative to recordation and priority; and to provide for related matters.

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

HOUSE BILL NO. 805—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:4822(E)(2) and (4), relative to privileges under the Private Works Act; to authorize certain persons to sign a notice of termination of work; to provide for successors; 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. 808—
BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 9:5504, relative to liens and privileges; to provide relative to the recordation of liens and privileges; to require the recordation of liens and privileges in certain circumstances; 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. 825—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 15:541(12)(a), (24), and (25)(c) and to enact R.S. 14:2(B)(42) and (43) and R.S. 15:541(2)(n), relative to crimes involving trafficking; to provide for definitions; to provide with respect to sex offender registration and notification requirements; 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. 830—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Articles 2374(C) and 2375(C), relative to community property; to provide for the separation of community property; to provide for the procedure; to provide for the effectiveness of a judgment decreeing separation of property; 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. 834—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Civil Code Article 103.1(1)(c) and (2), relative to judgments of divorce; to provide relative to a protective order; 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. 896—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 30:2023(A), relative to permits, registrations, variances, and licenses; to provide for the term of a solid waste permit for certain solid waste activities; 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. 945—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 14:68(B) and Code of Criminal Procedure Article 814(A)(26) and (27), relative to the unauthorized use of a movable; to change elements of the crime regarding the value of the movable; to provide changes in responsive verdicts regarding unauthorized use of a movable; 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. 986—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 46:1844(W)(1), relative to rights of victims; to provide relative to rights of minor victims and victims of sex offenses; to provide for protection of identities; to provide for penalties for violating the rights of minor victims and victims of sex offenses; 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 Engrossed House Bill No. 986 by Representative Abramson

AMENDMENT NO. 1

On page 2, line 9, after "disclosing" and before "the name" insert ", except during trial."

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. 1007—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 13:5101(B) and to enact R.S. 13:5106(F), relative to suits against the state; to provide for applicability; to provide for limitations; 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. 1018—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 40:1299.39(E)(1) and 1299.39.1(A)(1)(a), relative to the Malpractice Liability for State Services Act (MLSSA); to provide for malpractice claims of prisoners; to provide for services rendered in a correctional facility; to provide for wrongful death and survival claims; 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. 1155—

BY REPRESENTATIVE CONNICK

AN ACT

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

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

HOUSE BILL NO. 1156—

BY REPRESENTATIVES HENRY BURNS, ABRAMSON, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BILLIOT, BURFORD, TIM BURNS, CARMODY, CHANDLER, CHANEY, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LIGI, LORUSSO, MILLS, MORRIS, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, TEMPLET, TUCKER, WADDELL, WHITE, AND WILLIAMS

AN ACT

To enact Subpart H of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:359 through 359.13, relative to child custody; to provide for the Military Parent and Child Custody Protection Act; to provide for definitions; to provide for temporary modifications of custody orders; to provide for evidence; to provide duties to disclose certain information; to provide for the appointment of counsel; 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. 1237—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact Code of Criminal Procedure Articles 580 and 709, relative to criminal procedure; to provide relative to time limitations for commencement of a criminal trial; to provide for the suspension of time limitations; to provide for continuances; 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. 1261— (Substitute for House Bill No. 17 by Representative Ligi)

BY REPRESENTATIVE LIGI

AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2) and 1672(C) and to enact Code of Civil Procedure Article 3955, relative to procedures for divorce; to provide for the filing of a declinatory exception; to provide for the dismissal of an action; to provide for service of an Article 102 divorce petition; 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. 1272—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 40:1379.3(H)(2) and to enact R.S. 40:1379.3(D)(3), relative to concealed handgun permits; to increase the period of time in which a concealed handgun permit is valid; to provide with respect to costs and fees; to provide with respect to the adoption of rules for certain permits; to authorize the use of fixed-case marking projectiles for handgun competency training; 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. 1286—

BY REPRESENTATIVE LIGI

AN ACT

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

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

HOUSE BILL NO. 1310—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 26:932(8) and to enact R.S. 26:901(18) and 903(6), relative to tobacco products; to provide for fees applicable to tobacconists; to provide for definitions; 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. 1322—

BY REPRESENTATIVES BARROW, BOBBY BADON, BILLIOT, HENRY BURNS, GISCLAIR, LAMBERT, AND WILLIAMS

AN ACT

To enact R.S. 30:2415(H), relative to recycling; to require certain state agencies to adopt solid waste reduction and recycling programs; 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. 1322 by Representative Barrow

June 3, 2010

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 30:2418(H)(3) and to"

AMENDMENT NO. 2

On page 1, line 3, after "programs;" insert "to provide for uses of the Waste Tire Management Fund;"

AMENDMENT NO. 3

On page 1, line 5, after "Section 1." insert "R.S. 30:2418(H)(3) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 13, insert:

§2418. Waste tires
* * *
* * *

H. The secretary shall promulgate rules, regulations, and guidelines for the administration and enforcement of the waste tire program provided for in this Chapter, which shall be subject to legislative review and approval by the Senate Committee on Environmental Quality and the House Committee on Natural Resources and Environment. The rules, regulations, and guidelines shall provide for but not be limited to:

* * *

(3) Providing technical assistance and incentives to encourage market research and development projects. Beginning on July 1, 2003, and continuing until June 30, 2008, five percent of all monies from fees collected on the sale of tires and deposited in the fund provided for in Subsection G of this Section shall be used to encourage the development of products which are marketable and provide a beneficial use and for promotion of those products which have a beneficial use. The department shall make recommendations to the House Committee on Natural Resources and Environment and Senate Committee on Environmental Quality for tax credits to encourage the development and implementation of technologies utilizing used and recycled tire rubber. Upon expiration of the term provided for in this Subsection, any unexpended and unobligated monies deposited in the Waste Tire Management Fund pursuant to this Subsection in excess of five hundred thousand shall be available for expenditure pursuant to Subsection G of this Section.

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

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

HOUSE BILL NO. 1324—

BY REPRESENTATIVE RICHMOND
AN ACT

To repeal R.S. 38:301(C)(2)(e), relative to compensation in expropriation proceedings; and to repeal certain procedures for obtaining compensation in expropriation proceedings.

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

HOUSE BILL NO. 1361—

BY REPRESENTATIVE WOOTON
AN ACT

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

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

HOUSE BILL NO. 1412—

BY REPRESENTATIVE RICHMOND
AN ACT

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

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

HOUSE BILL NO. 1435—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Children's Code Article 311(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph), R.S. 13:1401(A)(1) and 1621(A)(3), and R.S. 46:236.2(A)(2) and (B)(2), and to repeal R.S. 13:1621(B) and (C), relative to jurisdiction; to provide for the exclusive jurisdiction of the East Baton Rouge Parish Family Court; 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. 1449—

BY REPRESENTATIVE FANNIN
AN ACT

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

Reported favorably by the Committee on Judiciary A. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1459— (Substitute for House Bill No. 533 by Representative Mills)

BY REPRESENTATIVE MILLS
AN ACT

To enact Code of Criminal Procedure Article 573.1, relative to time limitations for initiating prosecutions; to provide relative to time limitations in which to institute prosecution for the crime of exploitation of the infirmed; 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. 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.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1476 by Representative Harrison

AMENDMENT NO. 1

On page 2, line 3, after "office," delete the remainder of the line and delete lines 4 and 5

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

Special Order of the Day No. 1

SENATE BILL NO. 593—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of public records law to records of the office of the governor; to provide exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux B	McPherson
Broome	Gautreaux N	Murray
Claitor	Jackson	Nevers
Crowe	LaFleur	Peterson
Dorsey	Marionneaux	
Total - 14		

NAYS

Alario	Guillory	Morrish
Amedee	Hebert	Mount
Appel	Heitmeier	Quinn
Chabert	Kostelka	Riser
Cheek	Long	Shaw
Donahue	Martiny	Smith
Duplessis	Michot	Thompson
Erdey	Morrell	Walsworth
Total - 24		

ABSENT

Mr. President
Total - 1

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 269—
BY SENATOR MURRAY

AN ACT

To provide relative to special districts; to provide for the authority to levy, impose, and collect parcel fees in certain districts; 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. 269 by Senator Murray

AMENDMENT NO. 1

On page 1, line 6, following "**following**" and before ":" change "**meaning**" to "**meanings**"

AMENDMENT NO. 2

On page 3, line 1, following "**following**" and before "**when**" change "**meaning**" to "**meanings**"

AMENDMENT NO. 3

On page 5, line 4, following "**in**" change "**(5)(d)(i)**" to "**Items (4)(d)(i)**"

AMENDMENT NO. 4

On page 5, line 5, following "**through**" and before "**, and**" change "**(5)(d)(xiii)**" to "**(4)(d)(xiii)**"

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. 269 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, between "districts;" and "and" insert "to provide for the designation of subdistricts;"

AMENDMENT NO. 2

On page 1, between lines 12 and 13, insert the following:
"**(4) "Subdistrict" means an area within the district created pursuant to this Act.**"

AMENDMENT NO. 3

On page 1, line 16, between "**district**" and "**subject**" insert "**, or a subdistrict.**"

AMENDMENT NO. 4

On page 2, line 14, between "**and**" and "**3D**" insert "**Tier**"

AMENDMENT NO. 5

On page 2, line 20, between "**and**" and "**3K**" insert "**Tier**"

AMENDMENT NO. 6

On page 3, line 3, between "**district,**" and "**including**" insert "**or in a subdistrict, as applicable.**"

AMENDMENT NO. 7

On page 3, line 13, delete "**and**"

AMENDMENT NO. 8

On page 3, line 17, change "**primarily used**" to "**used primarily**"

AMENDMENT NO. 9

On page 3, line 23, change "**primarily used**" to "**used primarily**"

AMENDMENT NO. 10

On page 3, line 29, change "**primarily used**" to "**used primarily**"

AMENDMENT NO. 11

On page 4, line 7, change "**primarily used**" to "**used primarily**"

AMENDMENT NO. 12

On page 4, line 29, change "**primarily used**" to "**used primarily**"

AMENDMENT NO. 13

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

June 3, 2010

AMENDMENT NO. 14

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

AMENDMENT NO. 15

On page 5, line 25, between "district" and "voting" insert ", or subdistrict, as applicable."

AMENDMENT NO. 16

On page 6, line 10, between "district" and "voting" insert ", or subdistrict, as applicable."

AMENDMENT NO. 17

On page 6, between lines 26 and 27, insert the following:

"D. Subdistricts. (1) At least ten days after publication of a notice in the official journal of the district, a public hearing shall be conducted and the board may then adopt an ordinance designating one or more areas within the boundaries of the district as a separate subdistrict.

(2) Each such subdistrict shall constitute a separate political subdivision of the state, governed by the district board with the same powers of the district, provided that the levy of the parcel fee shall be limited to parcels within the subdistrict and the proceeds therefrom shall be used solely and exclusively within the subdistrict for the purposes authorized by law applicable to the district.

(3) If a subdistrict ceases to exist, the authority to levy the tax or parcel fee provided by this Act shall immediately cease and all remaining unspent funds of the subdistrict, if any, shall be transmitted to the district and such funds shall be maintained in a separate account by the district and shall be used only for enhancement of public safety, security, and crime prevention in the subdistrict."

AMENDMENT NO. 18

On page 6, between lines 27 and 28, insert the following:

"Section 3. The provisions of this Act shall be retroactive to June 1, 2010."

AMENDMENT NO. 19

On page 6, line 28, change "Section 3." to "Section 4."

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.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Dorsey, Duplessis, Total - 34.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Donahue, Gautreaux B, Total - 5, Martiny, Nevers, Shaw.

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. 367— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 39:1554(E) and to enact Part IV-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2271, and Subpart B-1 of Part III of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1598.1, and R.S. 39:1661(D) and 1671(H), relative to purchasing by certain public entities; to authorize the use of reverse auctions by certain public entities for the purchase of certain materials, supplies, services, products, or equipment; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 382— BY SENATOR MORRELL

AN ACT

To enact R.S. 49:214.11, relative to hurricane protection, flood control and coastal restoration; to provide relative to recovery for certain losses arising from integrated coastal protection; to provide terms and conditions; and to provide for related matters.

On motion of Senator Michot, the bill was recommitted to the Committee on Finance.

SENATE BILL NO. 414— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 39:2(36) through (48), and to enact R.S. 39:2(49), 32(E)(9), and 36(A)(3)(c) and (6), relative to budgetary procedures; to require that certain personnel information involving unclassified employees be included in budget requests; to provide for the contents and format of the executive budget; to provide for certain comparative statements and personnel information in the executive budget; to provide for an effective date; 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

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Total - 39.

NAYS

Total - 0

ABSENT

Total - 0

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.

Senator Claitor in the Chair

SENATE BILL NO. 562—
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 25:1312(A), 1314, 1315, and 1316, and to repeal R.S. 25:1313(B)(3), R.S. 36:744(M) and 801.21, relative to the South Louisiana Wetlands Discovery Center; to remove the center from the Department of State Office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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 Chabert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 708—
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(v)(aa) and (bb), relative to public contracts for levees which are not maintained with federal funds; to change the termination date for contracts awarded for certain projects providing for the restoration and rehabilitation of certain levees under certain circumstances or agreements for certain mitigation on public lands; to provide terms and conditions; to provide 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. 708 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 2, following "(v)" and before ",", delete "(aa) and"

AMENDMENT NO. 2

On page 1, line 9, following "(v)" and before "(bb)" delete "(aa) and"

AMENDMENT NO. 3

On page 1, line 16, following "(v)" delete the remainder of the line and insert "* * *" and delete line 17 in its entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 5 in their entirety

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Peterson
Total - 1

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

Senator Claitor in the Chair

SENATE BILL NO. 709—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 43:19, 19.1, 24(B) and (C), 81, 82, and 89, and to enact R.S. 43:24(D), and to repeal R.S. 43:87, relative to the publication of acts of the legislature; to provide relative to the Official Journal of the State; to provide relative to printing contracts; 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 Reengrossed Senate Bill No. 709 by Senator Walsworth

June 3, 2010

AMENDMENT NO. 1

On page 4, line 20, following "as" and before "state" delete "such" and following "and" and before "cancelled" change "said contract be" to "the contract is"

AMENDMENT NO. 2

On page 4, line 27, following "for" and before "unexpired" change "said" to "the"

AMENDMENT NO. 3

On page 5, line 1, following "43:81(A)," and before "unexpired" change "such contract for such" to "the contract for the"

AMENDMENT NO. 4

On page 5, line 3, following "by" and before "R.S." delete "said"

AMENDMENT NO. 5

On page 5, line 13, change "said" to "the"

AMENDMENT NO. 6

On page 5, line 18, following "of" and before "two-year" change "said" to "the"

AMENDMENT NO. 7

On page 5, line 25, following "of" and before "two-year" change "said" to "the"

AMENDMENT NO. 8

On page 5, line 26, following "of" change "said" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

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

Mr. President in the Chair

SENATE BILL NO. 746—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:3129(C) and (E), and 3130(B)(1), and R.S. 39:28(C) and 32.1, and to enact R.S. 17:3129(F), relative to postsecondary education; to provide relative to funding institutions of postsecondary education; to provide for the powers of the Board of Regents; to provide relative to budget request forms; to require that the formula adopted by the Board of Regents be reported to certain legislative committees; and to provide for related matters.

Floor Amendments

Senator Jackson proposed the following amendments.

AMENDMENT NO. 1

On page 2, delete lines 18 through 22.

AMENDMENT NO. 2

On page 2, at the beginning of line 19, change "(c)" to "(b)"

On motion of Senator Jackson, 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

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

NAYS

Total - 0

ABSENT

Marionneaux
Total - 1

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

SENATE BILL NO. 775—
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 48:972, relative to bridges; provides relative to free passage for publicly owned vehicles over toll bridges; and to provide for related matters.

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

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

Called from the Calendar

Senator Quinn asked that Senate Bill No. 786 be called from the Calendar.

**SENATE BILL NO. 786—
BY SENATOR QUINN**

AN ACT

To enact R.S. 22:1892(E), relative to payment and adjustment of claims for policies other than life and health and accident; to provide relative to payment of certain claims; to provide certain procedures and conditions; to provide for penalties under certain circumstances; and to provide for related matters.

Floor Amendments

Senator Quinn proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 786 by Senator Quinn

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 and insert in lieu thereof the following:

"To enact R.S. 37:218(C), relative to payment of certain claims; to provide for penalties under certain"

AMENDMENT NO. 2

On page 1, delete lines 7 through 17 and insert the following:

"Section 1. R.S. 37:218(C) is hereby enacted to read as follows:
"§218. Contract for fee based on proportion of subject matter; stipulation concerning compromise, discontinuance, or settlement
* * *

C. Any entity failing to comply with the provisions of this Section shall pay to an attorney a penalty equal to ten percent of the amount of the proceeds owed to the attorney, plus court costs.

AMENDMENT NO. 3

On page 2, delete lines 1 through 3

On motion of Senator Quinn, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Nevers
Appel	Guillory	Peterson
Broome	Hebert	Quinn
Chabert	LaFleur	Shaw
Crowe	Martiny	Smith
Donahue	Morrish	
Dorsey	Murray	
Total - 19		

NAYS

Adley	Erdey	Mount
Alario	Heitmeier	Riser

Amedee	Kostelka	Thompson
Claitor	Long	Walsworth
Total - 12		

ABSENT

Cheek	Jackson	Michot
Gautreaux B	Marionneaux	Morrell
Gautreaux N	McPherson	
Total - 8		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Quinn 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.

**Introduction of
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATOR CHEEK**

A CONCURRENT RESOLUTION

To recognize and pay tribute to those fallen police officers and firefighters that have served with distinction and have sacrificed their all unselfishly for the sake of others.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Marionneaux
Total - 2	

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

June 3, 2010

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing paved highway shoulders with bicycle paths along that portion of US Highway 190 between the town of Livingston and the city of Denham Springs in Livingston Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue	Marionneau	Morrish
Total - 3		

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

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of widening Florida Boulevard to six travel lanes with shoulders from downtown Baton Rouge to the town of Livingston in East Baton Rouge and Livingston parishes and to design and implement the use of "reversible" traffic lanes to relieve congestion and enhance traffic movements during peak traffic commuter hours.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Mount
Adley	Guillory	Murray
Alario	Hebert	Nevers
Appel	Heitmeier	Peterson
Broome	Jackson	Quinn
Chabert	LaFleur	Riser
Cheek	Long	Shaw
Crowe	Martiny	Smith
Dorsey	McPherson	Thompson

Duplessis	Michot	Walsworth
Erdey	Morrell	
Gautreaux B	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Donahue	Marionneau
Claitor	Kostelka	
Total - 5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

June 3, 2010

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 78—
BY SENATOR MORRELL

A RESOLUTION

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

Reported favorably.

SENATE RESOLUTION NO. 90—
BY SENATOR GUILLORY

A RESOLUTION

To create and provide with respect to a special Senate committee to study and make recommendations with respect to the adequacy of funding for the operation of the office of state police, the operation of the state's correctional system, and the function and operation of the state's parole and probation system.

Reported favorably.

SENATE BILL NO. 28—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 18:435(A), relative to poll watchers; to provide that candidates for certain elective offices are entitled to have "super watchers" who shall be admitted to any precinct in the designated parish or district where the office the candidate seeks is voted on in a primary or general election; to provide for qualifications, powers, and duties of "super watchers"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 238—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 46:2521, 2525(B)(1), (C) and (D)(1) through (12), and to repeal R.S. 46:2525(D)(13), and R.S.

49:210.1, relative to the organization of the executive branch of state government; to provide relative to the governor's office on women's policy; to provide relative to the Louisiana Women's Policy and Research Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 261—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(4)(f) and to repeal R.S. 49:191(3)(n), relative to the Department of State, including provisions to provide for the re-creation of the Department of State 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. 262—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 49:191(4)(f) and to repeal R.S. 49:191(3)(m), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 309—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 43:31(B)(2) and to enact R.S. 43:31(B)(3), relative to public printing; to impose certain restrictions on public printing; to limit certain exemptions from certain public printing requirements; to require certain reports; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 318—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 43:31.1, relative to public printing; to provide relative to needs assessments for printed matter; to require certain information in the needs assessment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 631—
BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 18:564(B)(5)(b) and 1309.3(B)(4)(b), relative to assistance in voting; to provide procedures for assisting certain voters on election day and during early voting; to repeal the requirement that a person assisting such a voter present certain identification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 722—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 24:173(A) and R.S. 25:125(A), relative to the distribution of Acts of the legislature by the secretary of state; to remove certain entities from the distribution list; to modify the number of copies distributed; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1143—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 42:1141(A)(1) and (6), (B)(1)(a), and (C)(1), (2), (4)(c), (d), and (e), and (5), to enact R.S. 42:1141(C)(4)(f) and (g) and 1163.1, and to repeal R.S. 42:1141(B)(3), (C)(3)(c), and (E)(10) and 1163, relative to enforcement of laws within the jurisdiction of the Board of Ethics; to provide for the conduct of hearings and procedures related thereto; to provide for review of decisions related thereto; to provide for certain time limits for such enforcement; to provide relative to the powers, functions, and duties of the Board of Ethics, relative to such enforcement; to provide relative to the powers, functions, and duties of the Ethics Adjudicatory Board and the division of administrative law, relative to such enforcement; to provide relative to the composition of and selection of members for the Ethics Adjudicatory Board; to provide for the terms of members of the Ethics Adjudicatory Board; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1162—
BY REPRESENTATIVE RICHARD
AN ACT

To amend and reenact R.S. 18:1300.2(C)(3), 1300.3(C), 1402(C), 1403, 1405(F), 1406(A) and (D), 1409(A)(1), 1410, and 1411, and to enact R.S. 18:1401(E) and 1404(D), relative to procedures for recall elections; to require certain notifications; to provide for actions contesting the certification of a recall petition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1168—
BY REPRESENTATIVE SCHRODER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1200—
BY REPRESENTATIVE RICHARD
AN ACT

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

Reported favorably.

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

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 2593, Code of Criminal Procedure Articles 512 and 513, R.S. 3:3501, 3502(1), (4), (11), (15), and (21), 3503(E) and (F)(introductory paragraph), 3504, 3506, 3507, 3508(A), (B), and (C)(2), 3509(A), (C), (D), (F), (G), and (I), 3510(A), (C)(3), (F), (K)(1), and (M), 3511, 3512(E) and (F)(3), 3513(A), (F), (H), (I), (L), and (M)(2), 3514(H), (N), (P), and (Q), 3515(A) and (B)(introductory paragraph), 3517(A) and (B)(introductory paragraph), 3519(A), (C)(2), and (D), 3520(B), 3521(B), 3522(C), 3523(C) and (D), 3524(A), 3525(B), (C), (D), (H), (O),

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and (P), 3531(introductory paragraph), 3532, 3533(E)(1) and (6), 3534(E) and (F), 3535(C) and (D), 3541(introductory paragraph), 3542, 3543(D)(1) and (3), 3544(A)(3), (C), and (D), 3545(C) and (D), 3551, 3553(A), (B), (C), and (E), 3554(C) and (D), 3555, and 3556, R.S. 11:42(B)(1), (2), (3), (6), (7), (8)(a), and (9), 102(B)(3)(d)(v), (vi), (vii), and (viii), 103(B)(1) and (3)(d) and (e)(i)(bb) and (C)(introductory paragraph), 105(C)(1), 106(C)(1), 247(A)(2) and (3)(b) and (C), 413(3), 446(A)(5)(j) and (E), 542.1.1(E), 701(5)(c)(iii) and (33)(a)(viii) and (xii), 783(A)(3)(e), (C), (D)(1)(b)(ii), (F), (G)(1)(b)(ii), and (I)(1)(b)(ii), 883.3(E), and 1481(1)(a)(iii)(aa), R.S. 12:202.1(D), R.S. 14:67.21(F) and 403.6(A), R.S. 15:574.7(A) and (B)(2)(a), R.S. 17:7(28)(c) and (d), 17.5(D)(1) and (2), 24.10(I)(1)(a)(iii), 53(A), 170.4(C)(2), 183.3(B)(2)(b) and (D)(1)(b)(iii)(cc), 270(A), 416(A)(1)(c)(ii)(cc) and (2)(c), 1206.2(A)(1), 1518.1(I)(3), 1519.17, 1874(D) and (E), 2047(B), 2048.51(C)(14), 2922, 2923(A), 2924(A), 2926(A), 2927(A), 2928(A)(1) and (B), 2929, 2930(A) and (C), 2932(B), 3161, 3165(A)(1), 3983(A)(2)(b) and (3)(b) and (D), 3995(A)(6)(a), 3997(B)(2)(b) and (c)(i) and (ii)(aa), 4012(1), 4020(B), and 4024, R.S. 22:1078(A)(1), R.S. 24:7, 31.4(B)(1), 31.5(A)(4)(a) and (b) and (5) and (C)(1)(a), 52, 55(D)(2) and (E)(2)(a), 101, 107(A), 653(K)(1) and (3), R.S. 27:381(D) and (E), R.S. 29:653, R.S. 30:10.1(B)(3) and 213(A)(2) and 2117(E), R.S. 32:318(F), R.S. 33:322, 2740.52(B), 4710.3(A)(8), 9024(E)(2), 9206(5), 9602(C), and 9614(C), R.S. 35:406(B), R.S. 36:4(B)(1)(a), (b), (c), (d), (e), (j), (k), (l), (m), (q), and (z) and (15), 4.1(D)(14), 209(C)(2), (G), and (P), 254(A)(10)(h), 259(C)(1), (9), (10), (11), (12), and (16), (L), and (O), 509(B), 610(B)(2), 628(C)(1), 642(B) and (D)(1), 651(D)(1), (J), and (Q), 744(D), and 769(F)(2), R.S. 42:1118.1(A) and 1123(13)(a)(i)(dd), R.S. 44:4.1(B)(6) and (7), R.S. 46:56(B)(1), 61(B), 932(10), and 2132(3), and R.S. 49:220.23(A)(1), 220.24(J), and 965.4(4), to enact R.S. 11:701(33)(a)(xiii) and R.S. 36:4(B)(1)(r), (s), and (aa), 259(K), (N), (R), and (BB)(1), 359(B) and (C), 409(K), 610(G), 629(H) and (M), 651(D)(5), (O), and (V), 706(B), 769(K) and (L), R.S. 42:4.1.1, and R.S. 44:1.1, and to repeal R.S. 11:701(33)(c), R.S. 36:4(B)(10), 259(E)(18), (F)(6), (7), (11), (13), (14), and (17), 409(C)(6) and (I), 651(S) and (T), and 802.11 and R.S. 42:1141(B)(3), relative to the various codal provisions and provisions of the Louisiana Revised Statutes of 1950; to provide for technical corrections to certain codal provisions; to provide for technical corrections to certain Louisiana Revised Statutes; and to provide for related matters.

Reported with amendments.

Respectfully submitted, ROBERT W. KOSTELKA Chairman

REPORT OF COMMITTEE ON HEALTH AND WELFARE

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

June 3, 2010

To the President and Members of the Senate:

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

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.

Reported with amendments.

HOUSE BILL NO. 797— BY REPRESENTATIVE LEBAS AN ACT

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

Reported with amendments.

HOUSE BILL NO. 960— BY REPRESENTATIVE BURFORD AN ACT

To amend and reenact R.S. 37:2504(F), relative to fees and costs which may be imposed by the Board of Examiners for Nursing Facility Administrators; to provide for the process by which the board may establish fees and costs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1443— BY REPRESENTATIVES EDWARDS, HAZEL, MCVEA, AND RICHARDSON AND SENATOR MARIONNEAUX AN ACT

To establish requirements of certain contracts entered into by the Department of Health and Hospitals for the privatization of activities performed by certain institutions or programs; to provide for the method of source selection; to provide evaluation factors to be included in a request for proposals; to require legislative approval; to provide for the submission of reports; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1473— (Substitute for House Bill No. 984 by Representative Abramson) BY REPRESENTATIVE ABRAMSON AN ACT

To enact R.S. 40:2133(C), 2133.1, and 2136(C), relative to ambulatory surgical centers; to provide for a definition of a use agreement; to provide authorization for ambulatory surgical centers to enter into use agreements; to provide for promulgation of rules, regulations, and minimum standards; and to provide for related matters.

Reported favorably.

Respectfully submitted, WILLIE L. MOUNT Chairman

REPORT OF COMMITTEE ON INSURANCE

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

June 3, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 44—
BY REPRESENTATIVES KLECKLEY AND ABRAMSON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 239—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 44:4.1(B)(10) and to enact R.S. 22:572.1 and 572.2, relative to company-produced insurance anti-fraud plans; to require each authorized insurer and health maintenance organization to produce and maintain such a plan; to provide for minimum requirements of such plans; to provide for the authority of the commissioner of insurance to review, investigate, and order modification of such plans; to authorize summary reports; to provide for confidentiality; to provide for certain statistical reports; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 244—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:1000(A)(1)(a)(vi) and (2), 1002, and 1003 and to enact R.S. 22:1003.1, relative to dependent health insurance coverage for children or grandchildren; to provide for such coverage until the age of twenty-six; to delete the requirement for full-time student status; to delete the requirement for unmarried status; to provide for exceptions; to set certain requirements and restrictions for health insurance issuers and health maintenance organizations in providing such coverage; to exempt the Office of Group Benefits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 284—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:584(D)(1), relative to domestic insurers; to provide with respect to investment in securities by such insurers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 364—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 4:251(C), relative to Horsemen's Workers' Compensation Insurance Program; to provide for a reporting date for the annual audited financial statement due to the commissioner of insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 619—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 22:1046(C), (F), and (H), relative to group health and accident insurance policies; to provide with respect to state continuation of such group health and accident insurance coverage upon termination of employment, including determining whether dependents are covered under continuation, extending the timeframe for election of continuation, and providing with respect to the notification of election of continuation; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 706—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 22:2302(A), relative to the Louisiana Citizens Property Insurance Corporation; to require such corporation to provide certain information to applicants for coverage; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1047—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact R.S. 22:1574, relative to insurance; to create the Bail Bond Apprentice Program; to provide for oversight; to provide for apprenticeship; to provide for maintenance of records; to provide for qualifications and requirements; to provide for notification; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TROY HEBERT
Chairman

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

June 3, 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. 3—
BY SENATOR ALARIO AND REPRESENTATIVE TUCKER
A CONCURRENT RESOLUTION

To urge and request the Commission on Intergovernmental Relations to study tax sales law and procedure in Louisiana and throughout the United States.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATORS THOMPSON, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH AND WALSWORTH
A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana to the Department of Culture, Recreation and Tourism, through the Office of State Parks and Office of Cultural Development, in its efforts to achieve a World Heritage designation for Poverty Point State Historic Site.

June 3, 2010

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study and make recommendations relative to the feasibility, desirability, and practicality of state agencies adopting "lean" principles to improve efficiencies, increase overall productivity, eliminate waste, and conserve public funds.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATORS JACKSON AND SHAW

A CONCURRENT RESOLUTION

To commend Forrest Dunn, former member of the House of Representatives on the occasion of his retirement as director of the Louisiana State Exhibit Museum in Shreveport.

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATORS BROOME, ADLEY, ALARIO, AMEDEE, APPEL, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the untimely death of Brace Bennett Godfrey, Jr., Baton Rouge attorney, entrepreneur, and activist, and to celebrate a life of service devoted to his community and state.

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATORS KOSTELKA, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON AND WALSWORTH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renown businessman and former Louisiana State Senator, Kenneth Dale "K. D." Kilpatrick.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Privilege Report of the Committee on
Senate and Governmental Affairs

ENROLLMENTS

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

June 3, 2010

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 10—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 15:739(A) and (C), relative to prison inmates; to provide for testing under certain incidents; and to provide for related matters.

SENATE BILL NO. 83—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 17:24.4(F)(2) and (3)(a), relative to the Louisiana Competency-Based Education Program; to provide with respect to test type options as part of the Louisiana Educational Assessment Program; and to provide for related matters.

SENATE BILL NO. 120—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 22:1443 and to repeal R.S. 22:1442, relative to surety insurance; to provide for an increase in the minimum premium rate for commercial surety underwriters writing criminal bail bonds; to repeal a requirement that a premium be shown on a power of attorney attached to a bail bond; and to provide for related matters.

SENATE BILL NO. 153—
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 22:1061(3)(d)(i), 1073(B)(4), 1210(D) and (E), and 1213, to enact R.S. 22:1061(4)(k) and 1205(C)(6), and to repeal R.S. 22:1210(F), relative to the Louisiana Health Plan; to provide for compliance with federal law for expanded coverage by the plan; to redefine certain terms relative to portability, availability, and renewability of health insurance coverage; to provide with respect to coverage of mental and nervous conditions, including alcohol and substance abuse, by the plan; to provide with respect to initial rates for federally and non-federally defined eligible individuals; to delete the six-month preexisting condition provision for federally defined eligible individuals; and to provide for related matters.

SENATE BILL NO. 193—
BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Article 335.1, relative to bail; to provide for the monitoring of certain persons through the use of a global positioning monitoring system; provide for certain conditions; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 216—
BY SENATOR MOUNT AND REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 40:2010.8(A)(2)(a) and (b), (6), (8), (10), (12), (13) and (21), and to enact R.S. 40:2010.8(A)(2)(c) and (d), relative to the nursing home residents bill of rights; to provide for certain rights; and to provide for related matters.

SENATE BILL NO. 217—
BY SENATOR CLAITOR

AN ACT

To amend and reenact Part V of Chapter 2 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2337.1 through 2337.10, relative to the Uniform Prudent Management of Institutional Funds; to provide for a new title for Part V; to provide for definitions for Part V; to provide for the standard of conduct in managing and investing an institutional fund; to provide for the appropriation for expenditure or the accumulation of an endowment fund; to provide for the rules of construction; to provide for the delegation of management and investment functions; to provide for the release or modification of restrictions on management, investment, or purpose of an institutional fund; to provide for reviewing compliance; to provide for the application of this Part upon existing institutional funds; to provide for the relationship of this Part to the Electronic Signatures in Global and National Commerce Act; to provide for the uniformity of application and construction of this Part; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 253—
BY SENATOR DORSEY

AN ACT

To enact R.S. 40:2021, relative to health care information; to provide for the dissemination of health care information by the Department of Health and Hospitals; and to provide for related matters.

SENATE BILL NO. 281—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 9:951(A), 952(B)(1) and (3) and 954, and to enact R.S. 9:951(C), relative to provisional custody by mandate; to extend to grandparents with custody the right to confer the power of provisional custody by mandate for the care, custody, and control of a minor child; to provide for exceptions; and to provide for related matters.

SENATE BILL NO. 322—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph), (7)(a) and (b), and (B) and 399.1, relative to paternity; to provide for acknowledgments of paternity; to provide terminology to include both parents; to provide for the inclusion of certain information; to provide for the dismissal of a paternity judgment; to provide for the burden of proof; to provide exceptions; to provide for genetic testings; to provide for the filing of tests results; and to provide for related matters.

SENATE BILL NO. 402—
BY SENATOR RISER

AN ACT

To enact R.S. 48:35.1, relative to roads and highways in this state; to provide relative to reflective glass markings on streets, roads, or highways; and to provide for related matters.

SENATE BILL NO. 564—
BY SENATOR JACKSON

AN ACT

To repeal Paragraphs 32(b), (c), (d), (e), and (f) of Article 14, Section 32 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Caddo Parish Jail Site Fund; to abolish the fund; and to provide for related matters.

SENATE BILL NO. 45—
BY SENATOR APPEL

AN ACT

To enact Code of Criminal Procedure Article 883.2(C), relative to restitution to victims; to provide for certain procedures; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn

Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneau	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

ABSENT

Total - 0

Announcements

The following committee meetings for June 4, 2010, were announced:

Education	At Adj	Hainkel Rm
Finance	1:00 P.M.	Room A
Labor & Ind. Relations	At Adj	Room C
Local & Mun. Affairs	At Adj	Room F
Natural Resources	8:30 A.M.	Room E

Adjournment

On motion of Senator Thompson, at 5:55 o'clock P.M. the Senate adjourned until Friday, June 4, 2010, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Friday, June 4, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk