

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

THIRTY-NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 8, 2010

The Senate was called to order at 1:20 o'clock P.M. by Hon. Sharon Broome, President Pro Tempore of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Guillory	Murray
Appel	Heitmeier	Nevers
Broome	Kostelka	Riser
Claitor	Long	Shaw
Donahue	Marionneau	Smith
Dorsey	Michot	Thompson
Duplessis	Morrell	Walsworth
Total - 27		

ABSENT

Adley	Gautreaux N	Martiny
Chabert	Hebert	McPherson
Cheek	Jackson	Peterson
Crowe	LaFleur	Quinn
Total - 12		

The President Pro Tempore of the Senate announced there were 27 Senators present and a quorum.

Prayer

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

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of June 7, 2010, was adopted.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to examine the current funding formula for public postsecondary education to assess whether the components of the formula adequately support the goals and objectives of the master plan for higher education and

appropriately recognize and address the significant differences among the institutions of postsecondary education in the state, and to provide for a mechanism to phase in the implementation of significant changes in the formula, specifically those related to performance-based funding, in a manner that does not impair the ability of each college and university to meet the needs of its students and the region it serves.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux N	Mount
Alario	Guillory	Murray
Amedee	Hebert	Nevers
Appel	Heitmeier	Peterson
Broome	Kostelka	Riser
Crowe	Long	Shaw
Donahue	Marionneau	Smith
Dorsey	Martiny	Thompson
Duplessis	Michot	Walsworth
Erdey	Morrell	
Gautreaux B	Morrish	
Total - 31		

NAYS

Total - 0

ABSENT

Adley	Claitor	McPherson
Chabert	Jackson	Quinn
Cheek	LaFleur	
Total - 8		

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 116—

BY SENATOR PETERSON

A RESOLUTION

To recognize Tuesday, June 8, 2010 as Red and White Day at the Louisiana Legislature.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR RISER AND REPRESENTATIVE HENRY BURNS

A CONCURRENT RESOLUTION

To authorize the Senate Select Committee on Veterans' Affairs and the House Special Committee on Military and Veterans' Affairs to meet and conduct a study regarding the order by which individuals can direct the manner and disposition of the remains of a military decedent.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount

June 8, 2010

Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Claitor	Kostelka	Peterson
Crowe	Long	Riser
Donahue	Marionneaux	Shaw
Dorsey	Martiny	Smith
Duplessis	McPherson	Thompson
Erdey	Michot	Walsworth

Total - 33

NAYS

Total - 0

ABSENT

Adley	Cheek	LaFleur
Chabert	Jackson	Quinn

Total - 6

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR QUINN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to the laws regarding spousal support, and to report its findings to the legislature prior to the convening of the 2011 Regular Session.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 7, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR No. 227	HCR No. 228	HCR No. 229
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Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 227—
BY REPRESENTATIVES PATRICIA SMITH, ROSALIND JONES, AND STIAES

A CONCURRENT RESOLUTION

To recognize Tuesday, June 8, 2010, as AKA Day at the capitol and to commend the members of Alpha Kappa Alpha Sorority, Incorporated.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 32

NAYS

Total - 0

ABSENT

Adley	Kostelka	Quinn
Chabert	LaFleur	
Claitor	Marionneaux	

Total - 7

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

HOUSE CONCURRENT RESOLUTION NO. 228—
BY REPRESENTATIVE RICHMOND

A CONCURRENT RESOLUTION

To recognize Tuesday, June 8, 2010, as Red and White Day at the Louisiana Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Cheek	Crowe	LaFleur
Claitor	Kostelka	Nevers

Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 229—
 BY REPRESENTATIVE BURRELL
 A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to direct available federal funding and resources including the possible use of the federal Advanced Technology Vehicles Manufacturing Loan Program for the purpose of enhancing the monetary and workforce values to investors or manufacturers who may be interested in utilizing the existing facilities and workforce at the General Motors/Motors Liquidation Assembly Facility.

The resolution was read by title. Senator Jackson moved to concur in the House 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	Peterson
Appel	Hebert	Quinn
Broome	Heitmeier	Riser
Chabert	Jackson	Shaw
Cheek	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 32		

NAYS

Total - 0

ABSENT

Claitor	LaFleur	Nevers
Crowe	Morrish	
Kostelka	Murray	
Total - 7		

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

**House Concurrent Resolutions on
 Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 221—
 BY REPRESENTATIVE DOERGE
 A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sergeant Joshua Abram Tomlinson, United States Army, of Dubberly in Webster Parish, who was killed in action in Afghanistan.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Claitor	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Crowe	LaFleur
Kostelka	Murray
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 226—
 BY REPRESENTATIVE BURRELL
 A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the feasibility of offering education-based programs to all inmates in state and private correctional facilities and to study funding mechanisms to provide these education-based programs for all inmates in state and private correctional facilities.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	LaFleur	Nevers
Kostelka	Murray	
Total - 5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**AGRICULTURE, FORESTRY, AQUACULTURE,
 AND RURAL DEVELOPMENT**

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

June 8, 2010

June 8, 2010

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

HOUSE BILL NO. 733— BY REPRESENTATIVE ANDERS AN ACT

To enact R.S. 3:1221, relative to carbon sequestration; to authorize participation in greenhouse gas emission reduction programs; to provide for the state's participation; and to provide for related matters.

Reported favorably.

Respectfully submitted, FRANCIS C. THOMPSON Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

To amend and reenact R.S. 14:98(D)(1)(a) and (E)(1)(a) and (4)(b), and Code of Criminal Procedure Art. 893 (B), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; to provide for certain circumstances to apply probation in felony cases; to provide for substance abuse treatment; to provide for a specified probationary period; and to provide for related matters.

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

SENATE BILL NO. 516— BY SENATOR MORRELL AN ACT

To enact R.S. 33:4570.15 through 4570.19, relative to the city of New Orleans; to provide for the creation of a recreation commission; to provide relative to the powers, duties, and functions of the commission; to provide for the composition of the supervising commission; to authorize the commission to levy taxes and issue bonds; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. — (Substitute of Senate Bill No. 516 by Senator Morrell) BY SENATOR MORRELL AN ACT

To amend and reenact R.S. 33:2740.3(D)(1)(a) and (c), 4106, 4702(B)(2)(b) and R.S. 34:1(B)(1)(a), relative to the city of New Orleans; to correct the name of the New Orleans Chamber of Commerce in statutes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana: Section 1. R.S. 33:2740.3(D)(1)(a) and (c), 4106, and 4702(B)(2)(b) are hereby amended and reenacted to read as follows: §2740.3. The Downtown Development District of the City of New Orleans; creation, composition, and powers; preparation of plans; levy of ad valorem taxes and issuance of bonds

D.(1) The board shall be composed of eleven members, at least nine of whom shall be qualified voters of the city of New Orleans, and shall have their principal place of business in, or own property in,

the Downtown Development District. Such members shall possess additional qualifications and shall be appointed as follows:

(a) Nine of the members shall be appointed by the mayor with the approval of the city council, provided, however, that the mayor will select five of such members from a list of eight nominees named by the ~~New Orleans Area Council of the New Orleans Regional Chamber of Commerce~~ New Orleans Chamber of Commerce or its successor.

* * *

(c) The members of the board thereafter appointed by the mayor upon the expiration of the respective terms of the initial appointees shall be selected and appointed in accordance with the procedures herein prescribed for the selection and appointment of the original members for the term of five years. However, vacancies shall be filled from nominations submitted by the ~~New Orleans Area Council of the New Orleans Regional Chamber of Commerce~~ New Orleans Chamber of Commerce in the following manner. The mayor shall select and appoint one of two names submitted to him by such council for each of the five vacancies for which the council is to submit nominees. If the selection and appointment by the mayor does not take place within thirty days following submission of the nominees by the ~~New Orleans Area Council of the New Orleans Regional Chamber of Commerce~~ New Orleans Chamber of Commerce, the selection and appointment shall be made by the city council. Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled in accordance with the procedures as set forth herein. However, the ~~New Orleans Area Council of the New Orleans Regional Chamber of Commerce~~ New Orleans Chamber of Commerce may submit additional nominees to either the mayor or the city council, as applicable, until all vacancies pursuant to this Subsection are filled.

* * *

§4106. New Orleans; classification for drainage purposes At the present time the drainage development of the city of New Orleans is such as to create a natural difference in the classification for drainage purposes between the largely undrained sections of the city comprised of areas lying east of the Inner Harbor Navigation Canal and north of Florida Avenue and the following areas located in the Fifteenth Ward of the city of New Orleans known as Algiers, viz: (1) That area southeast of the Intra-Coastal Waterway Canal in Algiers; and (2) That area beginning at the intersection of the Orleans-Jefferson Parish line and the rear line of McDonough Cemetery, across the property of the Southern Pacific Railroad on a slight angle to the lower or east side of Thayer St., thence parallel to Shepard Street, 125 ft. south of the south property line of Shepard St., following the lot lines through squares 14 and 13, thence to Whitney Ave., northward, thence eastward still parallel to Shepard St. 125 ft. south of the south property line of Shepard Street through squares 61, 62, 63, 64, 65, and 66; continuing easterly across Victory Drive parallel to Copernicus St. and 400 ft. south of the south property line of Copernicus St. across squares 17 and 16; thence across said line crossing Saux Lane and Shirley Drive and following a line coincident with the nearest lot line through squares 11 and 12 facing Shirley Drive to the east property line of Shirley Drive Subdivision and southward to an intersection with a line parallel to and 1000 ft. north of the north property line of Victory Drive and Victory Drive extension to the intersection with a line 1000 ft. north and parallel to the north right-of-way line of the Norman Canal to its intersection with the extension of the west property line of Arthur St. which is coincident with the east property line of River Park Subdivision to the Mississippi River, thence along the Mississippi River to the Northwest right-of-way of the Intracoastal Canal and along said right-of-way to its intersection with the Orleans-Plaquemines Parish line, thence along this line to its intersection with the Orleans-Jefferson Parish line to the point of beginning; which sections are hereinafter collectively referred to as Area A, and the remaining area of the city is to be identified as Area B. The sewerage and water board of New Orleans shall, for the purpose of planning and carrying out drainage in Area A, which area is at the present time largely undeveloped, inadequately drained, and presents hazards to health and property, divide that area on a logical basis of division into such number of defined drainage areas as are required to effect needed drainage. In defining such drainage areas the sewerage and water board shall fix the boundaries of each so as to include all land which,

based on sound engineering principles, logically forms part of such area, should be drained at the same time and will be served by the drainage improvements planned for the area. The drainage of all such defined drainage areas within the said Area A shall be carried out under the provisions of and in accordance with R.S. 33:4106 to R.S. 33:4120, inclusive, of this Part.

Whenever the sewerage and water board is prepared to drain any such defined drainage area, the board shall cause a plan for the drainage of the defined area to be made, accurately designating the boundaries of the area to be drained and describing in detail the canals and other drainage improvements, except subsurface drainage (which is otherwise provided for by law), designed for the drainage of said area. The plan shall include drainage improvements which have already been constructed with designed capacity to serve the newly defined drainage area in addition to other areas, and may include drainage improvements to be constructed with designed capacity to serve other areas in addition to the defined drainage area. The proportion of the capacity of such drainage improvements which is intended to serve the defined drainage area shall be set forth in the plan. All references in R.S. 33:4106 to 33:4120 of this Part to cost, probable cost, or estimated cost of the drainage works or improvements shall, with respect to drainage works or improvements which are designed to serve other areas as well as the defined drainage area, including those already constructed, mean only the proportion of the cost applicable to that part of the capacity of such drainage works or improvements which is designed to serve the defined drainage area.

The sewerage and water board, by the affirmative vote of three-fourths of all members constituting said board, shall appoint a board of six appraisers to assess the benefits which would accrue to each lot, acre or tract of land according to ownership within the defined drainage area as a result of the drainage improvements, including new canals and the covering of existing canals, provided in the plan. The appraisers shall be residents of Louisiana, over the age of thirty years, shall not own land in the proposed drainage area nor be related within the fourth degree of consanguinity to any person owning land in such area, shall not be an employee, officer, stockholder or bondholder of any corporation owning land in the proposed drainage area, and shall not be paid public officials or employees. At least four of the appraisers shall be licensed realtors within a minimum of ten years experience each in the real estate business in Orleans Parish, and two shall hold degrees as civil engineers. Two of the realtors and one engineer shall be appointed by the sewerage and water board from names submitted by the Chamber of Commerce of the New Orleans Area New Orleans Chamber of Commerce. The chief engineer of the sewerage and water board or one of his assistants shall accompany the appraisers at all times and render his opinion in writing when so requested by them. The appraisers shall elect one of their number as chairman and the secretary of the sewerage and water board shall be ex officio secretary of the board of appraisers. A majority of the appraisers shall constitute a quorum and shall control the action of the board of appraisers on all questions.

The board of appraisers shall complete their work and file a written report thereof with the sewerage and water board within such time, prior to the deposit of the plan in the office of the recorder of mortgages, as may be specified by the board. The appraisers shall be paid a reasonable fee and reimbursed for necessary expenses.

A copy of the plan for the drainage of the defined area and the report of the board of appraisers shall be deposited in the office of the recorder of mortgages of the parish of Orleans. When such plan and report shall have been deposited in the office of the recorder of mortgages, the sewerage and water board may, by the vote of three-fourths of all members constituting said board, adopt a resolution declaring that the sewerage and water board will bear a stated percentage of the cost of such works equal to the following: one percent of the assessed valuation of the real property located in the defined drainage area, as shown by the books of the assessor for the district at the time the plan is recorded in the mortgage office for the parish of Orleans, multiplied by the number of years during which the owner may pay his proportion of the cost in annual installments, as provided in the resolution of the board; for example, if ten years, multiply by ten, or a total contribution equal to ten percent of such assessed valuation; provided the proportion to be contributed by the sewerage and water board shall not exceed twenty percent of the total

cost of the proposed improvements; and the remaining costs will be assessed against the owners of land in the defined drainage areas, in proportion to the benefits assessed by the board of appraisers as the same may be modified by the sewerage and water board or by the court.

Said resolution of the sewerage and water board shall state that the sewerage and water board will meet on a date fixed by said resolution for the purpose of hearing protests against the carrying out of the drainage plan for the defined area, at which hearing any owner of land in the defined area may appear in person or by attorney, and will be heard by the sewerage and water board with respect to any provision of the drainage plan, including objections to the inclusion of his land in the defined drainage area for lack of benefit to said lands or for any other reason. Said resolution shall direct the publication of a notice of said hearing in two daily newspapers published in the city of New Orleans at least once a week for four successive weeks, the first publication to be made not less than thirty days prior to the date fixed for said hearing, which notice shall declare the intention of the sewerage and water board to drain the area defined by the resolution of said board; describe such area by metes and bounds; state that the plan of the drainage improvements and report of the board of appraisers has been deposited in the office of the recorder of mortgages of Orleans Parish; estimate the probable cost of the drainage works provided in the plan; state the percentage of the cost of such drainage works, which will be borne by the sewerage and water board and that the remaining percentage of such costs will be assessed upon the owners of land in the drainage area in proportion to the benefits assessed by the board of appraisers in their report as the same may be modified by the sewerage and water board or by the court; specify the time and place at which the sewerage and water board will meet for the purpose of hearing all objections of the owners of land in the drainage area to the construction of the improvements and the levy of said assessments on the lands in said area; and state that to be considered at said hearing objections must be in writing and filed in triplicate with the secretary of the sewerage and water board at least ten full calendar days prior to the date set for the hearing. The secretary of the sewerage and water board shall mail a copy of said notice not less than twenty days prior to the date fixed for the hearing to all owners of property and lands in the drainage area whose names and addresses are known or may be ascertained with reasonable diligence, and said secretary shall file with the sewerage and water board, prior to the hearing, his certificate evidencing compliance with this direction. Said resolution shall take effect upon the adoption by a vote of two-thirds of all the members elected to the council of the city of New Orleans of a resolution approving it.

* * *
§4702. Board of commissioners; appointment and term; organization
* * *

B. * * *
(2) The board shall be composed of fifteen members who shall be appointed as follows:

* * *
(b) ~~The New Orleans Chamber Inc.~~ New Orleans Chamber of Commerce shall appoint one member who shall serve an initial term of one year.

* * *
Section 2. R.S. 34:1(B)(1)(a) is hereby amended and reenacted to read as follows:
§1. Continuation; qualifications; appointments; terms; vacancies
* * *

B. Nominating agencies.
(1) For the purpose of selecting nominees for the four members, each of whom shall be appointed by the governor from the nominees selected by the Orleans Parish nominating organization, the following nominating agencies shall constitute and shall be designated as the Orleans Parish nominating organization:

(a) ~~Chamber of Commerce of the New Orleans Area~~ New Orleans Chamber of Commerce
* * *

On motion of Senator Morrell, the committee substitute bill was adopted and becomes Senate Bill No. 808 by Senator Morrell, substitute for Senate Bill No. 516 by Senator Morrell.

June 8, 2010

SENATE BILL NO. 808— (Substitute of Senate Bill No. 516 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 33:2740.3(D)(1)(a) and (c), 4106, 4702(B)(2)(b) and R.S. 34:1(B)(1)(a), relative to the city of New Orleans; to correct the name of the New Orleans Chamber of Commerce in statutes; and to provide for related matters.

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

SENATE BILL NO. 739—

BY SENATOR MORRISH

AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 739 by Senator Morrish

AMENDMENT NO. 1

On page 3, delete line 20, and insert "if the secretary determines the project shall meet"

AMENDMENT NO. 2

On page 3, line 21, at the beginning of the line delete "meets" and at the end of the line insert "The certification shall remain valid only if the project commences construction on or before December 31, 2015."

AMENDMENT NO. 3

On page 3, delete lines 25 through 29, and delete page 4, and insert: "C. Upon issuance of the certificate certifying a project as a qualified low carbon energy project, the secretary shall make the monies in the fund available to any qualified low carbon energy project, in accordance with an irrevocable and binding agreement with the department, to offset, reimburse or ameliorate capital costs or debt service incurred by the owner of such project and related to such project after its commercial operation date, as provided in R.S. 30:1005.

D. Notwithstanding any provision of law to the contrary, the secretary shall provide a qualified low carbon energy project with monies from the fund that are generated through enhanced oil or gas recovery utilizing carbon dioxide from such project. Monies in the fund generated by enhanced oil or gas recovery attributable to one project shall not be provided to or for the benefit of another project."

AMENDMENT NO. 4

On page 5, delete lines 1 through 12

AMENDMENT NO. 5

On page 6, delete line 4, and insert: "B. At the time the secretary certifies a project as a low carbon energy project, the secretary or the State Mineral and Energy Board shall negotiate with the project a percentage of the royalties, rentals, and bonuses, but not severance taxes, due to the"

AMENDMENT NO. 6

On page 6, line 7, after "fund" and before the comma ",," insert "after commercial operation of the project"

AMENDMENT NO. 7

On page 6, line 9, delete "fifty" and insert "percentage"

AMENDMENT NO. 8

On page 6, at the beginning of line 10, delete "percent portion"

AMENDMENT NO. 9

On page 6, at the end of line 11, insert "No royalties, rentals, or bonuses resulting from production of oil or gas existing at the time such enhanced oil or gas recovery is begun shall be deposited into the fund. However, no negotiated rate shall be authorized until reviewed and approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 10

On page 6, delete lines 12 through 23

AMENDMENT NO. 11

On page 6, line 24, change "D" to "C"

AMENDMENT NO. 12

On page 6, line 25, after "project" delete the comma and the remainder of the line

AMENDMENT NO. 13

On page 6, at the beginning of line 26, delete "order of the Public Service Commission,"

AMENDMENT NO. 14

On page 6, line 28, change "E" to "D" and delete "one hundred fifty" and insert "thirty-five"

AMENDMENT NO. 15

On page 7, line 5, change "F" to "E" and after "available" insert "from the fund"

AMENDMENT NO. 16

On page 7, line 6, after "project" delete the comma and the remainder of the line

AMENDMENT NO. 17

On page 7, at the beginning of line 7, delete "order of the Public Service Commission," and after "hundred" insert "fifty"

AMENDMENT NO. 18

On page 7, delete lines 9 through 12

AMENDMENT NO. 19

On page 7, line 13, change "(3)" to "(2)"

AMENDMENT NO. 20

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

AMENDMENT NO. 21

On page 7, delete lines 24 through 28

AMENDMENT NO. 22

On page 7, line 29, change "H" to "F"

AMENDMENT NO. 23

On page 8, line 2, delete "the Public Service Commission" and insert "any qualified low carbon energy project"

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

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

HOUSE BILL NO. 32—

BY REPRESENTATIVE THIERRY AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 27:392(B)(3)(b)(i), relative to the St. Landry Parish Excellence Fund; to provide for use of monies appropriated from the fund; and to provide for related matters.

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

HOUSE BILL NO. 151—

BY REPRESENTATIVE CARMODY
AN ACT

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

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

HOUSE BILL NO. 166—

BY REPRESENTATIVE GREENE
AN ACT

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

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

HOUSE BILL NO. 189—

BY REPRESENTATIVE RICHARD AND SENATOR KOSTELKA
AN ACT

To enact R.S. 11:441.2, relative to early retirement; to enact the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System; to provide for eligibility, retirement benefits, restrictions on hiring new employees, abolition of vacated positions, restrictions on appropriated funds, and funding; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 234—

BY REPRESENTATIVE CARTER
AN ACT

To enact R.S. 47:337.10(N) and to repeal R.S. 47:337.9(D)(30), relative to sales and use taxes imposed by political subdivisions; to provide relative to optional and mandatory exclusions and exemptions; to provide with respect to the optional sales and use tax exemption for the purchase, lease, or repair of certain equipment by qualifying radiation therapy treatment centers; and to provide for related matters.

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

HOUSE BILL NO. 246—

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

A JOINT RESOLUTION

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

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

HOUSE BILL NO. 300—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to fees levied by the Louisiana Tax Commission; to authorize the continued levy and collection of fees associated with the various services performed by the commission; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 433—

BY REPRESENTATIVES HARDY AND HINES
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, adopt, and provide for the implementation of a uniform grading scale for use in public schools; to provide for enforcement and exceptions; to provide for a task force to provide recommendations; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 433 by Representative Hardy

AMENDMENT NO. 1

On page 1, at the end of line 20, delete "be"

AMENDMENT NO. 2

On page 1, delete line 21, and insert "apply to any school operated by the United States Department of Defense that is located on a federal military installation."

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

June 8, 2010

HOUSE BILL NO. 468—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:46(A)(1)(b) and 1170, relative to school employees; to provide eligibility for sabbatical leaves to certain certified school nurses, audiologists, educational diagnosticians, and speech-language pathologists employed by state special schools and by city, parish, and other local public school systems; to provide for limitations on such eligibility with respect to fiscal conditions; and to provide for related matters.

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

HOUSE BILL NO. 481—
BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 33:1423.1(B), (C), and (D), relative to collection of certain taxes and other obligations by sheriffs and ex officio tax collectors; to authorize sheriffs and ex officio tax collectors to employ certain parties to aid in the collection of certain delinquent taxes and obligations; to provide for the payment for collection services on a fee basis; to provide for the amount and payment of the fee; to provide relative to requirements for employing certain parties to aid in the collection of certain delinquent taxes and obligations; and to provide for related matters.

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

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

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 486 by Representative Harrison

AMENDMENT NO. 1
On page 1, at the end of line 12, delete the period "." and insert ", or any other appropriate web-based student guidance system."

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

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

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

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

HOUSE BILL NO. 508—
BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 47:2153(B)(1), relative to ad valorem taxes; to provide relative to sales of immovable property due to delinquent taxes; to authorize use of the Internet to publish certain notice and other information related to a tax sale; and to provide for related matters.

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE LORUSSO
AN ACT

To amend and reenact R.S. 33:9091.8(F)(2) and (4)(c), relative to the Lakewood Crime Prevention and Improvement District; to authorize the district to expand the levy of the parcel fee; to provide for an election on the question of expanding the parcel fee; to authorize the renewal of the parcel fee at any election; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 521 by Representative Lorusso

AMENDMENT NO. 1
On page 1, line 2, change "9091.8(F)(2)" to "9091.8(F)(1), (2)"

AMENDMENT NO. 2
On page 1, line 11, change "9091.8(F)(2)" to "9091.8(F)(1), (2)"

AMENDMENT NO. 3
On page 1, delete lines 15 through 19 and insert the following:
"F. Parcel fee. (1) The governing authority of the city of New Orleans is hereby authorized to impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection. ~~For purposes of this Section, a parcel is defined as a lot or lots upon which only one main house is situated.~~

(2)(a) For purposes of this Section, a parcel is defined as a lot or lots upon which only one main house is situated. The fee shall be a flat fee and shall be imposed on each parcel located within the district. The amount of the fee shall be"

AMENDMENT NO. 4
On page 2, at the end of line 21, after "Paragraph." remove strikethrough of "Any" and remove strikethrough on line 22 in its entirety

AMENDMENT NO. 5
On page 2, at the beginning of line 23, remove strikethrough on "be held" and insert "for that purpose in accordance with the Louisiana Election Code."

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

HOUSE BILL NO. 535—
BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 33:130.702(F) and to repeal Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.791, relative to certain economic development districts; to repeal provisions that provide relative to the schedule of regular and special meetings

held by the governing board of such districts; to provide relative to the Tangipahoa Parish Economic Development District; to change the frequency of regular meetings held by the governing board of the district; and to provide for related matters.

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

HOUSE BILL NO. 537—
BY REPRESENTATIVE WOOTON
AN ACT

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

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

HOUSE BILL NO. 538—
BY REPRESENTATIVE BURFORD
AN ACT

To enact R.S. 33:2740.18.4, relative to the city of Mansfield; to authorize the governing authority of the city to levy and collect a hotel occupancy tax subject to voter approval; to provide for the use of such tax; and to provide for related matters.

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

HOUSE BILL NO. 541—
BY REPRESENTATIVE PUGH
AN ACT

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

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

HOUSE BILL NO. 542—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 33:9078(F)(4)(c), relative to the Kenilworth Improvement District in Orleans Parish; to provide relative to the renewal of parcel fees in the district; and to provide for related matters.

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

HOUSE BILL NO. 544—
BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 33:3813.2(C)(2), relative to Tangipahoa Parish; to provide relative to the Tangipahoa Water District; to increase the amount of per diem paid to members of the governing board; and to provide for related matters.

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

HOUSE BILL NO. 579—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 47:818.40(F) relative to motor fuel taxes; to provide relative to surety bond requirements of certain licensees; to require the secretary of the Department of Revenue to waive surety bond requirements for certain licensees under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 602—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 47:2153(A), relative to the notice of delinquent ad valorem taxes; to provide for the time within which to send notice; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 684—
BY REPRESENTATIVE MONTOU CET
AN ACT

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

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

HOUSE BILL NO. 685—
BY REPRESENTATIVE SAM JONES
AN ACT

To amend and reenact R.S. 17:221(I), relative to school attendance; to provide relative to the enrollment of certain students in adult education programs that are approved by the State Board of Elementary and Secondary Education; and to provide for related matters.

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

HOUSE BILL NO. 714—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 33:9073, relative to Orleans Parish, to provide relative to the Lake Willow Subdivision Improvement District; to provide relative to the governing board of the district; to provide for terms of board members; to provide relative to the powers and duties of the district; to provide relative to the imposition of taxes and fees within the district; to remove provisions authorizing the imposition of taxes within the district; to authorize the imposition of a parcel fee within the district; to provide for the use of such fee; and to provide for related matters.

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

HOUSE BILL NO. 715—
BY REPRESENTATIVE GUINN
AN ACT

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

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

HOUSE BILL NO. 719—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact Part IV of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9098.1, relative to neighborhood districts; to provide relative to district funds; to authorize the governing board of certain districts to combine the funds of their respective districts pursuant to a cooperative endeavor agreement, subject to limitations; to require the prior approval of members of the homeowners association located within each such district; to provide for the use of the combined funds; and to provide for related matters.

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

HOUSE BILL NO. 729—
BY REPRESENTATIVE CARMODY
AN ACT

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

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

HOUSE BILL NO. 781—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 33:7714, relative to wastewater districts; to create a consolidated wastewater district for the towns of Erath and Delcambre; to provide for the purpose, boundaries, and powers of the district; to provide for the governance of the district; to provide for the issuance of bonds; to provide restrictions on the issuance of bonds; to provide for the assumption of debt; to provide for the levy of an ad valorem tax; to provide for an election on the question of such ad valorem tax; to provide for the powers, rights, and duties of districts subsumed by this district; to provide for existing contractual rights; and to provide for related matters.

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

HOUSE BILL NO. 841—
BY REPRESENTATIVE ARNOLD AND SENATOR MICHOT
AN ACT

To enact Chapter 10 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1001 through 1003, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to execute leases on state lands for development and production of energy from hydrokinetics; to provide for legislative finding; to provide a process for executing leases on state lands for the development

and production of energy from hydrokinetics; to provide for the powers and duties of the secretary of natural resources; to provide for the powers and duties of the State Mineral and Energy Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 841 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 20 and delete page 2 and insert: "amend and reenact R.S. 30:124, relative to the State Mineral and Energy Board; to provide for alternate energy resources; to authorize the State Mineral and Energy Board to lease state lands for the exploration, development, and production of energy from alternative energy resources; to provide definitions, terms, and conditions; to provide for rulemaking authority; to provide for approval of certain leases by port or port, harbor, and terminal districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:124 is hereby amended and reenacted to read as follows:

§124. Board may lease public lands; fee

A. The legislature finds that the state, through the Department of Natural Resources, should promote the generation and use of alternative energy sources, including but not limited to wind energy, geothermal energy, solar energy and hydrokinetic energy, throughout the state to ensure the viability of the state's natural resources, to provide a continuing utility-scale clean energy source for the citizens and businesses of Louisiana, to support economic development through job retention and creation in Louisiana, and to promote a clean environment.

B. The State Mineral and Energy Board, hereinafter referred to as the "board", has authority to lease for the development and production of minerals, oil, and gas, or alternative energy sources, any lands belonging to the state, or the title to which is in the public, including road beds, water bottoms, vacant state lands, and lands adjudicated to the state at tax sale. The board, in consultation with the Department of Transportation and Development, shall adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Subpart.

C. As used in this Section, "alternative energy sources" means energy sources other than oil, gas, and other liquid, solid or gaseous minerals. It shall include, but not be limited to, wind energy, geothermal energy, solar energy and hydrokinetic energy. It shall not include the cultivation or harvesting of biomass fuels or the use of state land or water bottoms for facilities which utilize biomass fuel to produce energy.

D. No lease shall be granted for hydrokinetic energy development that is inconsistent with the terms of a preliminary permit, license, exemption, or other authorization issued by the Federal Energy Regulatory Commission pursuant to its authority under the Federal Power Act, 16 U.S.C. Sec 791a, et seq.

E.(1)(a) No lease affecting the following lands shall be granted for alternative energy sources development on such lands without prior written approval of a port or port, harbor, and terminal district:

(i) Lands held in title by the port or port, harbor, and terminal district or held by lease or servitude by such port or port, harbor, and terminal district.

(ii) Public navigable waters that flow through any lands within the jurisdiction of a port or port, harbor, and terminal district. Approval pursuant to this Item shall not be unreasonably withheld unless such lease would be detrimental to the needs of commerce and navigation.

(b) No port or port, harbor, and terminal district shall receive compensation for their approval.

(2) After the port or port, harbor, and terminal district decides whether or not to grant approval, the board shall send a notice by certified mail to the lease applicant for alternative energy sources development. The notice shall include the following:

(a) The decision of the port or port, harbor, and terminal district to provide either prior written approval of the lease or to deny approval of such lease.

(b) If the port or port, harbor, and terminal district does not grant prior written approval, notice that the lease applicant has sixty days from receipt of the notice to request an administrative hearing with the division of administrative law pursuant to Chapter 13-B of Title 49 of the Louisiana Revised Statutes. The request for an administrative hearing shall be filed with the division of administrative law, with copies mailed to the board and the port or terminal district.

(3) The port or port, harbor, and terminal district which does not grant prior written approval of a lease shall have the burden of proof, at the administrative hearing, that the lease is detrimental to the needs of commerce and navigation.

(4) The port or port, harbor, and terminal district shall contract with the division of administrative law to conduct the hearing. The administrative law judge may, in his discretion, assess the costs of the administrative hearing and reasonable attorney fees of the prevailing party against the losing party.

(5) Notwithstanding any provision of the law to the contrary, the lease applicant or the port or port, harbor, and terminal district may petition the district court for the parish of East Baton Rouge for judicial review of any final decision or order of the administrative law judge.

F. The ~~mineral~~ board is further authorized to collect a fee for such leasing in the amount of ten percent of the total cash bonus paid at the lease sale. The fee shall be in addition to the total cash bonus paid."

AMENDMENT NO. 2

On page 3, delete lines 1 through 8

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

HOUSE BILL NO. 849—

BY REPRESENTATIVE ROY

AN ACT

To enact R.S. 33:2841.1, relative to the collection of municipal taxes; to authorize the employment of private counsel or an agency to assist in the collection of delinquent taxes; to require the payment of attorney fees by a tax delinquent; to provide for the amount of the attorney fees; and to provide for related matters.

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

HOUSE BILL NO. 850—

BY REPRESENTATIVE ROY

AN ACT

To enact R.S. 47:2153(B)(7), relative to ad valorem tax; to authorize the collection of a refundable deposit from certain participants at a tax sale; to provide for use of deposits; to provide for the form of the deposit; to provide for refunds; and to provide for related matters.

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

HOUSE BILL NO. 925—

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

AN ACT

To enact R.S. 17:10.1(D), relative to the Louisiana school and district accountability system; to provide for the assignment of letter

grades to schools and school districts that are reflective of their performance; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 925 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 12, between "Education" and "shall" insert ", in consultation with parents, teachers, school administrators, and other education stakeholders."

AMENDMENT NO. 2

On page 1, line 16, between "upon" and "school" insert "the current method of determining"

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

HOUSE BILL NO. 956—

BY REPRESENTATIVES DOVE AND BALDONE

AN ACT

To amend and reenact R.S. 33:130.252(A)(1)(b) and (2), relative to the Terrebonne Economic Development Authority; to provide for membership on the board of commissioners; and to provide for related matters.

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

HOUSE BILL NO. 962—

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

AN ACT

To amend and reenact R.S. 17:3982(A)(1)(a) and (2) and (B) and 3992(A)(1) and (2), relative to charter schools; to provide relative to the process for submission, review, and approval of charter school proposals and renewal of charters; to provide relative to the use of local school board facilities and property by a chartering group; and to provide for related matters.

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

HOUSE BILL NO. 973—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 33:130.812(C), relative to Sustainable Energy Financing Districts; to provide relative to financing for projects in such districts; to provide for property assessment and collection of such assessments within such districts; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 973 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, after "33:130.812" and before the comma "," delete "(C)" and insert "(B) and (C) and to enact R.S. 33:130.812(D)"

June 8, 2010

AMENDMENT NO. 2

On page 1, line 7, after "33:130.812" and before "(C)" insert "(B) and" and after "reenacted" and before "to" insert "and R.S. 33:130.812(D) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 9 and 10 insert the following:

"B.(1) The owner of residential or commercial immovable property within the district may request financing in the form of a loan from the district to cover the costs of energy efficiency improvements or renewable energy improvements that the owner contracts to make to the immovable property. Such financing shall include interest rates and administrative fees as determined by the district. The district shall accept or reject the request according to criteria established by the district and make such loan upon terms and conditions that shall be set forth in the ordinance or resolution. However, the term for repayment of a loan, together with interest rates and administrative fees, shall not exceed twenty years.

(2) In the event that the property for which an energy efficiency improvement or renewable energy improvement loan is sought is encumbered by a mortgage, then the total amount loaned for such property shall not exceed ten percent of the reasonable expected fair market value of the property, determined using an appropriate value test, which may include an assessment of the reasonable expected value of the property with the completed improvements on the property as defined and provided in program rules, or the price of the property at its last sale.

(3) No owner of immovable property shall be eligible for a loan from a district unless there is available equity in the property, meaning that the current value as determined using an appropriate value test of the subject property exceeds the current mortgage loan balances for the mortgage loans encumbering the subject property, and that the dollar amount of loans from the district for a particular property shall not exceed the remaining equity value in the property. The total loan-to-value ratio for all loans secured by the immovable property shall not exceed one hundred percent. The calculation of equity value used to determine the maximum amount of financing available for a particular property may take into account the reasonable expected value of the property with the proposed energy efficiency or renewable energy improvements installed.

(4) The maximum amount of any assessment to be repaid in any year shall not exceed the amount of principal and interest based on a minimum ten year amortization. In the event of nonpayment or default, there shall be no acceleration of the debt, and tax delinquency shall exist only for assessments not paid when due.

(5) In order to qualify for financing, the property owner shall be current on all outstanding mortgage loans encumbering the property upon which the energy efficiency improvements or renewable energy improvements are proposed to be installed.

(6) In order to qualify for financing, the property owner shall demonstrate an ability to repay the loan by having a minimum debt-to-income ratio of fifty percent.

(7) It shall be required that an appropriate evaluation such as energy audit or renewable energy system feasibility study be conducted on the qualifying real property and reviewed by the district prior to approval of the financing.

(8) Where energy efficiency or renewable energy improvements are proposed to be installed on residential properties, the district shall make written verification that the improvements are installed and all work is completed satisfactorily before program loan funds are disbursed. In the alternative, funds for improvements may be disbursed based on multiple stages of completion, and loan funds for a particular stage of completion shall not be disbursed until the district conducts written verification that the corresponding stage of work is satisfactorily completed.

(9) All energy efficiency and renewable energy improvements financed by the program shall be performed by duly qualified contractors, subcontractors, or tradesmen pursuant to program rules.

(10) Where an energy efficiency or renewable energy improvements loan is proposed for a commercial property and that property is encumbered by a mortgage, the mortgagee shall be given prior written notice of the proposed program loan, and in order to proceed with the program loan the property owner shall obtain the prior written approval of the mortgagee.

(11) Failure to comply with the requirements of this Subsection shall render the lien and privilege of the district or local governmental subdivision inferior to all mortgages that are effective against third parties prior to the recordation of the statement of lien.

AMENDMENT NO. 5

On page 1, line 10, after "C.(1)" insert "The" and remove strikethrough on "amount of the loan including interest rates"

AMENDMENT NO. 6

On page 1, remove strikethrough of lines 11 through 13

AMENDMENT NO. 7

On page 1, line 14, remove strikethrough of "subdivision creating the district"

AMENDMENT NO. 8

On page 1, line 15, after "a" and before "loan" insert "program"

AMENDMENT NO. 9

On page 1, line 17, after "located" delete the remainder of the line and insert a period "."

AMENDMENT NO. 10

On page 1, line 18, at the beginning of the line, delete "to have legal effect."

AMENDMENT NO. 11

On page 1, line 20, after "rank" delete the remainder of the line and insert the following: "equivalent to that of ad valorem taxes or local assessments and liens and privileges as provided in La. R.S. 9:4821(1). The statement of lien shall contain the following:

(a) Identity of the lien holder, including a contact name, address, and phone number.

(b) Identity of borrower, including borrower's full name, domicile, and permanent mailing address, and last four digits of the borrower's social security number or taxpayer identification number, whichever is applicable.

(c) Legal description of the property encumbered by the lien.

(d) Date that the lien is created, which means the date that the loan agreement or promissory note is signed.

(e) Dollar amount of the loan for which the lien is created.

(f) Maturity date of the loan for which the lien is created.

AMENDMENT NO. 12

On page 1, delete lines 21 through 22

AMENDMENT NO. 13

On page 2, delete lines 1 through 2

AMENDMENT NO. 14

On page 2, line 3, after "(2)" remove the strikethrough of the remainder of the line and remove strikethrough of lines 4 through 6

AMENDMENT NO. 15

On page 2, line 6, delete "The" and on line 7, delete the entire line

AMENDMENT NO. 16

On page 2, delete lines 8 through 15

AMENDMENT NO. 17

On page 2, delete lines 16 through 28 and insert the following:

"(3) Upon failure of the property owner to pay the current year's assessment when due within thirty days of receipt, the local governmental subdivision and district shall have a lien and privilege for the value of the current year's unpaid assessment. ~~may file a certified copy of said charges with the recorder of mortgages, and the same, when so filed and recorded, shall operate as a lien and privilege in favor of the local governmental subdivision and district.~~ Such lien and privilege shall have the same ranking as an ad valorem tax lien on immovable property as provided in R.S. 9:4821(1), and may be enforced and collected by ordinary civil proceeding in accordance with La. C.C.P. articles 851 et seq. or by executory process if the loan documentation contains a confession of judgment

or by any other applicable state law to enforce and collect the amount due or enforced and collected as any ordinary a property tax lien assessed against the property and collected in any the manner fixed for collection of taxes tax and subject to the same civil penalties for delinquencies, together with attorneys' fees and costs incurred in notification to the owner and the enforcement and collection of the amounts owed.

AMENDMENT NO. 18

On page 3, line 4, after "Title XXII-A" and before "of" insert "of Registry," and after "Code" insert "and treated like a mortgage for such purposes"

AMENDMENT NO. 19

On page 3, after line 4 insert the following:

"(5) In the event that a program loan is paid in full, then the district shall provide written evidence of cancellation and release of its lien and have it recorded in the public mortgage records for the parish where the immovable property is located.

(6) Prepayment of the remaining balance of energy efficiency and renewable energy improvement program loans is permitted.

D. A loan financing program for energy efficiency improvements or renewable energy improvements for residential property shall both:

(1) Impose requirements and conditions on financing arrangements to ensure timely repayment.

(2) Require disclosures to borrowers by the district of the risks involved in borrowing, including the risk of foreclosure if a tax delinquency results from default."

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

HOUSE BILL NO. 976—

BY REPRESENTATIVES WILLMOTT AND LIGI AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 33:2740.17(A) and (C), relative to the New Orleans International Airport Sales Tax District; to provide definitions for the district; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 976 by Representative Willmott

AMENDMENT NO. 1

On page 1, delete lines 18 and 19 in their entirety and on page 2 delete lines 1 through 10 in their entirety and insert in lieu thereof:

"(2) For the purposes of this Subsection, the phrase "terminal building" shall include the building having facilities for the handling of commercial aviation passengers that allow such passengers to purchase tickets, check in, or check baggage with commercial airline companies, and to board or disembark from aircraft, and shall include all other airport commercial aviation passenger facilities, concourses, or appurtenances physically connected or adjacent to such building, located on property owned by the City of New Orleans at the Louis Armstrong New Orleans International Airport, but excluding facilities for parking, limousines, and taxicabs.

(3) If any provision of Paragraph (2) of this Subsection or the"

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

HOUSE BILL NO. 1021—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:2433 and Sections 2 and 3 of Act No. 822 of the 2008 Regular Session of the Legislature, relative to inheritance and estate taxes; to provide for the accrual of interest on delinquent estate transfer taxes; to provide relative to filing extensions for estate transfer tax returns; to provide relative to the prescription period for estate transfer taxes; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1032—

BY REPRESENTATIVE BARROW

AN ACT

To amend and reenact R.S. 33:2740.67(C)(1), (2), and (3), relative to the Greenwell Springs-Airline Economic Development District; to change the membership of the board of commissioners of the district; to provide relative to terms of board members; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1032 by Representative Barrow

AMENDMENT NO. 1

On page 1, line 19, remove strikethrough of "nine-member" to and delete "seven-member"

AMENDMENT NO. 2

On page 2, line 24, change "Three" to "Two"

AMENDMENT NO. 3

On page 2, delete lines 28 and 29 in their entirety and on page 3, delete lines 1 through 7 in their entirety and insert the following:

"(c) One member shall be appointed by the mayor-president of the parish of East Baton Rouge.

(d) One member shall be appointed by the member or members of the governing authority of the parish of East Baton Rouge who represent the district.

(e) One member shall be appointed by the owner of the largest parcel of land located within the district.

(f) The branch manager of a bank located within the district to be selected by a subcommittee formed by the board.

(g) One representative of a civic association located within the district to be selected by a subcommittee formed by the board.

(2)(a)(i) Members serving pursuant to Subparagraphs (1)(a) through (e) of this Subsection shall serve four-year terms after initial terms as provided by Item (ii) of this Subparagraph.

(ii) Two members shall serve an initial term of one year; two shall serve two years; two shall serve three years; and one shall serve four years, as determined by lot at the first meeting of the board.

(b) Members serving pursuant to Subparagraphs (1)(f) and (g) of this Subsection shall serve at the pleasure of the subcommittee formed by the board."

AMENDMENT NO. 4

On page 3, at the end of line 13, insert "However, any such president or branch manager shall be eligible to be selected to serve on the board pursuant to Subparagraphs (1)(f) and (g) of this Subsection."

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

June 8, 2010

HOUSE BILL NO. 1045—
BY REPRESENTATIVE PONTI
AN ACT

To enact R.S. 47:1508(B)(28), relative to the confidentiality of tax records; to provide for the furnishing of tax record information to the Louisiana Workforce Commission for the purpose of determining, investigating, and prosecuting fraud; to provide for the confidentiality of such information; and to provide for related matters.

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

HOUSE BILL NO. 1138—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 23:1123, 1172.2(E), and 1201(A) and to repeal R.S. 23:1201.1, relative to workers' compensation; to provide for an examination of an injured employee when certain disputes arise; to provide for the prompt reporting of certain information relative to payment of workers' compensation premiums which may be considered false, fraudulent, or misleading; to require payors and insurers to make weekly indemnity payments by electronic funds transfer; to repeal provisions requiring workers' compensation indemnity payments be mailed; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 1138 by Representative Ponti

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 23:" delete the remainder of the line and lines 3 through 9 in their entirety and insert the following: "1203.1(B)(I) and (J), relative to workers' compensation; to provide relative to the medical treatment schedule; to provide relative to a date by which rules will be promulgated; to provide for implementation and application of such rules; to provide for an effective date; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 11 through 19 and delete pages 2 and 3 in their entirety and on page 4, delete lines 1 through 4 on page 4 and insert the following:

"Section 1. R.S. 23:1203.1(B)(1) and (J) are hereby amended and reenacted to read as follows:

§1203.1. Medical treatment schedule
* * *

B. The director shall, through the office of workers' compensation administration, promulgate rules in accordance with the Administrative Procedure Act, R.S. 49:950; et seq., to establish a medical treatment schedule.

(1) Such rules shall be promulgated no later than ~~September 30,~~ ~~2010~~ **January 1, 2011.**
* * *

J. After a medical provider has submitted to the payor the request for authorization and the information required by the Louisiana Administrative Code, Title 40, Chapter 27, the payor shall notify the medical provider of their action on the request within five business days of receipt of the request. If any dispute arises after ~~September 30,~~ ~~2010~~ **January 1, 2011,** as to whether the recommended care, services, or treatment is in accordance with the medical treatment schedule, or whether a variance from the medical treatment schedule is reasonably required as contemplated in Subsection I of this Section, any aggrieved party shall file, within fifteen calendar days, an appeal with the office of workers' compensation administration medical director on a form promulgated by the director. The medical director shall render a decision as soon

as is practicable, but in no event, not more than thirty calendar days from the date of filing.
* * *

AMENDMENT NO. 3

On page 4, at the beginning of line 5, change "Section 3." to "Section 2."

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

HOUSE BILL NO. 1188—
BY REPRESENTATIVE HARDY
AN ACT

To enact R.S. 17:62.1; relative to the Lafayette Parish school system; to provide relative to guidelines and procedures regarding the transportation of students on field trips within or outside the geographic boundaries of the school system, including equipment used, driver compensation, and operational costs; to provide limitations; to provide applicability; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported without action by the Committee on Education. The bill was read by title and returned to the calendar, subject to call.

HOUSE BILL NO. 1198—
BY REPRESENTATIVE KATZ
AN ACT

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

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

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

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

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

HOUSE BILL NO. 1276—

BY REPRESENTATIVES HARDY, AUBERT, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, DOWNS, GUILLORY, HOFFMANN, LABRUZZO, LEGER, LIGI, MILLS, POPE, PUGH, RICHARD, RICHARDSON, JANE SMITH, PATRICIA SMITH, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH

AN ACT

To amend and reenact R.S. 17:493(A) and (C) and to enact R.S. 17:491.3 and 3996(B)(24), relative to school bus operators; to require a school bus operator to report his arrest for specified offenses involving operating a vehicle; to provide relative to guidelines, procedures, and timelines for such reporting; to provide relative to administration; to provide definitions; to provide applicability; to provide relative to the failure of the operator to report; to provide effectiveness; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1287—

BY REPRESENTATIVES LORUSSO, HENDERSON, AND HUTTER

AN ACT

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

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

HOUSE BILL NO. 1290—

BY REPRESENTATIVE AUBERT

AN ACT

To enact R.S. 33:423.20, relative to the power of an elected chief of police in certain municipalities; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

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

HOUSE BILL NO. 1293—

BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 33:423.20, relative to the power of an elected chief of police in certain municipalities; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1293 by Representative Pugh

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 33:2213(H) and to"

AMENDMENT NO. 2

On page 1, line 4, between "limitations;" and "and to" insert "to provide relative to maximum hours regulations applicable to municipal police departments; to provide for exceptions;"

AMENDMENT NO. 3

On page 1, between lines 16 and 17, insert the following:
"Section 2. R.S. 33:2213(H) is hereby amended and reenacted to read as follows:

§2213. Maximum hours; overtime or compensatory time; exceptions for certain cities

* * *

H. Any municipality subject to the provisions of this Subpart except a municipality with a population below twelve thousand seven hundred, to maximize police protection, may establish and implement a fourteen-day shift cycle for all full-time paid patrolmen, patrolmen first class, sergeants, lieutenants, captains, or any other employees of the police department except those in a position, grade, or class above that of captain which may require such officers to work Monday, Tuesday, Friday, Saturday, and Sunday of the first week of the cycle, and Wednesday and Thursday of the second week of the cycle. The workday shall consist of twelve hours on the above specified days. Such officers shall be paid overtime at one and one-half times their usual salary when the number of hours worked during the two-week cycle exceeds eighty hours or shall be credited with compensatory time on a one and one-half basis for all hours in said cycle that exceed eighty hours.

* * *

AMENDMENT NO. 4

On page 1, at the beginning of line 17, change "Section 2." to "Section 3."

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

HOUSE BILL NO. 1297—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 33:2476(B)(1)(b) and 2536(B)(1)(b) and to enact R.S. 33:2476(B)(1)(c) and 2536(B)(1)(c), relative to the municipal fire and police civil service; to provide relative to the qualifications of certain members appointed to municipal fire and police civil service boards; to provide that members appointed from fire and police departments shall not be required to be residents or qualified voters of the area in which they are appointed to serve or the parish in which the area is located, subject to approval of the local governing authority; and to provide for related matters.

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

HOUSE BILL NO. 1368—

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

AN ACT

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1368 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, line 3, change "4040" to "4039"

AMENDMENT NO. 2

On page 1, line 13, change "4040" to "4039"

AMENDMENT NO. 3

On page 2, line 19, between "R.S. 17:3996(B)" and "and those" delete "(1) through (23)"

AMENDMENT NO. 4

On page 2, line 20, between "R.S. 17:3996(A)" and "shall not" delete "(1) through (17)"

AMENDMENT NO. 5

On page 2, line 25, between "from a" and "as set" change "superintendent" to "governing authority"

AMENDMENT NO. 6

On page 3, line 2, between "A" and "governing" delete "superintendent under the direction of the"

AMENDMENT NO. 7

On page 3, at the end of line 4, insert "However, a governing authority shall not request a waiver for any school unless a majority of the classroom teachers employed in the school, voting by secret ballot, vote in favor of inclusion of such school in the waiver request."

AMENDMENT NO. 8

On page 3, line 5, between "A" and "requesting" change "superintendent" to "governing authority"

AMENDMENT NO. 9

On page 3, line 21, between "The" and "of" change "superintendent" to "governing authority"

AMENDMENT NO. 10

On page 3, line 23, after "teachers" delete the remainder of the line and insert "pursuant to Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 11

On page 3, delete lines 24 through 28 and on page 4, delete lines 1 through 3

AMENDMENT NO. 12

On page 4, at the end of line 9, delete the comma "," and insert "as approved by the school's governing authority."

AMENDMENT NO. 13

On page 4, line 11, after "Restart:" delete the remainder of the line, delete line 12 in its entirety, and insert "Convert the school to a charter school. However, every teacher employed in such school prior to its conversion to a charter school, who has been determined to be effective in accordance with the provisions of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, shall be given the option to remain at the school or to be reassigned by the governing authority to another school under its jurisdiction."

AMENDMENT NO. 14

On page 4, at the beginning of line 18, delete "this option, and no superintendent shall" and insert "to"

AMENDMENT NO. 15

On page 5, delete lines 1 through 25 and insert the following:
"B. A school implementing any of the intervention options prescribed in Paragraph (A)(2) of this Section shall not be subject to transfer to the Recovery School District for the duration of the waiver period. Upon termination of the waiver, a school that has not met its growth targets as established by the school and district accountability system shall be transferred to the jurisdiction of the Recovery School District or the governing authority of such school shall enter into a

memorandum of understanding with the Recovery School District which shall govern the operation of the school.

C. A school that entered into a memorandum of understanding with the Recovery School District prior to receipt of a waiver, and which upon expiration of the memorandum of understanding or termination of the waiver has not met its growth targets as established by the school and district accountability system, shall be transferred to the jurisdiction of the Recovery School District.

D. A school under the jurisdiction of the Recovery School District which has been granted a waiver, and upon termination of the waiver has not met its growth targets as established by the school and district accountability system, shall be subject to one of the following actions as determined by the board:

(1) A school that is directly operated by the Recovery School District shall be converted to a charter school. If the school is a charter school, the Recovery School District shall terminate the school's charter and enter into a contract with a new chartering group for the operation of the school. Such schools shall remain under the jurisdiction of the Recovery School District.

(2) The school shall be closed and its students transferred to a higher performing school within the Recovery School District."

AMENDMENT NO. 16

On page 6, line 5, between "superintendent" and "in the" insert "," subject to the approval of the governing authority."

AMENDMENT NO. 17

On page 6, line 7, between "and the" and "governing" delete "superintendent or any"

AMENDMENT NO. 18

On page 6, line 8, between "from the" and "and" change "superintendent" to "governing authority"

AMENDMENT NO. 19

On page 6, delete line 13, and insert "prevent a school otherwise eligible from being subject to transfer to the Recovery School District."

AMENDMENT NO. 20

On page 6, line 15, between "The" and "of any" change "superintendent" to "governing authority"

AMENDMENT NO. 21

On page 6, line 19, between "B." and "March" change "By" to "Not later than"

AMENDMENT NO. 22

On page 6, line 20, change "legislature" to "Senate Committee on Education and the House Committee on Education"

AMENDMENT NO. 23

On page 6, line 25, between "any" and "legislative" insert "proposed" and between "changes" and "if" insert a comma ","

AMENDMENT NO. 24

On page 6, line 27, between "changes in" and "provision" change "a waived" to "an existing"

AMENDMENT NO. 25

On page 7, line 2, between "A." and "board" delete "Upon a recommendation by the department, the" and insert "The"

AMENDMENT NO. 26

On page 7, delete lines 19 through 27 in their entirety.

AMENDMENT NO. 27

On page 7, at the beginning of line 28, change "Section 3." to "Section 2."

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

HOUSE BILL NO. 1389—
BY REPRESENTATIVE LIGI

AN ACT

To amend and reenact R.S. 47:2202(A), 2203(C), and 2204, relative to the sale of adjudicated property; to exempt certain property sales from the minimum bid and appraisal requirements for adjudicated property; to provide relative to advertising requirements for adjudicated property sold at public sale; to provide relative to certain public sales by a political subdivision; to provide for certain limitations; and to provide for related matters.

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

HOUSE BILL NO. 1397—BY REPRESENTATIVES ELLINGTON AND ROBIDEAUX
AN ACT

To amend and reenact R.S. 49:330, relative to certain mineral revenue contracts; to establish an advisory committee relative to contracting with respect to such contracts; to provide for committee membership, powers, duties, and functions; to provide for annual meetings; to provide for annual reporting; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1397 by Representative Ellington

AMENDMENT NO. 1

On page 2, line 2, after "committee" and before the period "." insert "for the first two years and then the chairman of the Senate Committee on Finance, or his designee, shall serve as chairman for the next two years. Subsequently, the chairmanship shall rotate between the House and Senate committees every two years."

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

HOUSE BILL NO. 1409—BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 33:4762(D), relative to notices for demolition or removal of buildings; to provide that notice of demolition or removal of a building is de facto proof that a building is more than fifty percent damaged; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1409 by Representative Girod Jackson

AMENDMENT NO. 1

On page 1, line 3, after "to provide that" insert "in certain instances a"

AMENDMENT NO. 2

On page 1, at the beginning of line 16, after "(2)" delete "Any" and insert "For purposes of any type of funding assistance being sought by the building or structure owner, any"

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

HOUSE BILL NO. 1442—BY REPRESENTATIVES CARMODY, ARMES, CARTER, DIXON,
DOWNS, RITCHIE, PATRICIA SMITH, AND THIBAUT
AN ACT

To enact R.S. 17:81.6(C), (D), (E), and (F), relative to public school employees; to provide for the reporting by public school employees of irregularities or improprieties in the administration of standardized tests; to prohibit certain actions relative to such reporting; to provide for penalties; to provide for the recovery of damages, attorney fees, and court costs under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1458—BY REPRESENTATIVE LABRUZZO
AN ACT

To enact R.S. 17:416.13(C) and (D), relative to student codes of conduct; to provide relative to a review by a local school board of the student code of conduct; to provide relative to the purpose of such review and to require certain actions as necessary; to provide guidelines and a timeline for such review; to provide definitions; to provide relative to certain notifications to students; to provide relative to the investigation of reports of certain prohibited actions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1460— (Substitute for House Bill No. 225 by Representative LaBruzzo)BY REPRESENTATIVES LABRUZZO, BARROW, HENRY BURNS, TIM
BURNS, LEGER, JANE SMITH, STIAES, TUCKER, WILLMOTT, AND
WOOTON

AN ACT

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

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

HOUSE BILL NO. 1486— (Substitute for House Bill No. 926 by Representative Little)BY REPRESENTATIVES MORRIS, ARMES, BOBBY BADON, BILLIOT,
BURFORD, HENRY BURNS, BURRELL, CARMODY, CHAMPAGNE,
EDWARDS, GISCLAIR, HARDY, HARRISON, HENDERSON, HENRY,
GIROD JACKSON, LITTLE, LORUSSO, NOWLIN, GARY SMITH, JANE
SMITH, ST. GERMAIN, TALBOT, TUCKER, WADDELL, WILLIAMS, AND
WOOTON AND SENATOR ADLEY

AN ACT

To enact Chapter 9-B of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:961 through 963, relative to the use of surface water; to provide for definitions; to provide for cooperative endeavor agreements to withdraw running surface water; to provide for findings and purpose; to provide for requirements for cooperative endeavor agreements to withdraw running surface water; to provide for the authority of the secretary of the Department of Natural Resources; to provide for legislative intent; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 1486 by Representative Morris

AMENDMENT NO. 1

On page 2, line 12, after "contained on" delete "a" and insert "an uniform"

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AMENDMENT NO. 2

On page 2, line 14, after "general," insert "Fair market value to the state shall include, but not be limited to, the economic development, employment, and increased tax revenues created by the activities associated with the withdrawal of running surface water."

AMENDMENT NO. 3

On page 2, at the end of line 19, insert "If the secretary denies the application, the secretary shall provide written reasons for the denial at the time of the denial."

AMENDMENT NO. 4

On page 3, line 1, delete "good" and insert "best"

AMENDMENT NO. 5

On page 3, at the end of line 13, insert "A person or entity who has entered into a cooperative endeavor agreement to withdraw running surface waters or has obtained an assignment of such, may terminate such agreement effective December 21, 2012. In order to be effective, the person or entity seeking to terminate shall provide written notice by certified mail to the secretary at least thirty days prior to termination."

AMENDMENT NO. 6

On page 4, line 7, after "industrial" insert "or mining"

AMENDMENT NO. 7

On page 5, delete line 9, and insert "to issue contracts or enter into"

On motion of Senator N. Gautreaux, 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. 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.

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. 432 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, following "to" and before "Article VII" insert "amend"

AMENDMENT NO. 2

On page 2, line 1, change "Section" to "Paragraph"

AMENDMENT NO. 3

On page 2, line 6, following "repealed" and before "and" insert "1"

AMENDMENT NO. 4

On page 2, line 11, following "(c)" and before "natural" change "On" to "The severance tax on"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Dorsey	Marionneaux	Murray
Jackson	McPherson	Peterson
Total - 6		

NAYS

Mr. President	Duplessis	Morrish
Adley	Erdey	Mount
Alario	Gautreaux B	Nevers
Amedee	Gautreaux N	Quinn
Appel	Guillory	Riser
Broome	Hebert	Shaw
Chabert	Heitmeier	Smith
Cheek	Kostelka	Thompson
Claitor	Long	Walsworth
Crowe	Martiny	
Donahue	Michot	
Total - 31		

ABSENT

LaFleur	Morrell
Total - 2	

The Chair declared the amended bill failed to pass.

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

SENATE BILL NO. 407—

BY SENATORS MCPHERSON, ADLEY, BROOME, HEITMEIER, LAFLEUR, NEVERS AND SHAW AND REPRESENTATIVES NORTON, AUSTIN BADON, BOBBY BADON, BARRAS, BARROW, HENRY BURNS, TIM BURNS, CHANEY, CORTEZ, DIXON, GISCLAIR, GREENE, HARDY, HAZEL, HENRY, HINES, GIROD JACKSON, MICHAEL JACKSON, SAM JONES, KATZ, LAFONTA, LANDRY, LIGI, LOPINTO, LORUSSO, MILLS, PEARSON, RICHARD, RICHMOND, ROBIDEAUX, SCHRODER, JANE SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, TUCKER, WADDELL, WILLIAMS AND WILLMOTT

AN ACT

To amend and reenact R.S. 32:409.1(A)(6)(c)(iii), relative to drivers' licenses and application or special certificate applications; to delete authority to impose a record check fee on an applicant for a Class "D" chauffeur's license or a Class "E" personal vehicle driver's license; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morris to Reengrossed Senate Bill No. 407 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 22, after "2010," insert "The department shall not close regional, parish, or local offices of motor vehicles to supplant the loss in revenue as a result of this refund."

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Hebert	Nevers
Appel	Heitmeier	Riser
Chabert	Jackson	Shaw
Cheek	Long	Smith
Claitor	Marionneaux	Thompson
Crowe	Martiny	Walsworth
Dorsey	McPherson	
Erdey	Morrish	
Total - 28		

NAYS

Duplessis	Kostelka	Peterson
Guillory	Morrell	Quinn
Total - 6		

ABSENT

Mr. President	Donahue	Michot
Broome	LaFleur	
Total - 5		

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

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVES CARTER, BOBBY BADON, HENRY BURNS, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HOFFMANN, KATZ, LABRUZZO, LIGI, NOWLIN, ROBIDEAUX, SIMON, SMILEY, WILLIAMS, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, MARTINY, AND QUINN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to make certain changes to the minimum foundation program formula beginning with the minimum foundation program formula adopted for the 2010-2011 school year.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Erdey	Morrell
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Chabert	Heitmeier	Peterson
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President	Michot
LaFleur	Shaw
Total - 4	

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

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE HARDY

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the rate of suspensions and expulsions in Louisiana and to submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2011 Regular Session of the Legislature of Louisiana.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Chabert	Heitmeier	Nevers
Cheek	Jackson	Quinn
Claitor	Kostelka	Riser
Crowe	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Total - 32		

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Shaw
Broome	Marionneaux	
Donahue	Peterson	
Total - 7		

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

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVE AUSTIN BADON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consolidate the administration and evaluation of the LA4 and 8(g) prekindergarten programs under the state Department of Education beginning with the 2010-2011 school year and to adopt identical standards for these programs.

Reported with amendments by the Committee on Education.

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SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 148 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "consolidate" and insert "study the feasibility of consolidating"

AMENDMENT NO. 2

On page 1, delete line 4 in its entirety

AMENDMENT NO. 3

On page 2, line 5, between "in" and "local" change "some" to "most"

AMENDMENT NO. 4

On page 3, line 14, after "Education" delete the remainder of the line, delete lines 15 and 16, and insert "to study the feasibility of consolidating the administration and evaluation of the LA4 and 8(g) prekindergarten programs and to ensure that school districts receive the support necessary to spend all available funds to serve eligible children in both programs."

AMENDMENT NO. 5

On page 3, line 18, between "identical" and "standards" insert "program"

AMENDMENT NO. 6

On page 3, line 20, between "services to" and "children" delete "four-year-old" and insert "all at-risk Louisiana four-year old"

AMENDMENT NO. 7

On page 3, between lines 24 and 25, insert the following: "BE IT FURTHER RESOLVED that the State Board of Elementary and Secondary Education submit a written report of its findings and recommendations to the governor, the Senate Committee on Education, and the House Committee on Education, not later than sixty days prior to the 2011 Regular Session."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Kostelka, LaFleur, Marionneaux, Shaw, Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE AUSTIN BADON

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Claitor, LaFleur, Heitmeier, Marionneaux, Total - 4

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

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.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original House Concurrent Resolution No. 214 by Representative Dove

AMENDMENT NO. 1

On page 1, between lines 6 and 7, insert:

"WHEREAS, some fifty miles off the Louisiana coast, the Deepwater Horizon drilling rig experienced a massive and deadly explosion and fire on April 20, 2010, before sinking and leaking oil into the Gulf of Mexico; and

WHEREAS, such explosion and fire resulted in the death of Gordon Jones, Roy Wyatt Kemp, Karl Kleppinger, Jr., Keith Blair Manuel, Shane Roshto, Adam Weise, Aaron Dale Burkeen, Jason Anderson, Donald Clark, Stephen Ray Curtis, and Dewey Revette; and

WHEREAS, in addition to the deaths, other rig employees were injured and continue to suffer from their injuries; and

WHEREAS, in addition to the tragic loss of life and injuries, the resulting oil spill and leak has potentially created the greatest environmental disaster in United States history; and

WHEREAS, at least one hundred and thirty miles of shoreline is being affected by oil coming ashore; and

WHEREAS, the oil spill and leak continues to directly and indirectly affect the lives and the economic and environmental well-being of the citizens and communities of Louisiana and other Gulf Coast states; and"

AMENDMENT NO. 2

On page 1, line 8, delete "the sinking of the platform three days later,"

AMENDMENT NO. 3

On page 1, line 9, delete "environmental"

AMENDMENT NO. 4

On page 2, line 11, delete "and will" and delete lines 12 and 13, and insert "and"

AMENDMENT NO. 5

On page 2, line 20, delete "that our country so" and delete line 21 and insert "needed by our country to avoid a dangerous dependence on foreign oil and gas"

AMENDMENT NO. 6

On page 2, line 25, delete "and exploration companies, and their" and delete lines 26 and 27, and insert: "exploration companies, and their contractors, who have been involved in the drilling and safe operation of thousands of wells; and

WHEREAS, the moratorium could also result in further direct and indirect impacts upon individuals, communities, local retailers and small businesses already affected by the disaster; and"

AMENDMENT NO. 7

On page 2, line 28, delete "fear" and insert "deep concern"

AMENDMENT NO. 8

On page 2, line 29, after "economy" insert "and citizens"

AMENDMENT NO. 9

On page 3, line 14, delete "to no more than thirty days"

AMENDMENT NO. 10

On page 3, delete lines 20 through 24, and insert: "of Mexico is lessened.

BE IT FURTHER RESOLVED that the secretary shall consider in altering the moratorium technological and other alternatives, including verification of the safety of the following:"

AMENDMENT NO. 11

On page 3, line 27, after "requirements" insert: "for all equipment, including OCTG inspection guidelines, such as (i) identifying information; (ii) wall thickness reading on 100% of pipe; (iii) data points should be capable of being stored for 3-D image and future purposes and verifying strength of pipe; and (iv) burst and collapse calculations based on pressure"

AMENDMENT NO. 12

On page 3, line 30, delete "; and" and insert a period "."

AMENDMENT NO. 13

On page 4, line 2, delete "; and" and insert ", subject to heightened safety, inspection, and reporting requirements."

AMENDMENT NO. 14

On page 4, line 8, after drilling insert a period "." and delete the remainder of the line and delete lines 9 and 10

AMENDMENT NO. 15

On page 4, between lines 10 and 11, insert:

"BE IT FURTHER RESOLVED that such considerations should include safety, environmental, and economic effects at both the state and local levels.

BE IT FURTHER RESOLVED that the Secretary of the Interior should utilize all available personnel and resources to immediately perform all necessary inspections and reviews in an expedited process."

AMENDMENT NO. 16

On page 4, line 12, delete "could" and insert "should"

AMENDMENT NO. 17

On page 4, line 15, after "operation" and before the period "." insert ", as well as all applicable laws and regulations pertaining to such equipment"

On motion of Senator N. Gautreaux, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux
Total - 2	

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

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House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 36—
BY REPRESENTATIVE BALDONE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson	LaFleur	Martiny
Kostelka	Marionneau	Riser
Total - 6		

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

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

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

Floor Amendments

Senator Cheek proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed House Bill No. 647 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 4, after "apparatuses" and before ";" insert "and publicly owned ambulances"

AMENDMENT NO. 2

On page 1, line 10, after "apparatuses" and before "may" insert "and publicly owned ambulances"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Appel	Gautreaux B	LaFleur
Donahue	Jackson	Marionneau
Total - 6		

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

HOUSE BILL NO. 748—
BY REPRESENTATIVE PEARSON
AN ACT

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

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Claitor	Long	Smith
Crowe	Martiny	Thompson
Donahue	McPherson	Walsworth
Dorsey	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Jackson	Marionneaux
LaFleur	Morrell
Total - 4	

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

HOUSE BILL NO. 759—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Crowe	Kostelka	Marionneaux
Jackson	LaFleur	
Total - 5		

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

HOUSE BILL NO. 835—

BY REPRESENTATIVE DOVE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux
Total - 2	

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

HOUSE BILL NO. 842—

BY REPRESENTATIVE DOVE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux	Mount
Total - 3		

June 8, 2010

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

HOUSE BILL NO. 1043—
BY REPRESENTATIVE HENRY
AN ACT

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

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1043 by Representative Henry

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert "To amend and reenact R.S. 32:1734(C) and to enact R.S. 32:1734(E), relative to gate fees; to provide for normal business hours of towing or storage companies;"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." insert "R.S. 32:1734(C) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, delete lines 9 through 12 and insert the following:
"C. For the purposes of this Section, a "gate fee" shall mean a charge assessed by a towing or storage company for releasing a towed vehicle before or after normal business hours.

E. For purposes of this Section, "normal business hours" of any towing or storage company shall be from 8:00 a.m. to 5:00 p.m., Monday through Friday, exclusive of legal holidays."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Alario, Appel, Chabert, Claitor, Crowe, Donahue, Dorsey, Duplessis, Gautreaux B, Hebert, Heitmeier, Martiny, McPherson, Murray, Peterson, Quinn, Shaw, Smith, Thompson, Walsworth.

NAYS

Table with 3 columns of names: Amedee, Cheek, Gautreaux N, Kostelka, Long, Morrell, Morrish, Mount, Risier.

ABSENT

Table with 3 columns of names: Mr. President, Broome, Erdey, Guillory, Jackson, LaFleur, Marionneaux, Michot, Nevers.

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

HOUSE BILL NO. 1090—
BY REPRESENTATIVE DOVE AND SENATOR CHABERT
AN ACT

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

Floor Amendments

Senator Chabert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chabert to Reengrossed House Bill No. 1090 by Representative Dove

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 30:2459(A) and (D) and 2460(A)(14),"

AMENDMENT NO. 2

On page 1, line 5, after "Restoration;" insert "to provide relative to the role of the Coastal Protection and Restoration Authority and the Office of Coastal Protection and Restoration in response to oil spills;"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert the following:
"Section 1. R.S. 30:2459(A) and (D) and 2460(A)(14) are hereby amended and reenacted to read as follows:
\$2459. State oil spill contingency plan

A. The coordinator shall develop and distribute to the public a state oil spill contingency plan of response for actual or threatened unauthorized discharges of oil and clean up of pollution from such discharges. In addition, the Department of Environmental Quality, in cooperation with the coordinator, shall recommend provisions of the plan relating to unauthorized discharges of oil. The Department of Wildlife and Fisheries, in cooperation with the coordinator, shall recommend provisions of the plan providing for protection, rescue, and rehabilitation of aquatic life and wildlife and appropriate habitats on which they depend under its jurisdiction. The director of the Office of Coastal Protection and Restoration, in cooperation with the coordinator, shall recommend provisions of the plan for providing for the protection and restoration of the coastal areas of the state. The Department of Natural Resources, in cooperation with the coordinator, shall recommend provisions of the plan providing for protection and rehabilitation of appropriate resources under its jurisdiction. The Department of Public Safety and Corrections, in cooperation with the coordinator, shall recommend provisions of the plan providing for emergency response coordination to protect life and property, excluding prevention, abatement, containment, and removal of pollution from an unauthorized discharge.

D. Prior to adopting the state oil spill contingency plan, the coordinator shall adopt a fully delineated inland boundary for coastal waters as defined in this Chapter, which boundary shall be based upon data provided by, including but not limited to the United States Army Corps of Engineers, United States Department of the Interior, Minerals Management Service, the Coastal Protection and Restoration Authority, the Louisiana Department of Natural Resources, and the oil and gas industry. The coordinator shall be authorized to amend the boundary by rule as conditions may warrant. The boundary, as adopted, shall be clearly marked on large scale maps or charts, official copies of which shall be available for public inspection in the Office of Coastal Protection and Restoration, the

office of coastal restoration and management in the Department of Natural Resources, in each agency comprising the interagency council, and in the parish seat of each parish located within the boundary.

§2460. Contingency plan provisions

A. The plan shall include all of the following:

* * *

(14) Procedures established in cooperation with the Department of Environmental Quality, Department of Wildlife and Fisheries, the Coastal Protection and Restoration Authority, and Department of Natural Resources for assessment of natural resources damages and plans for mitigation of damage to and restoration, protection, rehabilitation, or replacement of damaged natural resources. Pursuant to R.S. 49:214.1 et seq., the Coastal Protection and Restoration Authority is responsible for integrated coastal protection in the coastal area of the state, therefore, the Coastal Protection and Restoration Authority and the Office of Coastal Protection and Restoration shall assist the coordinator in a primary role in assessing natural resource damages in the coastal area.

* * *

AMENDMENT NO. 4

On page 1, line 10, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 1, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 5, line 11, change "Section 3." to "Section 4."

AMENDMENT NO. 7

On page 6, line 23, change "Section 4." to "Section 5."

AMENDMENT NO. 8

On page 8, line 10, change "Section 5." to "Section 6."

On motion of Senator Chabert, 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	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux	Martiny
Total - 3		

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

HOUSE BILL NO. 1165—

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

AN ACT

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

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Reengrossed House Bill No. 1165 by Representative Arnold

AMENDMENT NO. 1

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 18, 2010, on page 1, line 15, change "state treasury" to "Louisiana Stadium and Exposition District License Plate Fund"

AMENDMENT NO. 2

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on May 18, 2010, on page 1, line 19, change "G." to "H."

AMENDMENT NO. 3

On page 3, between lines 16 and 17, insert the following:
"G. There is hereby created, as a special fund within the State Treasury, the Louisiana Stadium and Exposition District License Plate Fund, hereafter sometimes referred to as the "Fund". Notwithstanding any other provision of law, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated to pay all of the obligations secured by the full faith and credit of the State which become due and payable within any fiscal year, the treasurer shall pay an amount equal to the annual royalty fee collected by the department into the Fund. All of the monies in the Fund shall be appropriated each year by the legislature to the Louisiana Stadium and Exposition District for application first to pay principal and interest on any debt issued by the Louisiana Stadium and Exposition District and second to pay any operating expenses of the Louisiana Stadium and Exposition District."

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.

June 8, 2010

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Gautreaux N	LaFleur	Martiny
Guillory	Marionneaux	
Total - 5		

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

HOUSE BILL NO. 286—

BY REPRESENTATIVES BURRELL, BARROW, AND HARDY
AN ACT

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

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

HOUSE BILL NO. 904—

BY REPRESENTATIVE AUSTIN BADON
AN ACT

To enact R.S. 30:2154(B)(2)(h), relative to solid waste; to provide for the registration and permits of certain solid waste facilities; to provide for buffer zones; to provide for exceptions; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 904 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 14, after "within" delete "two" and insert "twenty-five"

AMENDMENT NO. 2

On page 1, line 16, after "be" delete "three" and insert "twenty-five"

AMENDMENT NO. 3

On page 1, line 19, after "than" delete "two" and insert "twenty-five"

On motion of Senator Marionneaux, the amendments were adopted.

Senator Duplessis asked for and obtained a suspension of the rules to reconsider the vote by which Amendment No. 4218 to House Bill No. 904 was adopted.

Without objection, so ordered.

Floor Amendments

Senator Duplessis submitted the following amendments on behalf of Senator Marionneaux.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 904 by Representative Austin Badon

AMENDMENT NO. 1

On page 1, line 14, after "within" delete "two" and insert "twenty-five"

AMENDMENT NO. 2

On page 1, line 16, after "be" delete "three" and insert "twenty-five"

AMENDMENT NO. 3

On page 1, line 19, after "than" delete "two" and insert "twenty-five"

Senator Duplessis moved adoption of the amendments.

Senator Amedee objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hebert	Nevers
Alario	Heitmeier	Peterson
Appel	Jackson	Quinn
Broome	Kostelka	Riser
Cheek	Michot	Shaw
Dorsey	Morrell	Smith
Duplessis	Mount	Thompson
Gautreaux N	Murray	
Total - 23		

NAYS

Amedee	Crowe	Gautreaux B
Chabert	Donahue	Morrish
Claitor	Erdey	
Total - 8		

ABSENT

Mr. President	Long	McPherson
Guillory	Marionneaux	Walsworth
LaFleur	Martiny	
Total - 8		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux N	Mount
Alario	Guillory	Murray
Appel	Hebert	Peterson
Broome	Heitmeier	Quinn
Chabert	Jackson	Riser
Cheek	Kostelka	Smith
Crowe	Michot	Thompson
Dorsey	Morrell	
Duplessis	Morrish	
Total - 25		

NAYS

Amedee	Donahue	Gautreaux B
Claitor	Erdey	
Total - 5		

ABSENT

Mr. President	Marionneaux	Nevers
LaFleur	Martiny	Shaw
Long	McPherson	Walsworth
Total - 9		

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

Mr. President in the Chair

HOUSE BILL NO. 1259—
BY REPRESENTATIVE BURRELL
AN ACT

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

Floor Amendments

Senator Duplessis proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 1259 by Representative Burrell

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 18, 2010, on line 5 thereof, change "Whoever" to the following: "Notwithstanding the provisions of R.S. 14:40.7(D)(1), whoever"

On motion of Senator Duplessis, the amendments were adopted.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Reengrossed House Bill No. 1259 by Representative Burrell

AMENDMENT NO. 1

On page 1, delete line 10 and insert the following: "to a person under the age of eighteen."

AMENDMENT NO. 2

On page 1, line 19, after "D.(1)" insert the following: "If a parent or guardian has evidence that their minor child is being subjected to cyberbullying by another minor, the parent or guardian may file a complaint with the office of juvenile justice within the Department of Public Safety and Corrections. The office of juvenile justice shall promulgate a form in which to file the complaint and shall post the form on the office's Internet web site. A copy of any evidence to establish cyberbullying shall be attached to the complaint."

(2) If the office of juvenile justice finds that there is reason to believe that the crime of cyberbullying has occurred pursuant to the complaint, the office shall notify the parties in writing, by certified mail, and conduct a hearing before an administrative law judge.

(3) On the first and subsequent two offences, if the administrative law judge finds that the minor has committed cyberbullying, the administrative law judge may order a civil fine of not more than one hundred dollars.

(4) If the minor offender fails to appear at the administrative hearing, after receiving proper notice, or fails to timely pay the civil fine within thirty days from the date of the order of the administrative law judge, the office of juvenile justice shall notify the district attorney for the parish where the minor offender resides.

(5)(i) When the minor has been found to have committed and has been found guilty three separate times for cyberbullying pursuant to Paragraph (1) of this Subsection, upon the fourth or subsequent offense, the district attorney may file charges against the minor offender.

(ii) If the minor violates the provisions of Subparagraph (D)(1)(iv) of this Section, the district attorney may file charges against the minor and prosecute the case in place of the administrative law judge.

E. When any one under the age of eighteen commits the crime of cyberbullying, the following penalties shall apply:

(1)"

AMENDMENT NO. 3

On page 1, line 19, delete "Whoever commits the crime of cyberbullying" and insert the following: "When prosecution is initiated pursuant to Subparagraph (D)(5)(i) of this Section, and the minor is found to be guilty, the minor offender"

AMENDMENT NO. 4

On page 2, line 1, between "the" and "offender" insert "minor"

AMENDMENT NO. 5

On page 2, line 3, between "the" and "offender" insert "minor"

AMENDMENT NO. 6

Delete the Senate Committee Amendment #2 proposed by the Senate Committee on Judiciary C on May 18, 2010 and adopted by the Senate on May 19, 2010 and insert, in lieu thereof, the following:

"(4) Whoever commits the crime of cyberbullying pursuant to Subparagraph (D)(2)(i) when the offender is eighteen years or older shall be fined not more than three thousand dollars or imprisoned for not more than one year."

June 8, 2010

AMENDMENT NO. 7

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

"F. Nothing herein shall be construed to prohibit or restrict religious free speech pursuant to Article I, Section 8 of the Constitution of Louisiana."

Senator Crowe moved adoption of the amendments.

Senator Morrell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Duplessis Mount
Alario Erdey Nevers
Appel Gautreaux N Smith
Crowe Hebert Thompson
Donahue Heitmeier Walsworth
Total - 15

NAYS

Mr. President Dorsey Murray
Amedee Gautreaux B Peterson
Chabert Jackson Riser
Cheek Long
Claitor Morrell
Total - 13

ABSENT

Broome Marionneaux Morrish
Guillory Martiny Quinn
Kostelka McPherson Shaw
LaFleur Michot
Total - 11

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Kostelka Marionneaux
LaFleur Martiny
Total - 4

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

HOUSE BILL NO. 1260—

BY REPRESENTATIVE HAZEL

AN ACT

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

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

HOUSE BILL NO. 297—

BY REPRESENTATIVE GUINN

AN ACT

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

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed House Bill No. 297 by Representative Guinn

AMENDMENT NO. 1

On page 1, line 18, after "contrary" and before the comma ", " insert "and prior to January 1, 2011"

AMENDMENT NO. 2

On page 2, after line 4, add the following:

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

On motion of Senator Morrish, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur Martiny
Marionneaux McPherson
Total - 4

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

HOUSE BILL NO. 370—
BY REPRESENTATIVE ARNOLD
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur Marionneaux Martiny
Total - 3

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

HOUSE BILL NO. 448—
BY REPRESENTATIVE FOIL
AN ACT

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

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

HOUSE BILL NO. 582—
BY REPRESENTATIVE BALDONE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur Marionneaux Martiny
Total - 3

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson

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Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Donahue	McPherson	Smith
Dorsey	Michot	Thompson
Duplessis	Morrell	Walsworth
Erdey	Morrish	
Total - 32		

NAYS

Adley	Long
Total - 2	

ABSENT

Amedee	LaFleur	Martiny
Crowe	Marionneaux	
Total - 5		

The Chair declared the bill as previously amended was passed and ordered it returned to the House. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE FOIL

AN ACT

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

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

HOUSE BILL NO. 1095—

BY REPRESENTATIVE MILLS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Martiny
Marionneaux	Walsworth
Total - 4	

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

HOUSE BILL NO. 1207—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 10:9-109(c)(4), (5), and (6)(C) and to enact R.S. 10:9-109(c)(7) and Part VII of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1251 through 1261, relative to utilities; to provide for security interests in investment recovery property; to provide for legislative intent and definitions; to provide with respect to issuance of financing orders; to provide for appeals of financing orders; to provide for a utility's interest in a financing order; to provide for investment recovery property; to provide for the sale of investment recovery property; to provide for the perfection and true sale status of a sale of investment recovery property; to provide for subsidiaries of electric utilities; to provide for conflicts of laws; to provide for the creation, perfection, and priority of security interests in investment recovery property; to provide a state pledge of non-impairment of investment recovery bonds; to exempt investment recovery bonds from being public debt; to provide an exclusion from secured transaction provisions of the uniform commercial laws; to provide for non-impairment of the jurisdiction of the commission; and to provide for related matters.

Floor Amendments

Senator Duplessis proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Reengrossed House Bill No. 1207 by Representative Arnold

AMENDMENT NO. 1

On page 14, line 12, between "H." and "An" insert "(1)"

AMENDMENT NO. 2

On page 14, line 23, after "possible." delete the remainder of the line.

AMENDMENT NO. 3

On page 14, at the beginning of line 24, add "(2) No appeal to the Louisiana Supreme Court shall be allowed"

AMENDMENT NO. 4

On page 14, line 29 and page 15, line 1, change "the immediately preceding two sentences of this Subsection" to "this Paragraph"

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson

Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	Long	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux	Martiny
Total - 3		

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Kostelka	Marionneaux	Peterson
LaFleur	Martiny	
Total - 5		

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

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

BY REPRESENTATIVE FOIL
AN ACT

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

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 1407 by Representative Foil

AMENDMENT NO. 1

On page 1, below line 18, add the following:

"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 Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux	Martiny
Total - 3		

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

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

BY REPRESENTATIVE TUCKER
AN ACT

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

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

June 8, 2010

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: LaFleur, Marionneaux, Martiny

Total - 3

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

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

BY REPRESENTATIVE ELLINGTON AN ACT

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

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

HOUSE BILL NO. 45—

BY REPRESENTATIVE LAMBERT AN ACT

To amend and reenact R.S. 56:320(B)(3), relative to taking of crabs; to remove the requirement for a crab trap to have a float and float line if the trap is placed in certain locations of the state; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: LaFleur, Marionneaux, Martiny

Total - 3

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

HOUSE BILL NO. 97—

BY REPRESENTATIVES CORTEZ, ARMES, BILLIOT, HENRY BURNS, DIXON, DOERGE, GISCLAIR, SAM JONES, AND POPE AN ACT

To amend and reenact R.S. 32:402.1(D), relative to driver's education; to allow for certain persons to participate in a portion of a driver's education course prior to their fifteenth birthday; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 30

NAYS

Table with 3 columns: Broome, Peterson, Walsworth

Total - 3

ABSENT

Table with 3 columns: Chabert, LaFleur, Martiny, Gautreaux N, Marionneaux, Quinn

Total - 6

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

HOUSE BILL NO. 152—

BY REPRESENTATIVE HARDY AN ACT

To amend and reenact R.S. 32:415(B)(1) and 415.1(A)(1) and (C), relative to driver's license suspensions and revocations; to provide for extension of a driver's license suspension period after certain convictions; to provide for economic and medical hardship license application procedures; and to provide for related matters.

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

HOUSE BILL NO. 168—

BY REPRESENTATIVES HENRY BURNS, BILLIOT, CHANDLER, EDWARDS, LEGER, RICHARD, RICHMOND, AND SMILEY AN ACT

To amend and reenact R.S. 38:214 and 218 and to enact R.S. 48:223(G), relative to drainage obstruction; to provide for the issuance of citations; to provide for enforcement of penalties; to

provide for collection of fines; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Marionneau
LaFleur	Martiny
Total - 4	

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

HOUSE BILL NO. 229—
BY REPRESENTATIVE PEARSON

A JOINT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Michot
Adley	Duplessis	Morrish
Alario	Erdey	Mount
Amedee	Gautreaux B	Nevers
Appel	Guillory	Riser
Chabert	Hebert	Smith
Cheek	Heitmeier	Thompson
Claitor	Kostelka	Walsworth
Crowe	Long	
Donahue	McPherson	
Total - 28		

NAYS

Broome	Murray	Shaw
Morrell	Peterson	
Total - 5		

ABSENT

Gautreaux N	LaFleur	Martiny
Jackson	Marionneau	Quinn
Total - 6		

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

HOUSE BILL NO. 251—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:21(B), relative to the state superintendent of education for public elementary and secondary education; to provide that the state superintendent shall possess certain minimum qualifications at the time of appointment by the State Board of Elementary and Secondary Education; to provide that the state board may establish additional qualifications; to provide limitations; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneau	Martiny
Total - 3		

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

HOUSE BILL NO. 388—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:3973(4) and 3997(B)(1) and (E), relative to teachers transferring to a charter school from a city, parish, or other local public school system; to provide relative to certain leaves of absence for such teachers; to provide definitions; to provide effectiveness; to provide guidelines relative to the transfer of an employee of a city, parish, or other local public school system to a Type 4 charter school; to provide an effective date; and to provide for related matters.

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

June 8, 2010

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Erdey	Mount
Alario	Gautreaux B	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Jackson	Shaw
Claitor	Kostelka	Smith
Crowe	Long	Walsworth
Donahue	McPherson	
Dorsey	Michot	
Total - 31		

NAYS

Morrish	Thompson
Total - 2	

ABSENT

Amedee	LaFleur	Martiny
Gautreaux N	Marionneaux	Riser
Total - 6		

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

HOUSE BILL NO. 438—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 33:2956, relative to investments of foundations and similar entities created by the governing bodies of hospital service districts; to authorize and provide relative to investments of such entities; and to provide for related matters.

Floor Amendments

Senator Duplessis proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Duplessis to Engrossed House Bill No. 438 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 46:1095(C)," and after "R.S. 33:2956" insert "and to repeal R.S. 33:2956(D)"

AMENDMENT NO. 2

On page 1, line 3, after "districts;" and before "to" insert "to provide for the governing authorities of hospital service districts;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "R.S. 33:2956" insert "R.S. 46:1095 is hereby amended and reenacted and", and after

AMENDMENT NO. 4

On page 1, between lines 6 and 7 insert the following:
"§1095. Board of commissioners; membership; appointment; terms; compensation; removal
* * *

C.(1) The members serving pursuant to Paragraph (B)(~~1~~) of this Section shall serve **at the pleasure of the chief executive officer of the parish.** ~~six-year terms after initial terms as provided in this~~

Paragraph. One member shall serve an initial term of two years, two shall serve three years, three shall serve four years, and one shall serve six years, all as determined by lot at the first meeting of the board.

(2) The member serving pursuant to Paragraph (B)(2) of this Section shall serve a six-year term after an initial term of one year.

(3) The members serving pursuant to Paragraphs (B)(3) through (7) of this Section shall serve during their terms of office.

(4)(2) Any vacancy in the membership of the commission occurring by reason of the expiration of term of office, death, resignation, disqualification, or otherwise shall be filled in the same manner as the original appointment within thirty days of such vacancy. If the appointing authority fails to fill the vacancy within thirty days of such vacancy, the remaining members of the commission shall appoint an interim successor to serve on the commission until the position is filled by the appointing authority.
* * *

AMENDMENT NO. 5

On page 2, after line 16, insert:

"Section 2. R.S. 33:2956(D) is hereby repealed."

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Martiny
Marionneaux	Walsworth
Total - 4	

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

HOUSE BILL NO. 443—
BY REPRESENTATIVE HUTTER
AN ACT

To repeal R.S. 17:1994(B)(15), (33), (34), and (41); to repeal provisions designating the Jefferson, Sidney N. Collier, Slidell, and West Jefferson campuses as part of the Louisiana Technical College; to provide relative to the transfer of certain programs, courses of study, funds, facilities, property, obligations, and functions; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Thompson
Total - 1

ABSENT

Gautreaux N	Marionneaux
LaFleur	Martiny
Total - 4	

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

HOUSE BILL NO. 485—
BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 38:301.1(A), relative to elevation reports; to require that levee elevation reports indicate the elevation based on the North American Vertical Datum of 1988; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur	Marionneaux	Martiny
Total - 3		

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

HOUSE BILL NO. 494—
BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 38:301(E)(1) and to enact R.S. 38:301(A)(4) and (F), relative to bicycle paths and walkways adjacent to flood control levees or structures; to authorize public use of property along or adjacent to any flood control levee or structure for recreational purposes; to authorize construction or permit bicycle paths and walkways; and to provide for related matters.

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 494 by Representative Billiot

AMENDMENT NO. 1

On page 1, line 17, delete "purposes, property owned or controlled by" and insert "purposes as long as the structural integrity of the levee or flood control structure is not compromised, levees under the jurisdiction of"

AMENDMENT NO. 2

On page 2, line 3, after "purposes," insert "levees" and on line 4 delete "property owned or controlled by it"

AMENDMENT NO. 3

In Amendment No. 7 proposed by the Senate Committee on transportation, highways and public works and adopted by the Senate on May 25, 2010, on page 1, delete lines 18, 19, 20 and 21 and insert "a levee district or a levee and drainage district to allow the public to utilize for recreational purposes levees under the jurisdiction of the board or governing authority nor shall the provisions of this Section be interpreted to encourage or require a levee district or levee and drainage"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 494 by Representative Billiot

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 4, 2010, on page 1, line 14, after "for recreational purposes" insert: ", unless the injury, damage, or loss was caused by the deliberate and wanton act or gross negligence of the state, the levee district, or the governing authority, or the owner, operator, or lessee of property utilized for levee or levee drainage purposes, or any officer, employee, or agent thereof."

On motion of Senator McPherson, the amendments were adopted.

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

June 8, 2010

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Dorsey	Kostelka
Appel	Duplessis	Michot
Broome	Erdey	Morrell
Chabert	Gautreaux B	Murray
Cheek	Gautreaux N	Quinn
Crowe	Hebert	Smith
Donahue	Heitmeier	
Total - 20		

NAYS

Mr. President	Mount	Thompson
Adley	Peterson	Walsworth
Claitor	Riser	
Jackson	Shaw	
Total - 10		

ABSENT

Amedee	Long	McPherson
Guillory	Marionneau	Morrish
LaFleur	Martiny	Nevers
Total - 9		

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

HOUSE BILL NO. 519—

BY REPRESENTATIVES CORTEZ, BOBBY BADON, BARROW, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HARDY, MICHAEL JACKSON, KLECKLEY, LANDRY, LORUSSO, PEARSON, ROBIDEAUX, JANE SMITH, PATRICIA SMITH, AND TUCKER
AN ACT

To amend and reenact R.S. 11:710, relative to reemployment of retirees in the Teachers' Retirement System of Louisiana; to prohibit retirees reemployed in certain positions from receiving benefits during the period of reemployment; to provide relative to contributions during such period; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 580—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:1945(A) and (B), relative to special schools for students with exceptionalities; to provide for a designation for certain special schools under the jurisdiction of the State Board of Elementary and Secondary Education; to authorize such schools to share services and functions under certain conditions; to allow for the enrollment in such schools of children with orthopedic impairments under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Alario	Gautreaux B	Mount
Appel	Gautreaux N	Murray
Broome	Guillory	Nevers
Chabert	Hebert	Peterson
Cheek	Heitmeier	Quinn

Claitor	Jackson	Riser
Crowe	Long	Shaw
Donahue	McPherson	Smith
Dorsey	Michot	Thompson
Duplessis	Morrell	Walsworth
Total - 33		

NAYS

Total - 0

ABSENT

Adley	Kostelka	Marionneau
Amedee	LaFleur	Martiny
Total - 6		

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

HOUSE BILL NO. 584—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 32:300.3(D), relative to motor vehicles; to limit liability of law enforcement agencies involved in funeral processions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hebert	Murray
Appel	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	Long	Riser
Donahue	McPherson	Shaw
Duplessis	Michot	Smith
Erdey	Morrell	Thompson
Gautreaux B	Morrish	
Guillory	Mount	
Total - 28		

NAYS

Broome	Dorsey
Total - 2	

ABSENT

Mr. President	Crowe	Marionneau
Adley	Gautreaux N	Martiny
Amedee	LaFleur	Walsworth
Total - 9		

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

HOUSE BILL NO. 642—

BY REPRESENTATIVES HENDERSON AND HUTTER

AN ACT

To amend and reenact R.S. 56:421(B)(introductory paragraph) and to enact R.S. 56:421(B)(14), relative to the Louisiana Oyster Task Force; to add a member to the task force; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Appel	Guillory	Murray
Broome	Hebert	Nevers
Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Crowe	Kostelka	Shaw
Donahue	Long	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Erdey	Morrell	
Total - 32		

NAYS

Total - 0

ABSENT

Adley	LaFleur	Peterson
Amedee	Marionneaux	
Claitor	Martiny	
Total - 7		

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

HOUSE BILL NO. 895—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 30:2344(D), to enact R.S. 30:2344(E) and (F), and to repeal R.S. 30:2345, relative to asbestos abatement in schools; to provide for asbestos abatement; to provide for the methods of abatement; to repeal the Louisiana School Asbestos Abatement Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	LaFleur	Martiny
Claitor	Marionneaux	
Total - 5		

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

HOUSE BILL NO. 953—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:332(M), relative to crab fishing; to allow commercial fishermen with appropriate gear licenses to keep finfish while crabbing; and to provide for related matters.

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

HOUSE BILL NO. 1065—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 49:259(B), relative to the Department of Justice Legal Support Fund, to increase the maximum allowable fund balance; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 8, 2010

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 673—
BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d), relative to the commissioner of insurance; to provide for the filing of annual audited statements by certain professional, trade, and occupational or public liability trust funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 677—
BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 22:598(11), 692(3), and 703(K), relative to financial solvency and reporting requirements; to provide for investments of domestic insurers; to provide for investments in electronic data processing equipment; to provide definitions; to provide for a disclaimer of affiliation; and to provide for related matters.

Reported with amendments.

June 8, 2010

SENATE BILL NO. 683—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 22:1826, relative to noncontracted providers of emergency services; to require health insurance issuers to directly pay such providers pursuant to a plan or policy provisions for such services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 302—

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

AN ACT

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

Reported with amendments.

SENATE BILL NO. 344—

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

AN ACT

To amend and reenact R.S. 17:3982(A)(1)(a) and (2) and (B), and 3992(A)(1) and (2), relative to charter schools; to provide relative to the process for submission, review, and approval of charter school proposals and renewal of charters; to provide relative to the use of local school board facilities and property by a chartering group; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 473—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 56:649.4, relative to nonresident combination lifetime hunting and fishing licenses; to provide for the purchase of certain combination licenses for veterans who have been wounded or disabled; to provide requirements, terms, and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 384—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 56:699.6, relative to firearm and hunter education requirement; to provide an exemption for hunters who are under the direct supervision of a parent, step parent, grandparent or step grandparent from having to complete a firearm and hunter education course; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 483—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:110.1, relative to the Quality Deer Management Program; to create the Quality Deer Management Program; to provide for the management of the program; to provide for the powers and duties of the Department of Wildlife and Fisheries; to provide for eligibility requirements; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 663—
BY SENATOR HEBERT

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:1295(1)(d), relative to uninsured motorist coverage; to provide with respect to minimum collision coverage amounts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 674—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:771 and R.S. 44:4.1(B)(10), relative to property and casualty insurance companies; to provide with respect to the annual filing of actuarial opinions; to provide for the filing of actuarial opinion summaries; to provide for the filing of actuarial opinion reports and workpapers; to provide for the commissioners authority to engage actuaries; to provide for liability with respect to actuarial opinions; to provide for the confidentiality of certain documents; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 675—

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:68, relative to domestic insurers; to provide for the retention of original records; to provide for securities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 678—

BY SENATOR MORRISH

AN ACT

To enact R.S. 15:609(J), relative to drawing or taking of DNA samples; to provide for the collection of DNA samples; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 721—

BY SENATOR NEVERS

AN ACT

To enact R.S. 47:1908(F), relative to certain Washington Parish elected officials; to provide an automobile expense allowance for the assessor; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 94—

BY SENATOR MURRAY AND REPRESENTATIVES BROSSETT, HINES AND STIAES

AN ACT

To enact R.S. 14:72.5, relative to a fraudulent postsecondary education degree; to create the crime of the unlawful production, manufacture, distribution, or possession of a fraudulent postsecondary education degree; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 544—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 15:603(10), relative to DNA detection of sexual and violent offenders; to provide for the collection of DNA samples from certain offenders; to provide for certain crimes requiring the collection of DNA samples; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 685—
BY SENATOR MURRAY

AN ACT

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

Reported without amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 8, 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. 107—
BY SENATORS B. GAUTREAU, N. GAUTREAU, CHABERT, HEBERT
AND PETERSON AND REPRESENTATIVES DOVE, SAM JONES AND ST.
GERMAIN

A CONCURRENT RESOLUTION

To urge and request all executive branch agencies of the State of Louisiana and of the United States and their associated contractors and subcontractors to give priority of opportunities to participate in the rehabilitation effort to those persons who are directly affected by the catastrophic oil spill in the Gulf of Mexico and to encourage BP and its contractors and subcontractors to do the same.

Reported without amendments.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 8, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 545** by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 8, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 252** by Representative Lorusso,

and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

June 8, 2010

HOUSE BILL NO. 292—
BY REPRESENTATIVE GREENE
AN ACT

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

The Conference Committee Reports for the legislative instruments above lie over under the rules.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 118—
BY SENATORS MORRISH AND MOUNT
A RESOLUTION

To commend and congratulate Dr. Robert D. Hebert upon the occasion of his retirement, to recognize his forty-one years of service to McNeese State University and twenty-three years of leadership as president of the university, to record his myriad accomplishments and remarkable contributions to the university and the state of Louisiana, and to extend to him the best wishes of the Senate on his future endeavors.

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

**Introduction of
Senate Concurrent Resolutions**

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

June 8, 2010

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request that the division of probation and parole, within the Department of Public Safety and Corrections, reinstate and reopen the St. Bernard Parish Probation and Parole Office.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Jackson	Marionneau
Claitor	LaFleur	Martiny
Total - 6		

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

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To continue the Louisiana Climate Change Policy Commission, provide for its membership, powers, duties, functions, responsibilities, and related matters and to urge and request the governor to have the executive department secretaries on the commission carry out their responsibilities under the Resolution.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Donahue	Marionneau
Claitor	Jackson	Martiny
Crowe	LaFleur	Morrish
Total - 9		

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

SENATE CONCURRENT RESOLUTION NO. 111—
BY SENATOR PETERSON AND REPRESENTATIVE BROSSETT

A CONCURRENT RESOLUTION

To commend Diana E. Bajoie, a former state Senator and Representative, on being named the 2010 Gala Honoree for the Urban League of Greater New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Adley	Gautreaux N	Murray
Alario	Guillory	Nevers
Appel	Hebert	Peterson
Broome	Heitmeier	Quinn
Chabert	Kostelka	Shaw
Cheek	Long	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrell	
Erdey	Morrish	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Jackson	Martiny
Claitor	LaFleur	Riser
Crowe	Marionneau	
Total - 8		

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend La Musique de Louisiane Inc., (The Louisiana Music Hall Of Fame) for its outstanding work and declare it the official honors and recognition organization and information resource for Louisiana's music, musicians and musical heritage.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Kostelka	Shaw

Crowe	Long	Smith
Donahue	McPherson	Thompson
Dorsey	Michot	Walsworth
Duplessis	Morrell	
Erdey	Morrish	

Total - 31

NAYS

Total - 0

ABSENT

Adley	Jackson	Martiny
Amedee	LaFleur	Riser
Claitor	Marionneaux	

Total - 8

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

Rules Suspended

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator Quinn asked that Senate Concurrent Resolution No. 106 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 106—

BY SENATOR QUINN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to the laws regarding spousal support, and to report its findings to the legislature prior to the convening of the 2011 Regular Session.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 29

NAYS

Total - 0

ABSENT

Amedee	Kostelka	McPherson
Claitor	LaFleur	Riser
Donahue	Marionneaux	
Jackson	Martiny	

Total - 10

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 8, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB No. 955

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

House Bills and Joint Resolutions on First Reading

Senator Morrell asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to Committee.

HOUSE BILL NO. 955—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 33:4720.55(D)(2) and 4720.56(20) and to enact R.S. 33:4720.56(21), relative to the New Orleans Redevelopment Authority; to provide relative to the membership of the governing board; to provide relative to the powers and duties of the authority; 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.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 8, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR No. 230 HCR No. 231 HCR No. 232

HCR No. 216

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

House Concurrent Resolutions

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

June 8, 2010

HOUSE CONCURRENT RESOLUTION NO. 216—
BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To suspend from 12:01 a.m. August 10, 2010, through 11:59 p.m. on August 13, 2010, the provisions of R.S. 47:841(A) and (C) as it relates to the excise tax collected on cigars and smoking tobacco by the state when a dealer gives away cigars or smoking tobacco for advertising or any other purpose whatsoever.

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

HOUSE CONCURRENT RESOLUTION NO. 230—
BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To recognize Wednesday, June 9, 2010, as Allen Chapel AME Church Day at the state capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey Morrish
Adley Duplessis Mount
Alario Erdey Murray
Appel Gautreaux B Peterson
Broome Gautreaux N Quinn
Chabert Hebert Riser
Cheek Heitmeier Shaw
Claitor Long Thompson
Donahue Michot Walsworth
Total - 27

NAYS

Total - 0

ABSENT

Amedee Kostelka McPherson
Crowe LaFleur Morrell
Guillory Marionneaux Nevers
Jackson Martiny Smith
Total - 12

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

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits to conduct a study on the financial benefits of establishing a program to address the high rate of obesity in Louisiana and to report the findings to the Legislature of Louisiana no later than January 1, 2011.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Nevers
Adley Gautreaux B Peterson
Alario Gautreaux N Quinn
Appel Hebert Riser
Broome Heitmeier Shaw

Chabert Long Smith
Cheek Michot Thompson
Donahue Morrish Walsworth
Dorsey Mount
Duplessis Murray

Total - 28

NAYS

Total - 0

ABSENT

Amedee Jackson Martiny
Claitor Kostelka McPherson
Crowe LaFleur Morrell
Guillory Marionneaux
Total - 11

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

HOUSE CONCURRENT RESOLUTION NO. 232—
BY REPRESENTATIVES MILLS, ABRAMSON, LAFONTA, AND LEGER
A CONCURRENT RESOLUTION

To urge and request the attorney general to request from a court of competent jurisdiction an injunction and a temporary restraining order preventing British Petroleum from removing assets from the state until all matters relating to the Deepwater Horizon disaster, including remediation costs and economic damages, have been resolved.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee Jackson Martiny
Crowe LaFleur McPherson
Guillory Marionneaux Morrell
Total - 9

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON
JUDICIARY A

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 8, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 531—
BY SENATOR CLAITOR

AN ACT

To enact Chapter 22-A of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:2165 through 2165.10, relative to actions and qui tam actions; to authorize actions and qui tam actions for certain matters related to public entities and spending programs; to provide definitions, terms, procedures, conditions, and requirements; to provide relative to damages and awards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 33—
BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact Code of Civil Procedure Articles 1458, 1462(B), and 1467, relative to discovery; to require certain forms of responses to interrogatories, requests for production of documents, and requests for admissions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 38—
BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact Code of Civil Procedure Article 1443(B), relative to the recordation of testimony, questions, objections, and other statements during depositions; to require recordation during depositions except under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 41—
BY REPRESENTATIVE CONNICK

AN ACT

To enact Code of Civil Procedure Article 1443(E), relative to depositions; to provide for the payment of costs and sanctions in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 214—
BY REPRESENTATIVE KLECKLEY

AN ACT

To amend and reenact Code of Civil Procedure Article 253(B) and to enact Code of Civil Procedure Article 253(C), relative to the electronic filing and storage of documents; to authorize the establishment of a system; to provide procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 215—
BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Children's Code Articles 631(A) and 652(C), (D), and (E) and to enact Children's Code Article 652(F) and (G), relative to child in need of care proceedings; to provide relative to filing petitions; to provide relative to discovery; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 259—
BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Code of Civil Procedure Article 74.2(C)(1), relative to the venue for a modification of child support; to provide for the parish where the person awarded support is domiciled; to provide for the registration of the support award; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 260—
BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 966(E) and to enact Code of Civil Procedure Article 966(F), relative to motions for summary judgment; to provide for the rendering of a summary judgment; to provide for affirmation on appeal; to provide for the allocation of fault; to provide for the admission of evidence; to provide for submission to the jury; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 263—
BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Children's Code Article 313 and R.S. 46:236.2(B) and to enact R.S. 9:311(G), relative to child support proceedings; to provide for the jurisdiction of juvenile courts; to provide for the proper party to enforce obligations; to provide for the modification of support; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 266—
BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 13:4682 and 4686, relative to the Louisiana State University Law Library; to discontinue the requirement that the library keep duplicate copies of transcripts and briefs from the Supreme Court of Louisiana and the Courts of Appeal of the state of Louisiana; to require duplicate copies of records previously received by the library from the Courts of Appeal to be retained for a specified number of years; to authorize the destruction of certain records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 345—
BY REPRESENTATIVE ARNOLD

AN ACT

To repeal R.S. 6:965(D), relative to the Additional Default Remedies Act.

Reported favorably.

HOUSE BILL NO. 398—
BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact R.S. 9:2781(E) and to enact R.S. 9:2781(F), relative to suits on open accounts; to provide for the award of reasonable attorney fees in certain circumstances; to provide for definitions; to provide procedures for obtaining a judgment for attorney fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 509—
BY REPRESENTATIVE LORUSSO

AN ACT

To amend and reenact R.S. 33:1373(D) and 1374(D) and to enact R.S. 13:2493.1(D), relative to providing concurrent jurisdiction of the Municipal Court of New Orleans with the Civil District

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Court for the parish of Orleans over certain environmental and blighted property issues; to provide for a special environmental docket for the Housing and Environmental Court Division of the Municipal Court of New Orleans; to authorize summary proceedings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 701—
BY REPRESENTATIVE WOOTON
AN ACT

To enact Code of Civil Procedure Article 2542, relative to foreign defamation judgments; to provide the grounds for the recognition of foreign defamation judgments; to provide for jurisdiction; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 785—
BY REPRESENTATIVE WOOTON
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 807—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 22:512(17)(b)(introductory paragraph) and (vi)(bb) and (gg), relative to title insurance; to require that a title opinion contain a search of the mortgage records for a period of twenty years for federal judgments; to require the length of the examiner's search for a transaction involving a sale be a minimum period of thirty years or longer in order to reach a third-party transfer; to require the examiner's search be a minimum of ten years or two links in the chain of title, whichever is greater, if only the mortgage is being insured; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1114—
BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 13:961.2 and 1411, relative to court reporters; to provide for the preparation of transcripts; to provide for time limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1146—
BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact Children's Code Articles 1244(A), 1245(A), 1247(B), and 1253(A), to enact Children's Code Article 1244.1, and to repeal Children's Code Articles 1245.1 and 1258, relative to intrafamily adoptions; to provide for the filing of an opposition; to provide for a hearing; to provide for notice; to provide for an analysis regarding the appointment of an attorney by the court; to provide for time periods; to provide for the refusal of a decree; to provide for attorney fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1159—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to charges for health care records; to provide for the fees charged for copying records; to prohibit additional charges for providing copies of records; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1423—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 9:1121.104, relative to condominiums; to provide for attorney fees in certain circumstances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JULIE QUINN
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

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

June 8, 2010

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study and make recommendations for the revision of the laws regarding criminal procedure, the preservation of forensic evidence, confessions and admissions, the code of evidence, and all other issues regarding the finality and accuracy of criminal convictions.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 194—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION

To authorize and request the Judicial Council of the Supreme Court of Louisiana to study the feasibility and necessity of statewide uniformity of jurisdictional amounts in city courts and to make recommendations to the Legislature of Louisiana prior to the 2012 Regular Session of the Legislature.

Reported favorably.

HOUSE BILL NO. 23—
BY REPRESENTATIVE BALDONE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 35—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole; to provide for eligibility for parole consideration for certain inmates who are at least sixty years of age, have been incarcerated for at least ten years, and have met certain conditions; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 43—

BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 17:405(A)(1)(b) and (i) and (C)(1), R.S. 40:981.3(A), (B), and (D) and 1058.10(A) and (C)(1), relative to drug free zones; to expand the area of drug free zones; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 106—

BY REPRESENTATIVE LOPINTO
AN ACT

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

Reported favorably.

HOUSE BILL NO. 107—

BY REPRESENTATIVES LOPINTO AND BROSSETT
AN ACT

To amend and reenact Code of Criminal Procedure Article 211.5(A) and (C) and to enact Code of Criminal Procedure Article 211.5(D), relative to persons with outstanding warrants for misdemeanor offenses; to provide that a law enforcement officer may either arrest or release an individual for an outstanding warrant on certain offenses; to provide for exceptions; to provide for the collection of past due court costs, fines, or fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 111—

BY REPRESENTATIVE CHANDLER
AN ACT

To amend and reenact R.S. 33:1448(M), relative to insurance for retired sheriffs and deputy sheriffs; to provide with respect to insurance premium costs for retired sheriffs and retired deputy sheriffs of the LaSalle Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 138—

BY REPRESENTATIVES CONNICK, LABRUZZO, LEGER, LIGI, AND LOPINTO AND SENATOR QUINN
AN ACT

To amend and reenact R.S. 14:118(C), 120(B), 133(C), 134, 134.3(B), 138(C), and 140(B) and to enact R.S. 9:2790.5 and 2790.6 and R.S. 14:140(C), relative to crime; to provide for restitution to the state upon conviction of certain crimes; to provide for the disgorgement of profits gained through the commission of certain crimes; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 163—

BY REPRESENTATIVE GARY SMITH
AN ACT

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

Reported favorably.

HOUSE BILL NO. 192—

BY REPRESENTATIVE LITTLE
AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and to enact Code of Criminal Procedure Article 871(B)(2)(f), (g), and (h), relative to fingerprinting of criminal defendants; to require the fingerprints of a defendant to be attached to the bill of information or indictment in a judgment of guilty in certain enumerated cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 193—

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

To enact Code of Criminal Procedure Article 732.1, relative to subpoenas; to authorize the use of administrative subpoenas for the production of information in investigations of certain sex offenses or in the exploitation of children; to provide for the types of information which may be disclosed pursuant to an administrative subpoena; to provide for information which may not be disclosed pursuant to an administrative subpoena; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 207—

BY REPRESENTATIVE BILLIOT
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 314—

BY REPRESENTATIVE CARMODY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 375—

BY REPRESENTATIVES MORRIS AND WOOTON
AN ACT

To amend and reenact R.S. 15:499(B) and 501 and to enact R.S. 15:499(D), relative to evidence from criminalistics laboratories; to provide for the retention of certain records regarding the accreditation and background of analysts and laboratories issuing certificates of analysis; to provide for the issuance of a

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written demand regarding testimony of the person signing the certificate of analysis; to provide for the procedure for making a demand; to provide for time limitations; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 506—
BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 33:1448(L)(introductory paragraph), relative to the Terrebonne Parish Sheriff's Office; to provide for retirement benefits; to provide with respect to dental insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 520—
BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 15:1096.2 and to repeal R.S. 15:1093.2, relative to the Tri-Parish Juvenile Justice District; to provide for additional purposes and authority; to authorize the board of commissioners to enter into certain cooperative endeavor agreements; to provide for the expenditure of funds and payment of costs and expenses; to repeal provisions applying the additional purposes and authority statewide; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 543—
BY REPRESENTATIVE BARRAS
AN ACT

To repeal Part V of Chapter 3 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:291 through 294, relative to the Iberia 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; to provide for use of the monies of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 563—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 15:571.35.1, relative to incarceration; to authorize the Lafourche Parish Sheriff's Office to establish a pilot program utilizing home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program;

to require the development of rules and regulations for the development, implementation, and administration of such program; to provide for applicability; to provide for a limitation of liability; to require the inclusion of certain conditions within the rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; to provide for termination of the program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 564—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 44:9(L), relative to expungement of arrest records in misdemeanor and felony cases; to require the Louisiana State Law Institute to develop a uniform expungement form and a uniform order of expungement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 571—
BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact Code of Criminal Procedure Article 345(A) and (B), relative to bail; to provide with respect to the surrender of a defendant; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 663—
BY REPRESENTATIVES LEGER, BALDONE, AND HOWARD
AN ACT

To amend and reenact Children's Code Articles 320, 321, and 809 and to enact Children's Code Article 881.1, relative to juvenile delinquency; to provide for indigency determination; to provide for reimbursement of legal fees in certain cases; to provide for right to counsel; to provide for the admissibility and voluntariness of a child's confession; to provide for the determination of admissibility of a confession; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 728—
BY REPRESENTATIVES LITTLE, LEGER, AND WOOTON
AN ACT

To amend and reenact R.S. 15:1352(A)(12) and to enact R.S. 15:1352(A)(20) through (29), relative to "racketeering activity"; to add enumerated crimes to the definition of "racketeering activity"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 772—
BY REPRESENTATIVE LOPINTO
AN ACT

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

Reported favorably.

HOUSE BILL NO. 775—
BY REPRESENTATIVE SIMON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 833—
BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 13:3883, relative to requiring security for costs; to authorize a marshal to demand security in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 900—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 49:149 and 149.2, relative to capitol police; to provide that capitol police officers shall be employees of the Department of Public Safety and Corrections; to provide relative to the carrying of weapons; to provide with respect to bonds; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 927—
BY REPRESENTATIVE GALLOT
AN ACT

To enact R.S. 44:9(A)(5), relative to the expungement of certain criminal records; to authorize the expungement of certain misdemeanor conviction records under certain circumstances; to provide relative to the motion for expungement; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 995—
BY REPRESENTATIVE HOWARD
AN ACT

To enact R.S. 26:598, relative to local option elections in a municipality; to authorize the governing authority of a municipality to hold an election for a proposal to allow a restaurant to sell alcohol; to provide for definitions; to provide for the election; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1013—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 13:621.41(J) and 1343(C), relative to the Forty-First Judicial District Court and the Criminal District Court for the parish of Orleans; to provide for the implementation of the workforce development sentencing pilot project program for the reentry division of the Forty-First Judicial District Court and the reentry division of the Criminal District Court for the parish of Orleans; to provide for conditions and procedures; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1477— (Substitute for House Bill No. 1015 by Representative Baldone)
BY REPRESENTATIVE BALDONE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1484— (Substitute for House Bill No. 503 by Representative Danahay)
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 26:90(A)(5) and 286(A)(5) and to enact R.S. 26:793(A)(5), relative to homebrew beer; to provide for exceptions to the prohibitions for alcohol of high and low alcoholic content for homebrew beer; to provide for a three-day special event permit for a retail dealer to authorize homebrew on the licensed permits; to provide for purposes for which homebrew beer is authorized; to provide for limitations; to provide for definitions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

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

June 8, 2010

To the President and Members of the Senate:

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE SAM JONES
AN ACT

To enact R.S. 14:37.6, relative to aggravated assault; to create the crime of aggravated assault with a motor vehicle upon a peace officer; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 89—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 15:1111(H), relative to work release programs; to provide for deductions of costs resulting from participation in work release programs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 117—
BY REPRESENTATIVE WOOTON
AN ACT

To repeal R.S. 15:574.9(G)(2)(a)(ii), relative to parole; to amend the definition of a "technical violation" for purposes of parole revocation.

Reported favorably.

HOUSE BILL NO. 169—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 14:108.1(E) and to enact R.S. 14:108.1(F), relative to the crime of aggravated flight from an officer; to amend the criminal penalty for aggravated flight from an officer; to provide for restitution; and to provide for related matters.

Reported favorably.

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HOUSE BILL NO. 219—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 283—

BY REPRESENTATIVES ARNOLD AND GISCLAIR
AN ACT

To enact R.S. 32:41(F) and 42(D), relative to traffic camera violations; to provide relative to traffic citations as a result of an automated traffic enforcement system to be heard in certain courts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 290—

BY REPRESENTATIVES TALBOT, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, NOWLIN, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TEMPLET, 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. 14:81.1(A), (B), (C), and (E), and to enact R.S. 14:81.1(H), relative to the crime of pornography involving juveniles; to provide for the elements of the crime; to provide for definitions; to provide for criminal penalties; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 291—

BY REPRESENTATIVES WOOTON, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, 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 enact R.S. 14:81.3(B)(1)(d), relative to computer-aided solicitation of a minor; to provide for increased penalties for computer-aided solicitation of a minor which results in sexual conduct between the offender and the victim; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 348—

BY REPRESENTATIVE LORUSSO
AN ACT

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

Reported favorably.

HOUSE BILL NO. 376—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:574.9(G)(1), relative to parole; to provide with respect to "technical violations" of parole for certain sex offenders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 514—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 14:52(A), relative to the crime of simple arson; to expand the definition of simple arson; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 554—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact Code of Criminal Procedure Article 334.2, relative to bail; to provide that a person arrested for domestic abuse battery shall not be released on his own recognizance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 555—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 14:67(B), 67.2(B)(1), (2), and (3), 67.5(B), 67.10(B)(1), (2), and (3), 67.13(B), 67.18(B), 67.21(C)(1), (2), and (3), 67.23(C), 67.26(C), 68.2(C), 68.7(B)(1), 69(B)(1), (2), and (3), 70.2(C)(2), (3), and (4), 70.4(E)(1), (2), and (3), and 71(C), (D), and (E), relative to offenses involving misappropriation without violence; to provide for a uniform system of gradations based upon the value of the goods taken for certain offenses involving theft or misappropriation without violence; to provide with respect to criminal penalties for certain offenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 562—

BY REPRESENTATIVE BALDONE
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 609—

BY REPRESENTATIVE WHITE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 740—

BY REPRESENTATIVE LOPINTO
AN ACT

To enact Code of Criminal Procedure Article 523, relative to pretrial motions; to provide relative to notice of pretrial motion hearings; to provide relative to the defendant's appearance at pretrial motion hearings; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 990—

BY REPRESENTATIVE THIERRY AND SENATOR GUILLORY
AN ACT

To amend and reenact R.S. 15:1199.1, 1199.2(A)(introductory paragraph), 1199.3(2), 1199.4(A) and (M), 1199.7(A), 1199.9, 1199.10(B)(1), 1199.11, 1199.12, and 1199.14(B), to enact R.S. 15:1199.2(A)(5), (6), (7), (8), (9), (G), (H), (I), (J), (K), and (L), 1199.3(9), and 1199.4(N), and to repeal R.S. 15:1199.2(F), relative to inmate rehabilitation; to provide for reentry programs and initiatives; to provide for definitions; to provide for additional duties of the reentry advisory council; to provide with respect to eligibility standards; to provide for certification and licensing of skilled craftsmen; to provide for the percentage of inmate wages which can be taken to pay for some of the expenses of the program; to provide for the duration of the program; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1024—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:971.1(A), relative to the crime of false representation regarding imitation or counterfeit controlled dangerous substances; to prohibit the transportation or delivery of an imitation or counterfeit controlled dangerous substance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1244—

BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 14:27(D)(2), relative to attempted theft; to provide criminal penalties for attempted theft when the value of the thing taken exceeds a certain amount; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1264—

BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 14:56.5, relative to damage to property; to create the crime of criminal damage to historic buildings and landmarks by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1357—

BY REPRESENTATIVE BALDONE
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1436—

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

AN ACT

To amend and reenact R.S. 15:542.1(A)(1)(b), relative to sex offenders; to provide relative to sex offender notification requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
YVONNE DORSEY
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 8, 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. 9—

BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 32:300.5(C)(4) and R.S. 32:300.7(D), relative to texting while driving a motor vehicle; to provide for the use of certain wireless telecommunications devices for text messaging; to change the violation to a primary offense; and to provide for related matters.

SENATE BILL NO. 440—

BY SENATORS RISER, THOMPSON AND WALSWORTH AND REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 47:490.2(B), 490.3(A), 490.5(B), 490.6(A), 490.8(A), 490.9(A), 490.10(A), 490.11(A), 490.12(A), 490.13(A), 490.14(A), 490.15(A), 490.17(A)(introductory paragraph), 490.18(B), 490.19(A), 490.20(B), and 490.21(B), relative to military honor license plates; to provide for all such license plates for motorcycles; and to provide for related matters.

SENATE BILL NO. 635—

BY SENATOR LONG AND REPRESENTATIVES HENRY BURNS AND MONTOUCET
AN ACT

To amend and reenact R.S. 32:1(1), (10) and (93.1), 2(D) and (E), 3(C), 388(A)(3), the introductory paragraph of (B)(1)(a), (B)(4)(a), (C)(3), (F) and (G), 388.1, 389, 390.23(A), and 392(A)(1), R.S. 36:408(B)(3) and 409(C)(8), R.S. 40:1379.8, and R.S. 47:511.1(B), (C), (D), and (E), 516(A), (B)(2), and (D), 718(B)(1) and (C) and 812(C), and to repeal R.S. 32:1(93) and 2(B) and (C), relative to weights and standards; to transfer the operation and maintenance of stationary weight enforcement scale locations from the Department of Transportation and Development to the Department of Public Safety and Corrections; to provide for authority of the Department of Transportation and Development; to provide for the authority of the Department of Public Safety and Corrections; to provide for definitions; to provide for penalties and payments; to provide for enforcement, payment, and collections procedures; to provide for administrative review; to provide for transition; to provide for effective date; and to provide for related matters.

June 8, 2010

SENATE BILL NO. 680—
BY SENATOR SHAW

AN ACT

To amend and reenact R.S. 47:287.614(A) and 287.651(A), relative to the due date of corporation income tax returns and payments for nonprofit organizations; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 407—

BY SENATORS MCPHERSON, ADLEY, BROOME, HEITMEIER, LAFLEUR, NEVERS AND SHAW AND REPRESENTATIVES NORTON, AUSTINBADON, BOBBY BADON, BARRAS, BARROW, HENRY BURNS, TIM BURNS, CHANEY, CORTEZ, DIXON, GISCLAIR, GREENE, HARDY, HAZEL, HENRY, HINES, GIROD JACKSON, MICHAEL JACKSON, SAM JONES, KATZ, LAFONTA, LANDRY, LIGI, LOPINTO, LORUSSO, MILLS, PEARSON, RICHARD, RICHMOND, ROBIDEAUX, SCHRODER, JANE SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, TUCKER, WADDELL, WILLIAMS AND WILLMOTT

AN ACT

To amend and reenact R.S. 32:409.1(A)(6)(c)(iii), relative to drivers' licenses and application or special certificate applications; to delete authority to impose a record check fee on an applicant for a Class "D" chauffeur's license or a Class "E" personal vehicle driver's license; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Privilege Report of the Committee on
Senate and Governmental Affairs

ENROLLMENTS

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

June 8, 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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATORS SMITH, ADLEY AND THOMPSON AND REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support expansion and use of domestic natural gas and alternative energies, and to urge agencies to operate vehicles using compressed natural gas.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

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

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

ABSENT

LaFleur
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur 1 Day

Announcements

The following committee meetings for June 9, 2010, were announced:

Commerce	10:00 A.M.	Room E
Health & Welfare	9:00 A.M.	Hainkel Rm
Insurance	10:00 A.M.	Room C
Revenue & Fiscal Affairs	At Adj	Hainkel Rm
Senate & Gov't Affairs	9:00 A.M.	Room F

Adjournment

On motion of Senator Thompson, at 6:30 o'clock P.M. the Senate adjourned until Wednesday, June 9, 2010, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, June 9, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk