

**THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
FIFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 3, 2011

The Senate was called to order at 4:30 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Dorsey	Murray
Alario	Erdey	Nevers
Amedee	Gautreaux	Perry
Appel	Heitmeier	Shaw
Broome	Long	Smith
Chabert	Martiny	Thompson
Cheek	Michot	Willard-Lewis
Crowe	Morrell	
Donahue	Morrish	
Total - 25		

ABSENT

Adley	LaFleur	Peterson
Claitor	Marionneaux	Quinn
Guillory	McPherson	Riser
Jackson	Mills	Walsworth
Kostelka	Mount	
Total - 14		

The President of the Senate announced there were 25 Senators present and a quorum.

Prayer

The prayer was offered by Reverend George Lee Glass, 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 Thompson, the reading of the Journal was dispensed with and the Journal of May 2, 2011, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 2, 2011

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. 13—
BY SENATOR CHAISSON

A CONCURRENT RESOLUTION
To invite Chief Justice Catherine D. Kimball, of the Louisiana Supreme Court to address a joint session of the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR MORRELL

A CONCURRENT RESOLUTION
To designate May 2-6, 2011, as "Be Kind to Animals" week at the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR MOUNT AND REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION
To designate May 2011 as Lupus Awareness Month in the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATORS MORRELL, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY, GAUTREAU, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MILLS, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH AND WILLARD-LEWIS
A CONCURRENT RESOLUTION

To commend President Barack Obama, the Central Intelligence Agency, the United States military and Congress for the quick decisive steps taken in the mission culminating in the death of terrorist Osama Bin Laden.

Reported without amendments.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 12—
BY SENATOR HEITMEIER

A RESOLUTION
To commend William Harold "Billy" Nungesser, Plaquemines Parish President, for his exemplary leadership during the BP oil disaster.

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

Message from the House

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

May 2, 2011

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. 221	HB No. 427	HB No. 492
HB No. 350	HB No. 144	

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

May 3, 2011

House Bills and Joint Resolutions

Senator Mills 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. 144— BY REPRESENTATIVE ARNOLD AN ACT

To enact R.S. 6:121.8, relative to the Office of Financial Institutions; to provide for the use of electronic systems for data subject to regulation by the Office of Financial Institutions; to provide for definitions; to authorize the use of such systems; to provide for a limitation on the use of such systems; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 221— BY REPRESENTATIVE ARNOLD AN ACT

To enact R.S. 6:412.1, relative to financial institutions; to provide for definitions; to prohibit solicitations using a lender's name; to provide for required disclosures; to prohibit solicitations using a lender's customer information; to provide an exception for communications with current or former customers; to prohibit references on envelopes and postcards; to provide an exception for solicitations comparing services and products; to provide for injunctions; to provide for damages; to provide for recovery of costs and attorney fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 350— BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 6:1097(C), relative to the Louisiana Consumer Credit Law; to require written confirmation of the application of the Louisiana Consumer Credit Law to residential mortgage loans; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 427— BY REPRESENTATIVE GUINN AN ACT

To repeal R.S. 37:2157(A)(6), relative to contractors; to repeal the exemption to the state licensing requirement for contractors bidding work partially funded by the federal government.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 492— BY REPRESENTATIVES HENDERSON AND ARNOLD AN ACT

To amend and reenact R.S. 6:1083(16) and 1087(E)(9) and to enact R.S. 6:1087(E)(10), relative to residential mortgage lenders; to establish an exemption from licensure as a residential mortgage loan originator; to delete provisions defining an employee of a registered mortgage loan originator; to provide for severability; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 3, 2011

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. 55 HCR No. 57 HCR No. 60

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 55— 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, 2012.

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

HOUSE CONCURRENT RESOLUTION NO. 57— BY REPRESENTATIVE HARRISON A CONCURRENT RESOLUTION

To memorialize the United States Food and Drug Administration to take immediate and focused action to improve the enforcement of food import restrictions of seafood imports prior to sale in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 60— BY REPRESENTATIVE ROSALIND JONES A CONCURRENT RESOLUTION

To commend and congratulate the Carroll High School boys basketball team upon winning the Class 3A state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Vote. Includes Mr. President, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Donahue, Dorsey, Erdey, Gautreaux, Heitmeier, Jackson, Kostelka, Long, Martiny, Michot, Mills, Morrell, Morrish, Mount, Murray, Perry, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Willard-Lewis.

Total - 31

NAYS

Total - 0

ABSENT

Adley	LaFleur	Nevers
Crowe	Marionneaux	Walsworth
Guillory	McPherson	
Total - 8		

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:

May 3, 2011

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 8—
BY SENATOR BROOME

A RESOLUTION

To urge and request the Louisiana State Law Institute to study revising state law to authorize the creation of testamentary and inter vivos trusts to provide for the care of an animal.

Reported favorably.

SENATE BILL NO. 32—
BY SENATOR BROOME

AN ACT

To amend and reenact Children's Code Articles 116(12.1), 675(B)(3), 681, 1511, 1515(B) and 1516(B), and to enact Children's Code Articles 718, 719, 720, 721, 722, 723, 724 and 1514(D), relative to guardianship; to define guardianship; to provide for dispositional alternatives; to provide for the purpose of guardianship; to provide for the guardian's rights and responsibilities; to provide for a home study report; to provide for certain procedures; to provide for a motion, hearing, and order for guardianship; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 158—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:2492(F), 2499, 2500.1(C), 2500.2, 2500.3(C) and (D), and 2501, to enact R.S. 13:2495.1 and 2496.4, and to repeal R.S. 13:2501.1(M), relative to courts and judicial procedure; to provide relative to the Municipal Court of New Orleans; to provide relative to the senior and administrative judge; to provide for a judicial administrator and judicial expense fund; to provide relative to the payment of certain operating expenses and costs; to provide relative to the collection and remitting of certain costs, amounts, sums and funds; to provide certain terms, conditions, procedures and requirements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 161—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 13:621.21 and 1138, and Section 1 of Act No. 873 of the 2008 Regular Session of the Legislature, and to repeal R.S. 13:1139(A), relative to courts and judicial procedure; to provide relative to district courts and district court judges; to dedicate certain judgeships in certain judicial districts and provide for divisions with certain limited or specialized subject matter jurisdiction; to provide for compensation of such judges; to provide for elections and terms of office; to provide certain terms, conditions, procedures, and requirements; to provide certain effective dates; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 208—
BY SENATOR PERRY

AN ACT

To amend and reenact R.S. 19:201, relative to expropriation; to provide relative to expropriation suits; to provide relative to attorney fees; to provide relative to attorney fees for unsuccessful or abandoned suits; to provide certain terms and conditions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JULIE QUINN
Chairman

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

SENATE BILL NO. 1—

BY SENATORS ADLEY, ALARIO, BROOME, CHEEK, DONAHUE, JACKSON, LAFLEUR, LONG, MICHOT, MURRAY, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 29:26.1 and to repeal R.S. 22:941(A)(5), relative to death and disability benefits for Louisiana National Guardsmen activated by the governor or the president; to remove authority for certain lump sum payments of death and permanent disability benefits for Louisiana National Guardsmen activated by the governor or the President of the United States; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 28—

BY SENATORS NEVERS AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:6033(A) and (B)(1), relative to tax credits; to extend the applicability of the apprenticeship tax credit; and to provide for related matters.

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

SENATE BILL NO. 43—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 17:3983(A)(4)(c) and (e), relative to charter schools; to allow a chartering authority to alter the time period within which a charter school must begin operation; and to provide for related matters.

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

May 3, 2011

SENATE BILL NO. 62—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 4:165(A)(1) and (2), and (B)(1) and (2), relative to the Louisiana State Racing Commission; to provide for funds, purses and awards; and to provide for related matters.

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

SENATE BILL NO. 69—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:3217.1(A) and to enact R.S. 17:3230, relative to postsecondary education; to provide for the creation of the Northshore Technical Community College; to provide with respect to the management, supervision, and operation of the institution; to provide with respect to program offerings; to provide for the awarding of certificates, diplomas, and degrees; to provide for the duties and responsibilities of the Board of Regents and the Board of Supervisors of Community and Technical Colleges; to provide relative to accreditation; to provide reporting requirements; and to provide for related matters.

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

SENATE BILL NO. 134—
BY SENATORS CLAITOR AND MARIONNEAUX

AN ACT

To amend and reenact the title to Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, R.S. 51:2352(3) and 2353 through 2356, relative to the Technology Commercialization Credit and Jobs Program; to extend the program; to change the program benefit from a tax credit to a rebate; to provide for a limitation on the receipt of other tax benefits and incentives; and to provide for related matters.

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

SENATE BILL NO. 142—
BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 17:3983(A)(4)(d), relative to charter schools; to provide relative to the chartering process; to provide relative to the withdrawal, revision and resubmission of a charter proposal; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 142 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 13, after "(d)" delete the remainder of the line, delete line 14 in its entirety, and at the beginning of line 15, delete "approval cycle after significant revision."

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

SENATE BILL NO. 203—
BY SENATORS PETERSON, DORSEY, ERDEY, JACKSON, MARIONNEAUX, MORRELL, RISER, SHAW AND WILLARD-LEWIS

AN ACT

To enact Subpart BB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.96, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the

Louisiana Food Bank Association; to provide for the disposition of such donated monies; to establish the Louisiana Food Bank Association Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for an effective date; and to provide for related matters

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 203 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 9, change "secretary of the Department of Revenue" to "treasurer"

AMENDMENT NO. 2

On page 1, line 16, after "A." delete "(1)"

AMENDMENT NO. 3

On page 2, delete lines 10 through 16, in their entirety

AMENDMENT NO. 4

On page 2, line 21, delete "secretary, who is authorized" and insert "treasurer, who shall every sixty"

AMENDMENT NO. 5

On page 2, delete lines 22 and 23, in their entirety

AMENDMENT NO. 6

On page 2, delete lines 26 through 29, in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 9, in their entirety

AMENDMENT NO. 8

On page 3, line 11, change "2012" to "2011"

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

SENATE BILL NO. 219—
BY SENATORS MILLS AND MARIONNEAUX

AN ACT

To enact R.S. 47:337.11.2, relative to exemption from the sales and use taxes of political subdivisions; to create the Acadiana Cultural and Entertainment Special District and authorize certain parishes within the district to provide a certain exemption from their sales and use taxes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 219 by Senator Mills

AMENDMENT NO. 1

On page 2, line 14, change "220,000" to "230,000"

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

Motion

Senator Broome moved that the Senate proceed to the House of Representatives to meet in Joint Session.

Joint Session of the Legislature

The joint session of the legislature was called to order at 5:00 P.M. by the Honorable Joel T. Chaisson II, President of the Senate.

On motion of Senator Broome, the calling of the roll on the part of the Senate was dispensed with.

On motion of Speaker Pro Tempore Robideaux, the calling of the roll on the part of the House was dispensed with.

The President of the Senate introduced the Honorable Kitty Kimball, Chief Justice of the Louisiana Supreme Court, who addressed the joint session of the legislature.

On motion of Senator Broome, the Senate retired to its own chamber.

After Joint Session

ROLL CALL

The Senate was called to order by the President of the Senate with the following Senators present:

YEAS

Mr. President	Donahue	Perry
Amedee	Erdey	Riser
Appel	Heitmeier	Shaw
Broome	Kostelka	Smith
Chabert	Long	Thompson
Cheek	Morrell	Walsworth
Claitor	Morrish	Willard-Lewis
Crowe	Mount	
Total - 23		

NAYS

Total - 0

ABSENT

Adley	LaFleur	Murray
Alario	Marionneaux	Nevers
Dorsey	Martiny	Peterson
Gautreaux	McPherson	Quinn
Guillory	Michot	
Jackson	Mills	
Total - 16		

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

Senate Business Resumed After Joint Session

Rules Suspended

Senator Willard-Lewis asked for and obtained a suspension of the rules to revert to the order of:

Introduction of Senate Bills and Joint Resolutions

Senator Willard-Lewis asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

SENATE BILL NO. 254—
BY SENATOR WILLARD-LEWIS
AN ACT

To amend and reenact R.S. 47:305.59, relative to sales and use tax exemptions; to provide for an exemption from the tax of all tax authorities for certain Make It Right Foundation purchases; and to provide for related matters.

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

SENATE BILL NO. 255—
BY SENATOR WILLARD-LEWIS
AN ACT

To enact R.S. 47:6030.1, relative to tax credits; to grant an individual income tax credit or the cost of purchase, installation, or construction of certain residential energy efficient appliances, equipment, systems, or constructions for the residences of certain elderly people; and to provide for related matters.

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

SENATE BILL NO. 256—
BY SENATOR CROWE
AN ACT

To amend and reenact R.S. 33:4574.1(A)(1)(b) and 4574.1(C)(1) and R.S. 47:301(14)(c), relative to tax exemptions and exclusions of political subdivisions of the state; to exclude or exempt from certain taxes certain agreements to occupy for a certain time period accommodation, space, or lot which is in an overnight camping facility or trailer park; and to provide for related matters.

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

SENATE BILL NO. 257—
BY SENATOR CROWE
AN ACT

To amend and reenact R.S. 47:6036(C)(1)(b) and (c) and the introductory paragraph of (I)(1), and (I)(1)(c) and (2)(a), relative to tax credits; to remove certain requirements for certification by the commissioner of administration and approvals by certain committees before certain tax credits may be issued; and to provide for related matters.

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

Rules Suspended

Senator Willard-Lewis asked for and obtained a suspension of the rules to revert to the order of:

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 14—
BY SENATOR WILLARD-LEWIS
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Deacon John B. Williams.

On motion of Senator Willard-Lewis the resolution was read by title and adopted.

SENATE RESOLUTION NO. 15—
BY SENATOR MORRELL
A RESOLUTION

To direct the secretary of the Department of Environmental Quality to conduct soil sampling on material dredged along the right descending bank of the Mississippi River Gulf Outlet at the

May 3, 2011

confluence of the Inner Harbor Navigation Canal in Orleans Parish with the permit applicant paying the cost of such sample.

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

Rules Suspended

Senator Morrish asked for and obtained a suspension of the rules to revert to the order of:

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To urge and request the office of coastal protection and restoration and the Department of Wildlife and Fisheries to jointly study shoreline protection, effects on marine species diversity and habitat quality, and economic and other ecosystem service values of the Sabine Reef.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 3, 2011

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. 64 HB No. 148 HB No. 169

HB No. 245

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

House Bills and Joint Resolutions

Senator Claitor 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. 64—
BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 56:116.1(C)(2)(c), relative to taking nuisance animals; to add to the list of nuisance animals; to provide for additional methods to take nuisance animals that are destroying crawfish in commercial ponds; and to provide for related matters.

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

HOUSE BILL NO. 148—
BY REPRESENTATIVE AUBERT
AN ACT

To enact R.S. 22:613(A)(1)(c), relative to domestic insurers; to expand the definition of company-action level event; and to provide for related matters.

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

HOUSE BILL NO. 169—
BY REPRESENTATIVE HENRY
AN ACT

To enact R.S. 56:116.1(D)(3), relative to hunting; to authorize the use of sound suppressors when taking nongame nuisance quadrupeds; and to provide for related matters.

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

HOUSE BILL NO. 245—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 56:437 and to repeal R.S. 40:5.3.1, relative to harvest and sale of oysters for raw consumption; to require a time limit on transportation of such oysters from harvest to refrigeration; and to provide for related matters.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 3, 2011

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. 56

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To urge and request the Louisiana Office of Student Financial Assistance (LOSFA) to study the feasibility, including potential costs and savings, of requiring repayment of the Taylor Opportunity Program for Students (TOPS) by a student for any particular semester during the first two award years if the student does not make academic progress or fails to maintain full-time standing.

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

Rules Suspended

Senator Martiny asked for and obtained a suspension of the rules to revert to the order of:

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY B**

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

May 3, 2011

To the President and Members of the Senate:

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

**SENATE BILL NO. 55—
BY SENATOR MURRAY**

AN ACT

To amend and reenact R.S. 26:359(A), the introductory paragraph of (B)(1), and (B)(1)(h), relative to distribution of alcoholic beverages; to provide for direct shipment of certain alcoholic beverages to consumers; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 150—
BY SENATOR MARTINY**

AN ACT

To amend and reenact R.S. 44:9(A)(4), relative to expungement of arrest records in misdemeanor and felony cases; to authorize the clerk of court to collect the expungement processing fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall House Concurrent Resolution No. 52 from the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE NORTON**

A CONCURRENT RESOLUTION

To commend President Barack Obama, commander-in-chief, United States Armed Forces, and United States intelligence officials upon achieving success in the mission to bring Osama bin Laden to justice, to recognize and honor those who lost their lives on September 11, 2001, and members of the armed forces killed while fighting the war on terror, and to express appreciation to those who daily carry out the military, diplomatic, and intelligence initiatives necessary to protect freedom in the world.

The resolution was read by title. Senator Morrell moved to adopt the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Mount
Alario	Erdey	Murray
Amedee	Heitmeier	Nevers
Appel	Jackson	Perry
Broome	Kostelka	Riser
Chabert	Long	Shaw
Claitor	Mills	Smith

Crowe
Donahue
Total - 27

Morrell
Morrish

Walsworth
Willard-Lewis

NAYS

Total - 0

ABSENT

Adley
Cheek
Gautreaux
Guillory
Total - 12

LaFleur
Marionneaux
Martiny
McPherson

Michot
Peterson
Quinn
Thompson

The Chair declared the Senate had adopted the House Concurrent Resolution, and ordered it returned to the House.

Rules Suspended

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

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

**SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR NEVERS**

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise Section 2509 of Bulletin 119 - Louisiana School Transportation Specifications and Procedures - to establish uniform requirements relative to the purchase of used school buses for all school bus owners/operators.

Reported favorably by the Committee on Education.

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
Alario
Amedee
Appel
Broome
Chabert
Claitor
Crowe
Donahue
Total - 27

Dorsey
Erdey
Heitmeier
Jackson
Kostelka
Long
Martiny
Mills
Morrish

Mount
Murray
Nevers
Perry
Riser
Shaw
Smith
Walsworth
Willard-Lewis

NAYS

Total - 0

ABSENT

Adley
Cheek
Gautreaux
Guillory
Total - 12

LaFleur
Marionneaux
McPherson
Michot

Morrell
Peterson
Quinn
Thompson

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

May 3, 2011

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

ENROLLMENTS

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

May 3, 2011

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. 12—
BY SENATOR BROOME AND REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION**

To declare October 1, 2011, as World Peace Day in the state of Louisiana.

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	Gautreaux	Nevers
Alario	Heitmeier	Perry
Amedee	Jackson	Peterson
Appel	Kostelka	Quinn
Broome	Long	Riser
Chabert	Martiny	Shaw
Cheek	Michot	Smith
Claitor	Mills	Thompson
Crowe	Morrell	Walsworth
Donahue	Morrish	Willard-Lewis
Dorsey	Mount	
Erdey	Murray	
Total - 34		

ABSENT

Adley	LaFleur	McPherson
Guillory	Marionneaux	
Total - 5		

Leaves of Absence

The following leaves of absence were asked for and granted:

Adley	1 Day	Guillory	1 Day
LaFleur	1 Day	Marionneaux	1 Day
McPherson	1 Day		

Announcements

The following committee meetings for May 4, 2011, were announced:

Commerce	9:30 A.M.	Room E
Health and Welfare	9:00 A.M.	Hainkel Room
Insurance	10:00 A.M.	Room A
Senate and Gov't Affairs	10:00 A.M.	Room F

Adjournment

On motion of Senator Mount, at 6:00 o'clock P.M. the Senate adjourned until Wednesday, May 4, 2011, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, May 4, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk