THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TENTH 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

Wednesday, May 11, 2011

The Senate was called to order at 3:10 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  Donahue  Mills
Adley Dorsey  Morrish
Alario  Erdey  Murray
Amedee  Guillory  Perry
Appel  Jackson  Shaw
Broome  Kostelka  Smith
Chabert  LaFleur  Thompson
Cheek  Long  Walsworth
Claitor  Martiny  Willard-Lewis

Total - 27

ABSENT

Crowe  McPherson  Nevers
Gautreaux  Michot  Peterson
Heitmeier  Morrell  Quinn
Marionneaux  Mount  Riser

Total - 12

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

Prayer

The prayer was offered by Pastor Scott Bledsoe, 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 10, 2011, was adopted.

Message from the House

CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 11, 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. 21—
BY SENATOR DONAHUE
A CONCURRENT RESOLUTION
To commend Covington Police Lieutenant Douglas “Wade” Sharp for extraordinary heroism in sacrificing his own life to save the life of his daughter.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To recognize May 2011 as National Skin Cancer Awareness Month in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To designate May 16, 2011, as “YMCA Day in Louisiana.”

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To express the support of the Legislature of Louisiana as the host state for the 2011 Annual Legislative Conference of the National Organization of Black Elected Legislative Women (NOBEL-Women) being held in Baton Rouge on June 23-26, 2011.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR LONG
A CONCURRENT RESOLUTION
To commend Northwestern State University College of Nursing and Allied Health upon being selected as one of the Top 100 nursing graduate programs in the nation in the latest rankings by U.S. News Media Group.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To recognize May 2011 as Amyotrophic Lateral Sclerosis Awareness Month and to memorialize the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for amyotrophic lateral sclerosis.

Reported without amendments.

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 28—
BY SENATOR MORRISH
A RESOLUTION
To commend the Hackberry High School girls softball team on winning the 2011 Class C state championship.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

May 10, 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. 58  HB No. 77  HB No. 507
HB No. 534  HB No. 540

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

House Bills and Joint Resolutions
on First Reading

HOUSE BILL NO. 58—
BY REPRESENTATIVES LIGI AND WILMOTT AND SENATOR MARTINY
AN ACT
To authorize and provide for the lease of certain state property; to authorize the lease of certain water bottoms and reclaimed lands in Jefferson Parish; to provide for reservation of mineral rights; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 77—
BY REPRESENTATIVE BARRAS
AN ACT
To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Iberia Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 507—
BY REPRESENTATIVES LANDRY, CORTEZ, EDWARDS, HARDY, HONORE, LEGER, NORTON, AND ST. GERMAIN
AN ACT
To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(1)(introductory paragraph) and (2)(introductory paragraph), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; and to provide for related matters.

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

HOUSE BILL NO. 534—
BY REPRESENTATIVE CARTER
AN ACT
To amend and reenact R.S. 22:1457(A)(2), R.S. 32:402(B)(1)(a)(ii)bb, 402.1(A)(introductory paragraph), (1), (2)(introductory paragraph), (a), and (g), 407(A)(2)(a), (4), and (6), 408(A)(4)(a), 408.1, 416, 417(A), 422, 422.1, R.S. 40:1461(A) and (C), R.S. 47:305.26 and 479.1 and to repeal R.S. 17:270, 271, and 271.1, R.S. 32:402.1(A)(2)(h) and (3)a and (b), (B), and (C) and 402.2, relative to driver's education programs; to consolidate all driver's education programs and instruction under the Department of Public Safety and Corrections, public safety services; to remove all driver's education programs and instruction from the Department of Education; and to provide for related matters.

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

HOUSE BILL NO. 540—
BY REPRESENTATIVE AUBERT
AN ACT
To amend and reenact R.S. 48:292.1(C)(1)(introductory paragraph) and (a), relative to the Small Engineering Consultant Program; restricts participation in the program to certain engineering consultant firms; and to provide for related matters.

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

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON HEALTH AND WELFARE

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

May 11, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 27—
BY SENATOR AMEDEE
AN ACT
To amend and reenact R.S. 40:1299.96(A)(2)(b)(i), relative to health care information; to provide for health care records; to provide for the persons who have the right to obtain a patient's medical records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 60—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 37:1218, relative to the administration of certain immunizations; to provide for a pharmacist to administer certain immunizations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 64—
BY SENATOR CHEEK
AN ACT
To repeal R.S. 40:2120.56, relative to certified nurse aides; to remove certain work requirements which must be satisfied in order to maintain state certification as a certified nurse aide; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 65—
BY SENATOR CHEEK
AN ACT
To amend and reenact R.S. 40:1300.53(C)(2), relative to nonlicensed persons and licensed ambulance personnel; to provide for an exemption to the prohibition on employing a nonlicensed person or licensed ambulance personnel when such person has been convicted of certain offenses; and to provide for related matters.

Reported favorably.
SENATE BILL NO. 93—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 37:1026.1 and 1026.6(B)(10) and to enact Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.21 through 1300.22, and to repeal R.S. 37:1026.9, relative to training programs for certified nurse aides; to provide for the medication attendant certification program for certified nurse aides; to provide for a clinical preceptor nurse aide training program maintained by the Louisiana Community and Technical College System for certified nurse aides; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 156—
BY SENATOR BROOME
AN ACT
To enact R.S. 40:2022, relative to health care information; to require hospitals to provide to patients and family members certain health care information by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 175—
BY SENATOR HEITMEIER
AN ACT
To amend and reenact R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055, relative to the practice of optometry; to provide for definitions; to provide for the Louisiana State Board of Optometry Examiners; to provide for application requirements; to provide for recording of the certificate of practice; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 176—
BY SENATOR HEITMEIER
AN ACT
To enact Part LXX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.331, relative to training programs which are not offered in the state; to provide for the students who enroll in certain out-of-state medical education programs; to provide for the creation and uses of a medical and Allied Health Professional Education Scholarship and Loan Fund; to provide for the administration of the fund; to provide for qualifications and requirements of the applicants for the scholarship or loan; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 178—
BY SENATOR HEITMEIER
AN ACT
To enact Part XL-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.8.1 through 1300.8.2, relative to a scholarship or loan program for certain students who enroll in certain out-of-state medical education programs which are not offered in the state; to provide for the creation and uses of a medical and Allied Health Professional Education Scholarship and Loan Fund; to provide for the administration of the fund; to provide for qualifications and requirements of the applicants for the scholarship or loan; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 188—
BY SENATOR BROOME
AN ACT
To enact R.S. 46:2911(B)(21), relative to the Council on the Status of Grandparents Raising Grandchildren; to provide for the membership of the council; and to provide for related matters.

Reported favorably.
To the President and Members of the Senate:

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

SENATE BILL NO. 24—
BY SENATOR ALARIO
AN ACT
To enact R.S. 9:5166, relative to mortgages and vendor's liens; to provide relative to cancellation of mortgage and vendor's lien inscriptions; to create and authorize the use of a uniform cancellation affidavit; to provide relative to liability; to provide certain terms, conditions, procedures, and requirements, and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 24 by Senator Alario

AMENDMENT NO. 1
On page 2, delete line 9 and insert: "of a uniform cancellation affidavit containing a request to cancel, together"

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

SENATE BILL NO. 31—
BY SENATOR SMITH
AN ACT
To enact R.S. 33:448(D), relative to mayor's courts; to increase authorized court costs for municipal ordinance violations in the mayor's court of the town of New Llano; 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.
To amend and reenact R.S. 22:512(1) and 17(b)(vi) and R.S. 37:212(A)(2)(d), relative to abstracts of title; to provide definitions; to provide relative to title insurance; to provide relative to abstracts of title and title examination and opinions; to provide relative to the practice of law; to provide definitions, terms, procedures, conditions, and requirements; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 36 by Senator Morrish

AMENDMENT NO. 1
On page 2, line 2, delete "abstracts" and insert "extracts"

AMENDMENT NO. 2
On page 3, line 12, delete "reports" and insert "report or title insurance policy"

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

SENATE BILL NO. 39—
BY SENATORS LAFLEUR AND RISER

To repeal Part III of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1801 through 1804, relative to the purchasing of certain weapons or ammunition; and to provide for related matters.

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

SENATE BILL NO. 40—
BY SENATORS MORRELL AND ADLEY

To amend and reenact R.S. 47:6021(A), (B)(1), (D)(2)(a)(i) and (b)(i), H, the introductory paragraph of (I), (I)(6), and (J) and to enact R.S. 47:6021(B)(6), relative to income tax credits; to provide income tax credits for certain brownfields investors; to clarify the applicability of such credit to remediation of public lands; 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. 40 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 3, after "(I)," insert "(I)(2),"

AMENDMENT NO. 2
On page 1, line 9, after "(I)," insert "(I)(2),"

AMENDMENT NO. 3
On page 3, between lines 27 and 28, insert:

"(2) Transferors and transferees shall submit written notification to the Department of Revenue and the Department of Environmental Quality in writing of any transfer of sale of tax credits within thirty days after the transfer or sale of such tax credits. The notification shall include the transferor's tax credit balance prior to transfer, a copy of any the tax credit certification letter(s) issued by the Department of Environmental Quality, the name of the state-certified site, the transferor's remaining tax credit balance after transfer, all names and tax identification numbers for both transferor and transferee, the date of transfer, the amount transferred, a copy of the credit certificate, price paid by the transferee to the transferor, for the tax credits, and any other information required by the Department of Revenue. For the purpose of reporting transfer prices transfers, the term "transfer" shall include allocations pursuant to R.S. 47:6007(C)(3) as provided by rule. The Department of Environmental Quality shall notify the transferor and the Department of Revenue if any transferor is an ineligible participant under Subsection H.

AMENDMENT NO. 4
On page 4, line 2, delete "July 1" and insert "June 30"

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

SENATE BILL NO. 52—
BY SENATORS ALARIO AND THOMPSON

To amend and reenact R.S. 39:98.1(A)(3), (B), (C), and (D) and 98.3(A), all relative to the Millennium Trust, the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the allocation of interest to the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the dedication of certain proceeds from the Settlement Agreement to the TOPS Fund; to provide for the deposit, transfer, or credit of certain Settlement Agreement proceeds received by the state to the TOPS Fund; to provide for the uses of monies in the 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 Original Senate Bill No. 52 by Senator Alario

AMENDMENT NO. 1
On page 4, line 2, change "39:98.1B and C" to "39:98.1B and (C)"

AMENDMENT NO. 2
On page 4, line 15, change "39:98.1(D)(2) and (3)," to "39:98.1(D)(2) and (3),"

AMENDMENT NO. 3
On page 4, line 18, change "39:98.1(D)(2)" to "39:98.1(D)(2)"

AMENDMENT NO. 4
On page 4, line 23, change "39:98.1(D)(2)," to "39:98.1(D)(2),"

AMENDMENT NO. 5
On page 4, line 26, change "39:98.1(D)(2)" to "39:98.1(D)(2)"

AMENDMENT NO. 6
On page 5, line 15, change "" to "53"

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

SENATE BILL NO. 53—
BY SENATORS ALARIO AND THOMPSON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(A)(1)(c), (A)(2), (3), and (4), and (C)(1) of the Constitution of Louisiana, all relative to the Millennium Trust, the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the allocation of interest to the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the dedication of certain proceeds from the Settlement Agreement to the TOPS Fund; to provide for the deposit,
transferred or credit of certain Settlement Agreement proceeds received by the state to the TOPS Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 54—
BY SENATOR AMEDEE

To enact R.S. 47:1713, relative to ad valorem property tax; to authorize the prohibition of certain property from being considered exempt in certain parishes; 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. 54 by Senator Amedee

AMENDMENT NO. 1
On page 1, line 3, after "exempt" insert "for the tax of certain tax authorities"

AMENDMENT NO. 2
On page 1, line 9, after "contrary" and before the comma "," insert "but subject to the provisions of Subsection C of this Section"

AMENDMENT NO. 3
On page 1, at the end of line 11, delete "private" and on line 12, after "property" insert "whether such property is movable or immovable."

AMENDMENT NO. 4
On page 1, line 15, after "exempt from" insert "an" and change "taxes" to "tax"

AMENDMENT NO. 5
On page 1, delete line 17, and on page 2, delete lines 1 and 2, and insert: "unless the ad valorem property tax recipient body which levied the tax adopts a resolution approving the transfer."

AMENDMENT NO. 6
On page 2, line 4, delete "or bodies"

AMENDMENT NO. 7
On page 2, delete lines 12 through 16, and insert the following:

"C. The provisions of this Section shall not apply to any property, whether such property is movable or immovable, owned, leased, occupied or used by any company, or any affiliate thereof, if such company entered into a cooperative endeavor agreement with the state and parish prior to July 1, 2011, regardless of whether such property interest, whether ownership, leasehold, license or other right to occupy or use, is acquired prior or subsequent to such date. The term ‘affiliate’ as used in this Section shall mean an entity that is related to a company, directly or indirectly, by means of the ownership, or of the common ownership, of an equity or membership interest by either party.

Section 2. This Act shall become effective on July 1, 2011; if vetoed by the governor and subsequently approved by the legislature; this Act shall become effective on July 1, 2011; or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 63—
BY SENATOR MURRAY

An ACT
To enact R.S. 47:6019(C), relative to income and corporation franchise tax; to provide with respect to income and corporation franchise tax credits for costs associated with the rehabilitation of historic structures; to provide for certain taxable periods; 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. 63 by Senator Murray

AMENDMENT NO. 1
On page 1, line 3, after "To" insert the following: "amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature of Louisiana, as amended and reenacted by Act No. 12 of the 2004 First Extraordinary Session of the Legislature of Louisiana and Act No. 182 of the 2007 Regular Session of the Legislature of Louisiana, and to"

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

SENATE BILL NO. 81—
BY SENATORS MILLS, ALARIO, CHEEK, LAFLEUR, LONG, MICHOT AND MURRAY

An ACT
To enact R.S. 3:266(23) and 284, relative to establishing a monetary incentive program to promote purchases of Louisiana agricultural products; to authorize the development and establishment of the Louisiana Buy Local Purchase Incentive Program Fund within the state treasury; to authorize an incentive payment for certain purchases of Louisiana agricultural products by certain restaurant establishments; to provide for the administration of the incentive payment; to provide with respect to financing; to provide for definitions; to provide for certain requirements and termination of the program and 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 Original Senate Bill No. 81 by Senator Mills

AMENDMENT NO. 1
On page 1, line 17, after "supervise" delete the remainder of the line and insert the following: "an incentive program to promote the purchase of Louisiana agricultural products."

AMENDMENT NO. 2
On page 2, delete lines 1 and 2

AMENDMENT NO. 3
On page 3, line 29, after "Section" delete "and" and insert a period

AMENDMENT NO. 4
On page 4, delete lines 1 and 2, and insert the following: "No state general fund monies shall be appropriated to the fund."

AMENDMENT NO. 5
On page 4, line 3, after "(a)" and before "monies" delete "The" and insert "Subject to appropriation by the legislature."

AMENDMENT NO. 6
On page 4, line 5, after "in this" and before "to" change "Subsection" to "Section"
AMENDMENT NO. 2
On page 1, line 8, after "3419(D)" and before "and 3423(D)(1)" insert ", the introductory paragraph of 3421,"

AMENDMENT NO. 3
On page 2, between lines 17 and 18, insert the following: "§3421. Confidentiality of records
Notwithstanding the provisions of Part II of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, all financial statements, position reports, and any other documents required for licensure and filed by applicants for licensure under this Chapter shall be kept confidential by the commission and its agents and employees and are not subject to disclosure except as follows:

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

SENATE BILL NO. 90—
BY SENATOR THOMPSON
An Act
To amend and reenact R.S. 26:93(E) and 290(E), relative to the alcoholic beverage control law; to provide for suspension of permits; to provide for emergency procedure; 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. 102—
BY SENATOR WALSWORTH
An Act
To amend R.S. 47:305.66, relative to the sales and use tax of the state; to exempt the state sale and use tax of parish councils on aging; to provide for definitions; to require the secretary of the Department of Revenue to provide rules and regulations; 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. 112—
BY SENATOR ADLEY
An Act
To amend and reenact R.S. 26:93(E) and 290(E), relative to the alcoholic beverage control law; to provide for suspension of permits; to provide for emergency procedure; and to provide for related matters.

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

SENATE BILL NO. 115—
BY SENATOR WALSCHWORTH
An Act
To amend R.S. 26:80(H) and 280(H), relative to alcohol permits; to require spouses of persons submitting alcohol permit applications to submit their fingerprints in their spouses application; to require partners, stockholders and members of limited liability companies and their spouses to submit their fingerprints with the alcohol permit applicant's application; and to provide for related matters.

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

SENATE BILL NO. 123—
BY SENATORS MARTINY AND MORRELL
An Act
To amend and reenact R.S. 47:6022(A), (C)(4)(c)(i), (5), (10)(b), and (14), (D)(2), and (E) through (J), and to repeal R.S. 47:6022(K), relative to tax credits; to provide for the name and applicability of the digital interactive media producer tax credit; to provide

...
for a refundable tax credit; to provide for rebates of tax credits under certain circumstances; to provide for definitions, limitations, and program administration; 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. 123 by Senator Martiny

**AMENDMENT NO. 1**
On page 3, line 13, after "earned by" insert "a"

**AMENDMENT NO. 2**
On page 5, line 19, after "expended" insert "as set forth in the final tax credit certification letter"

**AMENDMENT NO. 3**
On page 8, line 19, delete "deduction."

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

**SENATE BILL NO. 131—**
BY SENATOR LONG

**AN ACT**
To amend and reenact R.S. 39:75(C)(2)(b), relative to avoidance of budget deficits; to provide for an increase in the authority of the governor to reduce certain appropriations or allocations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 131 by Senator Long

**AMENDMENT NO. 1**
On page 2, line 9, after "mandated" and before the comma "," insert "or described in R.S. 49:308.5(C)"

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

**SENATE BILL NO. 137—**
BY SENATOR LONG

**AN ACT**
To enact R.S. 39:75(C)(2)(f) and (F), relative to avoidance of budget deficits; to provide for the use of interest earnings from certain statutorily dedicated funds to reduce a mid-year budget deficit; to provide for additional avoidance measures relative to the occurrence of a budget deficit in the next fiscal year; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 137 by Senator Long

**AMENDMENT NO. 1**
On page 2, at the end of line 3, change "the" to "upon request of the governor, the"

**AMENDMENT NO. 2**
On page 6, after "mandated" and before the comma "," insert "or described in R.S. 49:308.5(C)"

**AMENDMENT NO. 3**
On page 2, line 15, after "mandated" and before the comma "," insert "or described in R.S. 49:308.5(C)"

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

**SENATE BILL NO. 182—**
BY SENATOR THOMPSON

**AN ACT**
To enact R.S. 15:833.3, relative to the duties of the Department of Public Safety and Corrections; to prohibit any inmate incarcerated in a correctional institution operated by the department to establish an account on any Internet-based social networking website; to prohibit any other person to establish such accounts for incarcerated inmates; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 182 by Senator Thompson

**AMENDMENT NO. 1**
On page 1, line 5, after "website;" delete the remainder of the line and on line 6, delete "inmates;"

**AMENDMENT NO. 2**
On page 1, line 12, after "Corrections" delete the remainder of the line and delete line 13, and insert in lieu thereof "to establish or maintain an account on any Internet-based,"

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

**SENATE BILL NO. 202—**
BY SENATOR GUILORY

**AN ACT**
To enact R.S. 47:1923(D)(1), relative to tax assessors; to provide for an increase in the authority of the Board of Pardons and the Board of Parole; to provide for an ex officio, nonvoting member of the Board of Pardons; to provide relative to the membership of the Board of Pardons; to provide relative to the duties and obligations of the Board of Parole; to require training for the members of the Board of Parole; to require annual reporting by the Board of Parole; and to provide for related matters.

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

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

**SENATE BILL NO. 34—**
BY SENATOR RISER

**AN ACT**
To amend and reenact R.S. 47:1923(D)(1), relative to tax assessors; to provide relative to the payment of certain insurance premiums for certain retired assessors and assessors' employees in Catahoula Parish; 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.

**SENATE BILL NO. 48—**
BY SENATOR LONG

**AN ACT**
To enact R.S. 36:359(L) and R.S. 38:3097.7 and to repeal Section 4 of Act No. 446 of the 2001 Regular Session of the Legislature and Section 5 of Act No. 49 of the 2003 Regular Session of the
Legislature, relative to the Ground Water Management Advisory Task Force; to provide for the membership of the task force; to provide powers, duties, terms and conditions; to provide for the meeting requirements of the task force; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 48 by Senator Long

AMENDMENT NO. 1

On page 4, between lines 18 and 19, insert

’(45) A representative of the Louisiana Association for Justice or his designee;’

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Mount
Adley Gautreaux Murray
Alario Guillory Nevers
Amedee Heitmeier Perry
Appel Jackson Peterson
Broome Kostelka Shaw
Chabert LaFleur Smith
Cheek Long Thompson
Claitor Martiny Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrish
Total - 32

NAYS

Total - 0

ABSENT

Crowe Michot Riser
Marionneaux Morrell Quinn
McPherson Total - 7

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

SENATE BILL NO. 58—

BY SENATORS ADLEY, ERDEY, HEITMEIER, MCPHERSON, MOUNT AND SHAW

AN ACT

To amend and reenact R.S. 47:490.22(C), relative to the United States Armed Forces military honor license plate; to remove the handling fee from such plate; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Mount
Adley Gautreaux Murray
Alario Guillory Nevers
Amedee Heitmeier Perry
Appel Jackson Peterson
Broome Kostelka Shaw
Chabert LaFleur Smith
Cheek Long Thompson
Claitor Martiny Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrish
Total - 32

NAYS

Total - 0

ABSENT

Crowe Michot Riser
Marionneaux Morrell Quinn
McPherson Total - 7

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

SENATE BILL NO. 78—

BY SENATORS MURRAY, PETERSON AND WILLARD-LEWIS

AN ACT

To enact R.S. 40:456.1, relative to the Housing Authority of New Orleans; to provide for the appointment, duties, and powers of its peace officers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Mount
Adley Gautreaux Murray
Alario Heitmeier Perry
Amedee Jackson Peterson
Appel Kostelka Shaw
Chabert LaFleur Smith
Cheek Long Thompson
Claitor Martiny Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrish
Total - 31

NAYS

Total - 0

ABSENT

Crowe McPherson Quinn
Guillory Michot Riser
Marionneaux Morrell Total - 8

The Chair declared the bill was passed, ordered it sent to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.
SENATE BILL NO. 91—
BY SENATOR LONG AND REPRESENTATIVE NOWLIN
AN ACT
To authorize and provide for the transfer of certain local and state property; to authorize the transfer of certain local and state property in Natchitoches Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Gautreaux Mount
Adley Guillory Murray
Alario Heitmeier Nevers
Amedee Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Shaw
Chabert Long Smith
Cheek Martiny Thompson
Claitor McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrell
Erdey Morrish
Total - 34

NAYS
Total - 0

ABSENT
Crowe Michot Riser
Marionneaux Quinn
Total - 5

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

SENATE BILL NO. 94—
BY SENATOR NEVERS
AN ACT
To enact R.S. 38:2213.1, relative to public works; to provide for a preference for materials produced, manufactured, or fabricated in Louisiana used in public works; to provide for definitions; and to provide for related matters.

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

SENATE BILL NO. 100—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 38:2295(C), relative to letting of public contracts; to provide for plans and specifications; to increase the number of working days prior to the opening of bids within which a potential supplier must submit a request for approval of a product other than that specified in the contract documents for public works projects of the New Orleans Sewerage and Water Board; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Morrish
Adley Gautreaux Mount
Alario Guillory Murray
Amedee Heitmeier Nevers
Appel Jackson Perry
Broome LaFleur Peterson
Chabert Long Smith
Cheek Martiny Thompson
Claitor McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrell
Total - 32

NAYS
Total - 0

ABSENT
Crowe Michot Riser
Kostelka Quinn
Marionneaux Riser
Total - 7

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

SENATE BILL NO. 104—
BY SENATOR LAFLEUR
AN ACT
To enact R.S. 17:273.2, relative to the teaching of foreign languages in elementary and secondary schools; to provide with respect to a process to certify foreign language immersion education programs; to provide for minimum criteria; to provide for rules; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Morrish
Adley Gautreaux Mount
Alario Guillory Murray
Amedee Heitmeier Nevers
Appel Jackson Perry
Broome LaFleur Peterson
Chabert Long Smith
Cheek Martiny Thompson
Claitor McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrell
Total - 32

NAYS
Total - 0

ABSENT
Crowe Michot Riser
Kostelka Quinn
Marionneaux Riser
Total - 7
The Chair declared the bill was passed and ordered it sent to the House. Senator LaFleur moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 120—
BY SENATOR MURRAY
AN ACT
To amend and reenact the heading of Part V of Chapter 16 of Title 25 of the Louisiana Revised Statutes of 1950, and R.S. 25:796, 797(A)(5) and (B), 798(1) and (3), 799(A)(1), (B), (C)(1)(b), (g), (j), and (k), (D)(2)(b), (F), (I), and (K)(2) and to repeal R.S. 25:799(J)(3), relative to the French Quarter-Marigny Historic Area Management District; to provide relative to the name, boundaries, purpose, powers, governance, and funding of the district; to remove authority for special ad valorem tax and parcel fee; to provide for the creation of subdistricts; and to provide for related matters.

Floor Amendments
Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 120 by Senator Murray

AMENDMENT NO. 1
On page 8, line 8, following "The" and before "Carre" change "View" to "Vieux"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Gautreaux Mount
Adley Guillory Murray
Alario Heitmeier Nevers
Amedee Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Shaw
Chabert Long Smith
Cheek Martiny Thompson
Claitor McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrell
Erdey Morrish
Total - 34

NAYS
Total - 0

ABSENT
Crowe Michot Riser
Marionneaux Quinn
Total - 5

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

SENATE BILL NO. 132—
BY SENATOR ERDEY
AN ACT
To amend and reenact R.S. 48:261(A)(2) and 756(A)(1) and to repeal R.S. 48:756(A)(4), to add application of the latest federal decennial census to determine population relative to contracts for maintenance work and distribution of monies in the Parish Transportation Fund; and to provide for related matters.

Floor Amendments
Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 132 by Senator Erdey

AMENDMENT NO. 1
On page 1, line 16, following "is" and before "recent" change "most" to "more"

AMENDMENT NO. 2
On page 2, line 12, following "is" and before "recent" change "most" to "more"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Gautreaux Mount
Adley Guillory Murray
Alario Heitmeier Nevers
Amedee Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Shaw
Chabert Long Smith
Cheek Martiny Thompson
Claitor McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrell
Erdey Morrish
Total - 34

NAYS
Total - 0

ABSENT
Crowe Michot Riser
Marionneaux Quinn
Total - 5

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

SENATE BILL NO. 145—
BY SENATORS CLAITOR, ADLEY, AMEDEE, CHABERT, MICHOT, MORRISH AND SMITH
AN ACT
To amend and reenact R.S. 49:1 and 2, and to enact R.S. 49:3.1, relative to the gulfguard boundary and coastline of Louisiana; to provide for such gulfguard boundary and coastline; to provide relative to state ownership and sovereignty; to provide certain definitions, terms, conditions, and requirements; to provide
relative to legislative intent and purpose; and to provide for related matters.

**Floor Amendments**

Senator Claitor proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 145 by Senator Claitor

**AMENDMENT NO. 1**

On page 1, at the end of line 12, insert: "For the purposes of this Part, "three marine leagues" is equal to nine geographic miles or 10.357 statute miles.

**AMENDMENT NO. 2**

On page 2, at the end of line 14, insert: "Under no circumstances shall the coastline of Louisiana be nearer inland than the baseline established by such coordinates.

**AMENDMENT NO. 3**

On page 2, line 23, after "United States," and before "the State" insert "and the powers of the United States Coast Guard as provided by law to patrol and protect the navigable waters of the United States in the Gulf of Mexico."

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:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Erdey</td>
</tr>
<tr>
<td>Adley</td>
<td>Morrish</td>
</tr>
<tr>
<td>Alario</td>
<td>Mount</td>
</tr>
<tr>
<td>Amedee</td>
<td>Murray</td>
</tr>
<tr>
<td>Appel</td>
<td>Nevers</td>
</tr>
<tr>
<td>Broome</td>
<td>Perry</td>
</tr>
<tr>
<td>Chabert</td>
<td>Peterson</td>
</tr>
<tr>
<td>Cheek</td>
<td>Shaw</td>
</tr>
<tr>
<td>Claitor</td>
<td>Smith</td>
</tr>
<tr>
<td>Dorsey</td>
<td>Thompson</td>
</tr>
<tr>
<td>Donahue</td>
<td>Willard-Lewis</td>
</tr>
<tr>
<td>Total - 34</td>
<td>Total - 0</td>
</tr>
</tbody>
</table>

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

**SENATE BILL NO. 180—**

**BY SENATOR HEITMEIER**

**AN ACT**

To amend and reenact R.S. 15:86.1, relative to unclaimed cash bail bonds being deposited in Plaquemines Parish; to provide relative to the liability for such bonds; to provide for the return to the owner of an unclaimed cash bail bond; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Erdey</td>
</tr>
<tr>
<td>Adley</td>
<td>Morrish</td>
</tr>
<tr>
<td>Alario</td>
<td>Mount</td>
</tr>
<tr>
<td>Amedee</td>
<td>Murray</td>
</tr>
<tr>
<td>Appel</td>
<td>Nevers</td>
</tr>
<tr>
<td>Broome</td>
<td>Perry</td>
</tr>
<tr>
<td>Chabert</td>
<td>Peterson</td>
</tr>
<tr>
<td>Cheek</td>
<td>Shaw</td>
</tr>
<tr>
<td>Claitor</td>
<td>Smith</td>
</tr>
<tr>
<td>Crowe</td>
<td>Thompson</td>
</tr>
<tr>
<td>Donahue</td>
<td>Willard-Lewis</td>
</tr>
<tr>
<td>Dorsey</td>
<td>Riser</td>
</tr>
<tr>
<td>Total - 35</td>
<td>Total - 4</td>
</tr>
</tbody>
</table>

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

**SENATE BILL NO. 199—**

**BY SENATOR CLAITOR AND REPRESENTATIVE GREENE**

**AN ACT**

To enact R.S. 33:9097.12, relative to crime prevention districts; to create the Jefferson Place/Bocage Crime Prevention and Improvement District in East Baton Rouge Parish; to provide for the powers and duties of the district and its board of commissioners; to provide for a parcel fee; to provide with respect to termination of the district; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Erdey</td>
</tr>
<tr>
<td>Adley</td>
<td>Morrish</td>
</tr>
<tr>
<td>Alario</td>
<td>Mount</td>
</tr>
<tr>
<td>Amedee</td>
<td>Murray</td>
</tr>
<tr>
<td>Appel</td>
<td>Nevers</td>
</tr>
<tr>
<td>Broome</td>
<td>Perry</td>
</tr>
<tr>
<td>Chabert</td>
<td>Peterson</td>
</tr>
<tr>
<td>Cheek</td>
<td>Shaw</td>
</tr>
<tr>
<td>Crowe</td>
<td>Thompson</td>
</tr>
<tr>
<td>Marionneaux</td>
<td>Riser</td>
</tr>
<tr>
<td>Michot</td>
<td>Quinn</td>
</tr>
<tr>
<td>Total - 5</td>
<td>Total - 5</td>
</tr>
</tbody>
</table>

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Claitor moved to reconsider the vote by which the bill was passed and laid the motion on the table.
10th DAY'S PROCEEDINGS

Cheek Long Smith
Clastor Martiny Thompson
Crowe McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrel
Total - 35 NAYS

Total - 0 ABSENT
Marionneaux Quinn
Michot Riser
Total - 4

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

SENATE BILL NO. 222—
BY SENATORS MILLS, ADLEY, ERDEY, HEITMEIER, MCPHERSON, MOUNT AND SHAW
AN ACT
To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(1) and (2), 402.2, and 408(A)(1) and (3); and to enact R.S. 32:402.1(A)(3)(c), relative to requiring driver education courses, training programs, and prelicensing training courses for children and adults to include teaching the economic effects of littering; to name this Act the "Louisiana Increases Tourism Through Environmental Responsibility Act of 2011" or "LITTER Act of 2011"; and to provide for related matters.

Floor Amendments
Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 222 by Senator Mills

AMENDMENT NO. 1
On page 2, line 16, after "and" delete "at least"

AMENDMENT NO. 2
On page 2, line 17, at the beginning of the line delete "thirty minutes of instruction"

AMENDMENT NO. 3
On page 2, line 27, after "Louisiana Beautiful, Inc," insert the following: "Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.

AMENDMENT NO. 4
On page 3, line 7, after "and" delete "at least thirty minutes of instruction"

AMENDMENT NO. 5
On page 3, line 17, after "Keep Louisiana Beautiful, Inc," insert the following: "Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.

AMENDMENT NO. 6
On page 4, line 2, after "and" delete "at least thirty"

AMENDMENT NO. 7
On page 4, line 3, at the beginning of the line delete "minutes of instruction"

AMENDMENT NO. 8
On page 4, line 12, after "and" delete "at least thirty minutes of"

AMENDMENT NO. 9
On page 4, line 13, at the beginning of the line delete "instruction"

AMENDMENT NO. 10
On page 4, line 13, at the beginning of the line insert "/driver education course/" and

AMENDMENT NO. 11
On page 5, line 1, after "Keep Louisiana Beautiful, Inc," insert the following: "and adopted by rule. Prior to implementation, the rule shall be submitted for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.

AMENDMENT NO. 12
On page 5, line 10, after "and" delete "at least thirty minutes of instruction"

AMENDMENT NO. 13
On page 5, line 20, after "Keep Louisiana Beautiful, Inc," and before "The department," insert the following: "Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Gautreaux Mount
Adley Guillory Murray
Alario Heitmeier Nevers
Amedee Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Shaw

ABSENT
Appel Kostelka Peterson
Cheek Long Smith
Claitor Martiny Thompson
Crowe McPherson Walsworth
Donahue Mills Willard-Lewis
Dorsey Morrel

TOTAL {}

NAYS
Marionneaux Quinn
Michot Riser

TOTAL - 4

THE BILL PASSED AND LAYED THE MOTION ON THE TABLE.
The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Mills moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Broome in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

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. Senator Chabert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Gautreaux Mount
Alario Guillory Murray
Amedee Heitmeier Nevers
Appel Kostelka Perry
Broome LaFleur Peterson
Chabert Long Shaw
Cheek Martiny Smith
Crowe McPherson Thompson
Donahue Mills Walsworth
Dorsey Morrell Willard-Lewis
Erdey Morrish
Total - 32

NAYS
Total - 0

ABSENT
Adley Marionneaux Riser
Claitor Michot
Jackson Quinn
Total - 7

The Chair declared the 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.

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MURRAY
A CONCURRENT RESOLUTION
To commend the elevation of William Raymond Manning into the College of Fellows of the American Institution of Architects.

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

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR CHAISSON
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renowned businessman and former Louisiana State Senator Ken Hollis and to note his life of public service and his many contributions made on behalf of the citizens of Jefferson Parish, the city of New Orleans, and the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATORS AMEDEE, NEVERS AND QUINN
A CONCURRENT RESOLUTION
To designate Thursday, May 26, 2011, as “Shaken Baby Syndrome Prevention Day” in the state of Louisiana, in honor of Rey Wayne Gatlin.

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

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules to recommit a bill.

HOUSE BILL NO. 273—
BY REPRESENTATIVE HUTTER
AN ACT
To enact R.S. 40:1730.23(F), relative to the state uniform construction code; to authorize the use of an affidavit to meet the requirement of windblown debris storm shutters; and to provide for related matters.

Senator Smith moved to recommit the bill from the Committee on Transportation, Highways and Public Works to the Committee on Commerce, Consumer Protection, and International Affairs.

Without objection, so ordered.

ATTENDANCE ROLL CALL

PRESENT

Mr. President Erdey Morrish
Adley Gautreaux Mount
Alario Guillory Murray
Amedee Heitmeier Nevers
Appel Jackson Perry
Broome Kostelka Peterson
Chabert LaFleur Shaw
Cheek Long Smith
Claitor        Martiny        Thompson
Crowe         McPherson      Walsworth
Donahue       Mills          Willard-Lewis
Dorsey        Morrell
Total - 35

ABSENT
Marionneaux  Quinn
Michot        Riser
Total - 4

Leaves of Absence

The following leaves of absence were asked for and granted:

Marionneaux  1 Day     Michot  1 Day
Quinn         1 Day     Riser   1 Day

Announcements

The following committee meetings for May 12, 2011, were announced:

Education       At Adj.               Hainkel Room
Labor and Ind. Rel. At Adj.         Room C
Local and Mun. Affairs At Adj.       Room F
Joint Natural Resources At Adj.      Room 4

Adjournment

On motion of Senator Thompson, at 4:05 o'clock P.M. the Senate adjourned until Thursday, May 12, 2011, at 9:00 o'clock A.M.

The President Pro Tempore of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 12, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk