

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

FOURTEENTH 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 18, 2011

The Senate was called to order at 2:35 o'clock P.M. by Hon. Sharon Weston Broome, President Pro Tempore of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Heitmeier	Peterson
Adley	Jackson	Riser
Broome	LaFleur	Shaw
Cheek	Martiny	Smith
Claitor	Morrish	Thompson
Donahue	Murray	Walsworth
Dorsey	Nevers	Willard-Lewis
Erdey	Perry	
Total - 23		

ABSENT

Alario	Guillory	Mills
Amedee	Kostelka	Morrell
Appel	Long	Mount
Chabert	Marionneaux	Quinn
Crowe	McPherson	
Gautreaux	Michot	
Total - 16		

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

Prayer

The prayer was offered by Pastor Greg Clark, 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 Morrish, the reading of the Journal was dispensed with and the Journal of May 17, 2011, was adopted.

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 34—
BY SENATORS THOMPSON AND WALSWORTH
A RESOLUTION

To commend and congratulate the players, coaches, and managers of the Carroll High School boys basketball team on winning the Class 3-A state championship.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION

To express the sincere heartfelt condolences of the Legislature of Louisiana upon the death of former state Senator, Guy W. Sockrider, Jr.

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

Message from the House

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

May 17, 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. 7 HB No. 365 HB No. 368

HB No. 370

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

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

HOUSE BILL NO. 7—

BY REPRESENTATIVES LABRUZZO, BOBBY BADON, HENRY BURNS, TIMBURNS, CHAMPAGNE, CHANDLER, DOERGE, DOVE, ELLINGTON, GISCLAIR, GREENE, GUINN, HARDY, HARRISON, HAZEL, HENRY, HILL, HOWARD, KATZ, KLECKLEY, LIGL, MCVEA, MORRIS, PEARSON, POPE, RICHARDSON, SCHRODER, SEABAUGH, SIMON, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WOOTON
AN ACT

To amend and reenact R.S. 46:460.10(A), (B), (C), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of cash assistance; to require participants to consent to possible random drug testing prior to receipt of cash benefits; to require random drug testing for twenty percent of recipients of cash assistance; to provide for the drug testing of more than twenty percent of all participants of the Family Independence Temporary Assistance Program under certain circumstances; to provide for reimbursement to the state; to provide for a determination of sufficiency of funding; to establish a cost savings program for drug testing; 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. 365—

BY REPRESENTATIVES HOWARD AND DOWNS
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b)(ii)(aa) and (bb) and (3)(c)(ii) and to enact R.S. 38:2212(T), relative to the public bid law; to make changes to requirements for the bid form; to specify what prices are utilized for the construction of a building in conjunction with public bid; to require who shall submit other documentation in addition to a bid form and when that documentation shall be submitted; and to provide for related matters.

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

May 18, 2011

HOUSE BILL NO. 368—
BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 41:905, relative to the Orleans Parish School Board; to provide for the sale of unused immovable school property to public bodies without the necessity of procedures otherwise provided by law; to provide that the sale shall be for not less than the property's appraised value; and to provide for related matters.

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

HOUSE BILL NO. 370—
BY REPRESENTATIVES JANE SMITH, BURFORD, HENRY BURNS, BURRELL, CARMODY, CHANDLER, DOERGE, MORRIS, NORTON, SEABAUGH, AND WILLIAMS AND SENATORS CHEEK, LONG, NEVERS, AND SHAW
AN ACT

To amend and reenact R.S. 9:165(C)(2)(introductory paragraph) and (a) and to enact R.S. 9:165.1, relative to issuance of bonds; to authorize the State Bond Commission to issue bonds secured by monies deposited into the Unclaimed Property Leverage Fund for completion of I-49; to provide for the use of the proceeds of the bonds; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; to provide for effectiveness; and to provide for related matters.

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

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

HOUSE BILL NO. 12—
BY REPRESENTATIVES TEMPLET, ARNOLD, AUBERT, BALDONE, BILLIOT, BROSSETT, HENRY BURNS, CHANDLER, CHANEY, CONNICK, DANAHAY, DIXON, EDWARDS, FANNIN, GEYMAN, GISCLAIR, GREENE, HARDY, HAZEL, HENRY, HILL, HOFFMANN, HUTTER, LAMBERT, LEBAS, LIGI, LITTLE, MONTOUCET, MORRIS, PEARSON, POPE, PUGH, RICHARD, ROY, SIMON, TALBOT, WHITE, AND WILLMOTT AND SENATORS LAFLEUR, LONG, MARTINY, MILLS, MORRISH, QUINN, SHAW, SMITH, AND THOMPSON
AN ACT

To amend and reenact R.S. 40:964 (Schedule I)(E)(introductory paragraph), to enact R.S. 40:964(Schedule I)(E)(8) and (9) and (F), and to repeal R.S. 40:964(Schedule I)(C)(32), relative to synthetic controlled dangerous substances; to add certain synthetic substances to Schedule I; and to provide for related matters.

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

HOUSE BILL NO. 31—
BY REPRESENTATIVES HARDY, CARMODY, CARTER, DOWNS, EDWARDS, AND SCHRODER
AN ACT

To amend and reenact R.S. 17:176(B) and (C), relative to standards for student participation in interscholastic athletics; to establish minimum academic eligibility requirements for participation by certain students in interscholastic athletics; to require the State Board of Elementary and Secondary Education to adopt a policy relative to such eligibility requirements; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 37—
BY REPRESENTATIVE NOWLIN
AN ACT

To amend and reenact R.S. 47:2060, relative to the transmission of tax collection information by local tax collectors; to change the time period within which certain tax collection information must be transmitted; and to provide for related matters.

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 56:333(B)(1) and (2) and to enact R.S. 56:333.3, relative to taking mullet for commercial purposes; to provide relative to taking of mullet for use as bait for recreational fishing; 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. 78—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 17:10.6(G), relative to school and district accountability; to provide relative to the auditing of a school system which is academically in crisis; and to provide for related matters.

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

HOUSE BILL NO. 118—
BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 14:229(A), relative to the crime of the illegal use of a counterfeit trademark; to add possession with the intent to sell to the elements of the crime; and to provide for related matters.

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

HOUSE BILL NO. 166—
BY REPRESENTATIVES HOFFMANN, ANDERS, BALDONE, HENRY BURNS, CARMODY, CHANEY, CONNICK, DOWNS, GISCLAIR, HARDY, HENDERSON, HENRY, HOWARD, ROSALIND JONES, KATZ, LAFONTA, LITTLE, LOPINTO, RICHARD, RICHARDSON, SEABAUGH, GARY SMITH, JANE SMITH, STIAES, THIERRY, AND WILLMOTT
AN ACT

To designate portions of Louisiana highways to honor public service of Louisiana citizens; to designate Louisiana Highway 34 from Louisiana Highway 546 to Kings Lake Road as the "Corporal J.R. Searcy Memorial Highway"; to designate the section of United States Highway 51 from the intersection of Louisiana Highway 38 to the Mississippi state line as the "Trooper Rudolph H. Miller Memorial Highway"; to designate the section of Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers and Purple Heart Memorial Highway"; to designate the section of Louisiana Highway 749 from the intersection of West Martin Luther King Drive to the intersection of Louisiana Highway 167 as the "Griffin Pat Miller Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 209—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 47:1541(B) and to enact R.S. 47:1541(D) and 1601(A)(2)(e), relative to the Department of Revenue; to provide relative to the audit of taxpayer records by the department; to provide the purposes for which sampling audits may be utilized; to authorize the use of managed audits at the secretary's discretion under certain circumstances; to authorize agreements regarding managed audits; to provide for definitions; to provide for limitations; to authorize the discretionary waiver of interest; and to provide for related matters.

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

HOUSE BILL NO. 217—

BY REPRESENTATIVE BARRAS
AN ACT

To enact Code of Criminal Procedure Article 900(A)(6)(c)(vi), relative to probation; to provide relative to violations of probation; to amend definition of "technical violation"; to include failure to report to probation officer as a technical violation of probation; and to provide for related matters.

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

HOUSE BILL NO. 227—

BY REPRESENTATIVES THIBAUT, GREENE, AND HARDY
AN ACT

To enact R.S. 9:1123.113, relative to condominiums; to require condominium associations to maintain a fidelity bond; to provide for a coverage amount; to establish a minimum coverage amount; to provide for compliance through a managing agent who maintains a bond; to require proof of the bond to be maintained on the premises of the condominium; to require inspection of the proof upon request; to require written or electronic notice of the bond; and to provide for related matters.

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

HOUSE BILL NO. 256—

BY REPRESENTATIVE RITCHIE
AN ACT

To amend and reenact R.S. 37:877(B)(1)(b)(ii) and 883(C), (D), (E), (F), and (G) and to enact R.S. 37:877(B)(1)(b)(iii) and 883(H) and (I), relative to cremation; to provide for representation of identity of deceased on cremation authorization forms; to require the coroner to identify human remains when releasing them to a funeral establishment; to exempt funeral or crematory establishments from liability when relying upon information provided by health care providers and coroners; to exempt funeral establishments and coroners from liability when permitting the viewing of human remains for the purposes of identification; 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. 261—

BY REPRESENTATIVE CARMODY
AN ACT

To amend and reenact R.S. 32:1254(A)(19) and (E)(9)(d), 1261(6)(a), and 1262(B)(1) and (4) and to enact R.S. 32:1262(B)(5) through (7), relative to the sale and distribution of motor vehicles; to exclude nonresident exhibitors from licensure by the Motor Vehicle Commission; to exempt recreational products dealers from certain licensure, franchise modification, and warranty requirements under certain circumstances; to provide for certain prohibited acts involving franchise agreements; to provide guidelines for audits of dealer records; and to provide for related matters.

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

HOUSE BILL NO. 339—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:971.1(A) and to repeal R.S. 40:617.1, relative to imitation controlled dangerous substances; to prohibit possession with intent to distribute or dispense an imitation controlled dangerous substance; to repeal the crime of distribution of imitation controlled dangerous substances to a person under eighteen; and to provide for related matters.

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

HOUSE BILL NO. 342—

BY REPRESENTATIVES EDWARDS, ARMES, BALDONE, HENRY BURNS, BURRELL, CARMODY, CHANDLER, DIXON, DOERGE, DOWNS, ELLINGTON, GISCLAIR, GULLORY, HARDY, HENRY, HILL, HINES, HOFFMANN, HOWARD, JOHNSON, SAM JONES, KATZ, LANDRY, LEBAS, LIGI, LITTLE, LORUSSO, MCVEA, MONTOUCET, POPE, RICHARD, RICHARDSON, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, WHITE, WILLIAMS, AND WILLMOTT
AN ACT

To enact R.S. 38:2212.10, relative to public contracts; to provide for the verification of employees engaged in public contract work; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 344—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 9:1123.102(11), relative to condominiums; to require a ten-day grace period for paying condominium assessments; to provide for limitations on charges for later payment of assessments; to require unit owners' association to provide written or electronic notice; and to provide for related matters.

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

HOUSE BILL NO. 417—

BY REPRESENTATIVES CORTEZ, ARMES, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BISHOP, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, DIXON, DOWNS, FANNIN, GISCLAIR, GUINN, HARDY, HENDERSON, HOFFMANN, HOWARD, SAM JONES, KATZ, LANDRY, LEBAS, LOPINTO, MONTOUCET, NOWLIN, POPE, RICHARD, RICHARDSON, SCHRODER, SEABAUGH, GARY SMITH, JANE SMITH, THIBAUT, AND WOOTON
AN ACT

To amend and reenact R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D), to enact R.S. 11:710(A)(4), and to repeal R.S. 11:710(H), relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as substitute teachers to receive benefits during reemployment; to provide limitations; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 420—

BY REPRESENTATIVE THIERRY
AN ACT

To amend and reenact R.S. 4:149.5(B)(1), relative to horse racing; to authorize account wagering to be conducted by a facility licensed by the Louisiana State Racing Commission and operating as pari-mutuel live horse racing facility; and to provide for related matters.

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

HOUSE BILL NO. 426—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 11:511, 822(A) and (B), 1162(A), 1164, and 1302(A), relative to certain state retirement systems; to provide relative to the membership of the boards of trustees of the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the State Police Pension and Retirement System, and the Louisiana School Employees' Retirement System; to provide for effectiveness; and to provide for related matters.

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

May 18, 2011

HOUSE BILL NO. 445—
BY REPRESENTATIVES CHANEY AND LOPINTO
AN ACT

To enact R.S. 6:966.1(E), relative to notices of repossession; to dispense with notice requirements for certain parties involved in secured transactions; and to provide for related matters.

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

HOUSE BILL NO. 481—
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 11:1402(6)(c) and (8), 1404(A), 1411(D), 1444(C) and (D), 1451, 1457(C), 1458(B)(1), (2)(a), (b), and (d), (3)(caption), and (4) and (E)(2) and (5)(c), to enact R.S. 11:1402(6)(d), 1444(E)(3), 1445(G), 1455(C), and 1458(A)(3), and to repeal R.S. 11:1404(E), 1457(B), 1458(B)(2)(c) and (E)(5)(d) and (e), relative to the Louisiana Assessors' Retirement Fund; to provide relative to compliance with applicable federal tax qualification requirements; 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 Retirement.

HOUSE BILL NO. 592—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 25:1226.6(A), relative to tax exemptions and credits; to provide relative to tax exemptions and credits pursuant to the Atchafalaya Trace Heritage Area Development Zone; to extend the period in which new applications for tax benefits may be approved; and to provide for related matters.

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

HOUSE BILL NO. 599—
BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 34:851.27(B)(8), relative to the operation of watercraft; to authorize the parish of St. Tammany to regulate or prohibit the operation of watercraft; and to provide for related matters.

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

HOUSE BILL NO. 602—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 37:3415.6 and to enact R.S. 37:3415.10, relative to real estate appraisal management companies; to establish an expiration date for licenses; to provide for prorating of assessments; to require a real estate appraisal management company to submit an application assessment along with an application for license or renewal; to require all real estate appraisal management companies doing business in Louisiana to remit the initial license assessment; 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 Concurrent Resolutions on
Second Reading

HOUSE CONCURRENT RESOLUTION NO. 104—
BY REPRESENTATIVES PATRICIA SMITH, AUBERT, AUSTIN BADON, BARROW, BISHOP, BROSSETT, BURRELL, DIXON, FRANKLIN, GALLOT, HARDY, HONORE, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, NORTON, STIAES, THIERRY, AND WILLIAMS AND SENATORS BROOME, DORSEY, GUILLORY, JACKSON, MORRELL, MURRAY, PETERSON, AND WILLARD-LEWIS

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the residents of the states of Alabama, Arkansas, Mississippi, Missouri, and Tennessee who have lost loved ones as a result of the devastating storms that tore through their states.

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

Table with 3 columns: Name, Yeas, Nays. Lists names of members and their counts for YEAS.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names of members and their counts for ABSENT.

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

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To commend Blane Palazzo for his exemplary service and performance at all of the veteran and memorial events at which he has been honored to blow his bugle.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of members and their counts for YEAS.

NAYS

Total - 0

ABSENT

Alario Amedee Mount
Total - 3

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS**

Senator John R. Smith, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 18, 2011

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR BROOME**

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month.

Reported favorably.

**SENATE BILL NO. 72—
BY SENATOR MICHOT**

AN ACT

To amend and reenact R.S. 51:2461, relative to the Louisiana Quality Jobs Program; to extend the deadline for applications to receive tax credits or rebates; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 130—
BY SENATOR DONAHUE**

AN ACT

To amend and reenact R.S. 37:1798(A)(1)(a) and 1866(A)(1)(a), relative to pawnbrokers and secondhand dealers; to provide for means of reporting; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOHN R. SMITH
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

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

May 18, 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 CONCURRENT RESOLUTION NO. 32—
BY SENATOR CHEEK**

A CONCURRENT RESOLUTION

To request the Department of Health and Hospitals to study whether to amend Louisiana's State Medicaid Plan to permit physicians to apply fluoride varnish to the teeth of children under the age of seven who are enrolled in the state Medicaid program and receive appropriate reimbursement, to determine the feasibility of providing such reimbursement, to estimate the costs of such a program, and to submit a written report of its findings and conclusions, including any recommendations for legislation and appropriations relative to the issue, to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare by February 1, 2012.

Reported favorably.

**SENATE BILL NO. 133—
BY SENATOR MARIONNEAUX**
AN ACT

To enact R.S. 40:1300.256(A)(5) and to repeal R.S. 40:1300.256(B)(5), (8) and (13), relative to prohibiting smoking in certain places; to provide for restrictions; to provide relative to exceptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

Senator Dan W. "Blade" Morrish, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 18, 2011

To the President and Members of the Senate:

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

**SENATE BILL NO. 154—
BY SENATOR MURRAY**
AN ACT

To amend and reenact R.S. 22:1053(A), relative to the requirement for coverage of step therapy or fail first protocols; to provide with respect to any coverage plan which includes prescription benefits as part of its policy or contract; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 46—
BY REPRESENTATIVE HARRISON**

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to study the practice of credit scoring.

Reported favorably.

**HOUSE BILL NO. 107—
BY REPRESENTATIVES TALBOT, BILLIOT, CONNICK, HENRY,
LABRUZZO, LIGI, LOPINTO, TEMPLET, AND WILLMOTT AND
SENATORS APPEL, MARTINY, MORRELL, AND QUINN**
AN ACT

To amend and reenact R.S. 22:1923(introductory paragraph) and to enact R.S. 22:1923(1)(j), relative to fraudulent insurance acts; to define certain activity toward a self-insured governmental entity that maintains a self-insured loss fund or risk pool as such an act; and to provide for related matters.

Reported favorably.

May 18, 2011

HOUSE BILL NO. 137—

BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 22:1567, relative to producer compensation; to authorize producers and certain insurers or policyholders to negotiate any combination of commissions, fees, or fees in lieu of commissions, for certain insurance coverages; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 259—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 32:900(B)(2)(c), relative to motor vehicle liability policies; to provide minimum liability limits for property damage under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 275—

BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 22:867(C) and 873, relative to the methods of delivery of an insurance policy or evidence of insurance; to provide for methods of transmitting insurance policies and supporting documents; to provide for electronic transaction of documents; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 283—

BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 22:901(A), (B), (C)(1) and (3), and (D)(1)(introductory paragraph) and (a) and (2), 902, 904, 905, 906, 907, 910, 912(A), (B)(1), (C), (D)(1)(b), (E), and (F), 913, 914, 915(B), 931, 932(B)(introductory paragraph) and (1), (D)(introductory paragraph) and (2), and (E), 934, 935, 936(A)(1)(introductory paragraph) and (2), (B), (D)(1), (2), and (4), (E), (F)(1), (G)(1), (4), and (8)(introductory paragraph) and (b) and (d) through (g), (I)(1), (J)(1), (2), (3), and (5), (K)(1)(g) and (h), 941(B)(introductory paragraph) and (6), 942(introductory paragraph) and (1), (10)(b), and (11), 943(D)(2), 944(A), 951(A), 952(A)(2), (B)(introductory paragraph) and (4), and (J), 961, 1541, 1542(1), (4), (6), (9), (11), (14), and (18), 1544(B)(5) through (8) and (D), 1545(I)(1)(introductory paragraph), 1546(A)(3), (D)(4), and (F), 1547(A)(10), (C)(2), (D), (E), (G), (H), and (I)(3), 1548(A)(1) and (3), (B)(2) and (3)(b), (D)(2), and (E), 1549(B)(4) and (5), (C), (D), (E)(introductory paragraph), (F), and (H), 1550(A)(2), (B)(1) and (d) and (2), (C), (D), (E)(introductory paragraph), and (H), 1554(G), 1555, 1556(A), (B), and (C), 1557(B)(1) and (2), 1558(B)(3) and (4), (C), and (D), 1559(C), (D)(1), and (E)(1), 1562(C)(1)(b) and (d), (E)(2), and (H)(introductory paragraph) and (4), 1564(A)(2), (B)(1)(a), and (C), 1571, 1573(C) through (G), (I)(1)(a), (K), (L), and (M), 1574(A) through (D)(1), 1575(C)(2) and (D), 1583, the heading of R.S. 22:1584, 1585(C), 1591, 1592, 1593(A)(introductory paragraph) and (1), 1594(introductory paragraph), 1595, 1597, 1598(C), 1599(A) and (C)(introductory paragraph), 1600(B)(introductory paragraph), 1603(1) and (3), 1604(A)(2), 1605, 1622, 1623(A), (B), (D), and (F), 1624, 1625(A) and (H), 1627(A)(2), the heading of Part III of Chapter 5 of the Louisiana Revised Statutes of 1950, 1641(introductory paragraph), (1)(introductory paragraph), (c), (g), and (j), (4), and (7), 1642(A) and (C),

1644(D), 1651(B)(6), (D), (H)(1), and (I)(1), 1652, 1654(A)(introductory paragraph) and (C)(introductory paragraph), 1657, 1662(6)(a)(introductory paragraph) and (14), 1664(A) and (C)(2), 1665(A)(introductory paragraph) and (1), 1669, 1670(A)(2) and (D), 1671(A), (B)(2), and (C), 1673(C), 1693(A), 1694(A), 1696(A), 1697, 1698(A)(2) and (D), 1699(A)(3), (B), and (F), 1704(E)(1)(a) and (b), 1706(F), 1722, 1723(A)(introductory paragraph), (B)(introductory paragraph) and (2), (D), and (F), 1724(5), 1726(A) and (B), 1727(A)(1), (2), (3), (4)(introductory paragraph), (7), and (8), (B)(4), (C), and (F), 1728(6), 1729(A) and (F), 1731(A)(2), 1741, 1747, 1761, 1763(B), 1767, and 1768; to enact R.S. 22:821(B)(31), (32), and (33), 1557(C), 1641(8) and (9), and 1766(C); and to repeal R.S. 22:1546(G) and (H), 1566, 1746(E), 1751, and 1769, all relative to technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, harmonizing of inconsistent provisions, and consolidating all provisions authorizing fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 398—

BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 22:905(A)(2), relative to life insurance policies; to provide with respect to written notice required before lapsing life policies; to require notice be sent to the insured and assignee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 446—

BY REPRESENTATIVES LITTLE AND ELLINGTON
AN ACT

To amend and reenact R.S. 22:885(D), relative to cancellation of an insurance policy by the insured; to provide for limited applicability of cancellation provisions; to exclude credit property and casualty insurance from cancellation requirements; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DAN W. "BLADE" MORRISH
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 18, 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:

SENATE RESOLUTION NO. 4—

BY SENATOR CLAITOR
A RESOLUTION

To amend and readopt Senate Rule 7.6(E) and 10.9(A) of the Rules of Order of the Senate to provide relative to the procedure applicable to the adoption of resolutions.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to erect a Ten Commandments monument on the grounds of the State Capitol.

Reported favorably.

SENATE BILL NO. 217—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 25:342(B)(3)(c) through (i), 352(A) and (B)(2)(b), 380.141(A), 380.142(A), (C), and (E), 380.143(B)(4) and (C)(2), 380.144, 380.145(A), (B), (C)(2)(a) and (b)(iii), 380.146, and to enact R.S. 25:380.147, R.S. 36:744(DD) and 801.21, and to repeal R.S. 25:380.143(C)(3) and R.S. 36:209(W)(2) and (Y), relative to the Louisiana Political Museum and Hall of Fame; to transfer all powers, duties, employees, and responsibilities from the jurisdiction of the office of state museums in the Department of Culture, Recreation and Tourism to the Department of State; to provide relative to the governing authority of the museum, including its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules, regulations and fees; to provide for receipt and use of funds, property, and self-generated revenue; to provide relative to the authority of the museum with respect to the museum; to provide relative to personnel and budgets of the museum; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 519—

BY REPRESENTATIVE DANAHAY

AN ACT

To enact R.S. 17:2.1 and to repeal R.S. 17:2.2, relative to redistricting; to provide for election districts for the State Board of Elementary and Secondary Education; to provide for election of members; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

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

SENATE BILL NO. 155—

BY SENATOR MARTINY

AN ACT

To amend and reenact Children's Code Articles 1187 and 1188(C) and to enact R.S. 40:73(E), relative to adoptions; to provide for accessing original birth certificates under certain circumstances; and to provide for related matters.

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

Special Order of the Day No. 1

SENATE BILL NO. 13—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:297.10(A), relative to income tax deductions; to authorize a deduction for the amount of certain tuition and fees paid to certain elementary and secondary schools; and to provide for related matters.

Floor Amendments

Senator Shaw proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shaw to Engrossed Senate Bill No. 13 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:207.10(A)" to "R.S. 47:294(A) and 207.10(A)"

AMENDMENT NO. 2

On page 1, line 4, after "schools;" insert: "to provide an extra deduction for taxpayers with no minor dependents;"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 47:207.10(A) is" to "R.S. 47:294(A) and 207.10(A) are"

AMENDMENT NO. 4

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

"§294. Personal exemptions and credit for dependents **and no dependents**

All personal exemptions and deductions for dependents allowed in determining federal income tax liability, including the extra exemption for the blind and aged, will be allowed in determining the tax liability in this Part. Taxpayers are required to use the same filing status and claim the same exemptions on their return required to be filed under this Part as they used on their federal income tax return. The amounts to be taken into consideration shall be as follows:

A. A combined personal exemption and standard deduction in the following amounts:

a. Single Individual	\$ 4500.00
b. Single Individual without minor dependents	\$ 5500.00
b. c. Married-Joint Return and a Qualified Surviving Spouse	\$ 9000.00
d. Married-Joint Return and a Qualified Surviving Spouse without minor dependents	\$10,000.00
c. e. Married-Separate	\$ 4500.00
f. Married-Separate without minor dependents	\$ 5500.00
d. g. Head of Household	\$ 9000.00
	* * *

Senator Marionneaux asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heitmeier	Nevers
Broome	LaFleur	Perry
Chabert	Long	Quinn
Claitor	Marionneaux	Riser
Crowe	Martiny	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Gautreaux	Morrell	
Guillory	Murray	
Total - 25		

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NAYS

Adley	McPherson	Shaw
Cheek	Morrish	Willard-Lewis
Erdey	Mount	
Jackson	Peterson	
Total - 10		

ABSENT

Mr. President	Appel
Amedee	Kostelka
Total - 4	

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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.

Floor Amendments

Senator Cheek proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed Senate Bill No. 65 by Senator Cheek

AMENDMENT NO. 1

On page 2, line 3, after "conviction" insert "or has had his conviction expunged"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Appel	Jackson	Nevers
Broome	LaFleur	Perry
Chabert	Long	Peterson
Cheek	Marionneaux	Quinn
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Kostelka	Riser
Total - 3		

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

SENATE BILL NO. 176— BY SENATORS HEITMEIER AND MILLS 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 Medicaid; to provide for an upper payment limit financing mechanism for certain health care providers; to provide for rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Murray
Adley	Jackson	Nevers
Alario	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Gautreaux	Morrish	
Guillory	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	Donahue
Total - 2	

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

SENATE BILL NO. 205— BY SENATOR GUILLORY AN ACT

To enact R.S. 37:1226.3, relative to the prescription drugs; to provide relative to charitable pharmacies; to provide for exchanges and re-dispensing in pharmacies under the authority of the Department of Public Safety and Corrections; to provide for the authority to promulgate rules and regulations; and to provide for related matters.

Floor Amendments

Senator Guillory proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed Senate Bill No. 205 by Senator Guillory

AMENDMENT NO. 1

On page 1, line 4, after "Corrections;" insert "to provide for limitation of liability;"

AMENDMENT NO. 2

On page 2, between lines 1 and 2, insert the following:

"C. No pharmaceutical manufacturer shall be liable for any claim or injury arising from the re-dispensing of any prescription drug pursuant to the provisions of this Section, including but not limited to liability for failure to transfer or communicate product or consumer information regarding the re-dispensed drug, as well as the expiration date of the re-dispensed drug."

AMENDMENT NO. 3

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

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	Marionneaux
Total - 2	

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

SENATE BILL NO. 2—
BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:2091(B) and (C), relative to the Registrars of Voters Employees' Retirement System; to provide for membership of and election to the board of trustees; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Guillory proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed Senate Bill No. 2 by Senator Guillory

AMENDMENT NO. 1

On page 2, line 27 change "and" to "or"

On motion of Senator Guillory, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	Kostelka	Perry
Broome	LaFleur	Peterson
Chabert	Long	Quinn
Cheek	Marionneaux	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Gautreaux	Morrish	
Total - 38		

NAYS

Total - 0

ABSENT

Amedee
Total - 1

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

SENATE BILL NO. 3—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 11: 2174.2 and 2178(B)(1)(b), (C), and (I)(1), relative to the Sheriffs' Pension and Relief Fund; to provide for changes to the existing defined benefit plan; to provide for calculation of benefits and retirement eligibility requirements for persons whose system membership begins after a certain date; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed Senate Bill No. 3 by Senator Gautreaux

AMENDMENT NO. 1

On page 4, line 18 after "**creditable service**" insert "**or any member who in the performance of his official duties as a commissioned law enforcement officer suffers a violent act or accident during the pursuit, apprehension, or arrest of a criminal suspect and as a result becomes totally and permanently disabled or dies**"

On motion of Senator Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers

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Appel	Kostelka	Perry
Broome	LaFleur	Peterson
Chabert	Long	Quinn
Cheek	Marionneau	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Gautreaux	Morrish	
Total - 38		

NAYS

Total - 0

ABSENT

Amedee
Total - 1

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

SENATE BILL NO. 16—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:4580(B)(1)(b) and (3), relative to the Vernon Parish Arena District; to provide relative to governance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Appel	Jackson	Nevers
Broome	LaFleur	Peterson
Chabert	Long	Quinn
Cheek	Marionneau	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Amedee
Total - 3

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

SENATE BILL NO. 17—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 33:2541.1(B)(1), relative to the position of deputy chief of police for the city of Jennings; to provide for qualifications; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	LaFleur	Perry
Broome	Long	Peterson
Chabert	Marionneau	Quinn
Cheek	Martiny	Riser
Claitor	McPherson	Shaw
Crowe	Michot	Smith
Dorsey	Mills	Thompson
Erdey	Morrell	Walsworth
Gautreaux	Morrish	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Amedee
Total - 3

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

SENATE BILL NO. 19—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 33:3887.5, relative to Sewerage District No. 1 of Rapides Parish; to authorize an increase in the amount of per diem paid to members of the board of supervisors; and to provide for related matters.

Floor Amendments

Senator Marionneau sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneau on behalf of the Legislative Bureau to Engrossed Senate Bill No. 19 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 14, following "member" insert "a"

On motion of Senator Marionneau, 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

Mr. President	Erdey	Morrell
Adley	Gautreaux	Morrish
Alario	Guillory	Mount
Appel	Heitmeier	Murray
Broome	Jackson	Riser
Chabert	LaFleur	Shaw
Cheek	Long	Smith
Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth

Donahue Michot Willard-Lewis
Dorsey Mills
Total - 32

NAYS

Peterson Quinn
Total - 2

ABSENT

Amedee Marionneaux Perry
Kostelka Nevers
Total - 5

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

SENATE BILL NO. 20—
BY SENATOR CROWE

AN ACT

To enact R.S. 33:423.22, relative to the town of Pearl River; to authorize the police chief to take certain personnel actions with respect to police personnel; 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	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	LaFleur	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee Kostelka
Total - 2

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

SENATE BILL NO. 30—
BY SENATOR WALSWORTH

AN ACT

To enact Subpart O of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.38, relative to donations of refunds; to provide for such donations to the Louisiana Bicentennial Commission and Battle of New Orleans Bicentennial Commission; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 30 by Senator Walsworth

AMENDMENT NO. 1

On page 2, line 1, before ", and Battle" change "(R.S. 25:1231, et seq.)" to ", R.S. 25:1231, et seq."

AMENDMENT NO. 2

On page 2, line 2, following "27-A of" and before ", in lieu" change "that Title (R.S. 25:1238.1, et seq.)" to "Title 25, R.S. 25:1238.1, et seq."

AMENDMENT NO. 3

On page 2, line 17, delete "such"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	LaFleur	Perry
Broome	Long	Peterson
Chabert	Marionneaux	Quinn
Cheek	Martiny	Riser
Claitor	McPherson	Shaw
Crowe	Michot	Smith
Dorsey	Mills	Thompson
Erdey	Morrell	Walsworth
Gautreaux	Morrish	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Amedee Donahue Kostelka
Total - 3

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

SENATE BILL NO. 42—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact Paragraph (6) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 623 of the 2010 Regular Session of the Legislature; Paragraph (15) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature; and Section 6 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 623 of the 2010 Regular Session of the Legislature, relative to

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the city of Bastrop; to provide relative to the powers and duties of the city; to provide relative to restrictions; to provide relative to penalties for the violation of city ordinances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Guillory Morrish
Alario Heitmeier Mount
Appel LaFleur Murray
Chabert Long Perry
Cheek Marionneaux Quinn
Crowe Martiny Riser
Donahue McPherson Shaw
Dorsey Michot Smith
Erdey Mills Walsworth
Gautreaux Morrell Willard-Lewis
Total - 30

NAYS

Claitor Jackson Peterson
Total - 3

ABSENT

Mr. President Broome Nevers
Amedee Kostelka Thompson
Total - 6

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

SENATE BILL NO. 18— BY SENATOR LAFLEUR

AN ACT

To enact 33:381(C)(31), relative to the town of Simmesport; to provide that the chief of police shall be appointed; to provide for the time of the initial appointment; to provide for the method of appointment and for the salary, term, duties, and supervision of the police chief; to provide for the qualifications of the police chief; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 18 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, following "enact" and before "33:381(C)(31)" insert "R.S."

AMENDMENT NO. 2

On page 2, line 15, following "council" and before "approved" insert "-"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Engrossed Senate Bill No. 18 by Senator LaFleur

AMENDMENT NO. 1

On page 2, line 14 change "Officers" to "Officer"

On motion of Senator LaFleur, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Mount
Adley Heitmeier Murray
Alario Jackson Nevers
Appel LaFleur Perry
Broome Long Peterson
Chabert Marionneaux Quinn
Cheek Martiny Riser
Claitor McPherson Shaw
Donahue Michot Smith
Dorsey Mills Thompson
Erdey Morrell Walsworth
Gautreaux Morrish Willard-Lewis
Total - 36

NAYS

Total - 0

ABSENT

Amedee Crowe Kostelka
Total - 3

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

Mr. President in the Chair

SENATE BILL NO. 44— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 2:319, relative to Beauregard Parish; to increase the number of members of the board of commissioners for the Beauregard Parish Airport Board; and to provide for related matters.

The bill was read by title. Senator Smith 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

Appel	Jackson	Perry
Broome	LaFleur	Peterson
Chabert	Long	Quinn
Cheek	Martiny	Riser
Claitor	McPherson	Shaw
Crowe	Michot	Smith
Donahue	Mills	Thompson
Dorsey	Morrell	Walsworth
Erdey	Morrish	Willard-Lewis

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Kostelka	Marionneaux
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Total - 3

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

SENATE BILL NO. 45—
BY SENATOR SMITH

AN ACT

To enact R.S. 46:1053(EE), relative to Hospital Service District Number Two of Beauregard Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

Floor Amendments

Senator Smith proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 45 by Senator Smith

AMENDMENT NO. 1

On page 1, line 17, between change "commissioner offices shall be for" to "commissioners shall serve"

On motion of Senator Smith, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Amedee
Total - 1

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

SENATE BILL NO. 59—

BY SENATORS DONAHUE, APPEL, LAFLEUR, LONG, MARTINY AND NEVERS AND REPRESENTATIVES HARDY, SCHRODER AND SIMON
AN ACT

To amend and reenact R.S. 17:7(5)(b) and to enact R.S. 17:416.21 and 3996(B)(28), relative to student behavior; to provide with respect to the appropriate use of seclusion and physical restraint in response to the behavior of students with exceptionalities; to provide for definitions; to provide relative to rules, guidelines, and procedures; to provide for reporting and documentation; to provide for parental notification; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 59 by Senator Donahue

AMENDMENT NO. 1

On page 3, line 20, following "shall" change "only be used" to "be used only"

AMENDMENT NO. 2

On page 3, line 27, following "shall" change "only be used" to "be used only"

AMENDMENT NO. 3

On page 4, line 2, following "shall" delete "only"

AMENDMENT NO. 4

On page 4, line 2, following "room" and before "by" insert "only"

AMENDMENT NO. 5

On page 4, line 16, following "shall" change "only be used" to "be used only"

AMENDMENT NO. 6

On page 4, line 26, following "shall" delete "only"

AMENDMENT NO. 7

On page 4, line 26, following "restraint" and before "in" insert "only"

AMENDMENT NO. 8

On page 6, line 9, following "M." and before "The" insert "(1)"

AMENDMENT NO. 9

On page 6, line 10, following "shall" delete ":" and insert "adopt written guidelines and procedures regarding:"

AMENDMENT NO. 10

On page 6, delete line 11

On motion of Senator Marionneaux, the amendments were adopted.

May 18, 2011

Floor Amendments

Senator Donahue proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Donahue to Engrossed Senate Bill No. 59 by Senator Donahue

AMENDMENT NO. 1

On page 2, line 22, between "Holding" and "for less" delete "a student" and insert "of a student, by a school employee."

AMENDMENT NO. 2

On page 2, line 24, between "one" and the comma ", " change "adult" to "school employee"

AMENDMENT NO. 3

On page 5, line 8, between "provided" and "the school" insert "to"

On motion of Senator Donahue, the amendments were adopted.

Floor Amendments

Senator Donahue proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Donahue to Engrossed Senate Bill No. 59 by Senator Donahue

AMENDMENT NO. 1

On page 4, delete line 25, and insert the following: "(3) No student shall be physically restrained in a manner that places excessive pressure on the student's chest or back or that causes asphyxia."

On motion of Senator Donahue, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators under the YEAS category, including Mr. President, Adley, Alario, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdey, Gautreaux, and a Total of 35.

NAYS

Total - 0

ABSENT

Table listing names of senators under the ABSENT category, including Amedee, Appel, Marionneaux, and Shaw, with a Total of 4.

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

SENATE BILL NO. 66— BY SENATORS RISER AND CHEEK AN ACT

To enact R.S. 23:998, relative to the verification of legal status of certain aliens prior to employment in public contract work; to provide for definitions; to provide for the scope of applicability; to provide for the cost of such verification; to provide relative to a de-funding of such federal program; and to provide for related matters.

Floor Amendments

Senator Riser submitted the following amendments on behalf of Senator Appel.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 66 by Senator Riser

AMENDMENT NO. 1

On page 2, at the beginning of line 15, delete "public entity" and insert "state agency"

AMENDMENT NO. 2

On page 2, line 19 after "employees" and before "are" insert "to be employed on the project for which a state agency is soliciting bids"

AMENDMENT NO. 3

On page 2, line 23, after "employees" and before the period "." insert "employed directly by the private employer"

AMENDMENT NO. 4

On page 2, line 27, after "shall" delete the remainder of the line and at the beginning of line 28, delete "public contract," and insert ", for the convenience of the contracting state agency, be subject to the cancellation of the contract with the state agency. Upon such cancellation the private employer shall be compensated for the private employer's cost to the date of cancellation, plus the pro rata share of its overhead and profit or fee earned to the date of cancellation."

AMENDMENT NO. 5

On page 2, line 28, after "in a" and before "contract", change "public" to "state"

AMENDMENT NO. 6

On page 3, line 1, after "state" delete "or public"

AMENDMENT NO. 7

On page 3, delete lines 2 through 4

AMENDMENT NO. 8

On page 3, at the beginning of line 5, change "(3)" to "(2)"

AMENDMENT NO. 9

On page 3, at the beginning of line 8, change "(4)" to "(3)"

AMENDMENT NO. 10

On page 3, at the beginning of line 14, change "(5)" to "(4)"

On motion of Senator Riser, the amendments were adopted.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 66 by Senator Riser

AMENDMENT NO. 1
On page 1, line 9, delete "when"

AMENDMENT NO. 2
On page 1, line 10, after "state" delete the remainder of the line and delete lines 11 through 14 and insert a period "."

AMENDMENT NO. 3
On page 2, line 15, after "services" delete the remainder of the line and at the beginning of line 16 delete "Louisiana"

Motion

Senator Adley moved for a division of the question on the floor amendments.

Without objection, so ordered.

Senator Claitor moved the adoption of Amendment No. 1.

Without objection, Amendment No. 1 was adopted.

Senator Claitor moved the adoption of Amendment No. 2.

Senator Riser objected.

ROLL CALL

The roll was called with the following result:

YEAS

Claitor
Total - 2

Donahue

NAYS

Adley	Kostelka	Murray
Alario	LaFleur	Nevers
Broome	Long	Perry
Chabert	Marionneaux	Peterson
Cheek	Martiny	Riser
Crowe	Michot	Shaw
Dorsey	Mills	Smith
Gautreaux	Morrell	Thompson
Heitmeier	Morrish	Willard-Lewis
Jackson	Mount	
Total - 29		

ABSENT

Mr. President	Erdey	Quinn
Amedee	Guillory	Walsworth
Appel	McPherson	
Total - 8		

The Chair declared Amendment No. 2 was rejected.

Senator Claitor moved the adoption of Amendment No. 3.

Without objection, Amendment No. 3 was adopted.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 66 by Senator Riser

AMENDMENT NO. 1
On page 3, at the end of line 7, insert the following: "If the penalty is found not to be supported by evidence or law the private employer may recover reasonable attorney fees and court costs together with any lost profits."

AMENDMENT NO. 2
On page 3, line 21, change "2012" to "2014"

Motion

Senator Riser moved for a division of the question on the floor amendments.

Without objection, so ordered.

Senator Claitor moved the adoption of Amendment No. 1.

Without objection, Amendment No. 1 was adopted.

Senator Claitor moved the adoption of Amendment No. 2.

Senator Riser objected.

On motion of Senator Claitor, Amendment No. 2 was withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Jackson	Murray
Alario	Kostelka	Nevers
Broome	LaFleur	Perry
Chabert	Long	Peterson
Cheek	Marionneaux	Quinn
Claitor	Martiny	Riser
Crowe	McPherson	Shaw
Dorsey	Michot	Smith
Erdey	Mills	Thompson
Gautreaux	Morrell	Walsworth
Guillory	Morrish	Willard-Lewis
Heitmeier	Mount	
Total - 35		

NAYS

Donahue
Total - 1

ABSENT

Mr. President	Amedee	Appel
Total - 3		

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

May 18, 2011

SENATE BILL NO. 76—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 38:2211(A)(12) and to enact R.S. 38:2225.5, relative to contracts by public entities; to provide for certain restrictions; to provide for definitions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 80—
BY SENATOR NEVERS AND REPRESENTATIVE AUSTIN BADON
AN ACT

To amend and reenact R.S. 36:642(C)(1), 643, 645(A)(5), 646, 648, and 649, to repeal R.S. 17:23 and Chapter 34 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3781 through 3784, and to repeal R.S. 36:647, relative to the Department of Education; to provide relative to the offices within the department and their functions; to provide relative to the titles of the officers of the department; to provide relative to the appointment and duties of the deputy superintendent of education; to remove provisions relative to the purposes and functions of certain offices; to remove duplicative and outdated provisions; to delete provisions relative to the establishment, governance, programs, and services of the regional education service centers; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 80 by Senator Nevers

AMENDMENT NO. 1
On page 4, line 14, delete

*** * **

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Murray proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 80 by Senator Nevers

AMENDMENT NO. 1
On page 1, line 2, between "649," and "to repeal" insert "to enact R.S. 36:648.1."

AMENDMENT NO. 2
On page 1, line 14, between "reenacted" and "to read" insert "and R.S. 36:648.1 is hereby enacted"

AMENDMENT NO. 3
On page 2, line 6, between "readiness," and "special" insert "the office of departmental support, the office of innovation, the Recovery School District."

AMENDMENT NO. 4
On page 4, delete line 14 and insert the following:
"§648.1. Recovery School District; special school district number one; administration

A. The state superintendent of education shall appoint a superintendent to serve as the administrative head of the Recovery School District, with prior approval of the State Board

of Elementary and Secondary Education. The superintendent of the Recovery School District shall possess the same qualifications established by the state board for the position of superintendent of a city, parish, or other local public school system and shall be subject to confirmation by the Senate.

B. Special school district number one shall be under the administration and supervision of a state director who shall be appointed by the state superintendent of education, subject to confirmation by the Senate.

C. The salary of the superintendent of the Recovery School District and the state director of special school district number one shall be fixed by the state superintendent and shall not exceed the amount approved for such position by the legislature while in session.

D. The superintendent of the Recovery School District and the state director of special school district number one shall exercise their duties and functions under the direct supervision and control of the state superintendent of education."

AMENDMENT NO. 5

On page 5, between lines 7 and 8, insert the following:

"F. The office of departmental support shall perform the functions of the state relating to parental options, charter schools, federal programs, nutritional programs, standards, assessments, and accountability, and information management, all in accordance with applicable law.

G. The office of innovation shall perform the functions of the state relating to teacher preparation, certification, and professional development, school leadership, support to local school districts, and school improvement, all in accordance with applicable law."

On motion of Senator Murray, the amendments were adopted.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Engrossed Senate Bill No. 80 by Senator Nevers

AMENDMENT NO. 1
In the set of 5 amendments proposed by Senator Murray and adopted by the Senate on May 18, 2011, in Amendment No. 5, on page 1, line 35, after "programs," and before "standards" insert "foreign language programs."

On motion of Senator LaFleur, 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	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Appel	Jackson	Perry
Broome	Kostelka	Peterson
Chabert	LaFleur	Quinn
Cheek	Long	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrish	Willard-Lewis

Total - 36

NAYS

Total - 0

ABSENT

Amedee Marionneaux Morrell
Total - 3

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

SENATE BILL NO. 82—
BY SENATOR DORSEY

AN ACT

To enact R.S. 47:305.66, relative to sales and use taxes; to provide that the state sales and use tax shall not apply to purchases of breastfeeding items; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 82 by Senator Dorsey

AMENDMENT NO. 1
On page 1, line 8, delete "A."

AMENDMENT NO. 2
On page 1, line 11, following "baby" delete ":",

AMENDMENT NO. 3
On page 1, line 12, following "to" delete ":",

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee Morrell Smith
Marionneaux Peterson
Total - 5

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

SENATE BILL NO. 99—
BY SENATORS MORRELL AND ADLEY
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:6016(E)(2)(a), 6016(E)(2)(a)(iv), and (I) and to enact R.S. 47:6016(E)(2)(a)(v), (vi), and (7) and (8), relative to the new markets tax credit; to provide for the allocation and allowance of tax credits; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 99 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 2, after "47:6016" insert "(B)(2)(b), 6016(B)(3), the introductory paragraph of"

AMENDMENT NO. 2
On page 1, at the beginning of line 3, after "47:6016" insert "(B)(2)(c)."

AMENDMENT NO. 3
On page 1, line 7, after "47:6016" insert "(B)(2)(b), 6016(B)(3), the introductory paragraph of"

AMENDMENT NO. 4
On page 1, line 8, after "47:6016" insert "(B)(2)(c)."

AMENDMENT NO. 5
On page 1, in between lines 11 and 12, insert the following:

"B. * * *
(2) "Applicable percentage" means:
* * *

(b) For qualified equity investments issued to taxpayers on and after July 1, 2007, **but before September 1, 2011:**

(c) For qualified equity investments issued to taxpayers on and after September 1, 2011:

(i) Zero percent for the first three credit allowance dates.
(ii) Ten percent with respect to the remainder of the credit allowance dates.

(3) "Credit allowance date" means **the following** with respect to any qualified equity investment **issued during the following periods:**

(a) With respect to qualified equity investments issued prior to September 1, 2011, but on and after July 1, 2007, the date on which such investment is initially made and the first two anniversaries of such date.

(b) and With respect to qualified equity investments issued prior to July 1, 2007, the date on which the initial investment is made and the first six anniversaries of such date.

(c) With respect to qualified equity investments issued on and after September 1, 2011, the date on which such investment is initially made and the first five anniversaries of such date.

AMENDMENT NO. 6
On page 1, delete line 15, and insert "**fifty eighty** million dollars in the aggregate over the"

AMENDMENT NO. 7
On page 2, line 1, delete "**twelve million five hundred thousand**" and insert "**fifteen million**"

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AMENDMENT NO. 8

On page 2, line 4, delete "twenty-five million" and insert "fifteen million"

AMENDMENT NO. 9

On page 2, delete lines 11 through 14, and insert the following:
(7) Credits issued on or after September 1, 2011, shall be earned and vested on the date that the qualified equity investment which, in turn, has been invested in a qualified low-income community business, is made but shall not be claimed on a return due on or before December 31, 2014.

(8) Credits issued on or after September 1, 2012, shall be earned and vested on the date that the qualified equity investment which, in turn, has been invested in a qualified low-income community business, is made but shall not be claimed on a return due on or before December 31, 2015.

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdey and their corresponding counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names Amedee, Jackson, Marionneaux, Peterson.

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

SENATE BILL NO. 121—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 23:1533 and 1552(E), relative to unemployment compensation experience rating records; to provide for an exception for unemployment caused by acts or omissions of third parties; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 121 by Senator Riser

AMENDMENT NO. 1

On page 3, line 14, following "the" delete "said"

AMENDMENT NO. 2

On page 3, line 15, following "to" change "said" to "the"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Alario, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdey, Gautreaux and their corresponding counts.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists names Amedee, Marionneaux.

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

SENATE BILL NO. 122—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv), and (vi), relative to the powers of local governing authorities; to authorize the governing authority of Ascension Parish to require and compel property owners to remove debris, wrecked or used motor vehicles, or any other discarded or abandoned items on their property; to authorize the governing authority to adopt ordinances placing any cost incurred for removal of such debris or items on the ad valorem tax bills of the parish; to authorize a collection fee for the sheriff of such parish; to provide relative to any action brought to contest the placing of such costs on the tax bills; 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.

SENATE BILL NO. 124—

BY SENATOR WALSWORTH

AN ACT

To enact R.S. 33:1236(66), relative to the Ouachita Parish Police Jury; to authorize the prohibition of certain sales; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	Marionneau
Total - 2	

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

SENATE BILL NO. 129—
BY SENATOR DONAHUE

AN ACT

To amend and reenact Section 2.1(A), (C)(1), and (P) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 562 of the 2003 Regular Session of the Legislature, Act No. 1214 of the 2003 Regular Session of the Legislature, Act No. 682 of the 2004 Regular Session of the Legislature, and Act No. 178 of the 2007 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital District No. 2; to provide for the membership of the board of commissioners; to provide for residency requirements of the board of commissioners; to provide that members of the board of commissioners who are physicians may contract or accept employment with Slidell Memorial Hospital upon expiration of service as a member of the board; to provide for retroactive effect; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Murray
Total - 1

ABSENT

Amedee	Broome	Marionneau
Total - 3		

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

SENATE BILL NO. 135—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:6015, relative to tax credits; to change the research and development tax credit to a rebate and make certain changes in its calculation and administration; to provide for a limitation on the receipt of other tax benefits and incentives; and to provide for related matters.

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

SENATE BILL NO. 113—
BY SENATOR CROWE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(a) and (b) and to add Article VII, Section 10(F)(4)(g) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to prohibit the limited redirection and transfer of certain funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 113 by Senator Crowe

AMENDMENT NO. 1

On page 2, at the beginning of line 10, insert "**recurring**" before "**federal**"

AMENDMENT NO. 2

On page 2, line 26, after "**decrease in**" and before "**federal**" insert "**recurring**"

On motion of Senator Crowe, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Quinn
Chabert	Long	Riser

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Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Marionneaux
Total - 1

ABSENT

Amedee
Total - 1

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

SENATE BILL NO. 114—
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 39:2(11.1), the introductory paragraph of R.S. 39:75(C), and the introductory paragraph of 75(E) and to enact R.S. 39:75(F), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to define projected deficit for certain circumstances; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 114 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 3, after "enact" and before "relative" change "R.S. 39:75(F)," to "R.S.39:2(40.1) and 75(F),"

AMENDMENT NO. 2

On page 1, line 7, after "circumstances;" and before "to define" insert "to define recurring federal financial participation for certain circumstances;"

AMENDMENT NO. 3

On page 1, at the end of line 12, delete "39:75(F) is" and insert "39:2(40.1) and 75(F) are"

AMENDMENT NO. 4

On page 2, between lines 20 and 21, insert the following:
"(40.1) "Recurring federal financial participation" for purposes of Article VII, Section 10(F)(2)(a) and (b), means the receipt of federal financial participation which has been available for the preceding two fiscal years.
* * *

AMENDMENT NO. 5

On page 2, line 24, between "decrease in" and "federal" insert "recurring"

AMENDMENT NO. 6

On page 3, line 4, after "in the" and before "federal" insert "recurring"

AMENDMENT NO. 7

On page 3, line 14, after "in the" and before "federal" insert "recurring"

On motion of Senator Crowe, the amendments were adopted.

The bill was read by title. Senator Crowe 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
Appel	Jackson	Perry
Broome	Kostelka	Peterson
Chabert	LaFleur	Quinn
Cheek	Long	Riser
Claitor	Martiny	Shaw
Crowe	McPherson	Smith
Donahue	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrish	Willard-Lewis
Total - 36		

NAYS

Marionneaux
Total - 2

Morrell

ABSENT

Amedee
Total - 1

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

SENATE BILL NO. 144—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 49:308.5(B)(3)(c) and to enact R.S. 49:308.5(C)(6), relative to special funds and dedication of money; to sunset and abolish certain funds and statutory dedications; to provide for certain exceptions; and to provide for related matters.

Floor Amendments

Senator Walsworth proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 144 by Senator Walsworth

AMENDMENT NO. 1

On page 2, line 3, change "in the year in which such Act" to "as provided in the Act", at the end of the line add a period ".", and delete line 4 in its entirety.

AMENDMENT NO. 2

On page 2, line 6, after, "which" delete the remainder of the line and insert "require money deposited in the state treasury to be credited to that fund"

On motion of Senator Walsworth, the amendments were adopted.

Floor Amendments

Senator Walsworth proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 144 by Senator Walsworth

AMENDMENT NO. 1

On page 2, line 5 change "funds" to "fund"

On motion of Senator Walsworth, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Mount
Alario	Heitmeier	Murray
Appel	Jackson	Perry
Broome	Kostelka	Quinn
Chabert	LaFleur	Riser
Cheek	Long	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Mills	Willard-Lewis
Erdey	Morrrell	
Gautreaux	Morrish	
Total - 34		

NAYS

Adley	Peterson
Total - 2	

ABSENT

Amedee	Marionneaux	Nevers
Total - 3		

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

SENATE BILL NO. 147—

BY SENATOR CHAISSON

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for deposits into the Budget Stabilization Fund in certain circumstances; to provide for the interruption of deposits into the Budget Stabilization Fund in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 157—

BY SENATOR AMEDEE

AN ACT

To enact Subpart K of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.33, relative to the Lamar-Dixon Expo Center in Ascension Parish; to provide relative to corporate sponsorship and revenue generation; 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.

SENATE BILL NO. 165—

BY SENATORS WALSWORTH, DORSEY, LAFLEUR, LONG AND NEVERS

AN ACT

To enact R.S. 17:3351.16, relative to community and technical colleges; to provide relative to increasing the availability and use of electronic textbooks and other instructional materials; to provide relative to the purchase of electronic textbooks and other instructional materials and content; to provide for rules; and to provide relative to fees; and to provide for related matters.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Engrossed Senate Bill No. 165 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 5, after "content" delete the remainder of the line and insert ", including student charges therefor; to provide for rules;"

AMENDMENT NO. 2

On page 1, at the end of line 10, change "fee" to "student charges"

AMENDMENT NO. 3

On page 2, delete lines 11 through 17 and insert the following:

"C. (1) The board is authorized to charge a student who chooses to purchase electronic textbooks and other instructional materials an amount not greater than the actual cost of such electronic textbooks and instructional materials.

(2) The board may not charge the student for any administrative, handling, or other related costs associated with the provision of electronic textbooks and other instructional materials.

(3) Notwithstanding any provision of law to the contrary, any monies derived from such charges shall remain with the Louisiana Community and Technical College System and shall not be deposited into the state general fund. Such monies shall be used exclusively to lower the costs of electronic textbooks and other instructional materials for students."

Senator LaFleur moved the adoption of the amendments.

Senator Jackson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Kostelka	Nevers
Alario	LaFleur	Perry
Appel	Long	Quinn
Chabert	Martiny	Riser
Cheek	McPherson	Shaw
Claitor	Michot	Thompson
Crowe	Mills	Walsworth
Donahue	Morrish	
Total - 26		

NAYS

Heitmeier	Marionneaux	Peterson
Jackson	Murray	Smith
Total - 6		

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ABSENT

Amedee	Erdey	Willard-Lewis
Broome	Guillory	
Dorsey	Morrell	
Total - 7		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Mount
Adley	Erdey	Nevers
Alario	Guillory	Perry
Appel	Heitmeier	Quinn
Broome	Kostelka	Riser
Chabert	Long	Shaw
Cheek	Martiny	Thompson
Claitor	Michot	Walsworth
Crowe	Mills	
Donahue	Morrish	
Total - 28		

NAYS

Gautreaux	Morrell	Smith
Jackson	Murray	Willard-Lewis
Marionneaux	Peterson	
Total - 8		

ABSENT

Amedee	LaFleur	McPherson
Total - 3		

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

SENATE BILL NO. 166—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 34:1401(A) and (B), and to enact R.S. 34:1402(C), relative to membership on the Greater Ouachita Port Commission; to provide for residency requirements and removal of commissioners failing to attend the required number of regular meetings; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	Long	Quinn
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson

Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	LaFleur
Total - 2	

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

SENATE BILL NO. 171—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 39:94(C)(4)(b), relative to the Budget Stabilization Fund; to provide for deposits into the Budget Stabilization Fund in certain circumstances; to provide for the interruption of deposits into the Budget Stabilization Fund in certain circumstances; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 187—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 47:6026(E)(1), relative to the Cane River Heritage Area Development Zone; to extend the tax credit provided within the zone to January 1, 2014; 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	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Quinn
Broome	Long	Riser
Chabert	Martiny	Shaw
Cheek	McPherson	Smith
Claitor	Michot	Thompson
Crowe	Mills	Walsworth
Donahue	Morrell	Willard-Lewis
Dorsey	Morrish	
Erdey	Mount	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	LaFleur	Peterson
Guillory	Marionneaux	
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. 218—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:1800.4(C)(3), relative to state and local correctional facilities; to provide for pre-paid leases of certain state correctional facilities; to provide for certain terms of pre-paid leases of state correctional facilities; to provide for an effective date; 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.

SENATE BILL NO. 237—
BY SENATOR WILLARD-LEWIS

AN ACT

To enact R.S. 33:9039(4), relative to special taxing districts; to remove sales tax authority for plaza districts; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 237 by Senator Willard-Lewis

AMENDMENT NO. 1

On page 1, line 10, change "Such" to "The"

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Willard-Lewis 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
Appel	Jackson	Perry
Broome	Kostelka	Peterson
Chabert	Long	Quinn
Cheek	Marionneaux	Riser
Claitor	Martiny	Shaw
Crowe	Michot	Smith
Donahue	Mills	Thompson
Dorsey	Morrell	Walsworth
Erdey	Morrish	Willard-Lewis

Total - 36

NAYS

Total - 0

ABSENT

Amedee	LaFleur	McPherson
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Total - 3

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

SENATE BILL NO. 264—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 47:6007(B)(7) and (C)(2) and (4), relative to tax credits; to provide for granting motion picture investor tax credits; to provide for definitions, allowing the credits, and transferability; 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.

SENATE BILL NO. 167—
BY SENATOR CHEEK

AN ACT

To enact R.S. 33:2589.1, relative to the city of Shreveport; to provide for the creation of the position of chief of fire support staff; to provide for the appointment, powers, qualifications, and responsibilities of such position; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 167 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 13, following "of" change "eligibles" to "eligible persons"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Cheek proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cheek to Engrossed Senate Bill No. 167 by Senator Cheek

AMENDMENT NO. 1

On page 3, line 1, after "staff," delete the remainder of the line and delete lines 2 through 6 in their entirety

AMENDMENT NO. 2

On page 3, line 7, after "(2)" delete the remainder of the line and delete lines 8, 9 and 10 in their entirety and insert in lieu thereof "If a chief of fire support staff is"

On motion of Senator Cheek, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	Long	Quinn

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Chabert	Marionneau	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee	LaFleur
Total - 2	

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

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

Called from the Calendar

Senator Claitor asked that Senate Bill No. 135 be called from the Calendar.

SENATE BILL NO. 135—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:6015, relative to tax credits; to change the research and development tax credit to a rebate and make certain changes in its calculation and administration; to provide for a limitation on the receipt of other tax benefits and incentives; and to provide for related matters.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 135 by Senator Claitor

AMENDMENT NO. 1

On page 6, delete line 21 and insert "after **June 30, 2013.**"

On motion of Senator Peterson, 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	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Appel	Jackson	Perry
Broome	Kostelka	Peterson
Chabert	Long	Quinn
Cheek	Martiny	Riser

Claitor	McPherson	Shaw
Crowe	Michot	Smith
Donahue	Mills	Thompson
Dorsey	Morrell	Walsworth
Erdey	Morrish	Willard-Lewis
Total - 36		

NAYS

Marionneau
Total - 1

ABSENT

Amedee	LaFleur
Total - 2	

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.

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 35—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE THIBAUT
A RESOLUTION

To commend the Livonia High School baseball team on winning the Class 3A state championship game.

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

SENATE RESOLUTION NO. 36—

BY SENATOR WILLARD-LEWIS
A RESOLUTION

To commend and congratulate the debut performance of OperaCréole, the premier operatic ensemble in New Orleans.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 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. 34—

BY SENATOR THOMPSON
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of a beloved statesman, Senator Carl J. "Jack" Gordon, Jr., of Okolona, Mississippi.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR WILLARD-LEWIS
A CONCURRENT RESOLUTION

To commend and congratulate the "Mighty" Southern Region of Zeta Phi Beta Sorority, Incorporated and to welcome the sorority to

New Orleans on June 2-4, 2011, for its 82nd Southern Regional Leadership Conference and Youth Retreat.

Reported without amendments.

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

**Senate Concurrent Resolutions
to be Adopted, Subject to Call**

Called from the Calendar

Senator Chaisson asked that Senate Concurrent Resolution No. 28 be called from the Calendar.

**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 concurrent resolution was read by title. Senator Chaisson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Jackson	Perry
Appel	Kostelka	Peterson
Broome	Long	Quinn
Chabert	Marionneau	Riser
Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Gautreaux	Mount	
Total - 37		

NAYS

Total - 0

ABSENT

Amedee
Total - 2
LaFleur

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

Called from the Calendar

Senator Mount asked that Senate Concurrent Resolution No. 36 be called from the Calendar.

**SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATORS MOUNT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME,
CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE,
DORSEY, ERDEY, GAUTREAU, GUILLORY, HEITMEIER, JACKSON,
KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY,
MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MURRAY,
NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH,
THOMPSON, WALSWORTH AND WILLARD-LEWIS**

A CONCURRENT RESOLUTION
To express the sincere heartfelt condolences of the Legislature of Louisiana upon the death of former state Senator, Guy W. Sockrider, Jr.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	Kostelka	Perry
Broome	Long	Peterson
Chabert	Marionneau	Quinn
Cheek	Martiny	Riser
Claitor	McPherson	Shaw
Crowe	Michot	Smith
Donahue	Mills	Thompson
Dorsey	Morrell	Walsworth
Erdey	Morrish	Willard-Lewis
Total - 36		

NAYS

Total - 0

ABSENT

Amedee
Total - 3
Guillory
LaFleur

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

Message from the House

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

May 18, 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. 178 HB No. 323 HB No. 331

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

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

**HOUSE BILL NO. 178—
BY REPRESENTATIVE SCHRODER
AN ACT**

To amend and reenact R.S. 46:460.21(A)(2), relative to transfer of funds for representation of children and indigent parents in child protection proceedings; to authorize certain functions of the Department of Children and Family Services relating to child protection proceedings; to delete references to certain entities which provide representation of children and indigent parents; to repeal a requirement for priority in funding; and to provide for related matters.

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

May 18, 2011

HOUSE BILL NO. 323—
BY REPRESENTATIVES SEABAUGH, AUSTIN BADON, CARMODY,
DOWNS, HARDY, RICHARDSON, AND RITCHIE
AN ACT

To authorize the Caddo Parish School Board to name the football
field at Youree Drive Middle AP Magnet School in honor of
Coach Tom Knox; to provide for effectiveness; and to provide
for related matters.

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

HOUSE BILL NO. 331—
BY REPRESENTATIVES LIGI, BILLIOT, CONNICK, HENRY, LABRUZZO,
LEGER, LOPINTO, TEMPLET, AND WILLMOTT AND SENATORS
APPEL, MARTINY, MORRELL, AND QUINN
AN ACT

To enact R.S. 33:9612.1, relative to certain local governmental
subdivisions; to authorize certain local governmental
subdivisions to adopt and enforce local codes of conduct or
ethics ordinances; to provide limitations; and to provide for
related matters.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

May 18, 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. 108 HCR No. 109 Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions
on First Reading

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE HOWARD
A CONCURRENT RESOLUTION

To commend the Hicks High School Pirates baseball team upon
winning the 2011 Class C state championship.

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

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To commend the Hahnville High School Lady Tigers softball team
upon winning the 2011 Class 5A State Championship.

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

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 18, 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 Resolutions have been
properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR LONG
A CONCURRENT RESOLUTION
To commend Joshua Phillips and Emma Norton on winning the
2010-2011 Louisiana High School Speech League Tournament
of Champions in the Policy Debate category.

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of
Louisiana upon the death of Theo J. Coenen III.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns listing names of present members: Mr. President, Adley, Alario, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdey, Gautreaux, Total - 38; Guillory, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Mills, Morrell, Morrish; Mount, Murray, Nevers, Perry, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth, Willard-Lewis.

ABSENT

Amedee
Total - 1

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee 1 Day

Announcements

The following committee meetings for May 19, 2011, were
announced:

Table with 3 columns listing committee meetings: Education, Labor and Ind. Rel., Local and Mun. Affairs, Natural Resources, Transportation; At Adj, At Adj, At Adj, At Adj, At Adj; Hainkel Room, Room C, Room F, Room A, Room E.

Adjournment

On motion of Senator Thompson, at 6:35 o'clock P.M. the Senate adjourned until Thursday, May 19, 2011, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 19, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

