

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE

STATE OF LOUISIANA

TWENTY-FIRST 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, June 1, 2011

The Senate was called to order at 1:20 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Donahue	Perry
Alario	Dorsey	Quinn
Amedee	Guillory	Riser
Appel	LaFleur	Shaw
Broome	Long	Smith
Chabert	Martiny	Thompson
Claitor	Morrish	Willard-Lewis
Crowe	Murray	
Total - 23		

ABSENT

Adley	Kostelka	Mount
Cheek	Marionneaux	Nevers
Erdey	McPherson	Peterson
Gautreaux	Michot	Walsworth
Heitmeier	Mills	
Jackson	Morrell	
Total - 16		

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

Prayer

The prayer was offered by Father L. Martin Martiny, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Thompson, the reading of the Journal was dispensed with and the Journal of May 31, 2011, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 69—
BY SENATOR MOUNT

A RESOLUTION

To recognize Thursday, June 2, 2011, as March of Dimes Day at the Louisiana State Capitol.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR PERRY

A CONCURRENT RESOLUTION

To commend the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 3, 2011, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Harry Briggs on the momentous occasion of his ninetieth birthday and celebrating his third year in a row, swimming two miles in Kincaid Lake and on his lifetime of commitment and devotion to his family, friends and to education in Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR DORSEY

A CONCURRENT RESOLUTION

To commend and congratulate Baton Rouge Magnet High School graduate, David Michael Holmes, upon being selected as the 2011 Louisiana Student of the Year and to recognize his extraordinary accomplishments.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 67—
BY SENATOR PETERSON

A RESOLUTION

To recognize Thursday, June 2, 2011, as Red and White Day at the Louisiana Legislature.

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

SENATE RESOLUTION NO. 68—
BY SENATOR MOUNT

A RESOLUTION

To commend and extend enduring gratitude to the United Methodist Committee on Relief and the Louisiana Annual Conference of the United Methodist Church for their leadership across our state and their assistance in the recovery from the challenges this state has faced as a result of recent natural disasters and proclaims June 8, 2011, as "Louisiana Annual Conference of the United Methodist Church" and "United Methodist Committee on Relief" day in Louisiana.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the Children's Miracle Network of Southwest Louisiana and to congratulate Taylor Oliver on her selection as a Champion by the Children's Miracle Network Hospitals.

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

June 1, 2011

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR LAFLEUR AND REPRESENTATIVE LEBAS
A CONCURRENT RESOLUTION

To commend the people of Evangeline Parish and the Evangeline Centennial Project, to recognize the One Hundredth Anniversary of Evangeline Parish, and to celebrate those efforts made to encourage historic preservation of the rich cultural heritage of Acadiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dorsey, Murray, Adley, Guillory, Perry, Alario, LaFleur, Peterson, Amedee, Long, Quinn, Appel, Marionneaux, Riser, Broome, Martiny, Shaw, Chabert, Michot, Smith, Claitor, Morrell, Thompson, Crowe, Morrish, Willard-Lewis. Total - 27

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cheek, Heitmeier, Mills, Donahue, Jackson, Mount, Erdey, Kostelka, Nevers, Gautreaux, McPherson, Walsworth. Total - 12

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 31, 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. 327 HB No. 456 HB No. 638

HB No. 639

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

House Bills and Joint Resolutions

Senator Morrish asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 327— BY REPRESENTATIVES ROY AND HAZEL AN ACT

To amend and reenact R.S. 33:2740.46(B)(2), relative to the city of Alexandria; to provide relative to the Alexandria Central

Economic Development District; to extend the boundaries of the district; and to provide for related matters.

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

HOUSE BILL NO. 456— BY REPRESENTATIVE MORENO AN ACT

To enact R.S. 51:1783(10), (11), and (12) and 1787(C), relative to the Louisiana Enterprise Zone Act; to provide for definitions; to extend the Louisiana Enterprise Zone Act to include transit-oriented multifamily developments which meet certain criteria; 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. 638— (Substitute for House Bill No. 218 by Representative White)

BY REPRESENTATIVES WHITE, ARMES, GISCLAIR, HARDY, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, AND ST. GERMAIN

AN ACT

To enact R.S. 32:667.1, relative to tests for suspected drunken drivers; to provide for the seizure and suspension of drivers' licenses upon arrest for vehicular homicide; to provide for procedures; to provide for the period of the suspension; 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. 639— (Substitute for House Bill No. 584 by Representative Smiley)

BY REPRESENTATIVE SMILEY AN ACT

To amend and reenact R.S. 3:3552(A), R.S. 34:3101(B)(7), 3106(A), 3107, 3108(A), 3109(C)(9), 3112(G), 3112.1(A)(8) and (C), 3113(B), (E), (G), (H), and (J)(4), 3115(A), and 3116(B), (C), and (D), R.S. 36:504(A)(9), 509(L), and 913(A), and R.S. 48:1093(introductory paragraph), 1101.1(B)(2)(a), and 1161 and to repeal Subpart M of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:301 through 309, Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1011 through 1016, Chapter 33 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1301 through 1307, Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1321 through 1325, R.S. 28:311 through 313, R.S. 29:735.4, R.S. 34:3102(2) and (15), 3104, 3105, and 3113(F), R.S. 36:4(B)(1)(o), (S), and (T), 4.1(D)(7), and 509(M), Part V-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:211 through 216, Chapter 26 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:1481 through 1485, R.S. 46:1941.8(A)(3)(b), R.S. 48:1092.1, and R.S. 51:943, relative to boards, commissions, authorities, districts, and like entities; to provide relative to the functional organization of state government by abolishing certain boards, commissions, authorities, and like entities; to transfer certain powers and responsibilities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Commission on Public Retirement, the Compensation Review Commission, the Emergency/Disaster Medicine Review Panel, the Louisiana Governor's Mansion Commission, the Hurricane Katrina Memorial Commission, the Louisiana Wetlands Conservation and Hurricane Protection Tourist Center Commission, the Mississippi River Bridge Authority, the Small Business Entrepreneurship Commission, the Louisiana Technology Innovations Council, and the Youth Enhanced Services Consortium; and the Offshore Terminal

Authority; to provide for transfer of some of the powers, functions, and duties of some of the above-referenced entities; to provide for certain technical corrections regarding placement of boards and commissions in the Executive Reorganization Act; to provide relative to membership on the Louisiana Soybean and Grain Research and Promotion Board; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 31, 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. 132 HCR No. 138 HCR No. 139
- HCR No. 140

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVE MICHAEL JACKSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study and make recommendations relative to enhancing air service options to all markets within the state, as well as exploring the feasibility and benefits of the state providing financial assistance or incentives to the air service industry and to report the findings of the study to the House Committee on Transportation, Highways and Public Works, the Senate Committee on Transportation, Highways and Public Works, and to the air carrier and general aviation airports within the state of Louisiana, no later than February 1, 2012.

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

HOUSE CONCURRENT RESOLUTION NO. 138—
BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION

To commend the black pioneers of nursing at Baton Rouge General Hospital and to recognize the special place they hold in the history of the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 139—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To recognize Thursday, June 2, 2011, as Red and White Day at the Louisiana Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 140—
BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To urge and request members of the United States Congress to oppose any legislation allowing an increase in truck weight and size.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 133—
BY REPRESENTATIVES GUILLORY AND LEBAS AND SENATOR LAFLEUR
A CONCURRENT RESOLUTION

To commend the town of Basile upon the celebration of its one hundredth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Perry
Adley	Guillory	Peterson
Alario	LaFleur	Quinn
Amedee	Long	Riser
Appel	Marionneaux	Shaw
Broome	Martiny	Smith
Chabert	Michot	Thompson
Claitor	Morrell	Walsworth
Crowe	Morrish	Willard-Lewis
Donahue	Murray	

Total - 29

NAYS

Total - 0

ABSENT

Cheek	Jackson	Mount
Erdey	Kostelka	Nevers
Gautreaux	McPherson	
Heitmeier	Mills	

Total - 10

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

HOUSE CONCURRENT RESOLUTION NO. 134—
BY REPRESENTATIVES LEBAS AND GUILLORY AND SENATOR LAFLEUR
A CONCURRENT RESOLUTION

To commend the town of Mamou upon the celebration of its one hundredth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Perry
Adley	Guillory	Peterson
Alario	LaFleur	Quinn
Amedee	Long	Riser
Appel	Marionneaux	Shaw

June 1, 2011

Broome	Martiny	Smith
Chabert	Michot	Thompson
Claitor	Morrell	Walsworth
Crowe	Morrish	Willard-Lewis
Donahue	Murray	

Total - 29

NAYS

Total - 0

ABSENT

Cheek	Jackson	Mount
Erdey	Kostelka	Nevers
Gautreaux	McPherson	
Heitmeier	Mills	

Total - 10

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 67— BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii) and (v), (2)(a) and (b), (3)(a)(i), (vii) and (xvi), and (C)(1), and to enact R.S. 17:416(A)(1)(c)(viii), relative to the discipline of students; to provide for certain disciplinary actions; to provide for the discipline of public school students upon removal from a classroom; to provide for implementation of certain disciplinary measures; to provide for the adoption of certain guidelines for the use of in-school and out-of-school suspensions; to require city, parish and other local public school boards to adopt certain rules and definitions relative to suspensions; to provide relative to in-school and out-of-school suspensions for certain violations; to provide relative to expulsion hearings; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 67 by Senator Broome

AMENDMENT NO. 1

On page 1, line 8, after "rules" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 10, after "hearings;" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 2, line 4, after "grade" change "six" to "five"

AMENDMENT NO. 4

On page 2, line 7, after "grades" change "seven" to "six"

AMENDMENT NO. 5

On page 2, line 12, after "practices" and before the period "." insert "using a school-wide approach of informal and formal techniques to build a sense of school community and manage conflict by repairing harm and restoring positive relationships"

AMENDMENT NO. 6

On page 2, line 17, between "implemented" and "as a measure" insert "for serious offenses or"

AMENDMENT NO. 7

On page 3, line 10, after "than" insert "January 1, 2012, for implementation beginning with"

AMENDMENT NO. 8

On page 4, line 15, after "disobedience." insert "Willful disobedience means the refusal to follow a reasonable request of a teacher, administrator, or other school authority figure on campus."

AMENDMENT NO. 9

On page 4, line 16, after "than" delete "December 1, 2011" and insert "April 1, 2012, for implementation beginning with the 2012-2013 school year"

AMENDMENT NO. 10

On page 4, line 17, after "adopt" delete the remainder of the line and delete line 18 and insert in lieu thereof "rules and guidelines"

AMENDMENT NO. 11

On page 4, line 27, after "through" change "six" to "five"

AMENDMENT NO. 12

On page 5, delete lines 1 and 2

AMENDMENT NO. 13

On page 5, line 6, after "through" change "six" to "five"

AMENDMENT NO. 14

On page 5, delete lines 9 and 10

AMENDMENT NO. 15

On page 5, line 24, between "receive" and "expulsion" change "an" to "such"

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

SENATE BILL NO. 97— BY SENATOR CROWE

AN ACT

To enact R.S. 30:2462(D), relative to the Oil Spill Prevention and Response Act; to provide relative to the use of dispersants in oil spill response and cleanup operations; to provide criteria for dispersants; and to provide for related matters.

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

SENATE BILL NO. 111— BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:22(7), relative to elementary and secondary education; to provide with respect to the condition, progress, and needs of public elementary and secondary schools; to provide with respect to the annual report the superintendent is required to submit to specified entities; to provide for a submission date for such report; and to provide for related matters.

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

SENATE BILL NO. 143— BY SENATOR QUINN

AN ACT

To amend and reenact the introductory paragraph of R.S. 23:1021 and to enact R.S. 22:1452(C)(15.1) and R.S. 23:1021(11.1) and (12)(h), relative to workers' compensation; to exclude certain unanticipated bonuses that are paid by an employer from the determination of wage and average weekly wage and payroll when the bonuses are beyond the contract of employment; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 143 by Senator Quinn

AMENDMENT NO. 1

On page 1, delete lines 13 through 16 and insert the following:

"(15.1) (a) "Payroll", for purposes of determining the premium rate to be paid for workers' compensation coverage, shall not include an unanticipated bonus paid to an employee by an employer.

(b) A bonus payment is unanticipated if all of the following conditions are met:

(i) The payment is not part of an oral or written employment agreement.

(ii) The payment is paid as an arbitrary and gratuitous disbursement.

(iii) The payment is paid at the sole discretion of the employer.

(iv) The payment is paid only once a year, in the month immediately before or the month immediately after the employer's fiscal year end.

(v) The employee has previously been paid wages by the employer during the twelve-month period prior to receipt of the bonus.

(vi) The payment does not exceed ten percent of the wages previously paid to the employee for the year.

(c) A bonus payment that does not meet all the requirements contained in this Paragraph is to be included in the premium rate to be paid for workers' compensation coverage.

* * *

AMENDMENT NO. 2

On page 2, delete lines 7 through 10 and insert the following:

"(11.1) (a) "Payroll", for purposes of determining the premium rate to be paid for workers' compensation coverage, shall not include an unanticipated bonus paid to an employee by an employer.

(b) A bonus payment is unanticipated if all of the following conditions are met:

(i) The payment is not part of an oral or written employment agreement.

(ii) The payment is paid as an arbitrary and gratuitous disbursement.

(iii) The payment is paid at the sole discretion of the employer.

(iv) The payment is paid only once a year in the month immediately before or the month immediately after the employer's fiscal year end.

(v) The employee has previously been paid wages by the employer during the twelve-month period prior to receipt of the bonus.

(vi) The payment does not exceed ten percent of the wages previously paid to the employee for the year.

(c) A bonus payment that does not meet all the requirements contained in this Paragraph is to be included in the premium rate to be paid for workers' compensation coverage.

AMENDMENT NO. 3

On page 2, delete lines 15 through 18 and insert the following:

"(h)(i) In the determination of "wages" and the average weekly wage at the time of the accident, no amount shall be included for an unanticipated bonus paid to an employee by an employer.

(ii) A bonus payment is unanticipated if all of the following conditions are met:

(aa) The payment is not part of an oral or written employment agreement.

(bb) The payment is paid as an arbitrary and gratuitous disbursement.

(cc) The payment is paid at the sole discretion of the employer.

(dd) The payment is paid only once a year in the month immediately before or the month immediately after the employer's fiscal year end.

(ee) The employee has previously been paid wages by the employer during the twelve-month period prior to receipt of the bonus.

(ff) The payment does not exceed ten percent of the wages previously paid to the employee for the year.

(iii) A bonus payment that does not meet all the requirements contained in this Subparagraph is to be included in the determination of "wages" and the average weekly wage at the time of the accident."

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

SENATE BILL NO. 174—

BY SENATOR ADLEY

AN ACT

To enact R.S. 42:64(A)(7), relative to dual officeholding and dual employment; to provide that certain compensated employment by a compensated employee of the office of a district attorney is incompatible with such employment; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 174 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, after "employment;" insert "to provide relative to the Twenty-sixth Judicial District;"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, change "a" to "the"

AMENDMENT NO. 3

On page 1, line 15, after "**employed**" insert "**with the Twenty-sixth Judicial District**" and after "**office of**" change "**a**" to "**the**"

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

SENATE BILL NO. 177—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 47:297.13, relative to individual income tax; to provide a credit for interest paid on certain education loans which pay higher education expenses; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 177 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 7, change "**higher**" to "**graduate**"

AMENDMENT NO. 2

On page 1, line 9, delete "**ten percent of**"

AMENDMENT NO. 3

On page 1, line 14, after "**221(b)(1)**" insert "**; provided that such resident taxpayer, spouse, or dependent is a graduate from the baccalaureate level and the education loan was a loan for education above the baccalaureate level**"

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

SENATE BILL NO. 181—

BY SENATOR THOMPSON

AN ACT

To enact R.S. 32:402(C)(4), relative to motor vehicles; to provide licensing exception to certain operators of a mobile command post vehicle; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 181 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 13, after "required of" delete "a full-time, regularly paid" and insert "an"

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

SENATE BILL NO. 197—

BY SENATOR ERDEY

AN ACT

To enact R.S. 47:297.13, relative to the individual income tax; phases in an exemption of capital gains income of certain persons from state income taxation; to provide with respect to terms and definitions; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 198—

BY SENATOR ERDEY

AN ACT

To enact R.S. 47:297.13, relative to the individual income tax; to exempt investment income for certain persons from state income taxation; to provide a phase-in for the exemption of investment income over a period of five years; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 198 by Senator Erdey

AMENDMENT NO. 1

On page 2, line 6, delete "from certificates of deposit, mutual funds, stocks"

AMENDMENT NO. 2

On page 2, line 7, delete "and bonds, mortgages, and notes receivables held" and insert "received"

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

SENATE BILL NO. 210—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:854, relative to the intent and purposes of the tax on tobacco; to exempt certain tobacco products sampled at certain meetings, conventions, and trade shows from the purposes of such tax; to provide for the taxable periods in which the exemption applies; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 210 by Senator Morrell

AMENDMENT NO. 1

On page 1, delete lines 3 and 4, and insert the following: "to exempt certain tobacco products sampled at convention facilities during certain conventions from the purposes of such tax; to provide for the taxable periods in"

AMENDMENT NO. 2

On page 2, line 1, change "December 31, 2015" to "December 31, 2016"

AMENDMENT NO. 3

On page 2, line 2, after "cigars or" delete "smoking tobacco" and insert the following: "pipe tobacco, as defined and appropriately labeled in accordance with the Federal Food, Drug, and Cosmetic Act, the Tobacco Control Act, and all applicable state laws, federal laws, and regulations."

AMENDMENT NO. 4

On page 2, delete lines 3 through 5, and insert the following: "of convention facilities during the Convention of the International Premium Cigar and Pipe Retailers."

AMENDMENT NO. 5

On page 2, after line 5, insert the following: "C. At no time shall there be any distribution of free samples of cigarettes, as defined in the Federal Food, Drug, and Cosmetics Act, and the Tobacco Control Act, consistent with 21 CFR 1140.16, and all applicable federal laws and regulations. Furthermore, distribution of free samples of smokeless tobacco, as defined in the Federal Food, Drug, and Cosmetic Act, the Tobacco Control Act, shall only be permitted pursuant to all applicable federal laws and regulations."

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

SENATE BILL NO. 216—

BY SENATOR MORRELL

AN ACT

To enact R.S. 17:1990(I) and (J), relative to the Recovery School District; to provide for the creation of community advisory boards for schools within the district; to provide relative to the membership, duties, and functions of such boards; to prohibit the State Board of Elementary and Secondary Education from approving a charter school within the district for which there is not more than one applicant; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 216 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 17:1990(I) and (J)" to "R.S. 17:1990(I)"

AMENDMENT NO. 2

On page 1, line 3, between "creation of" and "for schools" change "community advisory boards" to "a community outreach plan"

AMENDMENT NO. 3

On page 1, delete lines 4 through 6, and insert "for the submission of such plan to the State Board of Elementary and Secondary Education and the appropriate legislative committees; and to provide for"

AMENDMENT NO. 4

On page 1, line 9, change "R.S. 17:1990(I) and (J) are" to "R.S. 17:1990(I) is"

AMENDMENT NO. 5

On page 1, delete lines 12 through 17, on page 2, delete lines 1 through 29, and on page 3, delete lines 1 through 9 and insert the following:

"I. (1) The superintendent of the Recovery School District shall develop a community outreach plan to engage parents and community leaders in the successful operation and academic improvement of all schools under its jurisdiction and to solicit input on any proposed changes in school governance regarding the establishment of any new school site.

(2) The plan shall be submitted to the State Board of Elementary and Secondary Education and the Senate and House committees on education not later than September 30, 2011, and shall be implemented for use in the 2011-2012 school year and thereafter."

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

**SENATE BILL NO. 225—
BY SENATOR MOUNT**

AN ACT

To amend and reenact R.S. 9:5557, relative to collateral mortgages and vendor's privileges; to provide for obligation to grant releases of mortgages; to provide for limitations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 225 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "9:5557" delete the remainder of the line and insert "and to enact R.S. 9:5165, relative to mortgages; to provide relative to release and cancellation of mortgages under certain circumstances; to provide certain procedures, terms, conditions, requirements, application and effects; to provide certain time periods; to provide for recovery of certain damages, fees, and costs under certain circumstances;"

AMENDMENT NO. 2

On page 1, line 3, after "provide for" insert "the"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 9:5165 is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert

**"§5165. Issuance of release of mortgage by current mortgagee.
A. The provisions of this Section shall apply only to mortgages perfected on and after January 1, 2012.**

B. (1) Upon extinction of the mortgage in accordance with La. Civil Code article 3319, the mortgagor, his successor or settlement agent may submit a written request, signed by the mortgagor to the current mortgagee, to provide the appropriate recorder of mortgages with a written act of release directing the recorder to erase the mortgage from the records. This written

request that the mortgage be cancelled shall extinguish any obligation on the part of the current mortgagee and all additional lenders, on whose behalf the mortgagee may be representing or acting for the benefit of, to make any further loan or advance that would be secured by the mortgage.

(2) The term "Current Mortgagee" as used in this Section shall mean the current holder of the mortgage. If the current holder of the mortgage has assigned, sold, or transferred the servicing rights to a third party, then the third party shall be deemed the current mortgagee.

(3) The written request shall be mailed to the current mortgagee at the address designated by the current mortgagee to be used for such written requests. If the request is accompanied by a payoff check from a settlement agent, the notice shall be delivered to the same address where the payoff check is sent.

(4) The written request to issue an act of release of the mortgage must be accompanied by sufficient payment to the current mortgagee to pay the fees of the recorder of mortgages to cancel the mortgage and to pay the current mortgagee a reasonable fee for this service. The current mortgagee may charge a reasonable fee to the mortgagor or his agent for all services and costs to prepare, execute, mail, submit or record the act of release. Any fees charged by the current mortgagee under this Paragraph shall be clearly itemized to the requesting mortgagor or settlement agent in the pay off letter, statement, or other documentation.

(5) Within forty-five days after receipt from the mortgagor of a written request for cancellation of the mortgage accompanied by the fees required by Paragraph (4), the current mortgagee shall submit to the recorder of mortgages the act of release along with a request for cancellation that complies with Civil Code article 3366 and the requisite fees of the recorder. The mortgagor or his agent shall be copied with this request and with cancellation information received from the recorder of mortgages.

(6) If the mortgagee fails to deliver the act of release and request for cancellation to the settlement agent within forty-five days of receipt of funds from the settlement agent, he shall be liable for the statutory and actual damages, fees and costs as provided in Subsection (D).

C. If the current mortgagee does not itemize the fees in the payoff statement requested by mortgagor or the settlement agent as required under Subsection (B)(4), the mortgagor or the settlement agent may request that the act of release and request for cancellation be delivered to the settlement agent. Upon receipt of the act of release and request for cancellation, the settlement agent shall file same with the clerk of court within forty-five days.

(1) The mortgagee shall not be liable for damages, fees or costs caused by the failure of the settlement agent to timely file the act of release and request for cancellation, if the act of release and request for cancellation are in compliance with law and sufficient to cancel the inscription of the mortgage from the mortgage records.

(2) If the settlement agent fails to timely file the release, he shall be liable for the statutory and actual damages, costs and fees provided for in Subsection (D). D. If the current mortgagee fails to perform the duty described in this Section, the mortgagor or his successor in title may, by summary proceedings instituted against the current mortgagee, in the parish where the mortgaged property is located, obtain a judgment ordering the mortgage to be erased from the records and for the costs, reasonable attorneys fees, statutory damages in the amount of five hundred dollars, and actual damages he has suffered from the mortgagee's default.

* * *

AMENDMENT NO. 5

On page 1, delete lines 8 through 17 and insert

"A. The provisions of this Section shall apply only to mortgages recorded prior to January 1, 2012.

B. A. Upon extinction of the mortgage, the mortgagor or his successor may request the mortgagee to provide a written act of release directing the recorder to erase the mortgage from his records.

The mortgagee shall deliver the act of release to the mortgagor within sixty days of receiving the request. If the mortgagee fails to deliver the act timely and in a form susceptible of recordation, the mortgagor may, by summary proceedings instituted against the mortgagee in the parish where the mortgaged property is located, obtain a judgment ordering the mortgage to be erased from the records and for the costs, reasonable attorneys fees, and any damages he has suffered from the mortgagee's default.

C. B. This Section does not apply to a mortgage insofar as it secures payment of a note or other instrument paraphrased for identification with the act of mortgage by the notary before whom it is executed."

AMENDMENT NO. 6

On page 2, delete lines 1 through 29

AMENDMENT NO. 7

On page 3, delete lines 1 through 11

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

SENATE BILL NO. 242—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 14:141 and R.S. 39:126, to enact R.S. 38:2222 and R.S. 39:1557.1, and to repeal R.S. 38:2196.1, relative to public contracts; to provide for prohibited splitting of profits, fees, and commissions; to provide with respect to recordation of certain change orders to public contracts; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 242 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, change "and R.S. 39:126" to "R.S. 39:126 and 1767, and R.S. 48:251.8" and change "R.S. 38:2222" to "R.S. 38:2192 and 2222"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 38:2196.1" add ", R.S. 39:200(N) and 1493.1, and Part X of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, consisting of R.S. 39:1758"

AMENDMENT NO. 3

On page 1, line 5, between "orders" and "to" insert ", amendments, or other revisions"

AMENDMENT NO. 4

On page 2, line 4, delete "in the contract negotiations"

AMENDMENT NO. 5

On page 2, line 5, delete ", unless the amount", delete lines 6 through 12 in their entirety, and on line 13, delete "news media"

AMENDMENT NO. 6

On page 2, line 14, change "failure to report the splitting of" to "**receiving or offering to receive a portion of the**"

AMENDMENT NO. 7

On page 2, lines 15 and 16, delete ", and to contain such fee arrangement in the contract of sale or in the insurance contract"

AMENDMENT NO. 8

On page 2, line 17, change "one" to "**ten**"

AMENDMENT NO. 9

On page 2, line 18, change "two" to "**ten**"

AMENDMENT NO. 10

On page 2, line 19, change "R.S. 38:2222 is" to "R.S. 38:2192 and 2222 are"

AMENDMENT NO. 11

On page 2, between lines 19 and 20, insert the following:

"§2192. Certain contract amendments and revisions; recordation

Each amendment or other revision to any service or insurance contract which adds an amount of ten percent or more of the original contract amount and which additional amount is at least ten thousand dollars or all amendments and other revisions to any service or insurance contract aggregating to an amount of twenty percent or more of the original contract amount and which additional amount is at least ten thousand dollars shall be recorded by the public entity which entered into the contract in the office of the recorder of mortgages in the parish where the public entity is domiciled not later than thirty days after the date of the amendment or other revision which requires that the recordation take place. In addition, the original contract shall be recorded together with the amendments or other revisions if not previously recorded.

* * *

AMENDMENT NO. 12

On page 2, line 22, between "of" and "**ten**" insert "**ten percent or more of the original contract amount and which additional amount is at least**" and delete "**or more**"

AMENDMENT NO. 13

On page 2, line 24, between "**amount**" and "**shall**" insert "**and which additional amount is at least ten thousand dollars**"

AMENDMENT NO. 14

On page 2, at the end of line 28, add "**In addition, the original contract shall be recorded together with the change orders if not previously recorded. The provisions of this Section shall not apply to the office of facility planning and control, and the office of state purchasing.**"

AMENDMENT NO. 15

On page 2, line 29, change "R.S. 39:126 is" to "R.S. 39:126 and 1767 are" and between "reenacted" and "to" insert "and R.S. 39:1557.1 is hereby enacted"

AMENDMENT NO. 16

On page 3, line 10, between "of" and "**ten**" insert "**ten percent or more of the original contract amount and which additional amount is at least**"

AMENDMENT NO. 17

On page 3, line 11, delete "**or more**"

AMENDMENT NO. 18

On page 3, line 12, between "**amount**" and "**shall**" insert "**and which additional amount is at least ten thousand dollars**"

AMENDMENT NO. 19

On page 3, at the end of line 16, add "**In addition, the original contract shall be recorded together with the amendments or other revisions if not previously recorded.**"

AMENDMENT NO. 20

On page 3, line 19, between "of" and "**ten**" insert "**ten percent or more of the original contract amount and which additional amount is at least**"

AMENDMENT NO. 21

On page 3, line 20, delete "**or more**"

AMENDMENT NO. 22

On page 3, line 21, between "**amount**" and "**shall**" insert "**and which additional amount is at least ten thousand dollars**"

AMENDMENT NO. 23

On page 3, at the end of line 25, add "**In addition, the original contract shall be recorded together with the amendments or other revisions if not previously recorded. The provisions of this Section shall not apply to the office of facility planning and control, and the office of state purchasing.**"

AMENDMENT NO. 24

On page 3, delete line 26 and insert the following:

* * *

§1767. Appropriation dependency; ~~requirement for affidavit of notice of fee disposition~~

A. All lease-purchase contracts entered into pursuant to this Chapter shall contain an annual appropriation dependency requirement to the effect that renewal and continuation of such contract is contingent upon the appropriation of funds to fulfill the requirements of the contract and if the legislature, after a diligent and good faith effort, fails to appropriate sufficient monies to provide for the continuation of a contract, or if such appropriation can not be effected, the contract shall terminate in accordance with the terms of the lease on the last day of the last fiscal year for which funds were appropriated, provided the equipment is returned to the nonprofit lessor or his agent, as provided in the equipment-lease-purchase contract and such contract shall not be a long-term debt of the state or the applicable purchasing agency. In addition, in such equipment-lease-purchase contracts, the nonprofit lessor shall covenant and agree to indemnify and hold the lessee harmless against any loss, damage, liability, cost, penalty, or expense, including attorney fees, which is not otherwise agreed to by the lessee in the equipment-lease-purchase contract and which is incurred and arises upon a failure of the legislature to appropriate funds in the manner described above for a continuation of the contract or the exercise of the option to purchase the selected equipment.

~~B. Notwithstanding any limitation of the applicability of this Part or Chapter in any other provision of law, contracts shall be subject to the provisions of R.S. 38:2196.1 regarding the requirement for an affidavit of notice of fee disposition, if applicable.~~

Section 4. R.S. 48:251.8 is hereby amended and reenacted to read as follows:

§251.8. Public contracts; certain provisions invalid; ~~requirement for affidavit of notice of fee disposition~~

A. The legislature hereby declares null and void and unenforceable as against public policy any provision in a department contract which requires either of the following:

(1) That a suit or arbitration proceeding must be brought in a forum or jurisdiction outside of this state, instead of being pursued in accordance with the laws of this state governing such actions.

(2) That the agreement must be interpreted according to the laws of another jurisdiction.

~~B. Notwithstanding any limitation of the applicability of this Part or Chapter in any other provision of law, contracts shall be subject to the provisions of R.S. 38:2196.1 regarding the requirement for an affidavit of notice of fee disposition, if applicable.~~

Section 5. R.S. 38:2196.1, R.S. 39:200(N) and 1493.1, and Part X of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, consisting of R.S. 39:1758, are hereby repealed in their entirety."

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

SENATE BILL NO. 253—

BY SENATORS JACKSON AND MURRAY
AN ACT

To amend and reenact R.S. 9:2347(A)(1), (H), and (M), relative to the issuance of bonds by public trusts; to provide for the publication of the notice of intention to issue bonds, notes, or other evidences of indebtedness by a public trust; to provide for the sale of bonds, notes and other evidences of indebtedness by a public trust; to provide that property owned by certain public

trusts authorized to issue bonds to finance projects, is public and used for a public purpose; and to provide for related matters.

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

SENATE BILL NO. 254—

BY SENATOR WILLARD-LEWIS
AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 254 by Senator Willard-Lewis

AMENDMENT NO. 1

On page 1, line 13, change "2011" to "2012"

AMENDMENT NO. 2

On page 1, line 15, change "2011" to "2012"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 5—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 11:2185, relative to sheriff and deputy sheriffs; to authorize a sheriff or a deputy sheriff to purchase his firearm upon retirement; to provide for certain criteria; and to provide for related matters.

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

HOUSE BILL NO. 27—

BY REPRESENTATIVES BROSETT AND BISHOP
AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration for the homestead exemption; to require the assessor in Orleans Parish to provide a form for the permanent registration of the homestead exemption for taxpayers in that parish; and to provide for related matters.

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

HOUSE BILL NO. 28—

BY REPRESENTATIVES EDWARDS, BOBBY BADON, AND GISCLAIR
AND SENATORS ADLEY, MARIONNEAUX, AND MURRAY
AN ACT

To enact R.S. 36:784(A)(8)(d), (e), and (f), relative to the Veterans' Honor Medal Program; to provide relative to the application for Honor Medals; to provide for methods of distribution of Honor Medals; to require delivery of medals within a specified period of time in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 33—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:1448(H)(1) and to enact R.S. 33:1448(H)(3), relative to payment of group insurance premiums for persons retired from the Assumption Parish Sheriff's Office; to require service with the Assumption Parish Sheriff's Office for a specified number of years after a specified date; and to provide for related matters.

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

HOUSE BILL NO. 39—
BY REPRESENTATIVE THIBAUT
AN ACT

To enact R.S. 13:2575.4, relative to ordinance violations in West Baton Rouge Parish; to provide for administrative adjudications; to provide for definitions; to provide for violations subject to administrative adjudication procedures; and to provide for related matters.

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

HOUSE BILL NO. 55—
BY REPRESENTATIVES THIERRY, ARNOLD, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHANEY, CONNICK, EDWARDS, GREENE, GUINN, HAZEL, HENRY, HOFFMANN, HOWARD, HUTTER, KATZ, LANDRY, LEBAS, MORENO, PONTL, POPE, RICHARD, RICHARDSON, ROY, SEABAUGH, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, AND WILLIAMS
AN ACT

To enact R.S. 14:91.5, relative to sex offenders; to create the crime of unlawful use or access of social media; to prohibit certain convicted sex offenders from using or accessing social networking websites, chat rooms, and peer-to-peer networks; to provide for definitions; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 64—
BY REPRESENTATIVE BOBBY BADON
AN ACT

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

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

HOUSE BILL NO. 72—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 33:2341 and 2344(A) and (B)(1) and (2) and to enact R.S. 33:2345(G), relative to the Law Enforcement Executive Management Institute; to require the institute to serve as coordinator for the training of all chiefs of police; to provide for training of nonmunicipal chiefs of police; to provide definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 72 by Representative Gisclair

AMENDMENT NO. 1
On page 1, line 3, after "33:" delete "2345(G)" and insert "2344(C) and 2345(G) and (H)"

AMENDMENT NO. 2
On page 1, line 5, after "police;" insert "to provide for exemptions;"

AMENDMENT NO. 3
On page 1, line 9, after "33:" delete "2345(G) is" and insert "2344(C) and 2345(G) and (H) are"

AMENDMENT NO. 4
On page 1, line 14, after "laws." insert "The provisions of this Section shall not apply to the superintendent of the Louisiana State Police, sheriffs, and constables."

AMENDMENT NO. 5
On page 2, between line 4 and 5, insert "C. The provisions of this Section shall not apply to the superintendent of the Louisiana State Police, sheriffs, and constables."

AMENDMENT NO. 6
On page 2, after line 14, insert "H. The provisions of this Section shall not apply to the superintendent of the Louisiana State Police, sheriffs, and constables."

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

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 75 by Representative Gisclair

AMENDMENT NO. 1
On page 1, line 3, after "taking of" and before "mullet" insert "live"

AMENDMENT NO. 2
On page 2, line 1, delete "Mullet" and insert "Live mullet"

AMENDMENT NO. 3
On page 2, line 2, after "333.1," insert "live"

AMENDMENT NO. 4
On page 2, line 4, after "providing" insert "live"

AMENDMENT NO. 5
On page 2, line 5, after "sale of" insert "live"

AMENDMENT NO. 6
On page 2, line 6, after "seasons," insert "live possession requirements,"

AMENDMENT NO. 7
On page 2, line 8, after "harvest" insert "live"

AMENDMENT NO. 8
On page 2, line 13, after "taking of" insert "live"

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

HOUSE BILL NO. 86—

BY REPRESENTATIVES WHITE, ARNOLD, BALDONE, BARROW, BILLIOT, HENRY BURNS, CARMODY, DOVE, EDWARDS, ELLINGTON, GREENE, HAZEL, HILL, HOFFMANN, HUTTER, KATZ, LEBAS, LIGI, LORUSSO, POPE, PUGH, RICHARD, RICHARDSON, SEABAUGH, SIMON, GARY SMITH, JANE SMITH, ST. GERMAIN, THIBAUT, AND WILLIAMS

AN ACT

To amend and reenact R.S. 14:43.1(A) and (C)(3), (4), (5), and (6), 43.2(C)(3), 43.3(A) and (C)(3), 43.6(A) and (B)(1), and 81.2, to enact R.S. 14:43.1(C)(7), 43.2(D), and 43.3(D), and to repeal R.S. 14:43.2(C)(4), (5), and (6) and 43.3(C)(4), (5), and (6), relative to sexual abuse of a person with a physical or mental disability; to provide relative to sexual battery of a person with a physical or mental disability; to provide relative to second degree sexual battery of a person with a physical or mental disability; to provide relative to oral sexual battery of a person with a physical or mental disability; to provide relative to molestation of a person with a physical or mental disability; to provide relative to the elements of such offenses; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

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

HOUSE BILL NO. 91—

BY REPRESENTATIVE ROY

AN ACT

To repeal R.S. 40:1496.14, relative to fire protection districts; to abolish the Rapides Parish Tri Fire Protection District.

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

HOUSE BILL NO. 93—

BY REPRESENTATIVE MORRIS

AN ACT

To amend and reenact R.S. 40:1496(B)(5), relative to fire protection districts; to provide for additional members of the board of commissioners of Caddo Parish Fire District Number One; to provide relative to the appointment and terms of the additional members; and to provide for related matters.

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

HOUSE BILL NO. 164—

BY REPRESENTATIVE HILL

AN ACT

To designate that section of Louisiana Highway 113, between its intersection with Louisiana Highway 10, in Vernon Parish, to the Occupy II Baptist Church as the "Staff Sergeant Robert 'Pete' Sweat Memorial Highway"; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 164 by Representative Hill

AMENDMENT NO. 1

On page 1, line 4, after "Highway";" insert the following: "to designate that section of Louisiana Highway 18 between its intersection with US Highway 90 east to its intersection with Louisiana Highway 541, in Jefferson Parish, as "Seven Oaks Boulevard";"

AMENDMENT NO. 2

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

"Section 2. The section of Louisiana Highway 18 between its intersection with US Highway 90 east to its intersection with Louisiana Highway 541 in Jefferson Parish shall be hereinafter known and designated as "Seven Oaks Boulevard"."

AMENDMENT NO. 3

On page 1, line 10, after "Section" change "2" to "3"

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

HOUSE BILL NO. 187—

BY REPRESENTATIVE BOBBY BADON

AN ACT

To amend and reenact R.S. 40:1321(H), relative to sex offenders; to prohibit certain sex offenders from obtaining a special identification card without charge; and to provide for related matters.

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

HOUSE BILL NO. 192—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d) and to enact R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f), relative to public contracts; to provide an exception for electronic bidding in certain parishes; to authorize public entities to require electronic bidding; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 208—

BY REPRESENTATIVE SAM JONES

AN ACT

To amend and reenact R.S. 34:321, relative to the Morgan City Harbor and Terminal District; to expand the territorial limits of the Morgan City Harbor and Terminal District; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 216—

BY REPRESENTATIVE ROY AND SENATOR PERRY

AN ACT

To amend and reenact Code of Criminal Procedure Article 230.2(B), relative to probable cause determinations; to provide with respect to release of certain defendants in the absence of a probable cause hearing; to provide for the release of defendants in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 228—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 47:462(B)(3)(a) and (6) and (C), 475, and 508(F), relative to truck registration taxes or fees; to modify registration tax or fee schedule for trucks of certain weights; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 229—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 14:93.3(C), relative to cruelty to the infirmed; to amend the definition of "aged person"; and to provide for related matters.

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

HOUSE BILL NO. 241—

BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 13:2590.1(A)(1), relative to justice of the peace courts; to provide for the appointment of a clerk of court in certain parishes; and to provide for related matters.

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

HOUSE BILL NO. 253—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:415.1(A)(1)(introductory paragraph), (c), and (f), relative to driver's license suspensions and revocations; to provide for economic and medical hardship license application procedures; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 262—

BY REPRESENTATIVES RICHARDSON AND TIM BURNS
AN ACT

To amend and reenact Code of Civil Procedure Article 2636(5), relative to authentic evidence for executory proceedings; to provide for certain documentary evidence deemed to be authentic; and to provide for related matters.

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

HOUSE BILL NO. 291—

BY REPRESENTATIVE LAMBERT AND SENATOR AMEDEE
AN ACT

To amend and reenact R.S. 14:93.10(2)(introductory paragraph) and 108.1(D)(4) and R.S. 34:851.4 and to repeal R.S. 34:851.5, relative to boating safety; to provide for the possession of alcoholic beverages on waterways; to provide for definitions; to provide for operation of a watercraft; to provide for aggravated flight from an officer; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 291 by Representative Lambert

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" insert ", 98.3(A),"

AMENDMENT NO. 2

On page 1, line 3, after "34:851.4" insert "and 851.8"

AMENDMENT NO. 3

On page 1, line 5, delete "provide for operation of a watercraft;" and insert "define and provide penalties for the careless operation of a watercraft;"

AMENDMENT NO. 4

On page 1, line 8, after "(introductory paragraph)" insert ", 98.3(A),"

AMENDMENT NO. 5

On page 1, between lines 18 and 19, insert:
"§98.3. Operating a vehicle while under suspension for certain prior offenses

A. It is unlawful to operate a motor vehicle on a public highway, or a watercraft on a waterway, where the operator's driving privileges have been suspended under the authority of R.S. 32:414(A)(1), (B)(1) or (2), (D)(1)(a), or 667. It shall not be a violation of the provisions of this Section when a person operates a motor vehicle or watercraft to obtain emergency medical care for himself or any other person.
* * *

AMENDMENT NO. 6

On page 2, line 9, delete "is" and insert "and 851.8 are"

AMENDMENT NO. 7

On page 2, delete lines 10 through 20, and insert:

"§851.4. Careless operation of a watercraft
~~Any person who shall operate any watercraft in a careless or heedless manner so as to be grossly indifferent to the person or property of other persons or at a rate of speed greater than will permit him in the exercise of reasonable care to bring the watercraft to a stop within the assured clear distance ahead shall be guilty of the crime of careless operation, punishable by a fine of not more than three hundred dollars, or by imprisonment of not more than thirty days, or by both.~~

A. Careless operation of a watercraft is:
(1) The failure to operate a watercraft in a careful and prudent manner so as not to endanger the life, limb, or property of any person.

(2) The failure to operate a watercraft in accordance with any of the following provisions:

(a) Vessels passing head-on shall each keep to their respective right.

(b) A vessel overtaking another vessel may do so on either side, but must grant the right-of-way to the vessel being overtaken.

(c) When vessels are on paths that cross, the vessel on the left will yield right-of-way to vessel on the right.

(d) Motorboats shall yield right-of-way to non-motor powered boats, except when being overtaken by non-powered vessels, for deep draft vessels that have to remain in narrow channels, or when vessel is towing another vessel.

(e) Motorboats must maintain a direct course when passing sailboats.

(f) A vessel approaching a landing dock or pier shall yield the right-of-way to any departing vessel.

(g) A vessel departing shoreline or tributary shall yield right-of-way to through traffic and vessels approaching shoreline or tributary.

(h) Vessels will not abruptly change course without first determining that it can be safely done without risk of collision with another vessel.

(i) If an operator fails to fully comprehend the course of an approaching vessel he must slow down immediately to a speed barely sufficient for steerageway until the other vessel has passed.

(j) Vessels yielding right-of-way shall reduce speed, stop, reverse, or alter course to avoid collision. Vessel with right-of-way shall hold course and speed. If there is danger of collision, all vessels will slow down, stop, or reverse until danger is averted.

(k) Vessels will issue warning signals in fog or weather conditions that restrict visibility.

(l) No mechanically propelled vessel shall be operated so as to traverse a course around any other vessel underway or any person swimming.

(m) In a narrow channel, vessels will keep to the right of mid-channel.

(n) Vessels approaching or passing another vessel shall be operated in such manner and at such a rate of speed as will not create a hazardous wash or wake.

(o) A seaplane on the water shall in general keep clear of all vessels and avoid impeding the navigation of all vessels.

(p) All vessels shall be operated at reasonable speeds for given conditions and situations and must be under the complete control of the operator at all times.

(q) No person shall, under any circumstances, operate a vessel in excess of an established speed or wake zone.

(r) No vessel or person shall obstruct or block a navigation channel, entrance to channel, mooring slip, landing dock, launching ramp, pier or tributary.

(s) Vessels shall keep at least 100 feet clearance of displayed diver's flag.

(t) Operator shall maintain a proper lookout.

(u) No one who currently has a Louisiana Operators license that is under a suspension may operate a motor vessel.

B. Whoever commits the crime of careless operation of a watercraft shall be fined not more than three hundred dollars, or imprisoned for not more than thirty days, or both.

* * *

§851.8. Operating a watercraft during suspension

No person shall operate a watercraft upon the waterways of this state during the period of his suspension or revocation of the privilege of such operation pursuant to R.S. 14:98.3 or R.S. 32:414 or 667."

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

HOUSE BILL NO. 299—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To enact R.S. 47:463.152 and 463.153, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 299 by Representative Champagne

AMENDMENT NO. 1

On page 2, line 20, change "Association" to "Organization"

AMENDMENT NO. 2

On page 3, line 4, change "American Cancer Society, Mid-South Division" to "Louisiana Hospice Organization"

AMENDMENT NO. 3

On page 3, line 5, change "American Cancer Society, Mid-South" to "Louisiana Hospice Organization"

AMENDMENT NO. 4

On page 3, delete line 6 and insert "**for the purpose of furthering its mission to improve hospice and end-of-life care through research, professional and public education, and public awareness.**"

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

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.

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

HOUSE BILL NO. 355—

BY REPRESENTATIVE BROSSETT
AN ACT

To amend and reenact R.S. 33:4071(B) and to enact R.S. 33:4071(A)(3), relative to the city of New Orleans; to provide relative to the sewerage and water board of the city; to provide relative to the authority of the mayor to designate a person to attend meetings of the board in his absence; to provide relative to the qualifications and powers and duties of any such person; and to provide for related matters.

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

HOUSE BILL NO. 402—

BY REPRESENTATIVE HUVAL AND SENATOR MILLS
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to provide relative to city court jurisdiction; to increase the jurisdictional amount in dispute for the City Court of Breaux Bridge; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 459—

BY REPRESENTATIVE ABRAMSON
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Orleans Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 466—

BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 47:2212, relative to Calcasieu Parish; to provide relative to the sale of adjudicated property by the parish; to authorize the governing authority of the parish to sell such property without notification to political subdivisions created by the parish, subject to limitations; to provide relative to the cancellation of tax liens, assessments, penalties, or other charges; and to provide for related matters.

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

HOUSE BILL NO. 485—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 33:9097.8(D)(1) through (3), (F), (G)(1), and (H)(2) and to enact R.S. 33:9097.8(I), relative to the Broadmoor Crime Prevention and Improvement District; to provide for membership on the board of commissioners of the district; to provide for terms of the commissioners; to provide for the levy of a parcel fee; to provide relative to the taxing authority of the district; to provide relative to the district's budget; to provide for indemnity for commissioners; to provide for vacancies and subsequent appointments to the board; and to provide for related matters.

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

HOUSE BILL NO. 505—
BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 32:378.2(H), relative to ignition interlock devices; to require ignition interlock device reports to be submitted electronically to certain entities; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 505 by Representative Champagne

AMENDMENT NO. 1
On page 1, line 12, change "**monthly**" to "**bi-monthly**"

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

HOUSE BILL NO. 553—
BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 13:848.1, relative to court costs; to provide for the disbursement of funds collected; and to provide for related matters.

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

HOUSE BILL NO. 591—
BY REPRESENTATIVES RITCHIE, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BISHOP, BROSSETT, BURRELL, DIXON, DOWNS, EDWARDS, FRANKLIN, HARDY, HENDERSON, HINES, HOFFMANN, HONORE, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, LEGER, MONTOUÇET, MORENO, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WOOTON
AN ACT

To amend and reenact R.S. 47:841(B)(2) and Section 4 of Act No. 32 of the 2000 Regular Session of the Legislature, as amended and reenacted by Act No. 21 of the 2002 Regular Session of the Legislature, and to enact R.S. 47:841(G), relative to the tobacco tax; to remove termination of the applicability of a certain portion of the tax levied on cigarettes; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

Reconsideration

The vote by which Senate Bill No. 139 failed to pass on Tuesday, May 31, 2011, was reconsidered.

SENATE BILL NO. 139—
BY SENATORS MARIONNEAUX, ERDEY AND MOUNT
AN ACT

To enact R.S. 32:83, relative to motor vehicles and traffic regulations; to prohibit certain trucks from using the far left lane on certain highways; to provide for exceptions; to provide for penalties; and to provide for related matters.

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

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

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To authorize and direct creation of the "Task Force on the Crescent City Connection" to analyze re-authorization of tolls, ferry services, and all components and management of the operation of the Crescent City Connection Division of the Department of Transportation and Development; to provide for membership, powers, and duties of the task force; to provide for a report of its business; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. 47 by Senator Heitmeier

AMENDMENT NO. 1
On page 2, line 6, change "nine" to "eleven"

AMENDMENT NO. 2
On page 2, line 9, change "nine" to "ten"

AMENDMENT NO. 3
On page 2, line 13, delete "and the Jefferson Chamber of Commerce"

AMENDMENT NO. 4
On page 2, between line 13 and 14 insert
"(3) One member representing business interests from names submitted by the Jefferson Chamber of Commerce."

AMENDMENT NO. 5
On page 2, line 14, change "(3)" to "(4)"

AMENDMENT NO. 6
On page 2, line 16, change "(4)" to "(5)"

AMENDMENT NO. 7

On page 2, line 18, change "(5)" to "(6)"

AMENDMENT NO. 8

On page 2, line 20, change "(6)" to "(7)"

AMENDMENT NO. 9

On page 2, line 24, change "(7)" to "(8)"

AMENDMENT NO. 10

On page 2, line 26, change "(8)" to "(9)"

AMENDMENT NO. 11

On page 2, line 27, change "(9)" to "(10)"

AMENDMENT NO. 12

On page 3, between lines 3 and 4, insert the following:
"BE IT FURTHER RESOLVED that the secretary of the Department of Transportation and Development or her designee shall serve as a member of the task force and act as its chairman."

AMENDMENT NO. 13

On page 3, line 5, after "by the" delete the remainder of the line and insert "secretary of the Department of Transportation and Development at the offices of the Crescent City Connection Division in"

AMENDMENT NO. 14

On page 3, line 6, after "Louisiana" delete ", chosen by the office"

AMENDMENT NO. 15

On page 3, line 7, after "task force" delete the remainder of line 7 and on line 8 delete "City Connection"

AMENDMENT NO. 16

On page 3, at the end of line 10, insert "Meetings of the task force shall be held at the offices of the Crescent City Connection Division. The task force shall be staffed by the Department of Transportation and Development."

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

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Original Senate Concurrent Resolution No. 47 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, change "authorize and direct" to "create and provide for"

AMENDMENT NO. 2

On page 1, line 5, after "Development" delete the remainder of the line and delete lines 6 and 7 in their entirety and insert a period "."

AMENDMENT NO. 3

On page 2, delete line 4, on line 5, delete "BE IT FURTHER RESOLVED that" and insert "create"

AMENDMENT NO. 4

On page 2, line 6, change "is hereby created and shall" to "to"

AMENDMENT NO. 5

On page 2, line 7, after the period "." delete the remainder of the line and between lines 7 and 8 insert "BE IT FURTHER RESOLVED that each of the following organizations shall collaborate and"

AMENDMENT NO. 6

On page 2, line 9, between "force" and the colon ":" insert "as follows"

AMENDMENT NO. 7

On page 2, between lines 29 and 30, insert "BE IT FURTHER RESOLVED that the" and on line 30, delete "The" and change ". If" to "and if"

AMENDMENT NO. 8

On page 3, line 1, delete "The governor shall" and at the beginning of line 2, add "BE IT FURTHER RESOLVED that the governor shall"

AMENDMENT NO. 9

On page 3, line 2, change ". The" to ", and the"

AMENDMENT NO. 10

On page 3, line 6, delete "At such initial meeting, the members of the" and at the beginning of line 7, add "BE IT FURTHER RESOLVED that at the initial meeting, the members of the"

AMENDMENT NO. 11

On page 3, line 16, change "shall be" to "is"

AMENDMENT NO. 12

On page 3, line 23, change "; and," to "; and"

AMENDMENT NO. 13

On page 3, line 25, change "Task Force on the Crescent City Connection" to "task force"

AMENDMENT NO. 14

On page 3, line 27, change "Committees on Transportation, Highways, and Public Works" to "committees on transportation, highways, and public works"

AMENDMENT NO. 15

On page 3, line 28, change "and such task force shall officially" to "and shall"

AMENDMENT NO. 16

On page 4, line 6, change "and the St. Bernard" to "the St. Bernard"

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

June 1, 2011

ABSENT

Guillory Nevers
 McPherson Perry
 Total - 4

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 229—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 33:2002(A)(1) and (4)(a), 2218.2(A)(1) and (2)(a), 2218.8(B) and (G) and 2218.10 and to enact Subpart F of Part III of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1460.3, relative to additional pay for certain law enforcement officers; to increase the amount of monthly compensation; and to provide for related matters.

Rules Suspended

Senator Marionneaux asked for a suspension of the rules.

ROLL CALL

The roll was called with the following result:

YEAS

Gautreaux	McPherson	Riser
Guillory	Morrell	Shaw
Marionneaux	Peterson	
Total - 8		

NAYS

Mr. President	Dorsey	Mount
Adley	Erdey	Murray
Alario	Heitmeier	Nevers
Appel	Jackson	Perry
Broome	Kostelka	Smith
Chabert	LaFleur	Thompson
Cheek	Long	Walsworth
Claitor	Michot	Willard-Lewis
Crowe	Mills	
Donahue	Morrish	
Total - 28		

ABSENT

Amedee Martiny Quinn
 Total - 3

The Chair declared the Senate refused to suspend the rules.

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

SENATE BILL NO. 232—

BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 15:544 (D)(1), (2), (3)(e), (4)(a) and (b) and to enact Chapter 3-C of Title 15 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 15:555 and 556; relative to sex offenses; to provide for notification and registration of offenders; to create a sexual assault task force and provide for the membership, and powers, duties, and functions of the task force; to provide for a termination date of the task force; 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. 232 by Senator Cheek

AMENDMENT NO. 1

On page 4, delete lines 13 and 14 and insert the following in lieu thereof:

"(17) The deputy secretary of programs of the Department of Children and Family Services, or his designee."

AMENDMENT NO. 2

On page 5, line 28, delete "**, office of community services,**"

AMENDMENT NO. 3

On page 6, line 5, delete "**, office of community services,**"

AMENDMENT NO. 4

On page 6, line 9, delete "**, office of community services,**"

AMENDMENT NO. 5

On page 6, line 12, delete "**, office of community services**"

On motion of Senator Cheek, the amendments were adopted.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 232 by Senator Cheek

AMENDMENT NO. 1

On page 6, between lines 12 and 13, insert:

"(j) Given the unusual position of trust and authority that members of the clergy of all religions enjoy from their congregation and the opportunity that such an esteemed position gives those few individuals the task force shall examine and report on the number of allegations of sexual abuse or assault reported, investigated, and the number of those which were validated or not validated and shall propose specific standards to be followed in the investigation of such cases and shall issue recommendations of enhanced penalties applicable to those who abuse that trust to perpetrate sexual offenses"

On motion of Senator Peterson, 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
Amedee	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
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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. 255—

BY SENATOR WILLARD-LEWIS

AN ACT

To enact R.S. 47:6030.1, relative to tax credits; to grant an individual income tax credit or the cost of purchase, installation, or construction of certain residential energy efficient property for the residences of certain elderly people; 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. 255 by Senator Willard-Lewis

AMENDMENT NO. 1

On page 2, line 10, following "**residence**" and before "**the**" insert " ; "

AMENDMENT NO. 2

On page 2, line 23, change "**thereof**" to "**thereon**"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Willard-Lewis proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Willard-Lewis to Engrossed Senate Bill No. 255 by Senator Willard-Lewis

AMENDMENT NO. 1

On page 3, line 4 after "**means**" delete the remainder of the line and delete lines 5 through 14 in their entirety and insert: "**energy efficient refrigerators, freezers, clothes washers, dishwashers, tankless water heaters, storage water heaters, room air conditioners, central air conditioners, air source heat pumps, furnaces, exterior windows and exterior doors. All qualifying residential energy efficient property must have earned the Energy Star label. All qualifying residential energy efficient property must be installed at the Louisiana residence that is either owned and occupied or rented and occupied by a qualified elderly person. The term shall not include wind energy systems or solar energy systems provided for in R.S. 47:6030.**"

On motion of Senator Willard-Lewis, 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	Heitmeier	Peterson
Adley	Jackson	Quinn
Broome	LaFleur	Riser
Cheek	Marionneaux	Shaw
Dorsey	Michot	Smith
Erdey	Morrell	Thompson
Gautreaux	Murray	Willard-Lewis
Total - 21		

NAYS

Alario	Claitor	Mills
Amedee	Donahue	Perry
Appel	Long	Walsworth
Chabert	McPherson	
Total - 11		

ABSENT

Crowe	Martiny	Nevers
Guillory	Morrish	
Kostelka	Mount	
Total - 7		

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. 258—

BY SENATOR WILLARD-LEWIS

AN ACT

To enact R.S. 47:305.66, relative to sales and use taxes; to provide with respect to the levy of state sales and use taxes upon transactions related to items manufactured within the state for use in orbital environments; to provide for a dedication of taxes collected on the sale or use of such property; and to provide for related matters.

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

SENATE BILL NO. 265—

BY SENATOR RISER

AN ACT

To enact R.S. 22:832.1 and Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3121 through 3133, relative to the Louisiana Entrepreneurial Assistance and Development program (LEAD); to create the program; to provide for a tax reduction for investors who make investments of eligible capital under the program; to provide for approval of LEAD funds by the department of economic development and to establish criteria for such approval; to provide criteria for issuers in which investments will be made; 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. 265 by Senator Riser

AMENDMENT NO. 1

On page 2, line 16, change "**R.S. 22:832.1(B)(1)**" to "**Paragraph (B)(1) of this Section**"

June 1, 2011

AMENDMENT NO. 2

On page 5, line 7, following "Subparagraph" and before "not" change "does" to "do"

AMENDMENT NO. 3

On page 7, line 17, change "Subsubsection" to "Section"

AMENDMENT NO. 4

On page 7, line 18, change "first-serve" to "first-served"

AMENDMENT NO. 5

On page 9, line 16, following "including" and before "but" delete the "1" and following "limited to" delete the "1"

AMENDMENT NO. 6

On page 9, line 26, following "shall" and before "invest" delete "only"

AMENDMENT NO. 7

On page 9, line 26, following "capital" insert "only"

AMENDMENT NO. 8

On page 11, line 26, delete "Paragraph B of this Subsection" and insert "Subsection B of this Section"

AMENDMENT NO. 9

On page 13, line 8, change "Perform" to "Performing"

AMENDMENT NO. 10

On page 13, line 10, change "Provide" to "Providing"

AMENDMENT NO. 11

On page 13, line 18, following "be" delete "only" and before "by" insert "only"

AMENDMENT NO. 12

On page 13, line 23, following "capital;" insert "the manner"

On motion of Senator Marionneaux, the amendments were adopted.

Senator Marionneaux asked for a ruling from the Chair as to whether the rules require the amended bill be recommitted to the Committee on Finance.

The Chair ruled that the amended bill should be recommitted to the Committee on Finance.

Senate Bill No. 265 was recommitted to the Committee on Finance.

SENATE BILL NO. 266— (Substitute of Senate Bill No. 183 by Senator Appel)

BY SENATORS APPEL AND MURRAY
AN ACT

To amend and reenact R.S. 17:3217, to enact R.S. 17:3230, and to repeal R.S. 17:3215(2), relative to postsecondary education; to provide for the transfer of the University of New Orleans to the University of Louisiana System; to provide relative to the transfer of the facilities, resources, funds, obligations, and functions of the institution and related foundations; to provide for the transition responsibilities of the impacted institution and management boards and the division of administration; to provide for cooperative agreements; to provide relative to accreditation issues; to provide relative to funding; to provide relative to employees; to provide for effectiveness; 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. 266 by Senator Appel

AMENDMENT NO. 1

On page 4, lines 22-23, following "System." and before "upon" change "no budget reductions or changes in funding allocations shall be imposed" to "impose any budget reductions or changes in funding allocations"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 266 by Senator Appel

AMENDMENT NO. 1

On page 5, line 1, after "System." insert the following: "The commissioner of administration shall indemnify and hold harmless the transferee and transferor management boards for any liability and costs which may directly result from the mandated transfer."

AMENDMENT NO. 2

On page 5, between lines 2 and 3 insert the following:

"Section 3. (A) This Act is not intended to nor shall it be construed to impair the contractual or other obligations of any agency, office, board, commission, department, or political subdivision, or of the state as a result of the transfers of obligations in accordance with this Act. Upon the effective date of the transfer of the University of New Orleans, all such obligations of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College related to the University of New Orleans shall be deemed to be obligations of the Board of Supervisors for the University of Louisiana System to the same extent as if originally incurred by it.

(B) All funds and revenues previously dedicated by authority of the constitution and laws of this state to the payment of any bonds related to the University of New Orleans shall continue to be collected and dedicated to such payments unless and until other provision is made for such payments in accordance with law. Upon the effective date of the transfer of the University of New Orleans, all acts relating to such bonds by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall be deemed to be the acts of the Board of Supervisors for the University of Louisiana System in the same manner and to the same extent as if originally so done.

(C) The provisions of this Section shall have the full force and effect of law."

AMENDMENT NO. 3

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

On motion of Senator Appel, the amendments were adopted.

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

SENATE BILL NO. 267— (Substitute of Senate Bill No. 227 by Senator Mills)

BY SENATOR MILLS

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 Mills, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 195—

BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 18:463(A)(2)(c), relative to the Louisiana Election Code; to provide relative to candidacy for public office; to provide that a person with an outstanding ethics fine cannot qualify for public office unless the fine has been paid in full; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdey, Total - 39; Gautreaux, 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

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 9—

BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 11:429(B), relative to the purchase of service credit in the Louisiana State Employees' Retirement System; to provide for the purchase of service credit and the use of such credit for the purpose of attaining eligibility for retirement; to provide relative to the payment of insurance premiums for individuals purchasing such service credit; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Alario, Amedee, Broome, Chabert, Cheek, Claitor, Crowe, Dorsey, Erdey, Gautreaux, Total - 36; Guillory, Heitmeier, Jackson, Kostelka, LaFleur, Long, Martiny, McPherson, Michot, Mills, Morrell, Morrish; Mount, Murray, Nevers, Perry, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth, Willard-Lewis

NAYS

Total - 0

ABSENT

Table with 3 columns: Appel, Total - 3; Donahue; Marionneaux

The Chair declared the bill was passed and ordered it 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. 268— (Substitute of Senate Bill No. 226 by Senator Mount)

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:1103(7), the introductory paragraph of 1103(10), and R.S. 37:1107(A)(8)(a), and to enact R.S. 37:1103(12), relative to boards and commissions; to provide for the definition of mental health counseling services; to provide for the definition of the practice of mental health counseling; to provide for the definition of serious mental illness; to provide for the requirements of a licensed professional counselor; 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. 268 by Senator Mount

AMENDMENT NO. 1

On page 1, line 9, following "37:1103(7)" and before "the" change "and" to ","

AMENDMENT NO. 2

On page 1, line 9, following "1103(10)" and before "are" insert ", and R.S. 37:1107 (A)(8)(a)"

AMENDMENT NO. 3

On page 1, line 10, following "reenacted" and before "to" insert "and R.S. 37:1103(12) is hereby enacted"

AMENDMENT NO. 4

On page 4, line 1, following "Subparagraph" and before "of" change "(8)(b)" to "(b)"

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AMENDMENT NO. 5

On page 4, line 2, change "Section" to "Paragraph"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Mount proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 268 by Senator Mount

AMENDMENT NO. 1

On page 3, line 24, change "masters and/or doctoral" to "graduate"

On motion of Senator Mount, the amendments were adopted.

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

SENATE BILL NO. 269— (Substitute of Senate Bill No. 249 by Senator Riser)

BY SENATOR RISER

AN ACT

To enact R.S. 40:600.4(E), 600.64(C), and Chapter 3-G of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.86 through 600.111 and R.S. 42:1124.2(A)(5), and to repeal R.S. 36:769(J) and Chapter 3-A of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:600.1 through 600.25.1, relative to housing authorities; to create the Louisiana Housing Corporation and provide for its powers, functions, and duties; to provide for the abolishment of certain programs or agencies, the consolidation of housing programs, and the transfer of certain programs or agencies; to provide for the filing of certain financial disclosure statements relative to certain boards and commissions; to provide terms, conditions definitions, procedures, and effects; to provide for an effective date; and to provide for related matters.

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

Senator Adley in the Chair

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

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 147 be called from the Calendar.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 171 be called from the Calendar.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 0

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

Mr. President in the Chair

Called from the Calendar

Senator Amedee asked that Senate Bill No. 54 be called from the Calendar.

SENATE BILL NO. 54—
BY SENATOR AMEDEE

AN ACT

To enact R.S. 47:1713, relative to ad valorem property tax; to authorize the prohibition of certain property from being considered exempt for the tax of certain tax authorities in certain parishes; and to provide for related matters.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 54 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, after "tax;" delete the remainder of the line, and on line 3, delete "certain property from being considered" and insert: "to require certain public notice and hearing requirements before agreements are entered into which have the effect of making property"

AMENDMENT NO. 2

On page 1, line 4, after "parishes;" insert "to impose requirements for disbursement of in lieu taxes received from transferred property in certain parishes;"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 3, and on line 4, delete "**tax recipient body to discuss the proposed approval**" and insert:

§1713. Requirements for hearing on entering agreements regarding ad valorem property taxes in certain parishes; requirements for disbursement of in lieu taxes received from transferred property

A.(1) Notwithstanding any other law to the contrary, and except as provided in Paragraph (2) of this Subsection, before any governmental entity in any parish with a population between twenty-one thousand and twenty-two thousand two hundred according to the most recent federal decennial census enters into a cooperative endeavor or other agreement which would have the effect of making any private property, movable or immovable, ad valorem tax exempt public property or otherwise exempt from an ad valorem property tax, the governing authority of the governmental entity shall approve the proposed agreement at a public hearing which shall be held"

AMENDMENT NO. 4

On page 2, line 9, change "**political subdivision**" to "**governmental entity**"

AMENDMENT NO. 5

On page 2, line 10, change "**political subdivision**" to "**governmental entity**"

AMENDMENT NO. 6

On page 2, delete lines 11 through 19, and insert:

"(2) The provisions of this Subsection shall not apply to any cooperative endeavor agreement with the state and parish entered into prior to July 1, 2011

B. Notwithstanding any other law to the contrary or the terms of any cooperative endeavor or other agreement to the contrary, in any parish with a population between twenty-one thousand and twenty-two thousand two hundred according to the most recent federal decennial census, any payments received by any governmental entity from or on behalf of an individual or other private entity on or after July 1, 2011 which are in lieu of ad valorem property taxes which would have been due on property, movable or immovable, transferred by a governmental entity to the individual or other private entity as owner, leaseholder, licensee, or holder of any other right to occupy or use, shall be promptly distributed by the receiving governmental entity to each ad valorem property tax recipient body which has levied a tax on the property transferred in the same proportion that the millages levied by the tax recipient body bears to the total millages levied by the all tax recipient bodies."

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Amedee	Kostelka	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	

Total - 38

NAYS

Total - 0

ABSENT

Jackson

Total - 1

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

Called from the Calendar

Senator Gautreaux asked that Senate Bill No. 6 be called from the Calendar for reconsideration.

SENATE BILL NO. 6—

BY SENATOR GAUTREAU

AN ACT

To enact R.S. 11:887.1, relative to the Teachers' Retirement System of Louisiana; to provide for payment of unfunded accrued liability by an employer that withdraws some or all of its employees from the retirement system; to provide for all other withdrawal liabilities of such employers; to provide for determination of amount of withdrawal liability payment and

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collection of same; to provide an effective date; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 6 by Senator Gautreaux

AMENDMENT NO. 1

On page 3, line 12, following "respect to" and before ", during" change "Subsection (A)(3)" to "Paragraph (A)(3) of this Section"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed Senate Bill No. 6 by Senator Gautreaux

AMENDMENT NO. 1

On page 2, delete line 17 in its entirety and at the beginning of line 18 delete "other means" and insert "privatization"

AMENDMENT NO. 2

On page 3, line 7 after "Section" delete the remainder of the line and insert the following: "the following terms shall have the following meanings:

(a) "Proportionate share of any unfunded"

AMENDMENT NO. 3

On page 2, between lines 13 and 14 insert the following: "(b) "Privatization" shall mean the elimination of positions eligible for membership in the retirement system without eliminating the services provided or delivered or the functions performed, and the outsourcing, contracting for the service or function with a private employer, or utilization of any other legal mechanism having the same effect, with the result that the service or function previously provided, delivered, or performed by an employee in a retirement system-covered position is now provided, delivered, or performed by a person or persons in positions which are not eligible for system coverage."

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

Table with 3 columns: Mr. President, Gautreaux, Mount, Adley, Guillory, Murray, Alario, Heitmeier, Nevers, Amedee, Jackson, Perry, Appel, Kostelka, Peterson, Broome, LaFleur, Quinn, Chabert, Long, Riser, Cheek, Martiny, Shaw, Claitor, McPherson, Smith, Crowe, Michot, Thompson, Donahue, Mills, Walsworth

Dorsey
Erdey
Total - 38

Morrell
Morrish
NAYS

Willard-Lewis

Total - 0

ABSENT

Marionneaux
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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 268 be called from the Calendar.

SENATE BILL NO. 268— (Substitute of Senate Bill No. 226 by Senator Mount)

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:1103(7), the introductory paragraph of 1103(10), and R.S. 37:1107(A)(8)(a), and to enact R.S. 37:1103(12), relative to boards and commissions; to provide for the definition of mental health counseling services; to provide for the definition of the practice of mental health counseling; to provide for the definition of serious mental illness; to provide for the requirements of a licensed professional counselor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Guillory, Mount, Adley, Heitmeier, Murray, Alario, Jackson, Nevers, Amedee, 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

Total - 38

NAYS

Total - 0

ABSENT

Donahue
Total - 1

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 133 be called from the Calendar.

SENATE BILL NO. 133—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 40:1300.256(B)(13), to enact R.S. 40:1300.256(A)(5), and to repeal R.S. 40:1300.256(B)(5), relative to prohibiting smoking in certain places; to provide for restrictions; to provide relative to exceptions; 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. 133 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 13, delete
" * * *

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 133 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2 after "40:1300.256(A)(5)" and before ",," insert ",, 1300.264, and 1300.265"

AMENDMENT NO. 2

On page 1, line 3 after "40:1300.256(B)(5)" and before ",," insert "and (8)"

AMENDMENT NO. 3

On page 1, line 4 after "exceptions;" and before "and" insert "to provide for restrictions on the issuance of certain permits and licenses by the Department of Health and Hospitals; to provide for a prohibition of the state entering into compacts with sovereign Indian nations under certain circumstances;"

AMENDMENT NO. 4

On page 1, line 8 after "40:1300.256(A)(5)" and before "hereby" delete "is" and insert ",, 1300.264 and 1300.265 are"

AMENDMENT NO. 5

On page 2, between lines 1 and 2 insert the following:
"**§1300.264. Licenses and permits**

The Department of Health and Hospitals shall not issue or renew any license or permit for purposes of the Sanitary Code to any facility operated by or on the lands of a sovereign Indian nation if such facility would be in violation of the provisions of this Part if such facility were located outside of the lands of the sovereign Indian nation.

§1300.265. State compacts

The state of Louisiana shall be prohibited from executing, renewing, or extending any Tribal State Compact entered into with a sovereign Indian nation, pursuant to the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) if the sovereign Indian nation allows smoking to occur in any gaming facility or establishment owned or operated by the sovereign Indian nation.

AMENDMENT NO. 6

On page 2, line 2 after "40:1300.256(B)(5)" and before "hereby" delete "is" and insert "and (8) are"

Senator Marionneaux moved the adoption of the amendments.

Senator Morrish objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Kostelka	Peterson
Amedee	Marionneaux	Shaw
Broome	McPherson	Thompson
Gautreaux	Morrell	Walsworth
Heitmeier	Nevers	Willard-Lewis
Total - 15		

NAYS

Adley	Dorsey	Morrish
Alario	Guillory	Mount
Appel	Jackson	Murray
Chabert	LaFleur	Perry
Cheek	Long	Quinn
Claitor	Martiny	Riser
Donahue	Mills	Smith
Total - 21		

ABSENT

Crowe	Erdey	Michot
Total - 3		

The Chair declared the amendments were rejected.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 133 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, between lines 15 and 16 insert the following:
"(4) Any retail ~~tobacco~~ business **permitted as a bona fide Louisiana tobacconist as defined in R.S. 26:901(8)**
* * *

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 133 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, after line 13, insert the following:
"Section 3. Sections 1 and 2 of this Act shall not become effective until each Tribal-State Compact For the Conduct of Class III Gaming, entered into by an Indian tribe and the state pursuant to the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), contains provisions which prohibit smoking in any facility or establishment where Class III gaming activities, as defined by the Indian Gaming Regulatory Act, occur. Should provisions be added to this Section after this Act becomes effective, prohibiting smoking in any other Class III gaming establishments, such provisions shall not become effective until each Tribal State Compact for the Conduct of Class III Gaming, enters into a new agreement with the state."

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Senator Morrish moved the adoption of the amendments.

Senator Marionneau objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Heitmeier Murray
Alario Kostelka Quinn
Chabert Martiny Smith
Cheek Mills Willard-Lewis
Crowe Morrish
Guillory Mount
Total - 16

NAYS

Mr. President Gautreaux Nevers
Amedee Jackson Perry
Appel LaFleur Peterson
Broome Long Riser
Claitor Marionneau Shaw
Donahue McPherson Thompson
Dorsey Morrell Walsworth
Total - 21

ABSENT

Erdey Michot
Total - 2

The Chair declared the amendments were rejected.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 133 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 2 after "40:1300.256(A)(5)" and before ",," insert ", and 1300.264"

AMENDMENT NO. 2

On page 1, line 4 after "exceptions;" and before "and" insert "to provide for restrictions on the issuance of certain permits and licenses by the Department of Health and Hospitals upon satisfaction of certain conditions;"

AMENDMENT NO. 3

On page 1, line 8 after "40:1300.256(A)(5)" and before "hereby" delete "is" and insert ", and 1300.264 are"

AMENDMENT NO. 4

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

"§1300.264. Licenses and permits
The Department of Health and Hospitals shall not issue or renew any license or permit for purposes of the Sanitary Code to any facility operated by or on the lands of a sovereign Indian nation until the sovereign Indian Nation is in compliance with Part LXIII of Chapter 5 of Title 40."

On motion of Senator McPherson, 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. 133 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 16, after "served" delete "at any time"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux Nevers
Broome Kostelka Peterson
Claitor Long Shaw
Crowe Marionneau Thompson
Dorsey McPherson Walsworth
Total - 15

NAYS

Adley Heitmeier Murray
Alario Jackson Perry
Amedee LaFleur Quinn
Appel Martiny Riser
Chabert Mills Smith
Cheek Morrell Willard-Lewis
Donahue Morrish
Guillory Mount
Total - 22

ABSENT

Erdey Michot
Total - 2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Martiny asked that Senate Bill No. 220 be called from the Calendar.

SENATE BILL NO. 220— BY SENATOR MARTINY

AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide for eligibility for parole consideration for certain offenders; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 220 by Senator Martiny

AMENDMENT NO. 1

On page 1, delete line 8, and insert the following:

"(4)(a) Notwithstanding the provisions of Paragraph (1), (2), or (3) of this Subsection or any other provision of law to the contrary, unless eligible for parole at an earlier date, a person"

AMENDMENT NO. 2

On page 1, line 13, change "**ten**" to "**twenty**"

AMENDMENT NO. 3

On page 1, delete lines 15 through 17

AMENDMENT NO. 4

On page 2, line 1, change "**(iii)**" to "**(ii)**"

AMENDMENT NO. 5

On page 2, line 8, after "**R.S. 14:64**" and before the period "." insert "**or any person convicted of a sex offense as defined in R.S. 15:541**"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Jackson	Murray
Appel	LaFleur	Peterson
Broome	Martiny	Quinn
Dorsey	McPherson	Willard-Lewis
Gautreaux	Morrell	
Total - 14		

NAYS

Adley	Guillory	Nevers
Alario	Heitmeier	Perry
Amedee	Kostelka	Riser
Chabert	Marionneaux	Shaw
Claitor	Mills	Smith
Crowe	Morrish	Thompson
Donahue	Mount	Walsworth
Total - 11		

ABSENT

Cheek	Long
Erdey	Michot
Total - 4	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Martiny asked that Senate Bill No. 155 be called from the Calendar.

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.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 155 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 40:73(E)" and before the comma "," insert "and (F)"

AMENDMENT NO. 2

On page 2, line 2, delete "is" and insert "and (F) are"

AMENDMENT NO. 3

On page 2, line 6, after "**contrary,**" and before "**an adopted**" insert "**beginning on August 15, 2012, and thereafter,**"

AMENDMENT NO. 4

On page 2, after line 14, insert the following:

F.(1) At any time, a birth parent may request from the state registrar a contact preference form that once executed, shall be submitted to the state registrar. The contact preference form shall contain, at a minimum, the following information:

(a) Name of the child on original birth certificate.

(b) Date of child's birth.

(c) Location of birth.

(d) Hospital where the child was delivered.

(e) Sex of the child.

(f) Statements from which the birth parent may choose only one of the following:

(i) I agree to the release of my identifying information as it appears on my birth son's or birth daughter's original birth certificate. I would like to be contacted by my birth son or birth daughter. My current contact information is as follows: Address: Telephone number:

(ii) I agree to the release of my identifying information as it appears on my birth son's or birth daughter's original birth certificate. I would prefer not to be contacted by my birth son or birth daughter.

(iii) I wish to prohibit the release of my first name, last name, and birth son's or birth daughter's last name, if such last name is the same as mine, as such information appears on my birth son's or birth daughter's original birth certificate. I do not wish to be contacted by my birth son or birth daughter. I understand that this request for anonymity shall expire upon my death.

(g) A statement providing that a copy of the contact preference form shall be forwarded to the birth son or birth daughter should a request be made with the state registrar for an uncertified copy of his or her original birth certificate. However, if the birth parent selects the statement provided for in Item (1)(f)(iii) of this Subsection, identifying information shall be redacted from the copy of the contact preference form prior to the form being forwarded to the birth son or birth daughter during the lifetime of the birth parent.

(2)(a) Upon request of an adopted person for an uncertified copy of his original birth certificate, the registrar, prior to delivering an uncertified copy of the original birth certificate to the adopted person, shall determine whether either or both birth parents have filed a contact preference form with the state registrar. If either or both birth parents have submitted a contact preference form, the registrar shall deliver a copy of the contact preference form or forms and the uncertified copy of the original birth certificate to the adopted person.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, if the registrar determines that a contact preference form or forms were filed pursuant to this Subsection and the statement was selected by a birth parent to prohibit the release of identifying information on the original birth certificate, the registrar shall redact identifying information from the contact preference form or forms and the uncertified copy of the original birth certificate prior to delivery to the adopted person.

(3) The submission of the contact preference form and the contact preference form shall be confidential and treated, for all legal purposes, in the same manner as the sealed package.

June 1, 2011

(4) The Department of Health Hospitals shall adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Subsection by November 1, 2011.

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 155 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 3, after "40:73(E)," insert "and (F)"

AMENDMENT NO. 2

On page 1, line 3, delete "adoptions" and insert "birth certificates"

AMENDMENT NO. 3

On page 2, line 2, after "40:73(E)," delete "is" and insert ", and (F) are"

AMENDMENT NO. 4

On page 2, after line 14, insert the following:

"(F) Notwithstanding any provision of law to the contrary, any person seeking the office of governor of the state of Louisiana shall submit a version of their birth certificate to the Secretary of State."

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

The Chair ruled that the amendment was germane to the bill.

Senator Peterson moved the adoption of the amendments.

Senator Quinn objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	Murray
Chabert	Marionneau	Peterson
Crowe	Morrell	Thompson
Dorsey	Morrish	Willard-Lewis
Total - 12		

NAYS

Mr. President	Guillory	Nevers
Alario	Jackson	Perry
Amedee	Kostelka	Quinn
Appel	LaFleur	Riser
Broome	Long	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Walsworth
Donahue	Mills	
Gautreaux	Mount	
Total - 25		

ABSENT

Erdey	Michot
Total - 2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Kostelka	Perry
Amedee	Marionneau	Quinn
Appel	Martiny	Riser
Cheek	Morrell	Shaw
Gautreaux	Murray	Willard-Lewis
Total - 15		

NAYS

Adley	Dorsey	Mills
Alario	Guillory	Morrish
Broome	Heitmeier	Mount
Chabert	Jackson	Nevers
Claitor	LaFleur	Smith
Crowe	Long	Thompson
Donahue	McPherson	Walsworth
Total - 21		

ABSENT

Erdey	Michot	Peterson
Total - 3		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Appel asked that Senate Bill No. 266 be called from the Calendar.

SENATE BILL NO. 266— (Substitute of Senate Bill No. 183 by Senator Appel)

BY SENATORS APPEL AND MURRAY
AN ACT

To amend and reenact R.S. 17:3217, to enact R.S. 17:3230, and to repeal R.S. 17:3215(2), relative to postsecondary education; to provide for the transfer of the University of New Orleans to the University of Louisiana System; to provide relative to the transfer of the facilities, resources, funds, obligations, and functions of the institution and related foundations; to provide for the transition responsibilities of the impacted institution and management boards and the division of administration; to provide for cooperative agreements; to provide relative to accreditation issues; to provide relative to funding; to provide relative to employees; to provide for effectiveness; and to provide for related matters.

On motion of Senator Appel the bill, was read by title and recommitted to the Committee on Finance.

Rules Suspended

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 1, 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. 51—
 BY SENATOR LAFLEUR AND REPRESENTATIVE LEBAS
 A CONCURRENT RESOLUTION

To commend the people of Evangeline Parish and the Evangeline Centennial Project, to recognize the One Hundredth Anniversary of Evangeline Parish, and to celebrate those efforts made to encourage historic preservation of the rich cultural heritage of Acadiana.

Reported without amendments.

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 70—
 BY SENATOR LAFLEUR

A RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions made to the state with its history, culture, and people, and to proclaim Monday, June 6, 2011, as Tunica-Biloxi Day at the Senate.

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

SENATE RESOLUTION NO. 71—
 BY SENATOR MILLS

A RESOLUTION

To commend Breaux Bridge High School football coaches, Paul Broussard, Brent Angelle, Kevin Bonhomme, John Muder, and Rickey Poulan for their emergency planning, training, preparedness, and actions which saved the life of football player, Tedrick Lewis.

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

SENATE RESOLUTION NO. 72—
 BY SENATOR MARIONNEAUX

A RESOLUTION

To commend Courtney Lynn Mumphrey on being selected as a member of the Tiger Twelve Class of 2011.

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

SENATE RESOLUTION NO. 73—
 BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Doyle Roach Hamilton, Jr.

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

SENATE RESOLUTION NO. 74—
 BY SENATOR MCPHERSON

A RESOLUTION

To commend Michael Howard Madison on his retirement from Cleco Corporation.

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

Message from the House

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

June 1, 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. 232	HB No. 234	HB No. 238
HB No. 243	HB No. 263	HB No. 297
HB No. 328	HB No. 330	HB No. 341
HB No. 287	HB No. 230	HB No. 559

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

House Bills and Joint Resolutions

Senator Mount asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 230—
 BY REPRESENTATIVE MORENO
 AN ACT

To amend and reenact Children's Code Article 876, relative to delinquency proceedings; to provide relative to motions to dismiss a petition; to delete provision which authorizes a dismissal for good cause; 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. 232—
 BY REPRESENTATIVES LORUSSO AND BISHOP
 AN ACT

To amend and reenact R.S. 29:36.1(G), relative to members of the Louisiana National Guard; to provide with respect to the tuition exemption for family members of a member of the Louisiana National Guard; 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. 234—
 BY REPRESENTATIVE TEMPLET
 AN ACT

To enact R.S. 26:99.1, 296.1, and 919.1, relative to the regulation of alcohol and tobacco products; to authorize participation at hearings through the use of telecommunications equipment; to provide for rulemaking authority; 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. 238—
 BY REPRESENTATIVES LAMBERT AND FANNIN
 AN ACT

To amend and reenact R.S. 47:481 and R.S. 48:196(A)(introductory paragraph), relative to registration and license fees; to provide for the disposition of collections into certain accounts; to provide for monies to be deposited into the State Highway Improvement Fund; to provide for an effective date; and to provide for related matters.

June 1, 2011

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

HOUSE BILL NO. 243—
BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 32:365(A)(1), relative to equipment of motor vehicles; restricts the use or installation of a television receiver, screen, or other means of visually receiving a television broadcast or video signal in a motor vehicle; removes the requirement for a television receiver or screen to be located behind the driver's seat; 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. 263—
BY REPRESENTATIVE CHANDLER
AN ACT

To amend and reenact R.S. 37:2554(B)(2), relative to shorthand reporters; to extend the date for compliance with certain certification requirements; to remove certain parish courts from the certification exemption; 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. 287—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 40:1299.44(A)(1), relative to the Patient's Compensation Fund; to provide for a private custodial fund; to provide for the classification of assets; to exempt participation in certain funds; and to provide for related matters.

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

HOUSE BILL NO. 297—
BY REPRESENTATIVE HENRY BURNS
AN ACT

To enact R.S. 26:792(4), relative to the powers of the commissioner of the office of alcohol and tobacco control; to provide that the commissioner shall have the authority to investigate and enforce provisions of alcohol and tobacco control law against unlicensed persons who are engaging in activity which requires the issuance of a permit; 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. 328—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 25:283, relative to the Lafayette Parish Law Library Commission; to provide for revenues of the Lafayette Parish Law Library Commission; to increase fees collected for the library; 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. 330—
BY REPRESENTATIVE LITTLE AND SENATOR WALSWORTH
AN ACT

To amend and reenact Paragraph (6) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 540 of the 1954 Regular Session of the Legislature, Act No. 16 of the 1968 1st Extraordinary Session of the Legislature, and Act No. 623 of the 2010 Regular Session of the Legislature and Paragraph (15) 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, relative to Bastrop; to provide relative to the acquisition and alienation of property, including the removal of "quick take" expropriation authority and authority to exchange property; to provide relative to the

acquisition and operation of utilities including the types of utility property that may be acquired and operated by the city and the removal of "quick take" expropriation authority with respect to utility property; to require voter approval of contracts for erection, purchase, or maintenance and operation of utilities; 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. 341—
BY REPRESENTATIVE HAZEL
A JOINT RESOLUTION

Proposing to add Article XII, Section 16 of the Constitution of Louisiana, relative to the Patient's Compensation Fund; to authorize the legislature to create a private custodial fund; to provide relative to the assets and property of the fund; to provide for exemption from a guaranty fund; to provide for the payment of legal obligations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 559—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To enact R.S. 17:81(W) and 3996(B)(13), relative to governing authorities of public elementary and secondary schools; to require such governing authorities to publish certain information on their websites; and to provide for related matters.

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

Rules Suspended

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

HOUSE BILL NO. 456—
BY REPRESENTATIVE MORENO
AN ACT

To enact R.S. 51:1783(10), (11), and (12) and 1787(C), relative to the Louisiana Enterprise Zone Act; to provide for definitions; to extend the Louisiana Enterprise Zone Act to include transit-oriented multifamily developments which meet certain criteria; and to provide for related matters.

Senator Chaisson moved to recommit the bill from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Revenue and Fiscal Affairs.

Without objection, so ordered.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

June 1, 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:

HOUSE BILL NO. 284—

BY REPRESENTATIVES WILLMOTT, BILLIOT, CONNICK, HENRY, LABRUZZO, LIGI, AND LOPINTO AND SENATORS APPEL, MARTINY, AND QUINN

AN ACT

To enact R.S. 44:21.1, relative to public records; to provide a public records exemption for certain records in the custody of the Jefferson Parish Personnel Department; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

June 1, 2011

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To authorize and request the secretaries of the Department of Health and Hospitals and the Department of Children and Family Services to study the consolidation of the two departments into one department and to present a plan for such consolidation and related information to the legislature.

Reported with amendments.

HOUSE BILL NO. 636— (Substitute for House Bill No. 586 by Representative Hoffmann)

BY REPRESENTATIVES HOFFMANN, ANDERS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CRÖMER, DANAHAY, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HINES, HONORE, HOWARD, HUTTER, JOHNSON, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SEABAUGH, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, THIBAUT, THIERRY, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 40:1299.35.6, 1299.35.9(A)(1) and (B)(2), and 1299.35.19 and to enact R.S. 40:1299.35.1(11) and 1299.35.5.1, relative to abortion; to require certain signage in abortion facilities; to provide for certain requirements of the Department of Health and Hospitals relative to abortion; to provide for voluntary and informed consent criteria; to provide for delivery of certain information under the Woman's Right to Know law; to provide relative to conscience in health care protection, including provisions relative to living human embryos; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

Rules Suspended

Senator Crowe asked for and obtained a suspension of the rules to allow the Senate Committee on Local and Municipal Affairs to hear House Bill No. 162 and House Bill No. 330 without the required 24-hour notice.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 1, 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. 42—

BY SENATOR LONG AND REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To commend the St. Mary's High School of Natchitoches baseball team for winning the 2011 Class 1A State Championship.

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR LONG AND REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To commend the Northwestern State University of Louisiana "Spirit of Northwestern Demon Marching Band" on its one hundredth anniversary.

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR ERDEY AND REPRESENTATIVE POPE

A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the use of golf carts by certain individuals within Louisiana state parks.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 1, 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 Resolutions have been properly enrolled:

June 1, 2011

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.

SENATE RESOLUTION NO. 36—

BY SENATOR WILLARD-LEWIS
A RESOLUTION

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

SENATE RESOLUTION NO. 37—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the untimely death of Louisiana National Guard Staff Sergeant Stacey Groves and honors her brave and dedicated service to our state and nation.

SENATE RESOLUTION NO. 38—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family and friends of Sergeant First Class Arthur Lee Kessinger Jr., upon his death.

SENATE RESOLUTION NO. 39—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family Louisiana Army National Guardsman Private First Class Bryant Haynes upon his death in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 40—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Louisiana National Guard Staff Sergeant William Austin Daniel upon his untimely death due to Hodgkins Lymphoma.

SENATE RESOLUTION NO. 41—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Dakota Huse upon his death while serving his country in its armed forces.

SENATE RESOLUTION NO. 42—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Steven Dupont upon his death in Operation Enduring Freedom.

SENATE RESOLUTION NO. 43—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Matthew Powell upon his death in Afghanistan.

SENATE RESOLUTION NO. 44—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Sergeant Joseph Bovia upon his death while conducting a ground combat mission in Operation Enduring Freedom.

SENATE RESOLUTION NO. 45—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana to the loved ones and family of United States Marine Corporal Joe Wrightsman upon his death while in the service of his country.

SENATE RESOLUTION NO. 46—

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

To express the sincere condolences of the Senate of the Legislature of Louisiana to the loved ones and family of United States Army Sergeant Jordan Elias Tuttle upon his death while in the service of his country.

SENATE RESOLUTION NO. 47—

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

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Christian Romig upon his death in Operation Enduring Freedom.

SENATE RESOLUTION NO. 49—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of Louisiana National Guard Sergeant Micah David upon his untimely death after battling cancer, and for his brave and faithful service to our state and nation during our Global War on Terrorism.

SENATE RESOLUTION NO. 48—

BY SENATOR MARTINY

A RESOLUTION

To commend the Louisiana Physical Therapy Association for its outstanding achievements and to designate the week of May 16, 2011, as Louisiana Physical Therapy Association Week at the Louisiana State Capitol.

SENATE RESOLUTION NO. 50—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Marine Corps Lance Corporal Caleb G. Genin in a boating accident.

SENATE RESOLUTION NO. 51—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Christopher Langley upon his tragic and untimely death, and for his brave and heroic service in support of the Global War on Terrorism.

SENATE RESOLUTION NO. 52—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Petty Officer 2nd Class Brandon Jay Stone upon his tragic and sudden death, and for his bravery and commitment to serving his country in its armed forces.

SENATE RESOLUTION NO. 53—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of Louisiana Army National Guardsman Major Ronald Wayne Culver, Jr., upon his death in combat in Operation Iraqi Freedom.

SENATE RESOLUTION NO. 54—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Joshua Abram Tomlinson upon his death in combat in Operation Enduring Freedom.

SENATE RESOLUTION NO. 55—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Nicholas Mathews upon his tragic and untimely death, and for his brave and dedicated service to his country in its armed forces.

SENATE RESOLUTION NO. 56—

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

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Quadi S. Hudgins upon his death while serving his country in the Global War on Terrorism in Iraq.

SENATE RESOLUTION NO. 57—

BY SENATOR MILLS

A RESOLUTION

To commend Maritime International, Inc., for receiving the 2011 Lantern Award.

SENATE RESOLUTION NO. 58—

BY SENATOR ALARIO

A RESOLUTION

To commend and congratulate Miss Jada O'Blanc of Gueydan, Louisiana, as the 2011 Louisiana Association of Fairs and Festivals Queen of Queens.

SENATE RESOLUTION NO. 59—

BY SENATOR JACKSON

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Jean Chenier Brierre.

SENATE RESOLUTION NO. 60—

BY SENATOR MARTINY

A RESOLUTION

To recognize May 24, 2011, as Dental Hygiene Day and to commend the Louisiana Dental Hygienists' Association and dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

SENATE RESOLUTION NO. 62—

BY SENATOR MORRISH

A RESOLUTION

To commend and congratulate the players, coaches, and managers of the 2010-2011 Jennings High School Girls Basketball Team on winning the Class 4-A Girls State Basketball Championship.

June 1, 2011

SENATE RESOLUTION NO. 63—
BY SENATOR ALARIO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Hendrix "Brother" Bourgeois, Sr.

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.

SENATE RESOLUTION NO. 61—
BY SENATOR LAFLEUR

A RESOLUTION

To commend the village of Reeves on its one hundredth anniversary.

SENATE RESOLUTION NO. 64—

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

A RESOLUTION

To urge and request that all Gulf Coast Claims Facility offices in Louisiana remain open.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS

June 1, 2011

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR MORRISH

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 38—

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

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. Foster Jay Taylor.

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR GAUTREAU AND REPRESENTATIVE PEARSON

A CONCURRENT RESOLUTION

To commend Mrs. Suzanne D. Adams, retirement benefits administrator for the Louisiana State Employees' Retirement System, on the occasion of her retirement.

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATORS CHAISSON, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY, GAUTREAU, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH AND WILLARD-LEWIS AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BISHOP, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HINES, HOFFMANN, HONORE, HOWARD, HUTTER, HUVAL, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, MONTOUCE, MORENO, MORRIS, NORTON, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAU, ROY, SCHRODER, SEABAUGH, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WHITE, WILLIAMS, WILLMOTT AND WOOTON

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.

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, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH AND WILLARD-LEWIS AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BISHOP, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HINES, HOFFMANN, HONORE, HOWARD, HUTTER, HUVAL, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, MONTOUCE, MORENO, MORRIS, NORTON, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAU, ROY, SCHRODER, SEABAUGH, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WHITE, WILLIAMS, WILLMOTT AND WOOTON

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.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 33—
 BY SENATORS BROOME, ALARIO, APPEL, CROWE, MARTINY,
 MICHOT, SMITH AND THOMPSON

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.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 45—
 BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To welcome fire fighters from Belgium and members of the Belgium Fire Observers Organization to Louisiana; to acknowledge the bravery, strength, selflessness, courage, and true heroism of all fire fighters; to thank these visiting fire fighters for choosing the New Orleans Fire Department and Louisiana to visit and not only to learn but to share their knowledge and experiences with us; and to thank all fire fighters for the bravery and courage they exhibit on a daily basis, never faltering from the oath and duties they have undertaken.

SENATE CONCURRENT RESOLUTION NO. 46—
 BY SENATOR ALARIO AND REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Hendrix "Brother" Bourgeois Sr.

Respectfully submitted,
 GLENN A. KOEPP
 Secretary of the Senate

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Gautreaux	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Amedee	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
Total - 39		

ABSENT

Total - 0

Announcements

The following committee meetings for June 2, 2011, were announced:

Education	At Adj.	Hainkel Room
Labor and Ind. Rel.	At Adj.	Room C
Local and Mun. Affairs	At Adj.	Room F
Transportation	At Adj.	Room E

Adjournment

On motion of Senator Thompson, at 6:45 o'clock P.M. the Senate adjourned until Thursday, June 2, 2011, at 8:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 8:30 o'clock A.M. on Thursday, June 2, 2011.

GLENN A. KOEPP
 Secretary of the Senate

DIANE O' QUIN
 Journal Clerk

