

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

**TWENTY-THIRD 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

Monday, June 6, 2011

The Senate was called to order at 4:10 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Guillory	Nevers
Adley	Heitmeier	Perry
Appel	Kostelka	Riser
Chabert	McPherson	Shaw
Claitor	Mills	Smith
Dorsey	Morrell	Walsworth
Erdey	Mount	Willard-Lewis
Total - 21		

**ABSENT**

Alario	Gautreaux	Michot
Amedee	Jackson	Morrish
Broome	LaFleur	Murray
Cheek	Long	Peterson
Crowe	Marionneaux	Quinn
Donahue	Martiny	Thompson
Total - 18		

The President of the Senate announced there were 21 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Robert J. Whitaker, Sr., 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 Nevers, the reading of the Journal was dispensed with and the Journal of June 2, 2011, was adopted.

**Privilege Report of the  
Legislative Bureau**

June 6, 2011

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed and reengrossed bills.

**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 without 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(1) 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.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 636 by Representative Hoffmann

**AMENDMENT NO. 1**

On page 12, line 4, following "Act" and before ":", insert ", R.S. 40:1299.35.5.1"

Respectfully submitted,  
ROB MARIONNEAUX  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Marionneaux, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 76—**

BY SENATOR MOUNT

**A RESOLUTION**

To proclaim Tuesday, June 7, 2011, as Nurse-Family Partnership Day at the Louisiana Senate.

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

**SENATE RESOLUTION NO. 77—**

BY SENATOR MOUNT

**A RESOLUTION**

To proclaim Tuesday, June 7, 2011, as "Girl Scouts of the USA Day" at the Louisiana Senate and commend Girl Scouts of the USA for its many contributions and continued dedication to girls in the United States and around the world.

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

June 6, 2011

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 58— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To request various public agencies and private associations and stakeholders to work in collaboration through the Human Trafficking of Minors Study Group to study and make recommendations to the legislature of methods which may be utilized in an effort to eliminate, to the greatest degree possible, the problem of human trafficking of minors in the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 59— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate Sam Houston High School on winning the Class 4A Girls High School State Softball Championship.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 75— BY SENATOR SMITH

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Eric B. Taylor.

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

Senate Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator McPherson asked that Senate Resolution No. 74 be called from the Calendar.

SENATE RESOLUTION NO. 74—

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

A RESOLUTION

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

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

Senator Donahue in the Chair

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 55— BY SENATOR BROOME

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Guillory, Murray; Adley, Heitmeier, Nevers; Appel, Jackson, Perry; Broome, LaFleur, Peterson; Chabert, Long, Riser; Cheek, Marionneaux, Shaw; Claitor, McPherson, Smith; Crowe, Michot, Thompson; Donahue, Mills, Walsworth; Dorsey, Morrell, Willard-Lewis; Erdey, Mount

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Alario, Kostelka, Quinn; Amedee, Martiny; Gautreaux, Morrish

Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 56— BY SENATOR CHEEK

A CONCURRENT RESOLUTION

To commend Seth Irby upon selection as a member of the Louisiana State University Tiger Twelve Class of 2011 and for his many academic accomplishments and community service efforts.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Guillory, Murray; Adley, Heitmeier, Nevers; Appel, Jackson, Perry; Broome, LaFleur, Peterson; Chabert, Long, Riser; Cheek, Marionneaux, Shaw; Claitor, McPherson, Smith; Crowe, Michot, Thompson; Donahue, Mills, Walsworth; Dorsey, Morrell, Willard-Lewis; Erdey, Mount

Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Alario, Kostelka, Quinn; Amedee, Martiny; Gautreaux, Morrish

Total - 7

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

**SENATE CONCURRENT RESOLUTION NO. 57—**

BY SENATOR GAUTREAUX

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to review and consider eliminating provisions of federal law, which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

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

**Message from the House**

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

June 2, 2011

To the Honorable President and Members of the Senate:

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

HB No. 374	HB No. 557	HB No. 576
HB No. 589	HB No. 608	HB No. 356
HB No. 451	HB No. 619	HB No. 594
HB No. 631	HB No. 517	HB No. 522
HB No. 95	HB No. 213	HB No. 333
HB No. 397	HB No. 504	HB No. 79
HB No. 141	HB No. 277	HB No. 326
HB No. 401	HB No. 139	HB No. 205
HB No. 246	HB No. 332	HB No. 352
HB No. 353		

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

**House Bills and Joint Resolutions**

Senator LaFleur 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. 79—**

BY REPRESENTATIVE RITCHIE

**AN ACT**

To amend and reenact R.S. 17:3217.1(C)(1), the heading of Chapter 41 of Title 17 of the Louisiana Revised Statutes of 1950, and 3951(A) and R.S. 36:651(G)(2), relative to secondary education; to provide relative to the name of the High School Redesign Commission; to provide relative to high school redesign with respect to vocational and technical education; 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. 95—**

BY REPRESENTATIVE CHANEY

**AN ACT**

To enact R.S. 17:221(K), relative to compulsory school attendance; to exempt from the compulsory school attendance law and other related provisions certain students who are at least seventeen

years of age and have been issued a Louisiana high school equivalency diploma; 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. 139—**

BY REPRESENTATIVE ST. GERMAIN

**AN ACT**

To enact R.S. 49:156, relative to the state emblem; to provide that the Honor and Remember flag shall be an official state emblem of military service; to authorize the display of the flag; 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.

**HOUSE BILL NO. 141—**

BY REPRESENTATIVES STIAES, ROSALIND JONES, AND PATRICIA SMITH

**AN ACT**

To amend and reenact R.S. 14:89.2(B)(2) and (C) and R.S. 15:541(24)(a), relative to crime against nature; to amend criminal penalties for crime against nature by solicitation; to provide with respect to the list of offenses for which an offender shall comply with sex offender registration and notification requirements; and to provide for related matters.

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

**HOUSE BILL NO. 205—**

BY REPRESENTATIVE CROMER

**AN ACT**

To amend and reenact Code of Civil Procedure Article 4847(A)(6), relative to certain limitations on city court jurisdiction; to provide with respect to jurisdiction over cases in which the state or a parish, municipal, or other political corporation is a defendant; to authorize the City Court of Slidell to have jurisdiction over certain petitions for nullity; 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. 213—**

BY REPRESENTATIVE DOERGE

**AN ACT**

To amend and reenact R.S. 11:2223(B)(5), relative to the Municipal Police Employees' Retirement System; to provide for certain restrictions with regard to disability retirement; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 246—**

BY REPRESENTATIVE SIMON

**AN ACT**

To amend and reenact R.S. 49:163 and to enact R.S. 49:163.1, relative to state symbols; to provide for the state gemstone; to provide for the use of the gemstone on official documents; to provide for a state mineral; 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.

**HOUSE BILL NO. 277—**

BY REPRESENTATIVES WILLIAMS, ARNOLD, GEYMAN, AND JANE SMITH

**AN ACT**

To enact R.S. 49:150.1(H), relative to the state capitol complex; to provide for a Ten Commandments monument on the state capitol grounds; to provide that the commissioner of administration shall select a proposal and arrange for installation; to provide for design, construction, and installation

of the monument without cost to the state; to provide for content and limitations; to authorize delegation of the commissioner's responsibilities; 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.

**HOUSE BILL NO. 326—**  
BY REPRESENTATIVE RITCHIE  
AN ACT

To repeal R.S. 40:2116(D)(7) and (8), relative to nursing home facilities; to repeal eligibility for participation in the bed abeyance program for certain Washington Parish facilities; to repeal the licensing and approval requirements for additional nursing facilities and beds in nursing facilities.

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

**HOUSE BILL NO. 332—**  
BY REPRESENTATIVE PEARSON AND SENATOR GAUTREUX  
AN ACT

To amend and reenact R.S. 11:62(3) and (6), 108(B)(3)(b), (C), and (D)(introductory paragraph), 1732(15), 2213(4), 2225(A)(2)(a) and (6), and 2252(4), to enact R.S. 11:107.2 and 108(F)(3), and to repeal R.S. 11:231(A)(4) and (7) and (C)(1)(b), relative to the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the Municipal Police Employees' Retirement System; to provide relative to the funding of such systems; to implement the recommendations of the Funding Review Panel; to provide for membership of the boards of trustees; to provide for the setting of employer contribution rates under certain circumstances; to provide for employee contribution rates; to provide for benefit calculation; to provide for continuation of the duties of the Funding Review Panel; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 333—**  
BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 33:1994(B), relative to the city of Lake Charles; to provide relative to the maximum work hours required of certain employees of the city's fire department in a certain time period; 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. 352—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 11:2258(B)(2)(d), relative to the Firefighters' Retirement System; to extend the time period during which a member may convert from regular to disability retirement; to require the Public Retirement Systems' Actuarial Committee to report on the effect of such conversions; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 353—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 46:1095(B)(1) and to reenact R.S. 46:1095(C), relative to Orleans Parish; to provide relative to the Parish Hospital Service District for the parish of Orleans; to provide relative to the membership of the governing boards of the two areas of the district; to reenact provisions relative to such governing boards; 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. 356—**  
BY REPRESENTATIVES BROSSETT AND LEGER  
AN ACT

To amend and reenact R.S. 33:4530(A), relative to the city of New Orleans; to provide relative to the Public Belt Railroad Commission for the city of New Orleans; to provide relative to the appointment and terms of commission members; 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. 374—**  
BY REPRESENTATIVE RICHARDSON  
AN ACT

To enact R.S. 33:423(C), relative to municipal police chiefs; to provide relative to the powers granted to an elected police chief in any municipality governed by the Lawrason Act; to authorize the police chief to effect disciplinary action, dismiss police personnel, and to make provisional appointments to fill vacancies in the police department; to provide limitations and exceptions; 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. 397—**  
BY REPRESENTATIVE HUVAL AND SENATOR MILLS  
AN ACT

To enact R.S. 11:133(B)(3), relative to the compulsory retirement of certain public employees; to provide that certain public employees shall be subject to compulsory retirement at a certain age in certain municipalities; to authorize the continuation of service of such employees under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 401—**  
BY REPRESENTATIVES HUTTER, DOERGE, ROSALIND JONES, AND PATRICIA SMITH AND SENATOR BROOME  
AN ACT

To amend and reenact R.S. 14:35.3(C), (D)(introductory paragraph) and (1), and (K), relative to domestic abuse battery; to increase penalties for first and second offenses of domestic abuse battery; and to provide for related matters.

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

**HOUSE BILL NO. 451—**  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 46:1053(M)(2) and (3)(a) and to enact R.S. 46:1053(M)(3)(c), relative to Terrebonne Parish; to provide relative to Hospital Service District No. 1; to provide relative to the governing board of the district; to provide relative to the terms of board members; 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. 504—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To enact R.S. 33:4574.1.1(S), relative to cooperative endeavor agreements for the use of funds received from a parish tourist commission; to authorize such agreements between local school boards and certain municipalities relative to youth recreation; 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. 517—**

BY REPRESENTATIVE LEBAS  
AN ACT

To amend and reenact R.S. 25:652(E) and to enact R.S. 25:652(F), relative to the Council for the Development of French in Louisiana; to provide relative to compensation of council members; to authorize members to receive a per diem and certain expense reimbursements; to provide for membership; to authorize certain elected officials to serve as nonvoting council members; 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. 522—**

BY REPRESENTATIVE ROSALIND JONES  
AN ACT

To amend and reenact R.S. 13:62(A)(2) and (B) and to enact R.S. 13:62(C), relative to the Judicial Council of the Supreme Court of Louisiana; to provide deadlines for submission of proposals regarding new or increased court costs to the council; to provide deadlines for the council to provide recommendations to the legislature; to provide for applicability; to provide for definitions; 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. 557—**

BY REPRESENTATIVE HUVAL AND SENATOR MILLS  
AN ACT

To amend and reenact R.S. 56:30.3(B) and to enact R.S. 41:1217.2, relative to lease of state lands; to provide relative to terms of a lease transferred to the state from another party; and to provide for related matters.

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

**HOUSE BILL NO. 576—**

BY REPRESENTATIVE LEGER  
AN ACT

To amend and reenact the heading of Chapter 27-E of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:9039.61, 9039.62, 9039.65(3), 9039.66(A)(1) and (J), and 9039.68(B)(1) and (2), relative to the Greater New Orleans Biosciences Economic Development District; to change the name of the Greater New Orleans Biosciences Economic Development District to the BioDistrict New Orleans; to provide for definitions; to change the composition of the board of commissioners and the advisory committee for the BioDistrict New Orleans; to modify certain subdistrict designations; 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. 589—**

BY REPRESENTATIVES CHANEY AND DOWNS  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(viii) and (x), relative to academic standards for a Taylor Opportunity Program for Students award; to provide relative to the high school core curriculum requirements for certain students to be eligible for an Opportunity, Performance, or Honors award; to provide applicability; to provide effectiveness; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 594—**

BY REPRESENTATIVE FANNIN  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2011-2012; 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. 608—**

BY REPRESENTATIVES FANNIN AND TUCKER AND SENATORS MICHOT AND CHAISSON  
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; 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. 619—**

BY REPRESENTATIVE LEGER  
AN ACT

To enact Subpart B-46 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.841 through 130.848, relative to economic and community development in Orleans Parish; to create the Louisiana Sports and Entertainment District as a political subdivision of the state; to provide for the boundaries and governance of the district; to provide for the board of commissioners and its authority, powers, duties, and functions; to provide for the imposition of fees on the use or occupancy of properties in the district; to provide for the authority to create subdistricts within the district; to authorize the district to issue and sell bonds and other debt obligations and to finance debt by the pledge of tax increments; and to provide for related matters.

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

**HOUSE BILL NO. 631—**

BY REPRESENTATIVE TUCKER  
AN ACT

To appropriate funds for Fiscal Year 2011-2012 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide for the salary, expenses and allowances of members, officers, staff and agencies of the Legislature; to provide with respect to the appropriations and allocations herein made; and to provide for related matters.

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 6, 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. 144 | HCR No. 145 | HCR No. 146 |
| HCR No. 147 | HCR No. 148 | HCR No. 149 |

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HCR No. 150 HCR No. 151 HCR No. 152
HCR No. 153 HCR No. 154 HCR No. 155
Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVE SCHRODER
A CONCURRENT RESOLUTION

To urge and request the state treasurer and the Office of Financial Institutions to jointly study the feasibility of creating a state-owned bank and report any findings or recommendations to the legislature prior to the start of the 2012 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE TIM BURNS
A CONCURRENT RESOLUTION

To urge and request all members of city, parish, and other local public school boards to voluntarily substitute teach in a public elementary or secondary school located in their respective school systems.

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

HOUSE CONCURRENT RESOLUTION NO. 146—
BY REPRESENTATIVES CHAMPAGNE AND HENSGENS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and the Office of Coastal Protection and Restoration to study the feasibility of creating a regional levee district to encompass Vermilion and Iberia Parishes.

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

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To commend the Louisiana State University School of Veterinary Medicine on its accomplishments and contributions and to request that it continue to increase the percentage of Louisiana resident students in each class, especially Louisiana residents interested in large animal studies, and that it report to the House Committee on Education and the Senate Committee on Education by October first each year regarding its progress in implementing this policy.

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

HOUSE CONCURRENT RESOLUTION NO. 148—
BY REPRESENTATIVE MONICA
A CONCURRENT RESOLUTION

To commend Leroy D. Williams, president of the St. John the Baptist Parish Library Board of Control, for forty-five years of outstanding service.

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

HOUSE CONCURRENT RESOLUTION NO. 149—
BY REPRESENTATIVE MONICA
A CONCURRENT RESOLUTION

To commend Norris J. Millet, vice president of the St. John the Baptist Parish Library Board of Control, for forty-five years of outstanding service.

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

HOUSE CONCURRENT RESOLUTION NO. 150—
BY REPRESENTATIVE DOWNS AND SENATOR NEVERS
A CONCURRENT RESOLUTION

To urge and request that the State Board of Elementary and Secondary Education work in collaboration with the State Library of Louisiana and LOUIS: The Louisiana Library Network to ensure the funding of library research databases and to negotiate the most advantageous prices for school libraries in Louisiana.

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

Senator Broome in the Chair

HOUSE CONCURRENT RESOLUTION NO. 151—
BY REPRESENTATIVES CHAMPAGNE, LEGER, AND BALDONE
A CONCURRENT RESOLUTION

To recognize Monday, June 6, 2011, as Coastal Day at the Louisiana Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Amedee, Martiny, Quinn, Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 152—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION

To urge and request that the United States Department of Housing and Urban Development provide funding to the Louisiana Legislative Auditor to enable the auditor to conduct best practice reviews, internal control assessments, and compliance audits of housing authorities within the state of Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 153—**

BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To commend Charles J. Oubre for his many years of service as St. Charles Parish Clerk of Court.

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

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVE HOFFMANN  
A CONCURRENT RESOLUTION

To recognize November 2011 as Lung Cancer Awareness Month.

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

**HOUSE CONCURRENT RESOLUTION NO. 155—**

BY REPRESENTATIVE KATZ  
A CONCURRENT RESOLUTION

To recognize Wednesday, June 15, 2011, as Capitol Day for the Cure and commend Susan G. Komen for the Cure® for its unwavering dedication to the fight against breast cancer.

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

**House Concurrent Resolutions on  
Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 141—**

BY REPRESENTATIVE ARNOLD  
A CONCURRENT RESOLUTION

To recognize August 11, 2011, as Fibromyalgia Awareness Day in Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Amedee	Martiny	Quinn
Total - 3		

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

**HOUSE CONCURRENT RESOLUTION NO. 142—**

BY REPRESENTATIVE CROMER  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to dedicate a portion of marine and fishery product import tariffs to a national seafood marketing fund for the promotion of Louisiana seafood.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Amedee	Martiny	Quinn
Kostelka	Perry	
Total - 5		

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**EDUCATION**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Education, submitted the following report:

June 2, 2011

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 23—**

BY REPRESENTATIVE PATRICIA SMITH  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents and the State Board of Elementary and Secondary Education to study jointly the source, nature, and amount of funding allocated to various units of public secondary and postsecondary education related to dual enrollment initiatives, to determine the appropriateness of such funding, and to determine the impact of such initiatives and to submit a written report of their findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

June 6, 2011

**HOUSE CONCURRENT RESOLUTION NO. 25—**  
BY REPRESENTATIVE HOFFMANN  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study issues related to the assessment of foreign exchange students and to submit a written report of its findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 30—**  
BY REPRESENTATIVE AUSTIN BADON  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the provision of public postsecondary educational opportunities throughout the state, to establish the appropriate role, scope, and mission of each public postsecondary education institution, and to formulate a plan that will make optimal use of all available academic, fiscal, and physical resources, recognize the unique nature of each institution, and allow each institution's students to successfully and efficiently pursue their chosen academic path and to submit a written report of findings and conclusions, including any recommendations for legislation relative to the issue, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 32—**  
BY REPRESENTATIVES AUSTIN BADON AND STIAES  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the Recovery School District to study jointly the feasibility of building a high school at the site of the former Alfred Lawless High School in the Lower Ninth Ward of the city of New Orleans and to submit jointly a written report of findings and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to beginning of the 2012 Regular Session of the Legislature.

Reported favorably.

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

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

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVE HARRISON  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents, the Department of Revenue, and the Louisiana Workforce Commission to continue to work cooperatively relative to the reporting and sharing of certain information and data, including but not limited to information and data related to the success of Louisiana's postsecondary graduates in the workforce, and to submit jointly a written report of further progress relative to such cooperation and any recommendations for related legislation to the House

Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 70—**  
BY REPRESENTATIVE STIAES  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the Recovery School District to study jointly the feasibility of building a high school at the site of the former Alfred Lawless High School in the Lower Ninth Ward of the city of New Orleans and to submit jointly a written report of findings and recommendations, as well as an account of the use of hurricane recovery funds with respect to the repair and reconstruction of schools in the Lower Ninth Ward, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 78—**  
BY REPRESENTATIVES SCHRODER, BARRAS, BURFORD, CARMODY, CARTER, CHAMPAGNE, CHANEY, DANAHAY, HARRISON, HENRY, HOFFMANN, LIGI, LORUSSO, NOWLIN, PEARSON, PUGH, RICHARD, SEABAUGH, AND TALBOT  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study alternative uses of underutilized facilities at public postsecondary education institutions.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 92—**  
BY REPRESENTATIVE HOFFMANN  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and encourage the presence of chapters of Students Against Destructive Decisions (SADD) in schools throughout the state and to submit a written report of findings, conclusions, and progress to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2012 Regular Session of the Legislature of Louisiana.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 106—**  
BY REPRESENTATIVE HOFFMANN  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Department of Education to work together to develop a comprehensive program for elementary, middle, and high school students as well as students in institutions of higher education to emphasize, encourage, and teach the Heimlich maneuver.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 110—**  
BY REPRESENTATIVE SCHRODER  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the disparity in tuition charged at public four-year universities as compared to their Southern Regional Education Board peers, to develop a proposal for amending the GRAD Act in a way that will mitigate the disparity, and to submit the proposal to the legislature.

Reported favorably.

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

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 78—**  
BY REPRESENTATIVE EDWARDS  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 191—**  
BY REPRESENTATIVES AUSTIN BADON, MORENO, AND THIBAUT  
AN ACT

To amend and reenact R.S. 17:3141.2(5)(introductory paragraph) and to enact R.S. 17:3141.2(5)(o), relative to the definition of a proprietary school; to provide exceptions; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 311—**  
BY REPRESENTATIVE LABRUZZO  
AN ACT

To enact R.S. 17:16 and 3996(B)(28), relative to public school employees; to require a school employee to report his arrest for certain sexual offenses involving minors, other crimes, and instances of child abuse or neglect; to provide relative to guidelines, procedures, and time lines for such reporting; to provide relative to administration; to provide definitions; to provide applicability; to provide relative to the failure of the employee to report; to provide effectiveness; to provide an effective date; and to provide for related matters.

Reported with amendments.

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

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

Reported favorably.

**HOUSE BILL NO. 373—**  
BY REPRESENTATIVE GUINN  
AN ACT

To amend and reenact R.S. 17:24.8 and 222(C), relative to prekindergarten programs at nonpublic elementary schools; to authorize certain nonpublic schools to develop and offer prekindergarten instruction; to provide for the minimum age at which children enter prekindergarten at nonpublic schools; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 419—**  
BY REPRESENTATIVES PATRICIA SMITH, AUBERT, CARMODY,  
CHANDLER, CHANEY, DOWNS, EDWARDS, AND RITCHIE  
AN ACT

To enact R.S. 17:3140 and R.S. 36:651(G)(3), relative to remedial education; to create the Remedial Education Commission; to provide for the purpose, membership, duties, and responsibilities of the commission; to provide for reporting requirements; to provide for termination; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 424—**  
BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BALDONE,  
BARRAS, BISHOP, BROSSETT, CHAMPAGNE, CONNICK, CORTEZ,  
DIXON, DOERGE, DOVE, EDWARDS, ELLINGTON, GISCLAIR,  
GUILLORY, GUINN, HARDY, HARRISON, HENRY, HUVAL, SAM  
JONES, LANDRY, LEBAS, LEGER, LOPINTO, PONTI, RITCHIE,  
ROBIDEAUX, ST. GERMAIN, TEMPLET, AND TUCKER  
AN ACT

To enact Chapter 14 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:671 through 674, to provide for the Louisiana French Language Services Program; to provide for identification of employees in state departments who can provide services in French or assist employees in providing services to French-speaking persons; to provide for development and implementation of the program by the Department of Culture, Recreation and Tourism in concert with the Council for the Development of French in Louisiana; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
BEN W. NEVERS  
Chairman

**REPORT OF COMMITTEE ON  
FINANCE**

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

June 2, 2011

To the President and Members of the Senate:

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

**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.

Reported with amendments.

Respectfully submitted,  
MICHAEL J. "MIKE" MICHOT  
Chairman

June 6, 2011

REPORT OF COMMITTEE ON LOCAL AND MUNICIPAL AFFAIRS

Senator A. G. Crowe, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 2, 2011

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE BILL NO. 159— BY REPRESENTATIVE ROSALIND JONES AN ACT

To enact R.S. 33:9038.65, relative to the city of Monroe; to create the Ouachita Riverfront Development Commission as a special taxing district within the city; to provide relative to the purpose, boundaries, governance, and powers and duties of the district; to provide relative to district funding, including the authority to use tax increment financing; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 162— BY REPRESENTATIVE AUSTIN BADON AN ACT

To enact R.S. 33:9091.18, relative to Orleans Parish; to create the Pressburg East Neighborhood Improvement and Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 281— BY REPRESENTATIVE ELLINGTON AN ACT

To amend and reenact R.S. 47:1923(D)(1), relative to tax assessors; to require the payment by an assessor of premiums for group insurance for coverage of certain retirees of the office of the assessor in certain parishes; and to provide for related matters.

Reported favorably.

Respectfully submitted, A. G. CROWE Chairman

REPORT OF COMMITTEE ON RETIREMENT

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 6, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 4— BY SENATOR SHAW AN ACT

To amend and reenact R.S. 11:2220(G), relative to the Municipal Police Employees Retirement System; to provide for employee and employer contributions under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 5— BY SENATOR APPEL AN ACT

To amend and reenact R.S. 11:416(A)(3)(a) and to enact R.S. 11:446(H), (I), and (J), relative to the Louisiana State Employees' Retirement System; to allow for a change in beneficiary in certain circumstances and in relation to certain supplemental benefits; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 149— BY REPRESENTATIVE POPE AN ACT

To amend and reenact R.S. 11:701(33)(a)(viii), relative to the Teachers' Retirement System of Louisiana; to exclude certain employees of the Louisiana High School Athletic Association from membership in such system; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 150— BY REPRESENTATIVE DOWNS AN ACT

To enact R.S. 11:710(A)(4), relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as adjunct professors to receive benefits during reemployment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 214— BY REPRESENTATIVE DIXON AN ACT

To enact R.S. 11:2220(B)(2)(c), relative to the Municipal Police Employees' Retirement System; to allow a member to designate a trustee for survivor benefits payable to a child; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 369— BY REPRESENTATIVES GARY SMITH, BALDONE, BARROW, BISHOP, BURRELL, GISCLAIR, HARDY, HOFFMANN, SAM JONES, KATZ, LAFONTA, MONICA, MONToucET, PATRICIA SMITH, ST. GERMAIN, STIAES, AND WILLMOTT AN ACT

To amend and reenact R.S. 11:710(D) and to enact R.S. 11:710(A)(4), relative to the Teachers' Retirement System of Louisiana; to allow certain reemployed retirees to receive benefits during reemployment; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 417— BY REPRESENTATIVES CORTEZ, ARMES, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BISHOP, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, DIXON, DOWNS, FANNIN, GISCLAIR, GUINN, HARDY, HENDERSON, HOFFMANN, HOWARD, SAM JONES, KATZ, LANDRY, LEBAS, LOPINTO, MONToucET, NOWLIN, POPE, RICHARD, RICHARDSON, SCHRODER, SEABAUGH, GARY SMITH, JANE SMITH, THIBAUT, AND WOOTON AN ACT

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

Reported favorably.

**HOUSE BILL NO. 481—**

BY REPRESENTATIVE BARRAS  
AN ACT

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

Reported favorably.

Respectfully submitted,  
D.A. "BUTCH" GAUTREAUX  
Chairman

**REPORT OF COMMITTEE ON**

**TRANSPORTATION, HIGHWAYS AND  
PUBLIC WORKS**

Senator William Joseph McPherson, Jr., Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

June 2, 2011

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 42—**

BY REPRESENTATIVE ROSALIND JONES  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of U.S. Highway 165 and Richwood Road No. 2 in Ouachita Parish.

Reported favorably.

**HOUSE BILL NO. 76—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 32:387(B)(2) and to repeal R.S. 32:387.2, 387.3, 387.13, 387.15, and 387.18, relative to oversized vehicles; to provide authority to the Department of Transportation and Development to issue permits for oversized loads or vehicles; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 87—**

BY REPRESENTATIVE BARRAS  
AN ACT

To rename and designate the Jefferson Street bridge on Louisiana Highway 3156 in Iberia Parish as the "Joe Daire Memorial Bridge"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 166—**

BY REPRESENTATIVES HOFFMANN, ANDERS, BALDONE, HENRY BURNS, CARMODY, CHANEY, CONNICK, DOWNS, GISCLAIR, HARDY, HENDERSON, HENRY, HOWARD, ROSALIND JONES, KATZ, LAFONTA, LITTLE, LOPINTO, RICHARD, RICHARDSON, SEABAUGH, GARY SMITH, JANE SMITH, STIAES, THIERRY, AND WILLMOTT  
AN ACT

To designate portions of Louisiana highways to honor public service of Louisiana citizens; to designate Louisiana Highway 34 from Louisiana Highway 546 to Kings Lake Road as the "Corporal J.R. Searcy Memorial Highway"; to designate the section of United States Highway 51 from the intersection of Louisiana

Highway 38 to the Mississippi state line as the "Trooper Rudolph H. Miller Memorial Highway"; to designate the section of Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers and Purple Heart Memorial Highway"; to designate the section of Louisiana Highway 749 from the intersection of West Martin Luther King Drive to the intersection of Louisiana Highway 167 as the "Griffin Pat Miller Memorial Highway"; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVE HENRY BURNS  
AN ACT

To enact R.S. 32:408(B)(7), relative to commercial driver's licenses; to provide for a waiver of certain requirements for certain commercial drivers; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 200—**

BY REPRESENTATIVES MCVEA, BILLIOT, HENRY BURNS, DOERGE, DOWNS, FOIL, GISCLAIR, GUILLORY, HILL, HONORE, SAM JONES, MONTOUCET, NORTON, POPE, ST. GERMAIN, AND THIBAUT AND SENATOR RISER  
AN ACT

To rename the John James Audubon bridge being constructed between West Feliciana and Pointe Coupee Parishes the "Generals John A. Lejeune-Robert H. Barrow Bridge"; to repeal Act No. 483 of the 1993 Regular Session of the Legislature; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 250—**

BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A) and (B), 508(A), 508.1(A), (B), (E), and (F) and to repeal R.S. 36:508.3, relative to the Department of Transportation and Development; to rename the office of planning and programming within the Department of Transportation and Development; to eliminate the office of public works and intermodal transportation within the Department of Transportation and Development; to reassign duties of offices within the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 254—**

BY REPRESENTATIVE MORRIS  
AN ACT

To repeal R.S. 48:1(19) and 204, relative to scheduled purchasing; to repeal provisions relating to scheduled purchasing by the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 470—**

BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 32:429.2(B) and to enact R.S. 32:707.2(C)(4), 707.6, and 728(10) and (11), relative to motor vehicle titles; to establish an expedited motor vehicle title receipt procedure; to provide for fees charged for receipt of an expedited motor vehicle title; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 507—**

BY REPRESENTATIVES LANDRY, CORTEZ, EDWARDS, HARDY, HONORE, LEGER, NORTON, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(1)(introductory paragraph) and (2)(introductory paragraph) and (c), relative to commercial driver's license

holders; to prohibit certain persons from operating school buses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 536—**  
BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact the heading of Part V of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 40:1731, 1732(2), (3), (4), (7), and (9), 1733 through 1736, 1737(A), 1738(A) and (B), 1740, 1741, 1742(A)(1) and (3), 1742.1, and 1742.2(A)(1) and to repeal R.S. 40:1739, relative to building codes; to provide for the purpose; to provide for definitions; to provide for the Americans with Disabilities Act standards; to require ADA standards accessibility in public and private buildings; to provide with respect to the use of parking spaces; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 540—**  
BY REPRESENTATIVE AUBERT

AN ACT

To amend and reenact R.S. 48:292.1(C)(1)(introductory paragraph) and (a), relative to the Small Engineering Consultant Program; restricts participation in the program to certain engineering consultant firms; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 565—**  
BY REPRESENTATIVE DIXON AND SENATOR MCPHERSON

AN ACT

To rename and designate the KCS underpass on Louisiana Highway 165 in Rapides Parish as the "Fred H. Baden Underpass"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOE MCPHERSON  
Chairman

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

**SENATE BILL NO. 259—**  
BY SENATOR MARIONNEAUX  
AN ACT

To enact R.S. 47:32(D), relative to income taxes; to phase out the taxes on personal and corporate income; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 259 by Senator Marionneaux

AMENDMENT NO. 1  
On page 1, line 2, delete "amend and reenact R.S. 47:32(A) and (C) and to"

AMENDMENT NO. 2  
On page 1, delete line 6

AMENDMENT NO. 3  
On page 1, at the beginning of line 7, insert "Section 1. R.S."

AMENDMENT NO. 4  
On page 1, delete lines 9 through 17, delete page 2, and on page 3, delete lines 1 through 16, and insert:  
"\* \* \*

AMENDMENT NO. 5  
On page 3, line 17, after "D." insert:  
**"(1) Notwithstanding the provisions of Subsections (A) and (C) of this Section, the rates applicable to each class of taxpayer as set forth in those Subsections shall be phased out over ten calendar years as follows:**  
**(a) For tax years beginning during 2013, ninety percent of the rates provided for in those Subsections.**  
**(b) For tax years beginning during 2014, eighty percent of the rates provided for in those Subsections.**  
**(c) For tax years beginning during 2015, seventy percent of the rates provided for in those Subsections.**  
**(d) For tax years beginning during 2016, sixty percent of the rates provided for in those Subsections.**  
**(e) For tax years beginning during 2017, fifty percent of the rates provided for in those Subsections.**  
**(f) For tax years beginning during 2018, forty percent of the rates provided for in those Subsections.**  
**(g) For tax years beginning during 2019, thirty percent of the rates provided for in those Subsections.**  
**(h) For tax years beginning during 2020, twenty percent of the rates provided for in those Subsections.**  
**(i) For tax years beginning during 2021, ten percent of the rates provided for in those Subsections.**  
**(2)"**

AMENDMENT NO. 6  
On page 3, line 19, change "2015" to "2022"

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

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

**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.

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

**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.

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

**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 relative to the Twenty-Sixth Judicial District; to provide that certain compensated employment by a compensated employee of the office of the district attorney is incompatible with such employment; and to provide for related matters.

**Floor Amendments**

Senator Adley proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 174 by Senator Adley

AMENDMENT NO. 1

On page 1, lines 2 and 3, delete "to provide relative to the Twenty-Sixth Judicial District;"

AMENDMENT NO. 2

On page line 4, between "attorney" and "is" insert "of the Twenty-Sixth Judicial District"

AMENDMENT NO. 3

On page 1, line 15, delete "with the Twenty-Sixth Judicial District"

AMENDMENT NO. 4

On page 1, line 16, between "attorney" and the comma "," insert "of the Twenty-Sixth Judicial District"

AMENDMENT NO. 5

On page 2, line 3, between "representation." and "This" insert "The incumbent shall be considered the regular attorney and counsel, unless the compensated legal service is in accordance with and pursuant to R.S. 42:261 through R.S. 42:263."

On motion of Senator Adley, the amendments were adopted.

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

**Mr. President in the Chair**

**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.

**Floor Amendments**

Senator Adley proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 177 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 8, change "A. There" to:  
"A. Effective in the year in which the secretary of the Department of Revenue receives the certification of revenue neutrality provided for in Subsection C of this Section before September first of that year, there"

AMENDMENT NO. 2

On page 2, delete lines 4 and 5, and insert:  
"C. (1) The provisions of this Section shall not become effective until the year in which the secretary of the Department of Revenue receives written certification from both the Division of Administration and the Legislative Fiscal Office that the credit provided for in this Section is likely to achieve revenue neutrality at some time after it becomes effective."

(2) "Revenue neutrality" means that both the Division of Administration and the Legislative Fiscal Office reasonably estimates that the cost to the state of the tax benefit provided to taxpayers pursuant to the provisions of this Section will be offset by the economic impact on the state because of the tax benefits provided to such taxpayers."

AMENDMENT NO. 3

On page 2, line 6, change "Section 3." to "Section 2."

On motion of Senator Adley, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Kostelka	Nevers
Adley	LaFleur	Perry
Alario	Long	Riser
Appel	McPherson	Shaw
Chabert	Michot	Smith
Cheek	Mills	Thompson
Crowe	Morrell	Walsworth
Dorsey	Morrish	Willard-Lewis
Gautreaux	Mount	
Heitmeier	Murray	
Total - 28		

NAYS

Broome	Donahue	Peterson
Claitor	Jackson	
Total - 5		

ABSENT

Amedee	Guillory	Martiny
Erdey	Marionneaux	Quinn
Total - 6		

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

**SENATE BILL NO. 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.

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

**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.

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

**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 convention facilities during certain conventions from the purposes of such tax; to provide for the taxable periods in which the exemption applies; and to provide for related matters.

June 6, 2011

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. 210 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 4, change "Tobacco Control Act" to "Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act)"

AMENDMENT NO. 2

On page 2, line 12, following "shall" and before "pursuant" change "only be permitted" to "be permitted only"

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Appel, Broome, Chabert, Cheek, Crowe, Dorsey, Gautreaux, Total - 30; Guillory, Heitmeier, Kostelka, LaFleur, Long, Marionneaux, Michot, Mills, Morrell, Morrish, Mount, Murray, Perry, Peterson, Riser, Shaw, Smith, Thompson, Walsworth, Willard-Lewis, Total - 34

NAYS

Claitor, Total - 2; Donahue

ABSENT

Amedee, Erdey, Jackson, Total - 7; Martiny, McPherson, Nevers, Quinn

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

Explanation of Vote

Senator Peterson stated she intended to vote nay on Senate Bill No. 210, and asked that the Official Journal so state.

SENATE BILL NO. 216— BY SENATOR MORRELL

AN ACT

To enact R.S. 17:1990(I), relative to the Recovery School District; to provide for the creation of a community outreach plan for schools within the district; to provide for the submission of such plan to the State Board of Elementary and Secondary Education and the appropriate legislative committees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Dorsey, Erdey, Gautreaux, Total - 34; Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, McPherson, Michot, Mills, Morrell, Morrish, Mount, Murray, Nevers, Perry, Peterson, Riser, Shaw, Smith, Thompson, Walsworth, Willard-Lewis

NAYS

Total - 0

ABSENT

Amedee, Donahue, Total - 5; Guillory, Martiny, Quinn

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

SENATE BILL NO. 225— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 9:5557 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; to provide for the obligation to grant releases of mortgages; to provide for limitations; and to provide for related matters.

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

Senator Marionneaux in the Chair

SENATE BILL NO. 242— BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 14:141 and R.S. 39:126 and 1767, and R.S. 48:251.8, to enact R.S. 38:2192 and 2222 and R.S. 39:1557.1, and to repeal 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, relative to public contracts; to provide for prohibited splitting of profits, fees, and commissions; to provide with respect to recordation of certain change orders, amendments, or other revisions to public contracts; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Amedee	Martiny
Guillory	Quinn
Total - 4	

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

**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.

**Floor Amendments**

Senator Willard-Lewis proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Willard-Lewis to Engrossed Senate Bill No. 254 by Senator Willard-Lewis

AMENDMENT NO. 1

On page 1, line 2, after "305.59" insert "and 337.9(D)(27)"

AMENDMENT NO. 2

On page 1, line 3, delete "Make it Right" and on line 4, delete "Foundation purchases" and insert "charitable residential constructions"

AMENDMENT NO. 3

On page 1, line 6, change "is" to "and 337.9(D)(27) are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert:

\* \* \*

§337.9. Exemptions applicable to local tax in Chapters 2, 2-A, and 2-B; other exemptions applicable

D.	*	*	*
	*	*	*

(27) (a) R.S. 47:305.53, "key words": sickle cell disease organizations.

(b) **R.S. 47:305.59, "key words": charitable residential construction."**

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	Gautreaux	Morrish
Adley	Kostelka	Murray
Alario	LaFleur	Nevers
Broome	Long	Perry
Chabert	Martiny	Riser
Cheek	McPherson	Shaw
Crowe	Michot	Thompson
Dorsey	Mills	Walsworth
Erdey	Morrell	Willard-Lewis
Total - 27		

**NAYS**

Appel	Donahue	Marionneau
Claitor	Jackson	
Total - 5		

**ABSENT**

Amedee	Mount	Smith
Guillory	Peterson	
Heitmeier	Quinn	
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 Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call**

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 264 be called from the Calendar.

**SENATE BILL NO. 264—**

BY SENATOR CHAISSON

**AN ACT**

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

**Floor Amendments**

Senator Chaisson proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 264 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "(C)(2) and (4)" insert "and to enact R.S. 47:6007(B)(15) and (C)(1)(c)(iii)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 47:6007(B)(15) is" to "R.S. 47:6007(B)(15) and (C)(1)(c)(iii) are"

June 6, 2011

AMENDMENT NO. 3

On page 1, between lines 16 and 17, insert:

"(15) "Film production servicing and support facilities" shall mean a film, video, television, and/or digital production and/or postproduction facilities, and movable and immovable property and equipment directly related thereto, or any other assets which support and are a necessary component of such film production servicing and support facilities, all as determined and approved by the office. The term "film production servicing and support facilities" shall not include movie theaters or other commercial exhibition facilities."

AMENDMENT NO. 4

On page 2, delete line 1, and insert:

"(I) There is hereby authorized a tax credit against state income tax for Louisiana taxpayers for investment in state-certified productions. The tax credit shall be earned by investors at the time expenditures are made by a motion picture production company in a state-certified production. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the office and the secretary. For state-certified productions, expenditures shall be certified no more than twice during the duration of a state-certified production unless the motion picture production company agrees to reimburse the office for the costs of any additional certifications. The tax credit shall be calculated as a percentage of the total base investment dollars certified per project.

(c) For state-certified productions approved by the office and the secretary on or after July 1, 2009:

(iii) (AA) In lieu of the additional five percent credit for payroll allowed in Item (ii) of this Subparagraph, an approved investor shall be allowed an additional tax credit of five percent of the total base investment made in the state by the approved investor in state-certified productions if the following conditions are met:

(I) The aggregate total base investment expended in the state within any fiscal year commencing on or after July 1, 2011, on state-certified productions is equal to or greater than fifty million dollars.

(II) The total base investment expended on each such state-certified production is fifty percent or more of the total production expenditures, both in state and out of state, for each such production as determined by the office.

(BB) However, the tax credit provided for in this Subparagraph shall not apply to that portion of the base investment which are production expenditures of those employed in connection with the state-certified productions who are not Louisiana residents.

(CC) As used in this Item, the term "approved investor" means an investor which, together with any other persons or entities which, directly or indirectly, wholly own such investor or are wholly owned by such investor as determined by the office, has demonstrated a long term commitment to the film industry in the state of Louisiana by expending, on or after July 1, 2011, five million dollars or more in the construction of film production servicing and support facilities in Louisiana approved by the office.

\* \* \*

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Alario Appel Guillory Heitmeier Jackson Murray Nevers Perry

Broome Kostelka Quinn
Chabert LaFleur Riser
Cheek Martiny Smith
Crowe Michot Thompson
Dorsey Mills Walsworth
Erdey Morrell Willard-Lewis
Gautreaux Morrish

Total - 29

NAYS

Adley Donahue Shaw
Amedee Long
Claitor McPherson

Total - 7

ABSENT

Marionneaux Mount Peterson
Total - 3

The Chair declared the amended bill was passed, ordered reengrossed and 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 Riser asked that Senate Bill No. 269 be called from the Calendar.

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.

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. 269 by Senator Riser

AMENDMENT NO. 1

On page 2, line 3, change "Authority" to "Agency"

AMENDMENT NO. 2

On page 2, line 12, following "Finance" and before "as" change "Authority" to "Agency"

AMENDMENT NO. 3

On page 8, line 1, following "the" and before "are" change "same" to "notice and hearing"

AMENDMENT NO. 4

On page 8, line 25, following "(b)" and before "person" change "The" to "Any"

AMENDMENT NO. 5

On page 10, line 27, following "including" and before "but" delete "1"

AMENDMENT NO. 6

On page 10, line 27, following "to" delete "1"

AMENDMENT NO. 7

On page 13, line 13, following "including" and before "but" delete "1"

AMENDMENT NO. 8

On page 13, line 13, following "to" and before "insurance" delete "1"

AMENDMENT NO. 9

On page 13, line 26, following "including" and before "but" delete "1"

AMENDMENT NO. 10

On page 13, line 26, following "to" and before "the" delete "1"

AMENDMENT NO. 11

On page 14, line 12, following "including" and before "but" delete "1"

AMENDMENT NO. 12

On page 14, line 12, following "to" delete "1"

AMENDMENT NO. 13

On page 18, line 5, following "including" and before "but" delete "1"

AMENDMENT NO. 14

On page 18, line 5, following "to" and before "information" delete "1"

AMENDMENT NO. 15

On page 24, line 8, following "(3)" and before "of" change "For construction" to "Construction"

AMENDMENT NO. 16

On page 24, line 9, following "(4)" and before "purchase" change "For the" to "The"

AMENDMENT NO. 17

On page 24, line 12, following "(5)" and before "purchase" change "For the" to "The"

AMENDMENT NO. 18

On page 24, line 14, following "(6)" and before "payment" change "For the" to "The"

AMENDMENT NO. 19

On page 24, line 17, following "(7)" and before "other" change "For all" to "All"

AMENDMENT NO. 20

On page 26, line 8, following "including" and before "but" delete "1"

AMENDMENT NO. 21

On page 26, line 8, following "to" and before "all" delete "1"

AMENDMENT NO. 22

On page 30, line 5, following "by" and before "any" insert "1"

AMENDMENT NO. 23

On page 30, line 18, following "that" and before "functions" change "said" to "the"

AMENDMENT NO. 24

On page 32, line 5, following "including" and before "but" delete "1"

AMENDMENT NO. 25

On page 32, line 6, following "to" and before "sinking" delete "1"

AMENDMENT NO. 26

On page 33, line 13, following "Chapter" and before "being" insert "1"

AMENDMENT NO. 27

On page 33, line 14, following "residents" and before "shall" insert "1"

On motion of Senator Marionneaux, the amendments were adopted.

**Floor Amendments**

Senator Riser proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Riser to Engrossed Senate Bill No. 269 by Senator Riser

AMENDMENT NO. 1

On page 11, line 15, between "adopted" and "shall" insert "for a fiscal year"

On motion of Senator Riser, the amendments were adopted.

**Floor Amendments**

Senator Broome proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Broome to Engrossed Senate Bill No. 269 by Senator Riser

AMENDMENT NO. 1

On page 6, line 12, after "state," insert "A local housing authority established pursuant to R.S. 40:381 et seq. shall not be considered a state agency."

AMENDMENT NO. 2

On page 17, delete lines 25 and 26 in their entirety

AMENDMENT NO. 3

On page 17, at the beginning of line 27, change "(28)" to "(27)"

AMENDMENT NO. 4

On page 17, between lines 28 and 29 insert the following:

"(28)(a) The corporation, through its board, may establish advisory committees to assist in carrying out its mission, goals, and purposes.

(b)(i) The corporation shall establish the Housing and Transportation Planning and Coordinating Commission as an advisory committee. The primary purpose of this commission shall be to advise the corporation in coordinating the integration of planning and spending by local governments, parish governing authorities, redevelopment authorities, and the Department of Transportation and Development on housing and transportation needs. The commission shall recommend multiple modes of transportation and multiple types of housing developments to be planned so as to provide planned recreational growth, more fully integrated and livable communities, and effective spending of public funds for the betterment of life for Louisiana citizens.

(ii) The commission shall be comprised of the following members:

(aa) The executive director of the Louisiana Housing Corporation, or his designee.

(bb) One member appointed by the commissioner of administration to represent the office of facility planning and control.

(cc) The secretary of the Department of Transportation and Development, or his designee.

(dd) The secretary of the Department of Children and Family Services, or her designee.

(ee) The president of the Louisiana Housing Alliance, or his designee.

(ff) One member appointed by the National Association of Regional Councils from their Louisiana chapter.

(gg) One member appointed by the Louisiana chapter of the Association of Metropolitan Planning Organizations.

(hh) One member appointed by the National Association of Housing and Redevelopment Organization from their Louisiana Chapter.

(ii) One member appointed by the Center for Planning Excellence.

(ji) Two members of nonprofit housing development organizations appointed by the board of the Louisiana Housing Corporation.

(kk) One member appointed by the Louisiana Housing Council.

(ll) One member appointed by the Policy Jury Association of Louisiana.

(mm) One member appointed by Louisiana Municipal Association.

(nn) One member appointed by the Louisiana state chapter of the American Planning Association.

(iii) Members of the commission appointed shall serve at the pleasure of the appointing authority and serve four-year terms. A vacancy in the office of a member shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(iv) The commission shall elect a chairman and such other officers as it deems necessary from among its members.

(v) Member of the commission shall not receive any salary or reimbursement of expenses for performing their duties as members other than compensation or reimbursement provided by their individual employers.

(vi) The commission shall create a statewide housing plan for state agencies and conduct a parish-by-parish assessment of housing. The assessment shall be conducted once every five years and the statewide housing plan shall be updated based on the most recent assessment. All parish governing authorities, local governments, and redevelopment authorities shall cooperate with the commission.

(aa) The assessments shall document the overall supply of housing including single-family, multi-family, special needs, and institutional housing; conditions of the housing stock; housing cost burden in each parish; and access to transit and job centers in each parish or metropolitan planning area.

(bb) As part of its assessment, the commission shall hold not fewer than three public hearing in each region of the state to provide for citizens participation in the development of the plan. In each region, each such hearing shall be held at a different time of day and on a different day of the week from the other meetings in that region in order to maximize the opportunity for citizen participation. Members of the commission shall be invited guests to the public hearings.

(cc) The commission, at regular intervals and in public meetings, shall update the board on the progress of the development of the statewide housing plan and maintenance thereof or any updates thereto. The commission shall also submit the developed plan, or once the plan is developed any recommended updates to such plan, to the board for approval, approval with comments, or rejection at a schedule determined by the board. Any plan or update which is rejected by the board shall not be incorporated into the statewide housing plan.

(vii) The commission shall advise and provide recommendations to the board in the following areas:

(aa) Planning and housing regions of the state.

(bb) Public and alternative transportation needs. Such recommendation may include alternative modes of transportation including public transit, bus rapid transit, and rail and bicycle paths.

(cc) Estimates on low and moderate income housing needs.

(dd) Criteria and guidelines for parishes and municipalities to determine and address their local affordable housing needs, to promote consistency and uniformity in the information obtained and reported.

(ee) Criteria and guidelines for parish, municipalities, and redevelopment authorities, and metropolitan planning organizations to coordinate and address local and regional transportation needs, to promote consistency and uniformity in the information obtained and reported.

(ff) Schedule and establish criteria to review housing and transportation plans for parishes and municipalities, and provide technical assistance to those parishes and municipalities unable to develop plans consistent with the established criteria and guidelines to determine consistency with established criteria and guidelines to address local affordable housing and transportation needs.

(viii) The commission shall be staffed by the staff of the corporation."

On motion of Senator Broome, the amendments were adopted.

**Floor Amendments**

Senator Jackson proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 269 by Senator Riser

AMENDMENT NO. 1

On page 2, delete lines 24 through 26 in their entirety

AMENDMENT NO. 2

On page 2, line 29, change "Land Trust" to "Housing Corporation"

AMENDMENT NO. 3

On page 3, line 9, after "affordable," insert "accessible,"

AMENDMENT NO. 4

On page 3, line 13, after "safe," insert "accessible,"

AMENDMENT NO. 5

On page 3, line 18, change "and for special needs populations" to ", senior citizens and persons with disabilities"

AMENDMENT NO. 6

On page 4, line 6, after "safe," insert "affordable, accessible,"

AMENDMENT NO. 7

On page 4, line 8, after "affordable" insert "and accessible"

AMENDMENT NO. 8

On page 4, line 14, after "sanitary," insert "accessible,"

AMENDMENT NO. 9

On page 4, line 23, change "special needs" to "disabilities and senior citizens"

AMENDMENT NO. 10

On page 4, line 26, after "for" delete the remainder of the line and insert "senior citizens and persons with disabilities."

AMENDMENT NO. 11

On page 5, line 27, change "special needs populations" to "senior citizens and persons with disabilities"

AMENDMENT NO. 12

On page 6, delete lines 13 and 14 in their entirety

AMENDMENT NO. 13

On page 6, line 24, after "governor" delete the remainder of the line and delete line 25 in its entirety and insert "and shall meet all of the following criteria:"

AMENDMENT NO. 14

On page 15, line 21, change "special needs populations" to "senior citizens and persons with disabilities"

AMENDMENT NO. 15

On page 17, line 20, change "governor" to "commissioner of administration"

AMENDMENT NO. 16

On page 18, line 7, after "sanitary," insert "accessible,"

AMENDMENT NO. 17

On page 18, line 21, change "special needs" to "disabilities and senior citizens"

AMENDMENT NO. 18

On page 36, line 10, after "to which" delete the remainder of the line and delete lines 11 and 12 in their entirety and insert "the Louisiana Housing Finance Agency is a party and which is filed initiated, or otherwise pending before"

AMENDMENT NO. 19

On page 36, line 13, change "December 31, 2011" to "June 30, 2012"

AMENDMENT NO. 20

On page 36, line 22, change "December 31, 2011" to "June 30, 2012"

AMENDMENT NO. 21

On page 37, line 11, after "way to" delete the remainder of the line and insert "the Louisiana Housing Finance Agency,"

AMENDMENT NO. 22

On page 38, line 23, change "June 30" to "January 1"

On motion of Senator Jackson, the amendments were adopted.

**Floor Amendments**

Senator Murray proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 269 by Senator Riser

AMENDMENT NO. 1

On page 3, line 10 after "**housing**" insert "**that is in compliance with Title II of the Americans with Disabilities Act, 42 U.S.C.A. §12130 et seq**"

AMENDMENT NO. 2

On page 3, line 18 after "**populations**" insert "**, that is in compliance with Title II of the Americans with Disabilities Act, 42 U.S.C.A. §12130 et seq.,**"

AMENDMENT NO. 3

On page 6, line 4 after "**accommodations**" insert "**that are in compliance with Title II of the Americans with Disabilities Act, 42 U.S.C.A. §12130 et seq.,**"

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Guillory	Mount
Alario	Heitmeier	Murray
Amedee	Jackson	Nevers
Appel	LaFleur	Perry
Broome	Long	Quinn
Chabert	Marionneaux	Riser

Cheek	Martiny	Shaw
Claitor	McPherson	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis

Total - 36

NAYS

Peterson  
Total - 1

ABSENT

Gautreaux  
Total - 2

Kostelka

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

**Rules Suspended**

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

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 78—**

BY SENATOR BROOME

A RESOLUTION

To commend Toni Hawkins-Bailey, Renee Chatelain, and Greg Williams, Jr., for their contributions to the performing arts in the African American community.

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

**Introduction of Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 60—**

BY SENATOR MILLS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Workforce Commission to establish a website to provide relevant and current information to the oilfield workers of Louisiana.

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

**SENATE CONCURRENT RESOLUTION NO. 61—**

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to work with the Board of Supervisors of Community and Technical Colleges to study the two-year college services offered to the greater northeast Louisiana area, and to determine how the state can best meet the educational needs of students and the economic and workforce development needs of this region of the state.

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

**Message from the House**

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

June 6, 2011

To the Honorable President and Members of the Senate:

June 6, 2011

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. 581 HB No. 618 HB No. 454

HB No. 640

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

House Bills and Joint Resolutions

Senator Long 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. 454—

BY REPRESENTATIVE HARRISON AN ACT

To amend and reenact R.S. 17:500.2(A)(1), 1176, 1202(A)(1), and 1206.2(A)(1), relative to the granting of certain types of leave by a city, parish, or other local public school board; to provide relative to the requirement that the board grant certain sabbatical leave requests; to provide relative to the requirement that the board permit certain employees to take extended sick leave; to provide exceptions to such requirements; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 581—

BY REPRESENTATIVE ROY AN ACT

To amend and reenact Paragraphs (C)(2) and (4) of Section 1 of Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act No. 390 of the 2001 Regular Session of the Legislature, and to enact Paragraphs (A)(11) and (C)(5) of Section 1 of Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act No. 390 of the 2001 Regular Session of the Legislature, relative to the city of Alexandria; to provide relative to the civil service system for the employees of the city; to provide relative to the Alexandria Civil Service Commission; to provide relative to the position of civil service director, the qualifications of any person appointed to such position by the commission, and the evaluation of the job performance of any person serving in such position; to provide relative to filling vacancies in commission membership; to authorize the commission to select an individual attorney or law firm to serve as legal counsel to the commission and to represent the commission in legal proceedings; to provide limitations; 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. 618—

BY REPRESENTATIVE ROSALIND JONES AN ACT

To amend and reenact R.S. 47:293(5), relative to deductions from individual income tax; to provide with respect to the deduction for hurricane recovery benefits; to provide definitions; and to provide for related matters.

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

HOUSE BILL NO. 640— (Substitute for House Bill No. 430 by Representative Billiot)

BY REPRESENTATIVE BILLIOT AN ACT

To amend and reenact R.S. 38:213, 225(A)(1)(a) and (2) and (D), and 226 and to enact R.S. 38:321.1, relative to levee districts and flood control structures; to restrict access upon a levee or flood

control structure in certain circumstances; to provide for penalties; to provide exceptions for access upon public levees or flood control structures; to provide relative to the obstruction of levees; to provide for the authority for a board or commission having jurisdiction over a levee to issue or renew permits or letters of no objection; to authorize a levee district or levee drainage district to purchase certain items through an existing public contract of another political subdivision; 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.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 6, 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. 156

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVES ANDERS, BISHOP, ELLINGTON, PUGH, PATRICIA SMITH, AND STIAES A CONCURRENT RESOLUTION

To recognize November 9, 2011, as Diabetic Peripheral Neuropathy (DPN) Awareness Day in Louisiana.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON REVENUE AND FISCAL AFFAIRS

Senator Robert M. Marionneaux, Jr., Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 6, 2011

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 37—

BY REPRESENTATIVE NOWLIN AN ACT

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

Reported favorably.

**HOUSE BILL NO. 104—**

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 47:1837(G), relative to hearings of the Louisiana Tax Commission; to require certain hearings of the commission to be held at the state capitol; to provide relative to the duties of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 135—**

BY REPRESENTATIVES NOWLIN, ANDERS, ARMES, ARNOLD, AUBERT, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY, BURNS, TIM BURNS, CARMODY, CARTER, CHANDLER, CHANEY, CORTEZ, DANAHAY, DIXON, DOERGE, DOVE, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HOFFMANN, HONORE, HUTTER, GIROD JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LANDRY, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MONICA, MONTOUCET, MORRIS, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, THIBAUT, THIERRY, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHEEK, CROWE, DONAHUE, ERDEY, GAUTREAUX, GUILLORY, HEITMEIER, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MICHOT, MILLS, MORRISH, MOUNT, NEVERS, PERRY, QUINN, SMITH, THOMPSON, WALSWORTH, AND WILLARD-LEWIS

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.3 of the Constitution of Louisiana, relative to the authority to tax; to prohibit the state or any political subdivision from levying a new tax or fee upon the sale or transfer of immovable property; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 282—**

BY REPRESENTATIVE ELLINGTON

AN ACT

To amend and reenact Section 3 of Act No. 345 of the 2005 Regular Session of the Legislature, relative to sales and use taxes; to provide relative to the state sales and use tax exclusion for certain alternative substances used as fuel by manufacturers; to extend the effectiveness of the exclusion; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**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.

Reported with amendments.

**HOUSE BILL NO. 458—**

BY REPRESENTATIVE HILL

AN ACT

To enact Subpart BB of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.95, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Food Bank Association; to authorize and provide a method for the making of other donations to the Louisiana Food Bank Association on the income tax return; to provide for the disposition of donated monies; to establish the Louisiana Food Bank Association Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in

the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 486—**

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:305.16 and to enact R.S. 47:305.16.1, relative to sales and use tax; to provide relative to the sales and use tax exemption for cable television installation; to provide relative to a sales and use tax exemption on video programming and television service; to provide relative to the definition of regular service; to clarify that certain services shall be considered regular service; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 592—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

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

Reported favorably.

Respectfully submitted,  
ROBERT M. MARIONNEAUX, JR.  
Chairman

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

**ENROLLMENTS**

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

June 6, 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. 48—**

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the St. Louis High School baseball team on winning the 2011 Class 4A state championship.

**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.

**SENATE CONCURRENT RESOLUTION NO. 52—**

BY SENATORS PERRY AND WALSWORTH

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.

June 6, 2011

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.

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.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

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

Message from the House  
SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS

June 6, 2011

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 144—  
BY REPRESENTATIVE ARNOLD AND SENATOR THOMPSON  
AN ACT

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

HOUSE BILL NO. 193—  
BY REPRESENTATIVE ANDERS  
AN ACT

To amend and reenact R.S. 3:1407, 1421(1)(b), (2)(a) and (b), and (3), 1430.13(A) and (D), 1655(C)(3) and (5)(a), 2311(B) and (D)(1), 3210(C)(1), and 3806(G)(2) and (4)(a), relative to certain funds within the Department of Agriculture and Forestry; to provide for the merger of the Feed Fund and the Fertilizer Fund; to provide for the merger of the Crop Pests and Diseases Fund, the Apiary Fund, and the Horticulture Fund; to provide for the Pesticide Fund; to provide for the disposition of monies; and to provide for related matters.

HOUSE BILL NO. 217—  
BY REPRESENTATIVE BARRAS  
AN ACT

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

HOUSE BILL NO. 221—  
BY REPRESENTATIVE ARNOLD AND SENATOR THOMPSON  
AN ACT

To enact R.S. 6:412.1, relative to financial institutions; to provide for definitions; to prohibit solicitations using a lender's name; to provide for required disclosures; to prohibit solicitations using a lender's customer information; to provide an exception for

communications with current or former customers; to prohibit references on envelopes and postcards; to provide an exception for solicitations comparing services and products; to provide for injunctions; to provide for damages; to provide for recovery of costs and attorney fees; and to provide for related matters.

HOUSE BILL NO. 256—  
BY REPRESENTATIVE RITCHIE  
AN ACT

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

HOUSE BILL NO. 362—  
BY REPRESENTATIVE SIMON  
AN ACT

To amend and reenact R.S. 37:155(A)(4)(f) and (5), relative to architects; to provide for exemptions to the licensing and registration requirement for architects; and to provide for related matters.

HOUSE BILL NO. 383—  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 40:1749.12(4), 1749.13(B)(2) and (5), 1749.14(B) and (C)(1)(b)(iii) and (v), 1749.15, and 1749.20(C) and to enact R.S. 40:1749.12(15) and 1749.20(D), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "emergency"; to define "agricultural excavator"; to provide for a delay period following notification before the commencement of any excavation or demolition activity; to specify who shall receive a notice of intent to excavate; to define the period of time that markings shall be deemed good; to require certification of immediate action in a notice of emergency excavation; to provide for violations; to provide for penalties; to provide for an effective date; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 6, 2011

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

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.

**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.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President 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 7, 2011, were announced:

Environmental Qual.	9:30 A.M.	Room F
Finance	At Adj.	Room A
Judiciary A	9:00 A.M.	Hainkel Room
Judiciary B	9:30 A.M.	Room E
Judiciary C	9:30 A.M.	Room C

**Adjournment**

On motion of Senator Thompson, at 6:10 o'clock P.M. the Senate adjourned until Tuesday, June 7, 2011, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Tuesday, June 7, 2011.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk

