

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-FOURTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 7, 2011

The Senate was called to order at 1:05 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	Kostelka	Perry
Appel	LaFleur	Peterson
Broome	Marionneau	Quinn
Cheek	Michot	Shaw
Donahue	Mills	Smith
Dorsey	Morrish	Walsworth
Jackson	Murray	Willard-Lewis
Total - 21		

ABSENT

Adley	Erdey	McPherson
Alario	Gautreaux	Morrell
Amedee	Guillory	Mount
Chabert	Heitmeier	Nevers
Claitor	Long	Riser
Crowe	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 Mallory Callhan, 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 Martiny, the reading of the Journal was dispensed with and the Journal of June 6, 2011, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 79—
BY SENATOR PETERSON

A RESOLUTION

To commend the service and contributions of The Links, Incorporated and to recognize Wednesday, June 8, 2011, as Louisiana Links Day at the State Capitol.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATORS GAUTREAU, BROOME, CHAISSON, CHEEK, DORSEY, JACKSON, LAFLEUR, LONG, MARIONNEAU, MCPHERSON, MILLS, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, THOMPSON AND WILLARD-LEWIS

A CONCURRENT RESOLUTION

To express the intent of the legislature to provide comprehensive, affordable life and health benefits for current and retired public employees and their family members through the operation of the Office of Group Benefits.

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR PERRY

A CONCURRENT RESOLUTION

To urge and request United States Postal Service to keep the post office in the Village of Maurice open.

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR PERRY

A CONCURRENT RESOLUTION

To commend LSU Eunice Lady Bengals softball team on winning the NJCAA Division II National Championship.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 76—

BY SENATOR MOUNT

A RESOLUTION

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

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

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.

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

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.

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

**Senate Concurrent Resolutions on
Second Reading**

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,

June 7, 2011

the problem of human trafficking of minors in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Kostelka Peterson
Alario LaFleur Quinn
Appel Marionneaux Riser
Broome Martiny Shaw
Chabert Michot Smith
Cheek Mills Thompson
Claitor Morrish Walsworth
Donahue Mount Willard-Lewis
Dorsey Murray
Jackson Perry
Total - 28

NAYS

Total - 0

ABSENT

Adley Gautreaux McPherson
Amedee Guillory Morrell
Crowe Heitmeier Nevers
Erdey Long
Total - 11

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Kostelka Peterson
Alario LaFleur Quinn
Appel Marionneaux Riser
Broome Martiny Shaw
Chabert Michot Smith
Cheek Mills Thompson
Claitor Morrish Walsworth
Donahue Mount Willard-Lewis
Dorsey Murray
Jackson Perry
Total - 28

NAYS

Total - 0

ABSENT

Adley Gautreaux McPherson
Amedee Guillory Morrell
Crowe Heitmeier Nevers
Erdey Long
Total - 11

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Kostelka Perry
Alario LaFleur Peterson
Appel Marionneaux Quinn
Broome Martiny Riser
Chabert Michot Shaw
Cheek Mills Smith
Donahue Morrish Thompson
Dorsey Mount Walsworth
Jackson Murray Willard-Lewis
Total - 27

NAYS

Total - 0

ABSENT

Adley Erdey Long
Amedee Gautreaux McPherson
Claitor Guillory Morrell
Crowe Heitmeier Nevers
Total - 12

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

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 Bills and Joint Resolutions:

HB No. 92 HB No. 255 HB No. 293
HB No. 361 HB No. 414 HB No. 416

HB No. 423 HB No. 465 HB No. 471
 HB No. 530 HB No. 642 HB No. 643

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 92—

BY REPRESENTATIVES TALBOT, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BISHOP, BROSSETT, BURFORD, HENRY BURNS, BURRELL, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DOERGE, DOVE, ELLINGTON, FANNIN, GEYMAN, GISCLAIR, GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HENSGENS, HILL, HOFFMANN, HONORE, HOWARD, HUTTER, HUVAL, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LORUSSO, MCVEA, MONICA, MONTOU CET, MORENO, MORRIS, NORTON, NOWLIN, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SIMON, SMILEY, GARY SMITH, JANE SMITH, STIAES, THIBAUT, THIERRY, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 33:423.2 and to enact R.S. 33:2570, relative to the city of Harahan; to provide that the position of assistant chief of police is in the unclassified service; to provide relative to the duties of the assistant chief of police; 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. 255—

BY REPRESENTATIVE BURRELL
 AN ACT

To amend and reenact R.S. 46:2138 and Children's Code Article 1566, relative to domestic abuse assistance; to provide for petitions for protective orders; to authorize clerical assistance by domestic violence advocates; 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. 293—

BY REPRESENTATIVES DOVE AND RICHARD
 AN ACT

To amend and reenact R.S. 44:4.1(B)(33) and to enact R.S. 56:6(34) and 433.1(A)(4), relative to the powers and authority of the Wildlife and Fisheries Commission; to authorize the commission to regulate and permit the taking of certain species of fish; to authorize the commission to require the use of vessel monitoring systems on vessels engaged in commercial harvest from the public oyster seed grounds; 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. 361—

BY REPRESENTATIVE ROY
 AN ACT

To amend and reenact R.S. 32:398(K)(1)(a), relative to accident reports; to provide for a definition of a news-gathering organization; 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. 414—

BY REPRESENTATIVES LOPINTO AND MORENO
 AN ACT

To amend and reenact Code of Criminal Procedure Articles 880 and 892(B)(1)(introductory paragraph) and (c) and R.S. 15:571.3(A)(1), (B)(1)(a), (2), and (3), and (C), 571.4, 571.5(A), 574.9(E), 828(B), and 833.1(E), to enact R.S. 15:571.3(B)(4), and to repeal Code of Criminal Procedure Article 890.1 and R.S. 15:571.6 and 571.8, relative to diminution of sentence and parole eligibility; to provide for the receipt of credit for prior custody; to provide for inclusion of the Uniform Sentencing Commitment Order in documents accompanying post-sentence sheriff's statement; to provide with respect to the earning of diminution of sentence for certain offenses; to provide for the reorganization of certain provisions of law regarding diminution of sentence; to provide for applicability; to authorize diminution of sentence for certain offenses; to provide for the forfeiture of earned credits toward the reduction of the projected good time parole supervision date; to provide for the forfeiture of credit for time served in actual custody; to provide for the earning of additional credits toward the reduction of the projected good time parole supervision date; and to provide for related matters.

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

HOUSE BILL NO. 416—

BY REPRESENTATIVE LOPINTO
 AN ACT

To amend and reenact R.S. 15:574.4(A)(1), relative to parole eligibility; to provide for parole eligibility for certain offenders after serving a certain portion of the criminal sentence; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 423—

BY REPRESENTATIVES HOWARD AND SMILEY
 AN ACT

To amend and reenact R.S. 49:214.6.3(B)(5), relative to wetlands mitigation; to authorize the acquisition of property for wetlands mitigation associated with the Comite River Diversion Project, Amite River and Tributaries, Louisiana project under certain conditions; 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. 465—

BY REPRESENTATIVES NORTON, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BISHOP, HENRY BURNS, BURRELL, CARMODY, DIXON, GISCLAIR, HONORE, MORENO, RICHARD, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY
 AN ACT

To amend and reenact Children's Code Article 612(A)(2), relative to child abuse; to provide that a preliminary investigation shall include an immediate assessment of certain visitation or custody orders; to require the Department of Children and Family Services to request a temporary restraining order if it determines that any previous ordered visitation or custody would put the child's health and safety at risk; and to provide for related matters.

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

HOUSE BILL NO. 471—

BY REPRESENTATIVE GUILLORY
 AN ACT

To amend and reenact R.S. 40:1299.28 and to enact R.S. 40:1299.27.1, relative to lead-free pipes, fittings, fixtures, solder, or flux; to provide for the use, introduction into commerce, and sale of certain pipes, fittings, fixtures, solder, or flux; to require lead-free pipes, fittings, fixtures, solder, or flux; to provide for exclusions; to provide for labeling; to provide for

June 7, 2011

definitions; to provide for the authority of the Department of Health and Hospitals; to provide for enforcement; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 530— BY REPRESENTATIVE PEARSON AN ACT

To amend and reenact R.S. 11:403(5), 450(B), 612(1), and 701(5)(b) through (e) and to enact R.S. 11:102(D) and 701(5)(f), relative to state retirement systems; to provide with respect to employer contributions; to provide with respect to benefit calculation; to provide with respect to system funding; 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. 642— (Substitute for House Bill No. 440 by Representative Burford)

BY REPRESENTATIVES BURFORD, ARMES, HENRY BURNS, CHANDLER, CHANEY, GISCLAIR, HAZEL, HOFFMANN, HOWARD, MONToucET, NOWLIN, PUGH, GARY SMITH, JANE SMITH, TUCKER, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 37:1031(A)(introductory paragraph) and (D), 1033(A)(3) and (4), (B), (D)(1), (F), and (H) and 1034(3), and R.S. 40:2120.4(B)(1), 2120.5(D), and 2179(C), to enact R.S. 37:1031(A)(5) and (E) and R.S. 40:2119, and to repeal R.S. 37:1033(G), relative to home- and community-based providers; to provide for the applicability of statutory provisions governing direct service workers; to provide for appropriate training of direct service workers; to provide for the termination of authorization of direct service workers to perform certain procedures; to require the department to develop a comprehensive plan regarding the quality of services provided to individuals receiving home- and community-based services; to provide for licensure procedures and requirements applicable to granting deemed status to home- and community-based providers; to extend the application of state laws governing direct service workers to all direct service workers regardless of the type of compensation; and to provide for related matters.

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

HOUSE BILL NO. 643— (Substitute for House Bill No. 558 by Representative Johnson)

BY REPRESENTATIVE JOHNSON AN ACT

To enact Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1551 through 1555, relative to campaign finance; to provide certain special provisions applicable under certain specific circumstances when a candidate is deceased; to provide relative to contribution limitations under certain circumstances; 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 Concurrent Resolutions on Second Reading

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. Senator Walsworth moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Kostelka, Perry, etc.

Total - 29

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Amedee, Appel, Crowe, etc.

Total - 10

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

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. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, LaFleur, Peterson, etc.

Total - 28

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Amedee, Appel, Crowe, etc.

Total - 11

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

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. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Kostelka	Perry
Adley	LaFleur	Peterson
Alario	Long	Quinn
Broome	Marionneau	Riser
Chabert	Michot	Shaw
Cheek	Mills	Smith
Claitor	Morrish	Thompson
Donahue	Mount	Walsworth
Dorsey	Murray	Willard-Lewis
Jackson	Nevers	
Total - 29		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux	McPherson
Appel	Guillory	Morrell
Crowe	Heitmeier	
Erdey	Martiny	
Total - 10		

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 referred by the President to the Committee on Senate and Governmental Affairs.

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. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Jackson	Nevers
Alario	Kostelka	Perry
Amedee	LaFleur	Peterson

Appel	Long	Quinn
Broome	Marionneau	Riser
Chabert	McPherson	Shaw
Cheek	Michot	Smith
Claitor	Mills	Thompson
Donahue	Morrish	Walsworth
Dorsey	Mount	Willard-Lewis
Total - 33		

NAYS

Total - 0

ABSENT

Crowe	Gautreaux	Martiny
Erdey	Heitmeier	Morrell
Total - 6		

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

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. Senator Walsworth moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Jackson	Nevers
Alario	Kostelka	Perry
Amedee	LaFleur	Peterson
Appel	Long	Quinn
Broome	Marionneau	Riser
Chabert	McPherson	Shaw
Cheek	Michot	Smith
Claitor	Mills	Thompson
Donahue	Morrish	Walsworth
Dorsey	Mount	Willard-Lewis
Total - 33		

NAYS

Total - 0

ABSENT

Crowe	Gautreaux	Martiny
Erdey	Heitmeier	Morrell
Total - 6		

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

HOUSE CONCURRENT RESOLUTION NO. 155—

BY REPRESENTATIVES KATZ, BARROW, CHAMPAGNE, DOERGE, HILL, HUTTER, ROSALIND JONES, LANDRY, MORENO, NORTON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, AND THIERRY

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. Senator Walsworth moved to concur in the House Concurrent Resolution.

June 7, 2011

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Crowe	Gautreaux	Martiny
Erdey	Heitmeier	Morrell

Total - 6

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

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. Senator Riser moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Crowe	Gautreaux	Morrell
Erdey	Heitmeier	

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

JUDICIARY C

Senator Yvonne Dorsey, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 7, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 247—
 BY SENATOR WILLARD-LEWIS
AN ACT

To enact Section 6 of Subpart A of Part VI of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.21, relative to offenses affecting the public safety; to create the crime of illegal disposal of waste; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 49—
 BY REPRESENTATIVES LEGER, ABRAMSON, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARROW, BILLIOT, BISHOP, BROSETT, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, DOWNS, FANNIN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, KATZ, LANDRY, LEBAS, LITTLE, LORUSSO, MORENO, NORTON, POPE, RICHARDSON, SCHRODER, SEABAUGH, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, TUCKER, WHITE, WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 14:46.2(A) and 46.3(A)(1) and (2), (B), and (D)(1) and to enact R.S. 14:46.2(D) and 46.3(A)(4) and (5) and (G), relative to human trafficking; to provide with respect to the crimes of human trafficking and trafficking of children for sexual purposes; to amend the elements of those crimes; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 118—
 BY REPRESENTATIVE CARMODY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 131—
 BY REPRESENTATIVE TEMPLET
AN ACT

To enact R.S. 15:542.1.4(C), relative to sex offenders; to provide relative to sex offender registration and notification requirements; to provide relative to failure to register; to provide relative to drivers' licenses and state identification cards issued to sex offenders; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 272—

BY REPRESENTATIVES BISHOP, ARNOLD, AUSTIN BADON, BROSSETT, HENDERSON, LEGER, AND STIAES AND SENATOR MORRELL

AN ACT

To amend and reenact Code of Criminal Procedure Articles 211, 211.1, and 211.2 and to repeal Code of Criminal Procedure Articles 211.3, 211.4, 211.5, and 211.6, relative to arrest; to provide relative to the issuance of a written summons in lieu of arrest for certain crimes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
YVONNE DORSEY
Chairman

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

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 by the Committee on Retirement. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

In Senate Floor Amendment No.1 in the set of three amendments proposed by Senator Appel and adopted by the Senate on June 1, 2011, on page 1, at the end of line 5, after "**transfer**," insert the following: "**Such funding and resources shall not impact the**

Board of Regents' formula for equitable distribution of funds to institutions of higher education.

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.

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

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

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

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

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

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 Daigre Memorial Bridge"; and to provide for related matters.

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

June 7, 2011

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

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, GEYMAN, 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, MONTOUTET, 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, GULLORY, 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 by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

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

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 by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

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

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

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 by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 166 by Representative Hoffmann

AMENDMENT NO. 1
On page 1, line 11, after "Highway";" insert "to designate the highway overpass on United States Highway 165 in Allen Parish in the town of Kinder, Louisiana, as the "Staff Sergeant William Francis 'Bill' Manuel Memorial Overpass;"

AMENDMENT NO. 2
On page 2, between lines 16 and 17, insert the following:
"Section 5. The highway overpass on United States Highway 165 in Allen Parish in the town of Kinder, Louisiana, shall hereinafter be known and designated as the "Staff Sergeant William Francis 'Bill' Manuel Memorial Overpass."

AMENDMENT NO. 3
On page 2, line 17, after "Section" change "5" to "6".

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

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 by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 174 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 18, delete "dominant" and insert "best"

AMENDMENT NO. 2

On page 1, line 20, after "amber" and before ":" insert "as demonstrated by ishihara color plates or its equivalent"

AMENDMENT NO. 3

On page 2, line 8, delete "American Board of Optometry" and insert "Louisiana State Board of Optometry Examiners to treat diseases and disorders of the eye and its adnexa"

AMENDMENT NO. 4

On page 2, line 9, after "Ophthalmology." delete the remainder of line 9 and delete lines 10 and line 11 and insert "If the visual impairment is a progressive disorder, a medical evaluation completed by an optometrist certified by the Louisiana State Board of Optometry Examiners to treat diseases and disorders of the eye and its adnexa or an ophthalmology certified by the American Board of Ophthalmology as required in this Item shall be supplied to the department every six months for the duration of the waiver."

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

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

HOUSE BILL NO. 200—

BY REPRESENTATIVES MCVEA, BILLIOT, HENRY BURNS, DOERGE, DOWNS, FOIL, GISCLAIR, GULLORY, HILL, HONORE, SAM JONES, MONTOUCKET, 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 by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 200 by Representative McVea

AMENDMENT NO. 1

On page 1, delete lines 2 thru 4 and insert the following: "To amend and reenact Section 1 of Act 483 of the 1993 Regular Session of the Legislature relative to the John James Audubon Bridge; to retain the name "John James Audubon Bridge" on the bridge crossing the Mississippi River between Pointe Coupee and West Feliciana Parishes; to name the east approach to the bridge in West Feliciana Parish to honor General Robert H. Barrow; to name the west approach to the bridge in Pointe Coupee Parish to honor General John A. Lejeune; and to provide"

AMENDMENT NO. 2

On page 1, delete lines 7 thru 10 and insert the following:

"Section 1. The proposed bridge crossing the Mississippi River bridge to be constructed between the town of New Roads in Pointe Coupee Parish and the town of St. Francisville in West Feliciana Parish Parishes shall be named the John James Audubon Bridge. The east approach to the bridge on Louisiana Highway 10 in West Feliciana Parish between its intersection with United States Highway 61 near the town of St. Francisville and the bridge shall be named the 'General Robert H. Barrow Memorial Approach'. The west approach to the bridge on Louisiana Highway 10 in Pointe Coupee Parish between its intersection with Louisiana Highway 981 and its intersection with Louisiana 1 Business and Louisiana 10 Business west of the city of New Roads shall be named the 'General John A. Lejeune Memorial Approach'."

AMENDMENT NO. 3

On page 1, line 13, after "change." insert "The Department of Transportation and Development shall erect informational historical monuments at appropriate sites within the vicinity of the east and west approaches to such bridge memorializing the achievements of General Robert H. Barrow and General John A. Lejeune, both commandants of the United States Marine Corps, and their respective relationship to the parishes of West Feliciana and Pointe Coupee."

AMENDMENT NO. 4

On page 1, delete lines 14 and 15.

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

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

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

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

June 7, 2011

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

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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 282 by Representative Ellington

AMENDMENT NO. 1

On page 1, line 5, after "exclusion" insert "under certain conditions"

AMENDMENT NO. 2

On page 1, line 10, after "Section 3." insert "A."

AMENDMENT NO. 3

On page 1, line 11, after "2006," delete "and"

AMENDMENT NO. 4

On page 1, line 12, after "2015" delete the period "." and insert: ", but shall not continue to be effective if the secretary of the Department of Revenue does not receive the certification of revenue neutrality provided for in Subsection (B) of this Section before September 1, 2011.

B.(1) The provisions of R.S. 47:301(10)(z) and (18)(l) as enacted by this Act shall cease to be effective if the secretary of the Department of Revenue does not receive written certification before September 1, 2011 from both the Division of Administration and the Legislative Fiscal Office that the exemptions provided for in this Act have achieved revenue neutrality.

(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 Act are offset by the economic impact on the state because of the tax benefits provided by the exemptions."

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

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 by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 311 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, at the beginning of line 17, change "B." to "B.(1)"

AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert the following:

"(2) In addition, the school employee shall report the disposition of any legal proceedings related to any such arrest, which shall also be made a part of any related files or records."

AMENDMENT NO. 3

On page 2, delete lines 20 through 23, and insert the following:

"E. Not later than October 1, 2011, the State Board of Elementary and Secondary Education shall adopt rules, regulations, and procedures to be followed by the governing authority of each public elementary and secondary school to implement the provisions of this Section. Such rules, regulations, and procedures shall be uniform and consistent with the provisions of this Section.

F. Notwithstanding any provision of law to the contrary, unless criminal charges are instituted pursuant to an arrest which is required to be reported by this Section, all information, records, hearing materials, and final recommendations of the school pertaining to such reported arrest shall remain confidential and shall not be subject to a public records request."

AMENDMENT NO. 4

On page 2, at the beginning of line 24, change "F." to "G."

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

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

HOUSE BILL NO. 369—

BY REPRESENTATIVES GARY SMITH, BALDONE, BARROW, BISHOP, BURRELL, GISCLAIR, HARDY, HOFFMANN, SAM JONES, KATZ, LAFONTA, MONICA, MONTOUCKET, 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 by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

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

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 by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

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 by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 419 by Representative Patricia Smith

AMENDMENT NO. 1

On page 3, line 5, after "The" and before "of the office" change "executive director" to "assistant deputy superintendent"

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

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

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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 456 by Representative Moreno

AMENDMENT NO. 1

On page 1, line 2, change "and 1787(C)," to ", 1787(C), and 1792,"

AMENDMENT NO. 2

On page 1, line 4, after "criteria;" insert "to require a certification of revenue neutrality for the continued effectiveness of tax benefits provided for pursuant to the Act;"

AMENDMENT NO. 3

On page 1, line 7, change "and 1787(C)" to ", 1787(C), and 1792,"

AMENDMENT NO. 4

On page 2, between lines 15 and 16, insert:

"§1792. Requirement for certification of revenue neutrality.

A. All of the tax credits, rebates, exemptions, or other tax benefits provided for in this Chapter shall cease to be effective if the secretary of the Department of Revenue does not receive written certification before September 1, 2011 from both the Division of Administration and the Legislative Fiscal Office that the tax credits, rebates, exemptions, or other tax benefits have achieved revenue neutrality.

B. "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 benefits provided to taxpayers pursuant to the provisions of this Chapter are likely to be offset by the economic impact on the state because of the tax benefits provided by this Chapter."

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

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

June 7, 2011

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 by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 470 by Representative Henry Burns

AMENDMENT NO. 1

On page 1, line 2, after "32:429.2(B)" insert "and 713"

AMENDMENT NO. 2

On page 1, line 7, after "32:429.2(B)" delete "is" and insert "and 713 are"

AMENDMENT NO. 3

On page 3, between lines 10 and 11, insert the following:
"§713. Lost or destroyed certificate

In the event of a lost or destroyed certificate of title, application shall be made to the commissioner by the owner of said vehicle in whose name the original title was issued or by the perfected lienholder holding said title for collateral for a certified copy of same upon a prescribed form duly sworn to by the owner or perfected lienholder and accompanied by a fee prescribed by this Chapter. Thereupon the commissioner shall issue a certified copy of said certificate of title to the person or perfected lienholder entitled to receive the certificate of title under the provisions of this Chapter. Said certified copy and all subsequent certificates of title issued in the chain of title originated by said certified copy shall be plainly marked across their face "duplicate copy", and any subsequent purchaser of said vehicle in the chain of title originating through such certified copy shall acquire only such rights in such vehicle as the original holder of said certified copy himself had. Any purchaser of such vehicle may at the time of such purchase require the seller of same to indemnify him and all subsequent purchasers of said vehicle against any loss which he or they may suffer by reason of any claim or claims presented upon the original certificate. In the event of the recovery of the original certificate of title by said owner or perfected lienholder, the party, he shall forthwith surrender same to the commissioner for cancellation or a statement of destruction from the perfected lienholder stating the original title has been destroyed.

* * *

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

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

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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 486 by Representative Greene

AMENDMENT NO. 1

On page 1, at the beginning of line 12, insert "A."

AMENDMENT NO. 2

On page 1, at the end of line 18, insert the following: "However, this exemption and exclusion shall apply only to regular service, installation, and repairs delivered to the subscriber by a person authorized pursuant to the "Consumer Choice for Television Act," R.S. 45:1361 et seq.

B. The provisions of this Section shall not apply to municipalities with a population in excess of three hundred thousand and to parishes with a population between four hundred thousand and four hundred thirty-five thousand and those between thirty-five thousand eight hundred and thirty-nine thousand, all according to the most recent federal decennial census."

AMENDMENT NO. 3

On page 2, at the beginning of line 2, insert "A."

AMENDMENT NO. 4

On page 2, at the end of line 12, insert the following: "However, this exemption shall apply only to regular service, installation, and repairs delivered to the subscriber by an Internet protocol television system authorized pursuant to the "Consumer Choice for Television Act," R.S. 45:1361 et seq. or by a satellite system specifically exempted from local franchise fees by federal law.

B. The provisions of this Section shall not apply to municipalities with a population in excess of three hundred thousand and to parishes with a population between four hundred thousand and four hundred thirty-five thousand and those between thirty-five thousand eight hundred and thirty-nine thousand, all according to the most recent federal decennial census."

On motion of Senator Marionneaux, the committee amendment was adopted. On motion of Senator Murray the amended bill was read by title and recommitted to the Committee on Finance.

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

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

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

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

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

Rules Suspended

Senator Thompson asked for and obtained a suspension of the rules to recall Senate Concurrent Resolution No. 61 from the Committee on Education.

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. Senator Thompson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guillory	Murray
Adley	Heitmeier	Nevers
Alario	Kostelka	Quinn
Amedee	LaFleur	Riser
Appel	Marionneaux	Shaw
Broome	Martiny	Smith
Chabert	McPherson	Thompson
Cheek	Michot	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Gautreaux	Mount	

Total - 31

NAYS

Total - 0

ABSENT

Claitor	Jackson	Perry
Crowe	Long	Peterson
Erdey	Morrell	

Total - 8

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

Special Order of the Day No. 1

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.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 259 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 8, following "**Subsections**" and before "**of**" change "**(A) and (C)**" to "**A and C**"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Shaw proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shaw to Reengrossed Senate Bill No. 259 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 3, after "income;" insert: "to provide for the related matter of insuring that the phase-out of income tax revenue is offset with a reduction of expenditures by requiring the governor and the commissioner of administration to present to the legislature a program by a certain date to implement or propose the

implementation of certain budget-cutting actions by administrative action, adoption of rules and regulations, and proposed legislation;"

AMENDMENT NO. 2

On page 2, after line 14, insert:

"(3)(a) In order to insure that the phase-out of individual and corporate income tax beginning in 2013 and completed by January 1, 2022, required by the provisions of Subsections A and C of this Section is offset by reductions of state expenditures, the governor and the commissioner of administration are hereby directed to do the following to implement or begin the implementation of the budget reduction actions set forth in Subparagraph (c) of this Paragraph within the time provided for in Subparagraph (b) of this Paragraph. They shall:

(i) Take the necessary administrative action, or require the appropriate head of any governmental agency under their jurisdiction to take such administrative action, in those cases where such budget reduction actions may be implemented by such administrative action.

(ii) Adopt the necessary rules or regulations, or require the secretary of a department or the appropriate head of any governmental agency under their jurisdiction to adopt such rules or regulations, in those cases where such budget reduction actions require the adoption of rules or regulations in order to be implemented.

(iii) Propose specific legislative bills to be enacted by the legislature where such budget reduction actions require the enactment of a law or laws in order to be implemented.

(b) No later than the day required for the governor to submit the executive budget to the Joint Legislative Committee on the Budget as provided for in R.S. 39:37(A), the governor and the commissioner of administration are hereby further directed to provide a written report to such committee and to provide to each member of the legislature a printed copy of such report within a week thereafter of the following to implement or begin the implementation of the budget reduction actions set forth in Subparagraph (c) of this Paragraph:

(i) The administrative actions they have taken, propose to take, or have required the secretary of a department or the appropriate head of any governmental entity under their jurisdiction to take.

(ii) The rules or regulations they have adopted, or that the secretaries of departments or the appropriate heads of governmental agencies under their jurisdiction have adopted.

(iii) The specific legislative bills they will propose to the legislature to be enacted, a statement of their full support for such legislation, and a comprehensive plan of the governor for persuading the voters of the state and legislators to support the enactment of such legislation.

(c) The budget reduction actions which the governor and the commissioner of administration are hereby directed to implement or provide for the implementation are the following:

(i) Require only one manager for every ten state employee positions or more.

(ii) Eliminate ten percent by value of state consulting contracts.

(iii) Renegotiate the state's consulting contracts to require a five percent reduction in cost.

(iv) Establish a system of centralized collection, automated notices, and tax refund offsets to collect state accounts receivables.

(v) Require the implementation of RS 22:1065 (LaHIPP) in order to purchase private insurance for low-income citizens when it is cheaper than Medicaid.

(vi) Propose legislation to change state law and provide for the enforcement of federal law to reduce state-funded emergency room visits for nonemergencies by twenty five percent.

(vii) Require the review of all Medicaid-funded hospitalizations for medical necessity.

(viii) Establish physician-training agreements between Charity Hospitals and other hospitals in Louisiana with a high Medicare patient mix in order to capture Medicare medical education funding.

(ix) Reform the state Medicaid Preferred Pharmaceutical Drug List to include the most effective drugs at the lowest price for each illness.

(x) Reduce administrative costs for the state Medicaid Program by ten percent.

(xi) Require state prisoners to pursue a GED as an incentive for probation or parole in order to reduce the recidivism rate.

(xii) Establish a self-sustaining state revolving loan fund to finance local capital outlay projects at reduced borrowing costs.

(xiii) Postpone the current "LaGov ERP" computer upgrade until a cost-benefit analysis is completed and discontinue the program if the analysis indicates that it should be discontinued.

(xiv) Propose legislation to place all higher education institutions except for community colleges under the jurisdiction of the Board of Regents.

(xv) Require the Board of Regents to eliminate wasteful duplicate programs by assigning each college and university a role, scope, and mission; provide for Louisiana State University to be the state's flagship university; and implement a system for the universal uniform transfer of course credits from community colleges to four-year colleges and universities, and also for the universal uniform transfer of course credits among colleges and universities.

(xvi) Enter into joint ventures with private developers, chosen by competitive bid, to develop underutilized state land into income-producing assets, with the recurring revenues shared by the state and the private developers.

(xvii) Authorize the legislative auditor to audit per-patient costs, employees per occupied bed, and medical supplies procurement and management at Louisiana's Charity Hospitals, and require the implementation of recommendations by the legislative auditor.

(xviii) Direct that annual spending per secure commitment in the Louisiana office of juvenile justice be equal to the Southern average.

(xix) Require conditions in the contracts of all state vendors and contractors that they receive a tax clearance from the Department of Revenue certifying that all state taxes have been paid, and that the state is authorized to offset any future tax liabilities against contract payments owed such vendors and contractors.

(xx) Establish cooperative agreements with the states of Mississippi and Arkansas to purchase supplies in bulk and share heavy equipment, specialized vehicles, aircraft, warehouse space, call centers, collection operations, licensing functions, back office operations, and agricultural, fishery and nursery operations, similar to the Wisconsin-Minnesota Collaboration Project.

(xxi) Propose legislation to competitively bid state contracts for maintenance of state-owned computer hardware and software.

(xxii) Propose an executive budget which appropriates only ninety-seven percent of revenue estimates by the Revenue Estimating Conference in order to minimize mid-fiscal year budget cuts and avoid disruption of agency budgets.

(xxiii) Any recommendations proposed by the Commission on Streamlining government in its report dated December 15, 2009 which are not in conflict with or otherwise would limit the budget reduction actions required by this Subparagraph.

(xxiv) Any other budget reduction actions proposed by the governor or the commissioner."

On motion of Senator Shaw, the amendments were adopted.

Floor Amendments

Senator Donahue proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Donahue to Reengrossed Senate Bill No. 259 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 3, between "income;" and "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

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

"Section 2. A. There is hereby established and provided for the State Commission on Revenues and Expenditures (SCORE) to develop a plan which includes the reduction and eventual elimination of the state personal and corporate income taxes set forth in Section 1 of this Act and recommendations on actions to be taken to maintain a balanced budget sufficient for the ordinary expenses of the operation of state government while providing the level of services and programs necessary to meet the needs of the citizens of Louisiana, particularly in the areas of education, health, social services, and the quality of life.

B. The plan shall include recommendations for replacing or otherwise taking into account the loss of revenues due to the reduction and elimination of income taxes, through the reduction or elimination of various tax exemptions, exclusions, deductions, rebates, or credits; the reduction or elimination of government services; enhancing effectiveness, efficiencies, and/or economies in the provision of government services, including restructuring state government; or some combination of these actions.

C. The commission shall be composed of the following members:

- (1) The president of the Senate or his designee.
- (2) The speaker of the House of Representatives or his designee.
- (3) The governor or his designee.
- (4) The chair of the Senate Finance Committee or his designee.
- (5) The chair of the Senate Revenue and Fiscal Affairs Committee or his designee.
- (6) The chair of the Senate Education Committee or his designee.
- (7) The chair of the Senate Health and Welfare Committee or his designee.
- (8) The chair of the House Appropriations Committee or his designee.
- (9) The chair of the House Ways and Means Committee or his designee.
- (10) The chair of the House Education Committee or his designee.
- (11) The chair of the House Health and Welfare Committee or his designee.
- (12) The commissioner of administration or his designee
- (13) A faculty member of a university or college in Louisiana who has expertise in forecasting revenues jointly selected by the president of the Senate, the speaker of the House of Representatives, and the governor.

D. The designation of membership set forth in this Section shall be completed and submitted to the office of the Senate president prior to July 1, 2011. The commission shall meet upon the call of the president of the Senate prior to August 1, 2011. At its first meeting, the commission shall select a chairman from among its members.

E. The staffs of the Senate, the House of Representatives, the legislative fiscal office, the legislative auditor, and the division of administration shall provide staff support and otherwise assist the commission to the extent requested by the commission.

F. Every agency, board, commission, and department of state and local government shall furnish such information, reports, aid, services, and assistance as may be requested by the commission.

G. The commission shall submit a written plan to the legislature and the governor on or before January 6, 2012, together with recommendations for legislation. At the 2012 Regular Session, by

concurrent resolution which includes the plan, the legislature shall consider the plan, may modify the plan, and may adopt the resolution. Adoption of the concurrent resolution shall be considered adoption of the plan contained in the resolution.

Section 3. Section 1 of this Act shall become effective upon the adoption of a concurrent resolution pursuant to Section 2 of this Act. Sections 2 and 3 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Donahue moved the adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Erdey	Morrish
Appel	Jackson	Mount
Broome	Kostelka	Nevers
Cheek	Long	Quinn
Claitor	Martiny	Smith
Crowe	Michot	Thompson
Donahue	Mills	Walsworth
Total - 21		

NAYS

Adley	Heitmeier	Perry
Amedee	LaFleur	Peterson
Chabert	Marionneaux	Riser
Dorsey	McPherson	Shaw
Gautreaux	Morrell	Willard-Lewis
Guillory	Murray	
Total - 17		

ABSENT

Mr. President
Total - 1

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 7, 2011

NAYS

Mr. President Morrish
Jackson Mount
Total - 4

ABSENT

Total - 0

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

Rules Suspended

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

June 7, 2011

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 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.

Reported without amendments.

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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR MOUNT AND REPRESENTATIVE GEYMAN

A CONCURRENT RESOLUTION

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

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 80—
BY SENATOR ADLEY

A RESOLUTION

To recognize Tuesday, June 7, 2011, as "Louisiana Industry for Film and Entertainment Day" in the state of Louisiana.

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

SENATE RESOLUTION NO. 81—

BY SENATOR MILLS

A RESOLUTION

To create the Legislative Workgroup on Electronic Prescribing to study and make recommendations concerning electronic prescribing.

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

SENATE RESOLUTION NO. 82—

BY SENATOR JACKSON

A RESOLUTION

To recognize Wednesday, June 8, 2011, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

SENATE RESOLUTION NO. 83—

BY SENATOR THOMPSON

A RESOLUTION

To urge and request the LSU Health Sciences Center-Shreveport and the Department of Health and Hospitals to study the healthcare needs of the Northeast Louisiana Delta region and to make recommendations to the legislature which would increase the provision of healthcare in that area of the state.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To establish the Tax Structure and Governmental Program Review Commission to study the tax structure of the state, including its tax laws and the related exemptions, exclusions, and credits, and the state's governmental programs and operations with a view to developing recommendations to improve the existing structures and enhance economic development for the long-term prosperity for the citizens of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers and the United States Coast Guard to gather the information learned during the 2011 Mississippi River floods, report their findings to the legislature, and incorporate such findings into updated plans for possible future flooding conditions on the lower Mississippi River.

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

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study possible methods which would increase the provision of graduate medical education in central Louisiana by designating certain hospitals which enter into public/private partnerships

with Huey P. Long Medical Center as major teaching hospitals for purposes of Medicaid reimbursement.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Chabert Claitor Perry
Cheek Morrell
Total - 5

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 62— BY SENATORS GAUTREAU, BROOME, CHAISSON, CHEEK, DORSEY, JACKSON, LAFLEUR, LONG, MARIONNEAUX, MCPHERSON, MILLS, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, THOMPSON AND WILLARD-LEWIS

A CONCURRENT RESOLUTION

To express the intent of the legislature to provide comprehensive, affordable life and health benefits for current and retired public employees and their family members through the operation of the Office of Group Benefits.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Heitmeier Mount
Adley Jackson Murray
Alario Kostelka Nevers
Amedee LaFleur Peterson
Broome Long Shaw
Dorsey Martiny Smith
Erdey McPherson Thompson
Gautreaux Mills Willard-Lewis
Guillory Morrish
Total - 26

NAYS

Total - 0

ABSENT

Appel Donahue Quinn
Chabert Marionneaux Riser
Cheek Michot Walsworth
Claitor Morrell
Crowe Perry
Total - 13

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

Rules Suspended

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

HOUSE BILL NO. 361— BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 32:398(K)(1)(a), relative to accident reports; to provide for a definition of a news-gathering organization; and to provide for related matters.

Senator LaFleur moved to recommit the bill from the Committee on Judiciary A to the Committee on Judiciary B.

Without objection, so ordered.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 7, 2011

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 45— BY REPRESENTATIVES DOERGE AND STIAES

A CONCURRENT RESOLUTION

To establish a study committee to study all aspects of notary education, applications, and examinations, and to develop recommendations and a plan of implementation relative to standards for notary education, applications, and examinations.

Reported with amendments.

HOUSE BILL NO. 4— BY REPRESENTATIVE MONTOUCET AN ACT

To enact R.S. 15:255(O), relative to witness fees to off-duty law enforcement officers in the City Court of Crowley; to authorize the city of Crowley to adopt an ordinance to use surplus fees in the fund to equip the police department of the city of Crowley; and to provide for related matters.

Reported favorably.

June 7, 2011

HOUSE BILL NO. 85—
BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:513.1, relative to title insurance; to require identifying information on acts transferring an interest in residential property; to provide immunity from liability under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 94—
BY REPRESENTATIVES KATZ, ABRAMSON, BARROW, DOERGE, HILL, MICHAEL JACKSON, JOHNSON, LABRUZZO, LEBAS, NOWLIN, SIMON, AND WILLMOTT
AN ACT

To amend and reenact R.S. 33:1563(H), R.S. 43:34, and R.S. 46:1431(A) and (C)(3), relative to the Missing and Exploited Children Information Clearinghouse of this state; to provide for administrative authority; to authorize the promulgation of rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 176—
BY REPRESENTATIVE ARMES
AN ACT

To enact R.S. 13:2112.1, relative to the City Court of Leesville; to provide for an additional fee for the office of the marshal to collect for service of process in traffic and criminal matters; to provide for deposit, use, and audit of the funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 184—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 3:4278.1(A), (B), (C), and (D), relative to timber theft; to provide for the recovery of treble damages by co-owners or co-heirs of timber; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 227—
BY REPRESENTATIVES THIBAUT, GREENE, AND HARDY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 237—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and (H), relative to the jurisdictional amount in dispute for city courts; to increase the jurisdictional amount in dispute for the City Court of Ruston; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 270—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 13:783(F)(3), relative to clerks of court; to provide for insurance coverage for clerks of court upon retirement; to provide for the payment of costs; to provide for a

qualifying minimum term of employment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 358—
BY REPRESENTATIVES GREENE, ABRAMSON, AND LOPINTO AND SENATOR QUINN
AN ACT

To enact R.S. 9:2800.22, relative to limitations of liability; to provide a limitation of liability for schools who enter into recreational joint-use agreements; to require insurance; to provide definitions; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

Respectfully submitted,
JULIE QUINN
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

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

June 7, 2011

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVE WHITE
A CONCURRENT RESOLUTION

To urge and request the Juvenile Justice Reform Act Implementation Commission to commission a study to assess the current state of the juvenile justice system, to evaluate the improvements made to the system in the preceding five years, to issue recommendations for a five-year plan for juvenile justice reform, and to submit a report of its findings and recommendations to the legislature no later than thirty days prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

Reported favorably.

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

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

Reported favorably.

HOUSE BILL NO. 106—
BY REPRESENTATIVES MORENO, LOPINTO, AND GARY SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(A)(introductory paragraph) and (3), (B), (C), (E), (H), and (I), relative to criminal sentencing; to provide with respect to home incarceration; to provide for uniform data collection and reporting of home incarceration and electronic monitoring services; to provide for oversight; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 179—
BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 15:1085(D), relative to care and treatment of certain youth placed in nonstate treatment programs; to authorize the Department of Public Safety and Corrections to make certain payments; to provide for care and treatment of certain youth placed on probation or parole; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 196—
BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 26:71(A)(introductory paragraph), 76(A)(1), (6), and (7), 79, 88(A) and (B), 89, 271(A)(introductory paragraph), 276(A)(1), (6), and (7), 279, 285(A) and (B), 904, and 905(A) and (C), relative to alcohol permits for high and low alcoholic content and registration certificates and permits for tobacco products; to authorize the commissioner to issue a permit and a registration certificate for two years; to provide for rulemaking; to authorize certain persons to issue permits on a probationary basis; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 230—
BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact Children's Code Article 876, relative to delinquency proceedings; to provide relative to motions to dismiss a petition; to delete provision which authorizes a dismissal for good cause; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 234—
BY REPRESENTATIVE TEMPLET
AN ACT

To enact R.S. 26:99.1, 296.1, and 919.1, relative to the regulation of alcohol and tobacco products; to authorize participation at hearings through the use of telecommunications equipment; to provide for rulemaking authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 235—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Criminal Procedure Article 775.1, relative to an automatic stay following order of mistrial; to provide that the stay applies to emergency writ applications to the appropriate reviewing courts with appellate jurisdiction, including the Louisiana Supreme Court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 264—
BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 14:112.4, relative to offenses affecting law enforcement; to create the crime of unlawful production, manufacturing, distribution, or possession of unauthorized peace officer badges; to provide for definitions; to provide for criminal penalties; to provide for exceptions; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

HOUSE BILL NO. 317—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 32:1(1), 24, 194, and 329(F), relative to bicycles operated by peace officers; to afford peace officers operating bicycles the same privileges and duties as peace officers driving vehicles; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 339—
BY REPRESENTATIVE LOPINTO
AN ACT

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

Reported favorably.

HOUSE BILL NO. 392—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 15:587(F)(1) and 587.1(C)(introductory paragraph) and (1) and to enact R.S. 15:587.1(J), relative to criminal background checks; to authorize an employer to obtain conviction records for applicants seeking employment; to provide for the taking of fingerprints from prospective employees; to authorize Court Appointed Special Advocate programs to obtain criminal background records for persons considered for involvement with the program; to require the Louisiana Bureau of Criminal Identification and Information to forward fingerprints to the Federal Bureau of Investigation for a national criminal history check; to provide for additional offenses excluding employment in professions with access to children; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 415—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 15:574.7(B) and to enact R.S. 15:574.7(C) and Code of Criminal Procedure Article 899.1, relative to probation and parole; to authorize probation and

June 7, 2011

parole officers to impose administrative sanctions for technical violations; to provide for limitations; to provide for definitions; to provide for procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 638— (Substitute for House Bill No. 218 by Representative White)

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

AN ACT

To enact R.S. 32:667.1, relative to tests for suspected drunken drivers; to provide for the seizure and suspension of drivers' licenses upon arrest for vehicular homicide; to provide for procedures; to provide for the period of the suspension; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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 8, 2011, were announced:

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

Adjournment

On motion of Senator Thompson, at 4:55 o'clock P.M. the Senate adjourned until Wednesday June 8, 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 Wednesday June 8, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk