OFFICIAL JOURNAL OF THE
SENATE OF THE
STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

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

Senate Chamber
Baton Rouge, Louisiana

Monday, March 19, 2012

The Senate was called to order at 4:05 o'clock P.M. by Hon. John A. Alario, Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President          Gallot          Perry
Adley                  Guillory        Peterson
Allain                 Heitmeier       Riser
Amedee                Johns           Smith, G.
Appel                  LaFlure         Smith, J.
Broome                 Long            Tarver
Brown                  Mills           Thompson
Buffington            Morrell         Walsworth
Claitor                Murray         White
Cortez                 Nevers
Erdey                  Peacock
Total - 34

ABSENT

Crowe                  Dorsey-Colomb  Martiny
Donahue                Kostelka
Total - 5

The President of the Senate announced there were 34 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Raymond Allen, Sr., following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Heitmeier, the reading of the Journal was dispensed with and the Journal of March 14, 2012, was adopted.

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS
March 14, 2012

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. 19—

BY SENATORS PETERSON, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LAFLURE, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES LEGER AND MORENO

A CONCURRENT RESOLUTION

To recognize March 15, 2012 as Text4baby Day at the Louisiana Legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATORS THOMPSON AND WARD

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of John W. Barton Sr.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR KOSTELKA AND REPRESENTATIVE SHADOIN

A CONCURRENT RESOLUTION

To commend and congratulate Irene Riley Anderson on the celebration of her one hundredth birthday and to honor her lifetime of outstanding accomplishments.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR CLAITOR AND REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To commend Mr. and Mrs. Jim de Brueys and family of Baton Rouge, Louisiana, upon their dedication to the legacy and memory of their late son, James Clifton de Brueys.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATORS DORSEY-COLOMB AND BROOME AND REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana State University football team on culminating an outstanding season by capturing the 2011 SEC Championship and earning a No. 2 national ranking.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR MORRELL AND REPRESENTATIVE BROSETT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renown politician, beloved

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR MORRELL AND REPRESENTATIVE BROSETT

A CONCURRENT RESOLUTION

To commend Chief Judge Joan Bernard Armstrong on her retirement from the Louisiana State Court of Appeal Fourth Circuit and for thirty-seven years of dedicated service to the judicial system in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATORS ALARIO, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LAFLURE, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVE GAROFALO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renown politician, beloved

89
gentleman, tireless public servant, and former Louisiana State Senator, the Honorable Samuel Bernard "Sammy" Nunez, Jr. and to celebrate a life well spent in service to the betterment of the state of Louisiana and the nation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR MORRISH AND REPRESENTATIVE GUINN
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Louis F. Gaudet Jr.

Reported without amendments.

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

Introduction of Senate Bills and Joint Resolutions

SENATE BILL NO. 615—
BY SENATOR APPEL
AN ACT
To amend and reenact R.S. 33:9613(A)(2) and (B) through (G) and 9614(B) and (C), to enact R.S. 33:9613(H) through (I) and 9614(D), and to repeal R.S. 33:9613(A)(3), relative to local ethics entities, including but not limited to an ethics review board or office of inspector general in the parishes of East Baton Rouge, Jefferson, and Orleans; to provide relative to subpoena powers; to provide for protective orders; to provide relative to enforcement of subpoenas; to provide relative to the privileged nature of certain documents; to provide relative to public access to public documents; and to provide for related matters.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 14—
BY SENATORS MURRAY, ADLEY, ALARIO, ALLAIN, AMDEEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAIBOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMBE, ERDEY, GALLOW, GUILLO, HETMIEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTNY, MILLS, MORRELL, MRRISH, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY, SMITH, JOHN, SMITH, TARVER, THOMPSON, WALSOWTH, WARD AND WHITE
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of the Rev. Matthew O'Rourke.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of John Clifton McDonald, MD, chancellor emeritus of the Louisiana State University Health Sciences Center at Shreveport and dean emeritus of the School of Medicine in Shreveport.

The concurrent 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 Erdey Peacock
Adley Gallot Perry
Allain Guillory Peterson
Amedee Jordan Riser
Appel Kostelka Smith, G.
Broome LaFleur Smith, J.
Brown Long Tarver
Buffington Mills Thompson
Chabert Morris Ward
Cortez Murray Walsowth
Dorsey-Colomb Nevers

Total - 34

NAYS
Total - 0

ABSENT
Crowe Heitmeier White
Donahue Martny

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of William "Billy" Brown III.

The concurrent 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 Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson
Broome Johns Riser
Brown Kostelka Smith, G.
Buffington LaFleur Smith, J.
Chabert Long Tarver
Cortez Morris Walsowth
Donahue Morrish Ward
Dorsey-Colomb Murray White

Total - 36

NAYS
Total - 0

ABSENT
Adley Crowe Martny

Total - 3

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 CONCURRENT RESOLUTIONS

March 15, 2012

To the Honorable President and Members of the Senate:

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

HCR NO. 43

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE BARRAS
A CONCURRENT RESOLUTION
To commend Don de Mahy upon being named a National Merit Finalist.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Nevers
Adley  Gallot  Peacock
Allain  Guillory  Perry
Amedee  Hetmeier  Peterson
Appel  Johns  Riser
Broome  Kostelka  Smith, G.
Brown  LaFleur  Smith, J.
Buffington  Long  Tarver
Chabert  Mills  Thompson
Cortex  Morrell  Walsworth
Donahue  Morrish  Ward
Dorsey-Colomb  Murray  White
Total - 36

NAYS

Total - 0

ABSENT

Claitor  Crowe  Martiny
Total - 3

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS

Senator Neil Riser, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

March 19, 2012
To the President and Members of the Senate:

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

SENATE BILL NO. 221—
BY SENATOR ALARIO
AN ACT
To enact Subpart DD 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. 47:120.102, relative to donations of refunds; to provide for such donations to the Louisiana Association of United Ways/LA 2-1-1; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 610—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 47:120.37(A), (C), and (D), relative to the Department of Revenue; to provide for distribution dates for donations from individual state income tax returns to donees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

NEIL RISER
Chairman

REPORT OF COMMITTEE ON
EDUCATION

Senator Conrad Appel, Chairman on behalf of the Committee on Education, submitted the following report:

March 15, 2012
To the President and Members of the Senate:

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

SENATE BILL NO. 581—
BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES CARTER AND KLECKLEY
AN ACT
To enact Part X-A of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:407.21 through 407.24, relative to early childhood education; to provide for the creation of an early childhood care and education network; to provide for the purposes of such network and the duties and responsibilities of certain state agencies related thereto; to provide relative to early childhood education programs and standards; to provide for an accountability system for early childhood education programs; to provide relative to a quality rating system for certain day care centers; to provide for legislative findings and intent; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 597—
BY SENATOR APPEL AND REPRESENTATIVES CARTER AND KLECKLEY
AN ACT
To enact R.S. 17:10.5(F), 3973(2)(b)(vi), (7), and (8), 3981(7) and (8), 3981(A)(1), 3995(A)(1) introductory paragraph and (c), 3996(C) and (G), 3998, 4001(A) and (C)(1) and (2), and 4011 through 4025, to enact R.S. 17:10.5(F), 3973(2)(b)(vi), (7), and (8), 3981(7) and (8), 3981.1, 3981.2, 3982(A)(3) and (4),...
3983(A)(2)(d) and (3)(d) and (G), 3992(D), and Part VII of Chapter 42 of Title 17 of the Revised Statutes of 1950, to be comprised of R.S. 17:4002 through 4007, and to repeal R.S. 17:399(A)(16) and 3996(A)(16) and (B)(4), relative to school choice; to provide relative to the Student Scholarships for Educational Excellence Program; to provide relative to program eligibility and participation requirements for students and schools; to provide relative to selection and enrollment of eligible students; to provide relative to funding and payments to eligible schools including eligible nonpublic schools; to provide for reports; to provide for the submission of petitions by parents requesting that a school be transferred to the Recovery School District under certain conditions; to require rules and regulations to be adopted by the State Board of Elementary and Secondary Education for the petition process; to change charter proposal submission time lines; to provide a mechanism for Type 1 and Type 3 charter schools to convert to a Type 2 charter school under certain conditions; to authorize the state board to allow the state superintendent of education and the superintendent of the Recovery School District to amend the charter of Type 5 charter schools to accommodate a unified enrollment system; to modify the initial charter period; to provide for charter school admission requirements; to allow foreign language immersion schools to establish special admission standards; to provide for the qualifications of teachers; to provide relative to the evaluation of charter school teachers and other school employees; to provide relative to teacher certification requirements; to remove the requirement that charter schools comply with laws relative to the length of the school year; to provide for the Course Choice Program; to provide for program definitions and funding; to provide for the powers of the State Board of Elementary and Secondary Education and local public school systems relative to course providers; to provide relative to entities that authorize charter schools; to provide for certification of certain state agencies and nonprofit corporations as charter authorizers; to provide relative to the responsibilities of the State Board of Elementary and Secondary Education with respect to certification of such authorizers; to provide relative to requirements, powers, responsibilities, and limitations of such authorizers; to provide relative to schools whose charter is authorized by such entities, including matters related to funding for such schools; to provide for procedures, processes, fees, and regulations; and to provide for related matters.  

Reported with amendments.

SENATE BILL NO. 603—

BY SENATORS APPEL AND ALARIO AND REPRESENTATIVES CARTER AND KLECKLEY

To amend and reenact R.S. 17:54(B)(1)(b)(i) and (iii), 81(A), and (P)(1), 81.4, 229, and 414.1, 441, 442, 443, 444(B)(1), to enact R.S. 17:418 and 532(C), and to repeal R.S. 17:44, 45, 81(I), 154.2, 235.1(E), 346.1, 419, 419.1, 420, 421, 421.1, 421.2, 421.3, 421.5, 422, 422.1, 423, 422.2, 422.3, 422.4, 422.5, 431, 444(A) and (B)(2) and (3), 446, 461 through 464, and 1207, relative to elementary and secondary education; to provide with respect to teachers and other school employees; to provide with respect to local school superintendents, their employment, and their duties and responsibilities; to provide relative to local school boards and their functions and powers; to provide relative to school personnel decisions; to provide relative to school board reduction in force policies; to provide with respect to the salaries and compensation of teachers and other school employees; to provide relative to tenure for school employees and the removal of tenured and non-tenured teachers; to provide for effectiveness; and to provide for related matters.  

Reported with amendments.

Respectfully submitted,  
CONRAD APPEL  
Chairman

REPORT OF COMMITTEE ON TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Robert Adley, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

March 14, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 126—

BY SENATOR MURRAY

To amend and reenact R.S. 38:2225.2(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.  

Reported favorably.

SENATE BILL NO. 157—

BY SENATORS ADLEY AND ALARIO

To enact R.S. 32:412(K) and R.S. 40:1321(K), relative to veteran designation on a driver's license and identification card; to provide for the exhibition of the word "Veteran" on a driver's license and identification card; and to provide for related matters.  

Reported with amendments.

SENATE BILL NO. 193—

BY SENATOR GUILLORY

To enact R.S. 47:635.155, relative to special prestige motor vehicle license plates; to provide for the creation, issuance, and design of such license plates for the Phi Beta Sigma Fraternity; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.  

Reported favorably.

SENATE BILL NO. 557—

BY SENATOR ERDEY

To amend and reenact R.S. 47:635.71(C), relative to the special prestige license plate for the Boy Scouts of America; to provide...
for an annual royalty fee and for distribution of collections; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT ADLEY
Chairman

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 58 from the Committee on Local and Municipal Affairs.

SENATE BILL NO. 58—
BY SENATOR MORRELL
AN ACT
To enact R.S. 33:2934, relative to the expenditure of public funds; to prohibit the expenditure of public funds to disseminate the criminal history of a murder victim in the parish of Orleans; to provide exceptions; to provide for civil fines; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 94—
BY SENATOR MORRELL
AN ACT
To repeal R.S. 15:823, relative to corrections services; to provide relative to the director of corrections; to repeal reference to the director of corrections; and to provide for related matters.

On motion of Senator Morrell, the bill was read by title and withdrawn from the files of the Senate.

SENATE BILL NO. 96—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 15:1228.6(6) and (7), relative to component systems of the Integrated Criminal Justice Information System (ICJIS) operated by the Department of Public Safety and Corrections; to change the name of certain component systems; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Nevers
Adley  Gallot  Peacock
Allain  Guillory  Perry
Amedee  Heitmeier  Peterson
Appel  Johns  Riser
Broum  Kostelka  Smith, G.
Brown  LaFleur  Smith, J.
Buffington  Long  Tarver
Chabert  Mills  Thompson
Cortez  Morrell  Walsworth
Donahue  Morrish  Ward
Dorsey-Colomb  Murray  White
Total - 37

NAYS

Total - 0

ABSENT

Crowe  Martiny
Total - 2

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

SENATE BILL NO. 264—
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 15:874(5), relative to the inmate compensation fund; provides relative to disbursements from the fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Nevers
Adley  Gallot  Peacock
Allain  Guillory  Perry
Amedee  Heitmeier  Peterson
Appel  Johns  Riser
Broum  Kostelka  Smith, G.
Brown  LaFleur  Smith, J.
Buffington  Long  Tarver
Chabert  Mills  Thompson
Cortez  Morrell  Walsworth
Donahue  Morrish  Ward
Dorsey-Colomb  Murray  White
Total - 36

NAYS

Claitor  Total - 1

ABSENT

Crowe  Martiny
Total - 2

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

SENATE BILL NO. 384—
BY SENATOR RISER
AN ACT
To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(i), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:
SENATE BILL NO. 616—
BY SENATOR MORRELL
AN ACT
To enact R.S. 47:1641.1, relative to criminal penalties for falsifying retail sales records; to prohibit the sale, purchase, possession, or use of automated sales suppression devices; to provide for definitions; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 617—
BY SENATOR DONAHUE
AN ACT
To amend and reenact R.S. 33:130.402(A)(1) and (F), relative to the St. Tammany Parish Development District; to change the composition of the board of commissioners; to provide for quorum; to provide for special meetings; and to provide for related matters.

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

SENATE BILL NO. 618—
BY SENATOR NEVERS
AN ACT
To amend and reenact R.S. 17:1519.3, relative to the Louisiana State University Health Sciences Center-New Orleans; to provide for certain hospitals and their operations; and to provide for related matters.

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

The Chair declared the Senate refused to suspend the rules.

SENATE BILL NO. 619—
BY SENATORS DORSEY-COLOMB AND WARD
AN ACT
To amend and reenact R.S. 17:416.13(A), (B)(1) and (2), (C), and (D)(1) and (2), to enact R.S. 17:81(W) and 3996(B)(30), and to repeal R.S. 17:416.13(B)(4), relative to harassment, intimidation, and bullying in public schools; to provide relative to codes of conduct for school employees and for students; to require such codes of conduct to have policies which prohibit the harassment, intimidation, and bullying of students and of school employees; to provide relative to definitions; to remove provisions excepting certain parishes from certain requirements relative to student codes of conduct; and to provide for related matters.

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

SENATE BILL NO. 620—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 32:1263, relative to distribution and sale of motor vehicles; to provide for a fee; to provide for use of the fee; and to provide for related matters.

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 15—
BY SENATOR PETERSON
A RESOLUTION
To urge and request that public hearings by Senate committees on certain proposed education legislation be held on Fridays after 5:00 p.m., Saturdays, or Sundays.

Rules Suspended
Senator Peterson asked for a suspension of the rules.
Senator Appel objected.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President  
Adley  
Allain  
Amedee  
Appel  
Broune  
Brown  
Buffington  
Chabert  
Claitor  
Cortez  
Donahue  
Dorsey-Colomb  
Total - 37

NAYS
Mr. President  
Adley  
Allain  
Amedee  
Appel  
Broune  
Brown  
Buffington  
Chabert  
Claitor  
Cortez  
Donahue  
Dorsey-Colomb  
Total - 18

ABSENT
Crowe  
Mr. President  
Adley  
Allain  
Amedee  
Appel  
Broune  
Brown  
Buffington  
Chabert  
Claitor  
Cortez  
Donahue  
Dorsey-Colomb  
Total - 9

The Chair declared the Senate refused to suspend the rules.
Rules Suspended

Senator Peterson asked for and obtained a suspension of the rules for the purpose of referring the Resolution to Committee.

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

Rules Suspended

Senator Peterson asked for and obtained a suspension of the rules to allow the Senate Committee on Senate and Governmental Affairs to hear Senate Resolution No. 15 without the required 24-hour notice.

Without objection, so ordered.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 16—
BY SENATOR MORRELL
A RESOLUTION
To commend Pastor George Green Jr. of the House of Healing Outreach Church upon his revival of evangelism within the Mid-City community of New Orleans.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR ALARIO
A CONCURRENT RESOLUTION
To commend and congratulate J. C. "Sonny" Gilbert, distinguished legislator, farmer, and businessman, on the occasion of his ninetieth birthday and to honor and celebrate his lifetime of outstanding contributions to the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Adley Gallot Perry
Allain Guillory Peterson
Amedee Heitmeier Riser
Appel Johns Smith, G.
Broome Kostelka Smith, J.
Brown LAFleur Tarver
Buffington Long Thompson
Chabert Mills Walsworth
Claitor Morrell Ward
Cortez Morrish White
Donahue Murray
Dorsey-Colomb Nevers
Total - 37
NAYS

Total - 0

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

SENIOR CONCURRENT RESOLUTION NO. 26—
BY SENATOR GALLOT
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study the issue of heirship property; to request the Louisiana State Law Institute develop recommendations for facilitating the ability of family members to receive title to immovable property when successive generations of their family have failed to file succession proceedings; and to develop recommendations to facilitate more equitable and economically efficient distribution of immovable property.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

March 19, 2012

To the Honorable President and Members of the Senate:

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

HCR NO. 44 HCR NO. 45

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE SMITH
A CONCURRENT RESOLUTION
To commemorate the eightieth anniversary of the dedication of the Louisiana State Capitol and to recognize it as a great place to visit.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey
Adley Gallot
Allain Guillory
Amedee Heitmeier
Appel Johns
Broome Kostelka
Brown Long
Buffington Mills
Chabert Morrell
Claitor Nevers
Cortez
Donahue Nays
Dorsey-Colomb Nays
Total - 37

ABSENT
Crowe Martiny
Total - 2

The Chair declared the Senate adopted the House Concurrent Resolution and ordered it sent to the House.
SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR MURRAY AND REPRESENTATIVE BROSSET
A CONCURRENT RESOLUTION
To commend the many contributions made by Irish-Americans toward the betterment of the state and nation and to designate each March as Irish-American Heritage Month.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

March 19, 2012

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To commend Jim Henderson upon his retirement as sports director for WWL-TV in New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE PYLANT
A CONCURRENT RESOLUTION
To commend Cameron Windham of Jena upon his receipt of a 2012 Prudential Spirit of Community Award.

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVES LORUSSO, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARRY, BERTHELOT, BILLIOT, STUART, BISHOP, WESLEY, BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY, BURNS, TIM, BURNS, BURRELL, CARMOY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHEY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GUILLOIR, GUINN, HARRISS, HARRISON, HAYWARD, HAZEL, HENRY, HENNSENS, HILL, HODGES, HOFFMANN, HOLLS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, LANDRY, LEBAS, LEGER, LEPOLE, LIGI, LOPINTO, MACK, MILLER, MONTUCEST, MORENO, JAY, MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PULANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHENAYDOR, SCHRODER, SEABAUGH, SHADDON, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAULT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT
A CONCURRENT RESOLUTION
To commend General Bennett C. Landreneau upon his retirement from the Louisiana National Guard.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE LORUSSO AND SENATOR APPEL
A CONCURRENT RESOLUTION
To commemorate the two hundred twenty-fifth anniversary of the signing of the Constitution of the United States and to recognize the contributions of the Louisiana Society of the Sons of the American Revolution and the Louisiana Society of the Daughters of the American Revolution.
HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVE KLECKLEY
A CONCURRENT RESOLUTION
To commend the members of Better than Ezra for their musical accomplishments and their contributions to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVES HARRIS AND DIXON
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Terry Alan Mathews of Boyce.

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To recognize Tuesday, April 10, 2012, as Ponchatoula Strawberry Festival Day.

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To recognize Wednesday, May 9, 2012, as Elmer’s Candy Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To commend posthumously the life of Lutrill Amos Payne, Sr.

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES CARTER, BARROW, BERTHELOT, EDMWARDS, FOIL, GREENE, HAVARD, HODGES, HONORE, JAMES, LAMBERT, MACK, PONTI, POPE, PRICE, RICHARDSON, SCHENNAJADER, SMITH, ST. GERMAIN, THIBAUT, AND ALFRED WILLIAMS AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Victor Bussie, former longtime president of the Louisiana AFL-CIO.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVE HARRIS
A CONCURRENT RESOLUTION
To commend Roscoe Bolton of Alexandria upon the momentous occasion of his ninety-ninth birthday.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE HARRIS
A CONCURRENT RESOLUTION
To commend Roscoe Bolton of Alexandria upon the momentous occasion of his ninety-ninth birthday.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE HARRIS
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Lesley “Les” E. Golmon of Alexandria.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES HOFFMANN AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of John Clifton McDonald, M.D., chancellor emeritus of the Louisiana State University Health Sciences Center at Shreveport and dean emeritus of the School of Medicine in Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE CHANEY AND SENATOR THOMPSON
A CONCURRENT RESOLUTION
To commend and congratulate Cliff Dodge and his grandson Robert Brown for their efforts in preserving Cajun culture by constructing a handmade cypress pirogue.

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE STUART BISHOP AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To commend the Ragin’ Cajuns of the University of Louisiana at Lafayette upon winning the 2011 New Orleans Bowl.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE LEROY
A CONCURRENT RESOLUTION
To commend William Joyce, Brandon Oldenburg, and Moonbot Studios in Shreveport upon winning the Oscar for Best Animated Short Film for The Fantastic Flying Books of Mr. Morris Lessmore at the Eighty-Fourth Annual Academy Awards.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE LEROY
A CONCURRENT RESOLUTION
To commend the Ragin’ Cajuns of the University of Louisiana at Lafayette upon winning the 2011 New Orleans Bowl.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVES KLECKLEY, ALARIO, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROUSSETT, BROWN, BURFORD, HENRY, BURNS, TIM BURNS, BURRELL, CARDMOY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANANIA, DODSON, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVAD, HENRY, HENSGENS, HILL, HODGES, HOPFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIBR JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCE LANDRY, TERRY LANDRY, LEDA, LEGER, LEOPOLD, LIEU, LOPINTO, LORUSO, MACK, MILLER, MONTUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTIGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PLYANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHENNAJADER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To commend the Louisiana State University Tigers football team upon the memorable and historic 2011 season.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION
To commend Reverend Dr. Joseph David Dupree, Jr.

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVES CARVER, BARROW, BERTHELOT, EDMWARDS, FOIL, GREENE, HAVARD, HODGES, HONORE, JAMES, LAMBERT, MACK, PONTI, POPE, PRICE, RICHARDSON, SCHENNAJADER, SMITH, ST. GERMAIN, THIBAUT, AND ALFRED WILLIAMS AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To commend the Ragin’ Cajuns of the University of Louisiana at Lafayette upon winning the 2011 New Orleans Bowl.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION
To commend the Louisiana State University Tigers football team upon the memorable and historic 2011 season.

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVE COX
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of the Reverend Dr. Joseph David Dupree, Jr.

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVES DIXON, HARRIS, AND HAZEL AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAFTOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORREL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of former state representative Israel B. Curtis of Alexandria.

HOUSE CONCURRENT RESOLUTION NO. 37—
BY REPRESENTATIVE CARMODY AND SENATOR GALLOT
A CONCURRENT RESOLUTION
To commend the members of Better than Ezra for their musical accomplishments and their contributions to the state of Louisiana.
HOUSE CONCURRENT RESOLUTION NO. 38—
BY REPRESENTATIVE CARMODY AND SENATOR GALLOT
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Norman Victor Kinsey of Shreveport.

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVES SMITH, BADON, BARROW, WESLEY BISHOP, BROSETTE, BURRELL, COX, DIXON, FRANKLIN, GAINES, HONORE, HUNTER, GIBOD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, TERRY LANDRY, NORTON, PIERRE, PRICE, THIERRY, ALFRED WILLIAMS, AND PATRICK WILLIAMS AND SENATORS BROOME, BROWN, DORSEY-COLOMB, GALLOT, GUILORY, MORRELL, MURRAY, PETERSON, AND TARVER
A CONCURRENT RESOLUTION
To commend the Iota Theta Chapter of the Delta Sigma Theta Sorority, Incorporated, upon the celebration of its fortieth anniversary and to recognize Saturday, March 31, 2012, as Delta Sigma Theta Day.

HOUSE CONCURRENT RESOLUTION NO. 40—
BY REPRESENTATIVES CARTER, BARROW, BERTHELOT, EDWARDS, FOIL, GREENE, HAVARD, HodGES, HONORE, JAMES, LAMBERT, MACK, PONTI, POPE, PRICE, RICHARDSON, SCHIEXNAYDER, SMITH, ST. GERMAIN, THIBAUT, AND ALFRED WILLIAMS AND SENATORS AMEDEE, BROOME, BROWN, CLAIGHT, DORSEY-COLOMB, ERDEY, GALLOT, RISER, AND WHITE
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of John W. Barton, Sr.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President  Erdey  Peacock
Adley  Gallot  Perry
Allain  Guillory  Peterson
Amedee  Heitmeier  Riser
Appel  Johns  Smith, G.
Broome  Kostelka  Smith, J.
Brown  LaFleur  Tarver
Buffington  Long  Thompson
Chabert  Mills  Walsworth
Claight  Morrell  Ward
Cortez  Morrish  White
Donahue  Murray  Nevers
Dorsey-Colomb  Total - 37

ABSENT

Crowe  Martiny  Total - 2

Leaves of Absence

The following leaves of absence were asked for and granted:

Crowe  1 Day  Martiny  1 Day

Announcements

The following committee meetings for March 20, 2012, were announced:

- Agriculture  9:00 A.M.  Room C
- Commerce  10:00 A.M.  Room E
- Health and Welfare  10:00 A.M.  Hainkel Room
- Insurance  10:00 A.M.  Room A
- Judiciary A  8:30 A.M.  Hainkel Room
- Judiciary B  8:00 A.M.  Room E
- Judiciary C  9:00 A.M.  Room F
- Senate and Gov’t Affairs  10:00 A.M.  Room F

Adjournment

On motion of Senator Thompson, at 4:45 o’clock P.M. the Senate adjourned until Tuesday, March 20, 2012, at 1:00 o’clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o’clock P.M. on Tuesday, March 20, 2012.

GLENN A. KOEPP
Secretary of the Senate
DIANE O’QUIN
Journal Clerk