The Senate was called to order at 9:05 o'clock A.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: Donahue Peacock
Adley Gallot Riser
Allain Guillory Smith, G.
Amedee Johns Tarver
Appel Kostelka Thompson
Broome Long Walsworth
Brown Martiny Ward
Chabert Murray
Crowe Nevers
Total - 25

ABSENT
Buffington Heitmeier Perry
Claitor LaFleur Peterson
Cortez Mills Smith, J.
Dorsey-Colomb Morrell White
Erdey Morrish
Total - 14

The President of the Senate announced there were 25 Senators present and a quorum.

Prayer

The prayer was offered by Cindy Collins, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Thompson, the reading of the Journal was dispensed with and the Journal of April 11, 2012, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 48—
BY SENATOR ADLEY

A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Staff Sergeant Michael Garcia in ground combat in Operation Enduring Freedom.

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

SENATE RESOLUTION NO. 49—
BY SENATOR ADLEY

A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Nevada Army National Guard Lieutenant Colonel Heath A. Kelly while in the service of his country.

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

SENATE RESOLUTION NO. 50—
BY SENATOR ADLEY

A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Sergeant Christopher P. Soderlund during ground combat in Afghanistan.

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

SENATE RESOLUTION NO. 51—
BY SENATOR ADLEY

A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Staff Sergeant Nicholas P. Bellard in combat in Operation New Dawn.

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

SENATE RESOLUTION NO. 52—
BY SENATOR ADLEY

A RESOLUTION
To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Captain Aaron D. Istre in Operation Enduring Freedom.

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

SENATE RESOLUTION NO. 53—
BY SENATOR ADLEY

A RESOLUTION
To commend Moombot 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 on February 26, 2012.

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

Senate Bills and Joint Resolutions on Second Reading

SENATE BILL NO. 747— (Substitute of Senate Bill No. 108 by Senator Morrell)
BY SENATOR MORRELL

AN ACT
To enact R.S. 27:19(D), relative to video poker; to prohibit persons and entities advising the state from representing any business or legal entity seeking to be engaged in or who is engaged in any activity regulated by the Video Draw Poker Devices Control Law; and to provide for related matters.

On motion of Senator Morrell the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 748— (Substitute of Senate Bill No. 344 by Senator Morrish)
BY SENATOR MORRISH

AN ACT
To amend and reenact R.S. 30:2373(B)(1), relative to environmental quality; to provide for the failure to report of certain reportable releases; to provide for the reportable release from natural gas distribution lines; and to provide for related matters.

On motion of Senator Walsworth the bill was read by title, ordered engrossed and passed to a third reading.
Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 46—
BY SENATOR KOSTELKA
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Charles Gerald Clark Sr.

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

SENATE RESOLUTION NO. 47—
BY SENATORS WALSWORTH AND RISER
A RESOLUTION
To urge and request the U.S. Army Corps of Engineers to maintain its current hours of operations at its four locks and dams on the Ouachita River.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To recognize and designate April 21, 2012, as Global Youth Service Day in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dorsey-Colomb  Murray
Adley  Erdey  Nevers
Allain  Gallot  Peacock
Amedee  Guillory  Riser
Broome  Johns  Smith, G.
Brown  Kostelka  Smith, J.
Buffington  Long  Tarver
Chabert  Martiny  Thompson
Cortez  Mills  Walsworth
Donahue  Morrish  Ward
Total - 30

NAYS

Total - 0

ABSENT

Appel  Heitmeier  Perry
Claitor  LaFleur  Peterson
Crowe  Morrell  White
Total - 9

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

Message from the House

ASking CONCurrenCie in House BILLS and JOINT RESOLUTIONS

April 11, 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 Bills and Joint Resolutions:

| HB NO. 285 | HB NO. 296 | HB NO. 317 |
| HB NO. 371 | HB NO. 245 | HB NO. 568 |
| HB NO. 121 | HB NO. 274 | HB NO. 363 |
| HB NO. 367 | HB NO. 377 | HB NO. 400 |
| HB NO. 413 | HB NO. 754 | HB NO. 766 |
| HB NO. 804 | HB NO. 852 |

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 121—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:574.4.2(A)(2) and (3) and to enact R.S. 15:574.4.2(A)(4) and (5), relative to conditions of parole; to revise statutory provisions regarding conditions of parole; to provide for the forfeiture of good time or credits earned; and to provide for related matters.

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

HOUSE BILL NO. 245—
BY REPRESENTATIVE HARRISON AND SENATOR MORRELL
AN ACT
To amend and reenact R.S. 56:700.2(A)(4) and to repeal R.S. 30:101.11, relative to the Underwater Obstruction Removal Fund and the Fishermen's Gear Compensation Fund; to remove the termination date for deposits from the Fishermen's Gear Compensation Fund to the Underwater Obstruction Fund; to remove the termination date from the Underwater Obstruction Removal Fund; and to provide for related matters.

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

HOUSE BILL NO. 274—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 19:2, 2.1(A)(2), 2.2(A)(introductory paragraph) and (2) and (B), 5(B) and (C)(6), 6, 7, 8(A) and (B), 9, 12, 14(B), and 201, to enact R.S. 19:2.2(C), 8(E), and 16, and to repeal R.S. 9:3176 through 3191, relative to expropriation; to provide notice, service, and filing requirements when property is sought to be acquired through expropriation; to provide additional requirements when property is sought to be acquired by expropriating authorities other than the state or its political subdivisions or corporations; to provide procedures for delay periods, trial, and burden of proof; to provide for determination of compensation and attorney fees; to repeal outdated or duplicative expropriation statutes; and to provide for related matters.

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

HOUSE BILL NO. 285—
BY REPRESENTATIVE BROADWATER
AN ACT
To amend and reenact R.S. 49:327(B)(2), relative to funds on deposit in the state treasury; to provide relative to the investment of funds in the state treasury; to provide relative to the maturity of
securities purchased as investments; and to provide for related matters.

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

HOUSE BILL NO. 296—
BY REPRESENTATIVE LEGER
AN ACT
To amend and reenact R.S. 39:197(1) and 200(F), relative to data processing procurement; to provide for definitions; to provide for contract forms; and to provide for related matters.

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

HOUSE BILL NO. 317—
BY REPRESENTATIVE GISCLAIR
AN ACT
To amend and reenact R.S. 48:264.1, relative to salvaged material; to authorize the use of salvaged material in coastal protection and restoration projects; to provide for the powers and duties of the secretary of the Department of Transportation and Development and the Office of Coastal Protection and Restoration; and to provide for related matters.

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

HOUSE BILL NO. 363—
BY REPRESENTATIVE THOMPSON
AN ACT
To amend and reenact R.S. 38:3086.24(H)(1) and 3086.26 and to enact R.S. 38:3086.24(L), relative to the Bayou Lafourche Fresh Water District; to authorize the board of such district to control and regulate the activities on the banks of Bayou Lafourche; to authorize the Coastal Protection and Restoration Authority to assist the district; to authorize the board to contract for services related to integrated coastal protection; and to provide for related matters.

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

HOUSE BILL NO. 367—
BY REPRESENTATIVE LEGER
AN ACT
To enact R.S. 47:120, relative to overtime compensation; to require employers to retain a record of overtime compensation paid; to provide for employee receipt of overtime data; to provide a time period for retention of the data; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To enact R.S. 47:201.1(F), relative to income tax returns; to provide with respect to composite returns of partnerships; to provide for the payment and distribution of overpayments; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 400—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact Code of Civil Procedure Article 1561(A), relative to civil actions; to provide for the procedures for the consolidation of separate actions; and to provide for related matters.

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

HOUSE BILL NO. 413—
BY REPRESENTATIVE HARRISON
AN ACT
To amend and reenact R.S. 38:305.71 and 337.9(D)(33), relative to local sales and use tax exemptions; to provide for a local sales and use tax exemption for sales of certain property to the "St. Bernard Project, Inc."; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 568—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT
To enact R.S. 47:6301, relative to rebates; to authorize contracts for certain state sales and use tax rebates; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to provide for the recapture of rebates under certain circumstances; to provide relative to the payment of certain taxes in error; to provide with respect to administrative expenses; to provide for the disposition of certain state revenues; to establish the Specialized Educational Institutions Support Fund; to provide for the deposit, use, and investment of monies in the fund; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 754—
BY REPRESENTIVES ROBIDEAUX, ABRAMSON, ADAMS, ARMES, BADON, BARRAS, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROWN, BURFORD, BURNETT,Burton, BURTON, BURTON, CARMBODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, FANNIN, FOIL, GAROFALO, GISCLAIR, GREENE, GUILORY, GUINN, HARRIS, HAZEL, HENSGENS, HOFFMANN, HOLLIS, HOWARD, HUVAL, JEFFERSON, JOHNSON, JONES, KLECKLEY, LABERT, LEBAS, LEGER, LEOPOLD, LIGI, LORMUSO, MILLER, MONTOUX, ORTEGO, PIERRE, PONTI, POPE, PYLANT, REYNOLDS, RICHARDSON, RITCHIE, SCHENNYDER, SEABAUGH, SHADOIN, SIMON, SMITH, GERMAIN, TIBBAUT, THOMPSON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT
AN ACT
To enact Subpart R of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.126, and Chapter 3 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6301, relative to rebates; to authorize contracts for certain state sales and use tax rebates; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to provide for the recapture of rebates under certain circumstances; to provide relative to the payment of certain taxes in error; to provide with respect to administrative expenses; to provide for the disposition of certain state revenues; to establish the Specialized Educational Institutions Support Fund; to provide for the deposit, use, and investment of monies in the fund; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 766—
BY REPRESENTATIVE LIGI
AN ACT
To amend and reenact R.S. 40:1299.39.1(A)(1)(b)(ii) and (B)(2), 1299.44(A)(3), (D)(2)(b)(xiv) and (5), 1299.47(A)(1)(b)(ii) and (B)(2) and (3), to enact R.S. 40:1299.39.1(A)(6) and
To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a),

HOUSE BILL NO. 852—
second reading.

To amend and reenact R.S. 32:781(5), (12), and (13)(a), 788(B),

HOUSE BILL NO. 804—
second reading.

April 12, 2012
Page 4

early voting commissioners; to provide for the use of paper
voting machines; to provide relative to absentee by mail and
counting and tabulation and recounting of absentee by mail
ballots; to provide relative to absentee by mail; to provide relative to raising peremptory exceptions; and
to provide for related matters.

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

HOUSE BILL NO. 804—
BY REPRESENTATIVE JAMES
AN ACT
To amend and reenact R.S. 32:781(5), (12), and (13)(a), 788(B),
793(A)(introductory paragraph), (2), and (5) and to enact R.S.
32:792(B)(16) and 795, relative to used motor vehicles; to
provide for definitions; to provide relative to civil penalties; to
provide for definitions in rent with option-to-purchase program;
to provide relative to deposits and down payments; and to
provide for related matters.

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

HOUSE BILL NO. 852—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a),
154(C), 177(A), 402(F)(2), and (G), 427(B), 431(A)(1)(a) and
(3)(a) and (B)(3), 435(A)(1), 465(E)(1)(a), 532.1(F), 562(A)(2),
591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F),
604(B)(1) and (2)(a), 1284(F), 1299.1, 1300.13, 1302(2),
1307(B)(2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g),
1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10)
and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352,
1402(C), 1405(B), 1406(B), 1415(B), (C), (D), (E), and (F),
1431, 1432(A), 1433(A) and (B), and 1941(A) and (B), to enact
R.S. 18:1307(B)(1)(d) and (I), 1308(A)(2)(b), (I), and (J),
1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and
1415(G), and to repeal R.S. 18:1317, relative to the Louisiana
Election Code; to revise the system of laws comprising the
Louisiana Election Code; to provide relative to the authority
of the Board of Election Supervisors and the
secretary of state; to provide relative to volunteering; to provide relative to
reimbursement of voter registration after suspension; to provide for election dates; to provide relative to disclosure of voter information; to provide relative to reinstatement of voter registration after hangover; to provide relative to procedure for voting during early voting and on election day; to provide relative to identification of voters; to provide for the time limits for making appointments to fill vacancies in certain offices; to provide for the time limits for issuing proclamations for special elections to fill vacancies in certain offices; to provide relative to the requirements for special elections for certain offices; to provide relative to publications submitted to voters at certain elections; to provide relative to recall elections; to provide relative to applying to vote absentee by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper

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

HOUSE CONCURRENT RESOLUTION NO. 82—
A CONCURRENT RESOLUTION
To urge and request the Lincoln Parish School Board to name the
Ruston High School football stadium in honor of Jimmy "Chick"
Childress.

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

HOUSE CONCURRENT RESOLUTION NO. 83—
A CONCURRENT RESOLUTION
To urge and request the Lincoln Parish School Board to name the
Ruston High School football stadium in honor of the late L.J.
"Hoss" Garrett.

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

HOUSE CONCURRENT RESOLUTION NO. 85—
A CONCURRENT RESOLUTION
To commend Lou Major, Sr., on the occasion of being inducted into the
Manship School of Fame.

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

House Concurrent Resolutions
on First Reading

HOUSE CONCURRENT RESOLUTION NO. 82—
BY REPRESENTATIVE SHADIN
A CONCURRENT RESOLUTION
To urge and request the Lincoln Parish School Board to name the
Ruston High School field house in honor of Jimmy "Chick"
Childress.

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

HOUSE CONCURRENT RESOLUTION NO. 83—
BY REPRESENTATIVE CROMER
A CONCURRENT RESOLUTION
To commend Lou Major, Sr., on the occasion of being inducted into the
Manship School of Fame.

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
April 11, 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. 82
HCR NO. 83
HCR NO. 85

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

House Bills and Joint Resolutions on
Second Reading

HOUSE BILL NO. 78—
BY REPRESENTATIVE POPE
AN ACT
To amend and reenact R.S. 13:5556(C), (D), and (E), relative to the
Livingston Parish Retired Employees' Insurance Fund; to
provide relative to the administration of the Livingston Parish Retired Employees' Insurance Fund; to provide for the
investment of fund monies; to authorize the use of fund monies for the LREIF Board; and to provide for related matters.

The bill was read by title and referred by the President to the
Committee on Finance.
17th DAY'S PROCEEDINGS

HOUSE BILL NO. 149—
BY REPRESENTATIVE HENRY BURNS
To enact R.S. 17:236(C), (D), and (E); to define for purposes of general school law the terms "elementary school", "middle school", "junior high school", and "high school"; to specify that middle schools, junior high schools, and high schools shall be considered secondary schools; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 309—
BY REPRESENTATIVE JAMES

To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Park Forest Crime Prevention and Improvement District in East Baton Rouge Parish; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to the powers and duties of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

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

HOUSE BILL NO. 352—
BY REPRESENTATIVE BURFORD

To enact R.S. 13:5557.1, relative to payment of group health insurance premiums for retired sheriffs and deputy sheriffs; to create the DeSoto Parish Retired Employees' Insurance Fund to fund premium costs for eligible retired sheriffs and retired deputy sheriffs; to provide for the total amount of principal and fixed income investments; to provide for the limitations on withdrawal and appropriation of monies; to provide for limitations of equity and fixed income investments; to provide for the membership and election on the investment advisory board; 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. 498—
BY REPRESENTATIVE DIXON

To amend and reenact R.S. 23:1291.2, relative to workers' compensation; to provide death benefits to living descendants of a deceased employee; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 503—
BY REPRESENTATIVE ARNOLD

To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:1337(C), 2151(E), and 2151.4(E), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; 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. 521—
BY REPRESENTATIVES MORENO, ADAMS, ARMES, ARNOLD, BADON, BERTHELOT, BILLIOT, BROADWATER, BROSSETT, BROWN, HENRY, BURNS, BURRELL, CARMODY, CONNICK, COX, EDWARDS, FOIL, GAINES, GAROFALO, GINCLAIR, HARRIS, HOLLIS, HONORE, HOWARD, HUNTER, GIROD JACKSON, JAMES, JEFFERSON, LEGER, LEOLOP, LOPINTO, LORUSSO, MILLER, NORTON, ORTEGO, PRICE, PUGH, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCASTNAYDER, SHADON, SIMON, SMITH, ST. GERMAIN, THIERRY, AND WHITNEY

AN ACT

To amend and reenact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5401, to enact Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5501, and to repeal R.S. 13:621.4(J) and 1343(C), relative to reentry courts; to authorize the creation of reentry divisions of court in certain judicial district courts in the state; to provide for the implementation of the workforce development sentencing program in the reentry division; to provide for conditions and procedures; to provide for applicability; to repeal provisions related to the Criminal District Court of Orleans Parish or the Forty-First Judicial District workforce development program; 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. 737—
BY REPRESENTATIVE WOULD

AN ACT

To amend and reenact R.S. 23:1231(B)(2) and to enact R.S. 23:1231(B)(3) and 1251(3), relative to workers' compensation; to provide death benefits to living descendants of a deceased employee; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 873—
BY REPRESENTATIVE ARNOLD

AN ACT

To enact Code of Civil Procedure Article 4850.2 and Section 2 of Chapter 2 of Title 1 of Book VIII of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 4857, relative to the appellate jurisdiction and procedure; to provide the Traffic Court of New Orleans with exclusive jurisdiction for appeals taken from an administrative hearing for certain traffic violations; to authorize de novo review by the traffic court on administrative hearing appeals; to provide the First and Second City Court of New Orleans with appellate jurisdiction over appeals taken from the Traffic Court of New Orleans for certain traffic violations; to require the adoption of rules to implement the procedure for hearing and deciding such appeals; to direct the Louisiana State Law Institute to make certain conforming technical changes; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 931—
BY REPRESENTATIVE STUART BISHOP

AN ACT

To amend and reenact R.S. 23:1306(B), relative to workers' compensation job injury data; to require the submission of reports to the office of workers' compensation administration; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 960—
BY REPRESENTATIVE JOHNSON

AN ACT

To enact R.S. 13:852 and 853, relative to court costs, to provide for additional court costs for criminal cases including
Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 170 by Senator Allain

AMENDMENT NO. 1
On page 1, line 3, after "hospital;" insert "to provide with respect to reimbursements and payments; to provide for effective date and application;"

AMENDMENT NO. 2
On page 1, between lines 15 and 16 insert:

"(aa) A rural hospital as defined in this Item shall maintain the same per diem rates and shall not participate in the uncompensated care hospital payments.

(bb) A rural hospital as defined in this Item shall fully participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals.

AMENDMENT NO. 3
On page 1, after line 16 insert "Section 2. This Act shall become effective July 1, 2013, subject to additional appropriation by the legislature. Any hospital affected by this Act shall participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals only to the extent additional funds are available which exceed the amount of funds appropriated for that program for fiscal year 2012-2013."

Amended bill was read by title, ordered engrossed and passed to a third reading.

SENIOR BILL NO. 206—
BY SENATOR MORRISH
AN ACT
To amend and reenact R.S. 22:1060.3(A), 1068(D), and 1074(D) and to repeal R.S. 22:1061(5)(y), relative to health benefit plans; to provide for guaranteed renewability of coverage for employers in the group market; to repeal special definitions related to prescription drug programs; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENIOR COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 206 by Senator Morrish

AMENDMENT NO. 1
On page 1, line 2, after "22:1060.3(A)," delete the remainder of the line and in lieu thereof insert "1068(D)(2), and 1074(D)(2)."

AMENDMENT NO. 2
On page 1, line 3, delete "22:1061(5)(y),"

AMENDMENT NO. 3
On page 1, at the end of line 4, delete "for" and delete lines 5 and 6 and in lieu thereof insert the following: "in the group and individual market with regard to modifications affecting drug coverage; and to provide for related matters."

AMENDMENT NO. 4
On page 1, line 8, change "1068(D), and 1074(D)" to "1068(D)(2), and 1074(D)(2)"

AMENDMENT NO. 5
On page 1, line 16, after "renewal date." delete the remainder of the line and delete line 17 in its entirety.

AMENDMENT NO. 6
On page 2, delete lines 6 through 20 in their entirety and in lieu thereof insert the following:

"D. A health insurance issuer may modify health insurance prescription drug programs; and to provide for related matters."

"(aa) A rural hospital as defined in this Item shall maintain the same per diem rates and shall not participate in the uncompensated care hospital payments.

(bb) A rural hospital as defined in this Item shall fully participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals.

AMENDMENT NO. 3
On page 1, after line 16 insert "Section 2. This Act shall become effective July 1, 2013, subject to additional appropriation by the legislature. Any hospital affected by this Act shall participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals only to the extent additional funds are available which exceed the amount of funds appropriated for that program for fiscal year 2012-2013."

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

SENIOR BILL NO. 206—
BY SENATOR MORRISH
AN ACT
To amend and reenact R.S. 22:1060.3(A), 1068(D), and 1074(D) and to repeal R.S. 22:1061(5)(y), relative to health benefit plans; to provide for guaranteed renewability of coverage for employers in the group market; to repeal special definitions related to prescription drug programs; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENIOR COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 206 by Senator Morrish

AMENDMENT NO. 1
On page 1, line 2, after "22:1060.3(A)," delete the remainder of the line and in lieu thereof insert "1068(D)(2), and 1074(D)(2)."

AMENDMENT NO. 2
On page 1, line 3, delete "22:1061(5)(y),"

AMENDMENT NO. 3
On page 1, at the end of line 4, delete "for" and delete lines 5 and 6 and in lieu thereof insert the following: "in the group and individual market with regard to modifications affecting drug coverage; and to provide for related matters."

AMENDMENT NO. 4
On page 1, line 8, change "1068(D), and 1074(D)" to "1068(D)(2), and 1074(D)(2)"

AMENDMENT NO. 5
On page 1, line 16, after "renewal date." delete the remainder of the line and delete line 17 in its entirety.

AMENDMENT NO. 6
On page 2, delete lines 6 through 20 in their entirety and in lieu thereof insert the following:

"D. A health insurance issuer may modify health insurance prescription drug programs; and to provide for related matters."

"(aa) A rural hospital as defined in this Item shall maintain the same per diem rates and shall not participate in the uncompensated care hospital payments.

(bb) A rural hospital as defined in this Item shall fully participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals.

AMENDMENT NO. 3
On page 1, after line 16 insert "Section 2. This Act shall become effective July 1, 2013, subject to additional appropriation by the legislature. Any hospital affected by this Act shall participate in the rural hospital upper payment limit program administered by the Department of Health and Hospitals only to the extent additional funds are available which exceed the amount of funds appropriated for that program for fiscal year 2012-2013."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.
AMENDMENT NO. 7
On page 2, delete lines 23 through 29 in their entirety and in lieu thereof insert the following:

"A health insurance issuer may modify the health insurance coverage for a policy form offered to individuals in the individual market if each of the following conditions is met:

(2) The modification is approved by the commissioner, is consistent with law, and is effective on a uniform basis among all the individuals with that policy form. However, for purposes of this Section, modifications affecting drug coverage shall not require approval by the commissioner.

AMENDMENT NO. 8
On page 3, delete lines 1 through 5 in their entirety and on line 6, change "Section 3." to "Section 2."

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

SENATE BILL NO. 207—
BY SENATOR MORRISH
AN ACT
To enact R.S. 22:1098, relative to review of health coverage premium rates; to provide for definitions; to enact requirements that meet the provisions of effective rate review as defined by the U.S. Department of Health and Human Services; to provide for information to be filed by health insurance issuers; to provide for review of filed information by the commissioner of insurance; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 207 by Senator Morrish

AMENDMENT NO. 1
On page 1, between lines 16 and 17, insert the following:

"(3) "Excepted benefits" means benefits under one or more of the following:

(a) Benefits not subject to requirements:
   (i) Coverage only for accident or disability income insurance, or any combination.
   (ii) Coverage issued as a supplement to liability insurance.
   (iii) Liability insurance, including general liability insurance and automobile liability insurance.
   (iv) Workers' compensation or similar insurance.
   (v) Automobile medical payment insurance.
   (vi) Credit-only insurance.
   (vii) Coverage for on-site medical clinics.
   (viii) Other similar insurance coverage, specified in regulations issued by the commissioner under the Administrative Procedure Act, under which benefits for medical care are secondary or incidental to other insurance benefits.
   (b) Benefits not subject to requirements if offered separately:
      (i) Limited scope dental or vision benefits.
      (ii) Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof.
      (iii) Such other similar, limited benefits as specified in reasonable regulations issued by the commissioner.
   (c) Benefits not subject to requirements if offered as independent, non-coordinated benefits:
      (i) Coverage only for a specified disease or illness.
      (ii) Hospital indemnity or other fixed indemnity insurance.
      (d) Benefits not subject to requirements if offered as a separate insurance policy:
      (i) Medicare supplemental health insurance as defined under Section 1882(g)(1) of the Social Security Act.
      (ii) Insurance coverage supplemental to military health benefits.

(iii) Similar supplemental coverage provided under a group health benefit plan.

(4) "Excessive" in relation to premiums means the premium charged for the health insurance coverage is considered to be unreasonably high in relation to the benefits provided under the product. In determining whether the premium rate is unreasonably high in relation to the benefits provided, the department shall consider:
   (a) Whether the premium rate results in a projected medical loss ratio below the federal medical loss ratio standard in the applicable market to which the premium rate applies, after accounting for any adjustments allowable under federal law.
   (b) Whether one or more of the assumptions on which the premium rate is based is not supported by substantial evidence.
   (c) Whether the choice of assumptions or combination of assumptions on which the premium rate is based is unreasonable.

(5) "Grandfathered health plan" has the same meaning as that in 45 C.F.R. 147.140.

AMENDMENT NO. 2
On page 1, line 17, change "(3)" to "(6)"

AMENDMENT NO. 3
On page 2, line 1, after "insurance" and before "subject" insert "or subscriber agreement"

AMENDMENT NO. 4
On page 2, line 3, delete "in R.S. 22:242" and insert "and licensed pursuant to Subpart I of Part I of Chapter 2 of this Title"

AMENDMENT NO. 5
On page 2, delete lines 4 through 10 in their entirety and in lieu thereof insert the following:

"(7) "Individual health insurance coverage" or "individual policy" means health insurance coverage offered to individuals in the individual market, or through an association.

(8) "Product" means a package of benefits with a discrete set of rating and pricing methodologies including health care services paid for under any plan, policy, subscriber agreement, or certificate of insurance offered in the state. Products, for the purposes of this Section, shall not include excepted benefits plans, high deductible health plans, or grandfathered plans.

(9) "Rate increase" means an increase of the rates for a product, including a premium volume-weighted average increase for all insureds for the aggregate rate changes during the twelve-month period preceding the proposed rate increase effective date.

AMENDMENT NO. 6
On page 2, at the beginning of line 11 change "(7)" to "(10)"

AMENDMENT NO. 7
On page 2, delete lines 13 through 16 in their entirety and in lieu thereof insert the following:

"(11) Small group market" means the market in which small group coverage is issued as currently defined in R.S. 22:1061. Small group or "small employer" means any person, firm, corporation, partnership, trust, or association actively engaged in business which has employed an average of at least one but not more than fifty employees, and beginning on January 1, 2014, at least one but not more than one hundred employees, on business days during the preceding calendar year or plan year and that employs at least one employee on the first day of the plan year. "Small group" or "small employer" shall include coverage sold to small groups or small employers through associations or through a blanket policy. An employer group of one shall be considered individual insurance under this Section.

(12) "Unfairly discriminatory" means premium rates that result in premium differences between insureds within similar risk categories that do not reasonably correspond to differences in expected costs. When applied to premium rates charged, "unfairly discriminatory" shall refer to any premium rate charged by a small group or individual health insurance issuer in violation of R.S. 22:1098.
Page 8

SENATE

April 12, 2012

17th DAY'S PROCEEDINGS

(13) "Unjustified" means a premium rate for which a health insurance issuer has provided data or documentation to the department in connection with premium rates for a product that is incomplete, inadequate, or otherwise do not provide a basis upon which the reasonableness of a premium rate may be determined or is otherwise inadequate insofar as the premium rate charged is clearly insufficient to sustain projected losses and expenses.

(14) "Unreasonable rate increase" means a rate increase subject to review that, following review, fails to meet specified criteria. "Unreasonable" means any rate increase that contains a provision or provisions that:
(a) Are excessive,
(b) Are unfairly discriminatory,
(c) Are unjustified,
(d) Do not comply with R.S. 22:1095 or federal law,

AMENDMENT NO. 8
On page 2, line 18, after "issuer" delete the remainder of the line and delete line 19 in its entirety and in lieu thereof insert the following: "proposes a rate increase that meets or exceeds ten percent of the rate implemented, the issuer shall file with"

AMENDMENT NO. 9
On page 2, delete line 29 and in lieu thereof insert the following: "(a) Part I shall be a rate increase summary, consisting"

AMENDMENT NO. 10
On page 3, line 12, between "be a" and "simple" insert "written description justifying the rate increase, including a"

AMENDMENT NO. 11
On page 3, delete lines 16 and 17 in their entirety and in lieu thereof insert the following:
(ii) An explanation of the most significant factors causing the increase, including a brief description of the relevant claims and non-claims expense increases reported in the rate increase summary;
(iii) A brief description of the policies' overall experience, including historical and projected expenses, and loss ratios;

AMENDMENT NO. 12
On page 4, line 18, change "forty-five" to "sixty"

AMENDMENT NO. 13
On page 5, line 13, between "costs" and the period ";" insert: "related to programs that improve health care quality"

AMENDMENT NO. 14
On page 5, line 16, after "status" insert "and surplus"

AMENDMENT NO. 15
On page 5, delete lines 19 through 21 in their entirety and in lieu thereof insert the following: "whether a rate increase is an unreasonable rate increase or is otherwise unlawful:
(a) To determine whether a rate increase is excessive, he shall consider whether the increase would cause the premium to be unreasonable"

AMENDMENT NO. 16
On page 5, delete line 29 in its entirety and in lieu thereof insert the following:
(b) To determine whether a rate increase is an unjustified rate increase, he shall consider whether data or documentation provided by the health insurance

AMENDMENT NO. 17
On page 6, line 3, after "(g)" delete 'Whether' and insert: 'To determine whether a rate increase is unfairly discriminatory, he shall consider whether'

AMENDMENT NO. 18
On page 6, between lines 5 and 6, insert the following:
(d) The commissioner shall consider R.S. 22:1095 and any applicable federal rating restrictions to determine whether rating increases are compliant with state and federal law.

AMENDMENT NO. 19
On page 6, delete lines 6 through 8 in their entirety and in lieu thereof insert the following:
(6) Within fifteen days of submission of any proposed rate increase which meets or exceeds the federal review threshold, the department shall publish a summary consistent with Part I and Part II of the rate increase information provided by the health insurance issuer on the department's website. After publication, the public shall have thirty days to submit comments to the department regarding the proposed rate increase:

AMENDMENT NO. 20
On page 6, line 11, between "(C)" and "of" insert "(e)"

AMENDMENT NO. 21
On page 6, delete lines 13 through 15 in their entirety and in lieu thereof insert the following:
(8) A proposed rate increase shall be deemed to have been reasonable after the sixtieth day following the date of filing with the commissioner if notice is not received by the health insurance issuer from the commissioner regarding a final determination with respect to the reasonableness of the filing;

AMENDMENT NO. 22
On page 6, between lines 21 and 22, insert the following:
F. Any premium rate reviewed by the department shall be implemented within ninety days of the proposed effective date documented in the filing. Any premium rate implemented following this date shall be void, and any health insurance issuer seeking to implement the rate thereafter shall be required to file a new rate filing in compliance with this Section.

G. The requirements set forth in this Section shall not apply to excepted benefits, high deductible health plans, grandfathered plans, or to those benefits specifically excepted from review in R.S. 22:1091(A).

H. The commissioner may promulgate such rules and regulations as may be necessary or proper to carry out the provisions of this Section. Such rules and regulations shall be promulgated and adopted in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

AMENDMENT NO. 23
On page 6, delete lines 22 through 27 in their entirety and in lieu thereof insert the following:
"Section 2. The provisions of this Act shall expire and be void after a final, non-appealable judgment by the United States Supreme Court that includes the merits of the provisions of Section 2794 of the Public Health Service Act and that rejects the validity of such provisions, together with any and all federal regulations promulgated in accordance therewith by any federal agency. The provisions of this Act shall become null and void immediately upon congressional repeal of Section 2794 of the Public Health Service Act."

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 225—
BY SENATOR MORRISH
AN ACT
To amend and reenact R.S. 22:1122(1), 1132(A) and (B)/introductory paragraph, 1133, 1135(A), (B), and (D)/introductory paragraph, 1137(A), and 1144(B) and to enact R.S. 22:1122(27.1), 1132(B)(3), (4), (5), and (5), and 1137(E), and to repeal R.S. 22:1122(18), relative to Medical Necessity Review Organizations; to provide definitions; to provide with respect to independent external review and appeal processes; and to provide for related matters.

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

412
SENATE BILL NO. 232—
BY SENATOR BROOME
AN ACT
To enact R.S. 22:18(C), relative to the suspension or revocation of insurers' licenses; to provide for the issuance of cease and desist orders by the commissioner; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 232 by Senator Broome

AMENDMENT NO. 1
On page 1, line 2, change "enact R.S. 22:18(C)" to "amend and reenact R.S. 22:18(A)"

AMENDMENT NO. 2
On page 1, delete lines 6 through 12 and in lieu thereof insert the following:

"Section 1.  R.S. 22:18(A) is hereby amended and reenacted to read as follows:
§18. Suspension or revocation of insurers' licenses; fines; orders
A. The commissioner of insurance may, as a penalty, in accordance with R.S. 49:961, refuse to renew, or may suspend, or revoke the certificate of authority or license of any insurer, person, or entity violating any of the provisions of this Title, or in lieu of suspension or revocation of a certificate or license duly issued, the commissioner may levy a fine not to exceed one thousand dollars for each violation per insurer, person, or entity, up to one hundred thousand dollars aggregate for all violations in a calendar year per insurer, person, or entity, when such violations warrant the refusal, suspension, or revocation of such certificate or license, or the imposition of the fine. The commissioner is also authorized to order any insurer, person, or entity to cease and desist any such action that violates any provision of this Code. An aggrieved party may demand a hearing in accordance with Chapter 12 of this Title, R.S. 22:2191 et seq. If the insurer has demanded a timely hearing, the penalty or fine ordered by the commissioner shall not be imposed until such time as the division of administrative law makes a finding that the penalty or fine is warranted in a proper hearing, held in the manner provided in Chapter 12 of this Title."

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

SENATE BILL NO. 316—
BY SENATOR MARTINY
AN ACT
To enact R.S. 6:356, relative to financial institutions; to provide for the compiling of certain information; to require the commissioner of the office of financial institutions; to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 326 by Senator Broome

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 9:3578.8(C)" insert "and (D)"

AMENDMENT NO. 2
On page 1, line 5, change "January 1, 2013," to "April 1, 2014,"

AMENDMENT NO. 3
On page 1, line 8, change "is" to "and (D) are"

AMENDMENT NO. 4
On page 1, line 11, change "September 1, 2012," to "January 1, 2013,"

AMENDMENT NO. 5
On page 1, line 14, change "transaction" to "transactions"

AMENDMENT NO. 6
On page 2, line 1, change "per month" to "quarterly"

AMENDMENT NO. 7
On page 2, line 2, change "monthly" to "quarterly"

AMENDMENT NO. 8
On page 2, delete line 5

AMENDMENT NO. 9
On page 2, line 6, change "(e)" to "(d)"

AMENDMENT NO. 10
On page 2, delete line 8

AMENDMENT NO. 11
On page 2, delete lines 9 and 10 and insert:

"D. The commissioner shall compile and submit to the legislature the information and data collected by April 1, 2014."

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

SENATE BILL NO. 381—
BY SENATOR BROOME
AN ACT
To amend and reenact R.S. 24:972(A)(22), R.S. 36:4(N) and 802.14, the title of Chapter 17 of Title 49 of the Louisiana Revised Statutes of 1950, R.S. 49:1112(A) and (B)(2)(a) and 1122 and...
to repeal R.S. 49:1121, relative to the Louisiana Serve Commission; to provide for a change in the name of the commission; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 381 by Senator Broome

AMENDMENT NO. 1
On page 2, line 3, after “R.S. 49:1111” delete “through 1122” and insert “et seq.”

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

SENATE BILL NO. 421—
BY SENATOR DONAHUE
AN ACT
To amend and reenact the introductory paragraph of R.S. 22:347(A)(4)(a) and the introductory paragraph of R.S. 48:756(A)(1), relative to population estimates used in certain federal-state cooperative program for local population estimates; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 446—
BY SENATOR PETERSON
AN ACT
To enact R.S. 40:2013.7, relative to mental health; to provide a prohibition on discrimination by a healthcare facility based on a person’s mental illness or disorder; to provide definitions; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 446 by Senator Peterson

AMENDMENT NO. 1
On page 1, line 3 delete “by a healthcare facility based on a person’s mental illness or disorder;” and insert “by a community-based physical healthcare provider based on a serious mental illness;”

AMENDMENT NO. 2
On page 1, line 7, delete “health care facility” and insert “community-based physical health care provider”

AMENDMENT NO. 3
On page 1, line 8, delete “mental illness or disorder” and insert “serious mental illness”

AMENDMENT NO. 4
On page 1, line 9, delete “health care facility” and insert “community-based physical health care provider”

AMENDMENT NO. 5
On page 1, lines 10 and 11, delete “mental illness or disorder” and insert “serious mental illness”

AMENDMENT NO. 6
On page 1, line 13, delete “Health care facility” insert “Community-based physical health care provider”

AMENDMENT NO. 7
On page 1, delete lines 16 and 17, and insert

“(2) Serious mental illness means any of various conditions characterized by impairment of an individual’s normal emotional or

AMENDMENT NO. 8
On page 2, line 2 after “Factories” insert “expected to exist for more than six months”

AMENDMENT NO. 9
On page 2, after line 2 insert

“C. This Section shall not apply to hospitals, chiropractors, nursing homes, optometrists, or dentists.”

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

SENATE BILL NO. 500—
BY SENATORS BUFFINGTON AND MILLS
AN ACT
To amend and reenact R.S. 36:919.4 and R.S. 40:1231, 1231.1(A), 1232(A) and (B), 1232.1(A) and (B), 1232.2(B)(1)(b) and (d), (B)(2), and (G), 1232.3(A)(1) through (3) and (B), 1232.4(1), (3), and (5), 1232.5, the introductory paragraph of 1232.6, and 1232.6(1), (2), and (12), 1232.7 (D) and (E), 1232.9, 1232.11, 1233, 1234, 1235(A)(1), (2)(a), (c), and (d), 1235.1(A), 1236, 1236.1, 1236.13(B) and (F), 1299.58.2(4), 1299.64.2(3); to enact R.S. 40:1232.4(10) and 1232.6(15), and to repeal R.S. 40:1236.3, relative to the changes within the emergency medical services provisions; to provide for changes in references to emergency medical personnel; to provide with respect to title designations for certain licensee providing emergency medical services; to provide with respect to grounds for disciplinary proceedings relative to intentional falsification of documents; to provide relative to the duties of emergency medical personnel; to provide relative to the permissible functions which an emergency medical services practitioner student may perform and under what conditions they may be performed; to provide with respect to the certifications necessary for an emergency medical services practitioner to hold; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 500 by Senator Buffington

AMENDMENT NO. 1
On page 2, line 9, delete “certification” and insert “licensure”

AMENDMENT NO. 2
On page 2, line 10, delete “certification” and insert “licensure”

AMENDMENT NO. 3
On page 4, line 10, after “individual” insert “who is a licensed emergency medical responder or”

AMENDMENT NO. 4
On page 5, line 9, after “Standards” insert “approved by the bureau and who is licensed by the bureau”

AMENDMENT NO. 5
On page 6, line 4, after “a” insert “licensed emergency medical responder.”
AMENDMENT NO. 6
On page 7, line 9, after "has" delete the remainder of the line and delete lines 10 and 11 and insert the following: "responsibility and authority to ensure quality of care and provide guidance for all medical aspects of EMS."

AMENDMENT NO. 7
On page 8, line 5, after "will" change "assure" to "ensure"

AMENDMENT NO. 8
On page 13, line 8, after "Transportation" insert "an"

AMENDMENT NO. 9
On page 13, delete line 26, and insert "a certified first responder or certified emergency medical technician: an emergency medical services practitioner."

AMENDMENT NO. 10
On page 18, line 25, delete "license" and insert "licensed"

AMENDMENT NO. 11
On page 19, line 24, delete "license" and insert "licensed"

AMENDMENT NO. 12
On page 24, line 23, after "paramedic," insert the following: "a licensed respiratory therapist, a licensed nurse practitioner, a licensed physician assistant, a licensed occupational therapist, a licensed physical therapist, or a licensed occupational therapist."

AMENDMENT NO. 13
On page 25, line 4, delete "license" and insert "licensed"

AMENDMENT NO. 14
On page 25, line 13, delete "at least a"

AMENDMENT NO. 15
On page 25, line 16, delete "is" and insert "is"

AMENDMENT NO. 16
On page 25, line 22, after "Medical examiners" insert ", a licensed respiratory therapist, a licensed nurse practitioner, a licensed physician assistant, or a licensed occupational therapist."

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

SENATE BILL NO. 631—
BY SENATOR LONG
AN ACT
To enact R.S. 37:2804(L), relative to chiropractors; to authorize the Louisiana Board of Chiropractic Examiners to promulgate rules; to provide for criminal background checks; and to provide for related matters.

Reported by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 631 by Senator Long

AMENDMENT NO. 1
On page 1, delete lines 2 and 3 and insert: "To enact R.S. 37:2804(L), relative to chiropractors; to provide for licensure of"

AMENDMENT NO. 2
On page 1, delete lines 10 and 11 and insert: "the board may require a licensee or an applicant, as a condition of licensure to:"
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Engrossed Senate Bill No. 72 by Senator Mills

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert in lieu thereof the following: "R.S. 13:3049(B)(1)(c)(iii) and (iv) and R.S. 15:255(P) and (Q), relative to special funds for certain district courts; to provide for the deposit and use of certain monies in special funds in the Sixteenth Judicial District Court and the First Judicial District Court;"

AMENDMENT NO. 2

On page 1, line 3, delete "Court special funds;"

AMENDMENT NO. 3

On page 1, line 7, delete "is" and insert in lieu thereof the following: "and (iv) are"

AMENDMENT NO. 4

On page 2, between lines 13 and 14, insert the following:

"(iv)(aa) In the First Judicial District, the parish governing authority may adopt an ordinance which provides that surplus monies in the juror compensation fund in the parish that exceeds fifty thousand dollars at the end of each calendar year may be used to defray the costs of providing courthouse security and all expenses associated with the trial of a capital case.

(bb) As used in this Item, "special fund" means the special fund provided for in this Subparagraph, and "surplus monies" means the amount of money that is in the special fund at the end of each calendar year and that is in excess of the total amount paid from costs of court collected as provided in Item (e)(1) of this Subparagraph in that calendar year. No money obligated to be paid to any juror shall be considered surplus money pursuant to this Item.

(cc) For the purposes of this Item, the balance of fifty thousand dollars required to be maintained in the juror compensation fund shall mean fifty thousand dollars in unexpended and unencumbered funds, and under no circumstances shall the balance in the fund be reduced below fifty thousand dollars as a result of an expenditure made under the provisions of this Item.

AMENDMENT NO. 5

On page 2, line 15, change "is" to "and (Q) are"

AMENDMENT NO. 6

On page 3, below line 12, add the following:

"(Q) In the First Judicial District, all surplus monies in the special fund that exceed fifty thousand dollars at the end of each calendar year shall be transmitted by the governing authority of Caddo Parish to the criminal court fund of the First Judicial District Court. However, no more than one hundred fifty thousand dollars as a result of a transfer made under the provisions of this Subparagraph, and "surplus monies" means the amount of money that is in each special fund at the end of each calendar year and that is in excess of the total amount paid from each special fund as witness fees for off-duty law enforcement officers in that calendar year. No money obligated to be paid to any officer or agency for an off-duty law enforcement officer's court appearance shall be considered surplus money pursuant to this Subparagraph.

(2) As used in this Subsection, "special fund" means the special fund provided for in Subsection D of this Section, and "surplus monies" means the amount of money that is in each special fund at the end of each calendar year and that is in excess of the total amount paid from each special fund as witness fees for off-duty law enforcement officers in that calendar year. No money obligated to be paid to any officer or agency for an off-duty law enforcement officer's court appearance shall be considered surplus money pursuant to this Subsection.

(3) For the purposes of this Subsection, the balance of fifty thousand dollars required to be maintained in the witness fee fund shall mean fifty thousand dollars in unexpended and unencumbered funds, and under no circumstances shall the balance in the witness fee fund be reduced below fifty thousand dollars as a result of a transfer made under the provisions of this Subsection.

On motion of Senator Peacock, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Donahue
Adley Morrell
Allain Riser
Amedee Mills
Appel Ward
Broome White
Buffington Walsworth
Chabert Ward
Claitor Walsworth
Crowe White
Donahue White
Total - 35

NAYS

Brown Total - 0
LaFleur ABSENT

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

SENATE BILL NO. 121—

BY SENATORS KOSTELKA, GUILLORY, MILLS AND PERRY

AN ACT

To amend and reenact R.S. 14:37.7, relative to domestic abuse battery convictions; to provide for definitions; to provide for the classification of domestic abuse battery pursuant to R.S. 14:35.3(G)(2); to provide for enhancement of penalties; to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Adley
Erdey Peacock
Allain Gallot Peterson
Amedee Guillory Riser
Appel Heitmeier Smith, G.
Broome Smith, J.
Buffington Tarver
Chabert Thompson
Claitor Walsworth
Cortez Ward
Crowe White
Donahue White
Total - 4

NAYS

Total - 35

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Mills moved to reconsider the vote by which the bill was passed and laid the motion on the table.
SENATE BILL NO. 152—
BY SENATOR BROOME
AN ACT
To amend and reenact Children's Code Articles 606(A)(5), 623(B) and (C), 661(B),(C) and (D), 672.1(C)(2) and (3), 675(B)(2), (3), (4), and (5), 679(C) and (D), 695(Heading) and (A), (B), and (C), 696(B), 702(J), 705, 706(B), 776(B), 853, 908(Heading) and (C), 1015(3)(k), 1030(2), 1211(Introductory Paragraph) and to enact Children's Code Articles 623(D) and (E), 661(E), 675(B)(6), 679(E) and (F), 695(D), 696(C), 706(C), and 908(D), and to repeal Children's Code Article 730(10), relative to continuous revision of the Children's Code; to provide for the grounds which must be alleged in a child in need of care proceeding; to provide relative to notice and who has the right to be heard at a continued custody Child in Need of Care ("CINC") hearing; to provide for who shall be present at an adjudication hearing; to provide for a reunification efforts determination; to provide for the purpose and contents of the case plan; to provide for who receives notice of and who may be present at the disposition hearing; to provide for who shall receive notice of the right to appeal and be heard at a case review hearing; to provide for the rights of the parties at a case review hearing; to provide for permanency hearings; to provide for notice of, the right to be heard, and the rights of the parties at permanency hearings; to provide for permanency planning reports; to provide for the effect of a parent's non-appearance at a delinquency hearing; to provide for the juvenile's care and treatment by the department; to provide for the grounds upon which an allegation that a family is a Family in Need of Services (or "FINS") must be based; and to provide for related matters.

Floor Amendments
Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 152 by Senator Broome

AMENDMENT NO. 1
On page 1, line 5, after "1030(2)," insert "the introductory paragraph of" and after "1211" delete "(Introductory Paragraph)"

AMENDMENT NO. 2
On page 2, line 12, after "1030(2)," insert "the introductory paragraph of" and after "1211" delete "(Introductory Paragraph)"

AMENDMENT NO. 3
On page 5, line 24, delete "* * *"
SENATE
17th DAY'S PROCEEDINGS
April 12, 2012

Brown       Johns       Tarver
Buffington  Kostelka    Walsworth
Chabert     Long        Ward
Claitor     Martiny     White
Cortez      Mills       White
Crowe       Morrish     White
Total - 34

NAYS
Peacock
Total - 1

ABSENT
LaFleur     Perry
Morrell     Thompson
Total - 4

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

SENATE BILL NO. 228—
BY SENATOR MORRISH
AN ACT
To enact R.S. 30:2054(B)(2)(b)(x), relative to air quality control; to provide for exceptions to the powers of the secretary of the Department of Environmental Quality; to allow sweet potato farmers to burn their crates used to store or transport sweet potatoes; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Donahue Murray
Adley       Dorsey-Colomb Nevers
Allain      Erdy        Peacock
Amedee      Gallot      Peterson
Appel       Guilory     Riser
Broome      Heitmeier   Smith, G.
Brown       Johns       Smith, J.
Buffington  Kostelka    Tarver
Chabert     Long        Thompson
Claitor     Martiny     Walsworth
Cortez      Mills       Ward
Crowe       Morrish     White
Total - 36

NAYS
Total - 0

ABSENT
LaFleur     Morrell     Perry
Total - 3

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

SENATE BILL NO. 633—
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 14:68.2 and to enact R.S. 14:68.2.1, relative to crimes involving the supplemental nutrition assistance program; to create the crime of unauthorized use of supplemental nutrition assistance program benefits or supplemental nutrition assistance program benefit access devices and the crime of failure to report unauthorized use of supplemental nutrition assistance program benefits; to provide

for definitions; to provide for penalties; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Donahue Murray
Adley       Dorsey-Colomb Nevers
Allain      Erdy        Peacock
Amedee      Gallot      Peterson
Appel       Guilory     Riser
Broome      Heitmeier   Smith, G.
Brown       Johns       Smith, J.
Buffington  Kostelka    Tarver
Chabert     Long        Thompson
Claitor     Martiny     Walsworth
Cortez      Mills       Ward
Crowe       Morrish     White
Donahue     Nevers
Total - 34

NAYS
Total - 0

ABSENT
LaFleur     Morrell     Perry
Total - 3
The Chair declared the bill was passed and ordered it sent to the House. Senator Broome moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 317—**
**BY SENATOR MARTINY**

To amend and reenact R.S. 15:574.4(B) and to enact R.S. 15:574.4(D), relative to juvenile parole eligibility; to provide for parole eligibility for juveniles sentenced to life imprisonment for certain offenses; to provide for exceptions; to provide for conditions; and to provide for related matters.

**Floor Amendments**

Senator Martiny sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 317 by Senator Martiny

**AMENDMENT NO. 1**

On page 2, line 21, following "Rules" and before "for" insert "and Procedures"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
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<td>Mr. President</td>
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<td>LaFleur</td>
<td>Morrell</td>
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<td>Total - 3</td>
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The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 621—**
**BY SENATOR MURRAY**

To amend and reenact R.S. 13:2497 and 2500.2(A)(1), to provide relative to courts and judicial procedures; to provide relative to the Municipal Court of New Orleans; to provide relative to certain court fees and salaries; to remove reference to specific dollar amounts of salaries for certain deputy clerks of the Municipal Court of New Orleans; to provide for an increase in certain fees collected by the Municipal Court of New Orleans; and to provide for related matters.

**Floor Amendments**

Senator Murray submitted the following amendments on behalf of Senator Donahue.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Donahue to Engrossed Senate Bill No. 621 by Senator Murray

**AMENDMENT NO. 1**

On page 2, line 18 delete "taxed" and insert "taxed assessed"

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
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<td>Mr. President</td>
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<td>Total - 34</td>
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<tr>
<td>Amedee</td>
<td>Morrell</td>
<td>Peterson</td>
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<td>Total - 5</td>
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The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

**Rules Suspended**

Senator Murray asked for and obtained a suspension of the rules to take up out of its regular order House Bill No. 491.
HOUSE BILL NO. 491—
BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 42:162, relative to oaths of office; to provide relative to manner in which the oath of certain officials is subscribed to and recorded; to provide for the duties of certain officials relative thereto; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Donahue

Murray

Adley

Dorsey-Colomb

Nevers

Allain

Erdey

Peterson

Amedee

Gallot

Riser

Appel

Gullory

Smith, G.

Broune

Heitmeier

Smith, J.

Brown

Jobs

Riser

Buffington

Kostelka

Thompson

Chabert

Long

Walsworth

Claitor

Martin

Ward

Cortez

Mills

White

Crowe

Morrish

Total - 35

NAYS

Total - 0

ABSENT

LaFleur

Peacock

Morrell

Perry

Total - 4

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

Explanation of Vote

Senator Peacock stated he appeared as absent on the vote on House Bill No. 491. He intended to vote yea and asked that the Official Journal so state.

Rules Suspended

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 12, 2012

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATORS BROOME, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROWN, BROWSE, CHABERT, CLAITOR, CROTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOW, GULLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLER, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Victor V. Bussie, former president of the Louisiana AFL-CIO and a pivotal force in labor relations for over five decades.

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATORS THOMPSON, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROWSE, BROWN, CHABERT, CLAITOR, CROTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOW, GULLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLER, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, WALSWORTH, WARD AND WHITE AND REPRESENTATIVE RICHARDSON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of a beloved statesman, The Honorable Donald Ray Kennard, former member of the Louisiana House of Representatives.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR ALARIO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of New Orleans public relations executive, Ray A. Liazza, to commend his life of service to the community, and to note the proud legacy of good works that he leaves to the state of Louisiana.

Respectfully submitted,
"JODY" AMEDEE
Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 12, 2012

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 22—
BY SENATOR MILLS

A RESOLUTION

To urge and request the Department of Health and Hospitals to establish prevention of disease as a primary model of health care; to increase awareness of vitamin D deficiency and vitamin D blood testing; and to promote awareness of the potential long-term health benefits of and increased chances of cancer survival with sufficient levels of vitamin D.

SENATE RESOLUTION NO. 29—
BY SENATOR BROOME

A RESOLUTION

To recognize the importance of proper infant nutrition and the creation of outreach nutritional and health screening programs

Respectfully submitted,
"JODY" AMEDEE
Chairman
and acknowledge the benefits of breastfeeding for both infants and mothers.

SENATE RESOLUTION NO. 30—
BY SENATOR MURRAY
A RESOLUTION
To recognize April as Minister Appreciation Month and to commend and honor the ministers of Louisiana.

SENATE RESOLUTION NO. 31—
BY SENATOR DORSEY-COLOMB
A RESOLUTION
To commend and congratulate the pastor and members of the Little Rising Sun Baptist Church of Baton Rouge, Louisiana, upon the celebration of its One Hundredth Anniversary.

SENATE RESOLUTION NO. 33—
BY SENATOR CLAITOR
A RESOLUTION
To commend the Christian Life Academy Crusaders boys basketball team on winning the 2012 Class 1A state championship.

SENATE RESOLUTION NO. 34—
BY SENATOR BROOME
A RESOLUTION
To designate March 2012 as “Safer and Healthier Choices Awareness Month”

SENATE RESOLUTION NO. 35—
BY SENATOR CHABERT
A RESOLUTION
To commend Jay Paul Molinere as a great ambassador of Louisiana’s outdoor lifestyle and culture.

SENATE RESOLUTION NO. 36—
BY SENATOR CHABERT
A RESOLUTION
To commend R.J. Molinere as a great ambassador of Louisiana’s outdoor lifestyle and culture.

SENATE RESOLUTION NO. 37—
BY SENATOR DORSEY-COLOMB
A RESOLUTION
To commend and congratulate Louisiana State University Professor Emeritus Dr. Milton C. “Chuck” Rush on his distinguished career and accomplishments in the field of plant pathology.

SENATE RESOLUTION NO. 38—
BY SENATOR LONG
A RESOLUTION
To commend Lisa Tarpley Price upon her induction as Louisiana district governor for Pilot International.

SENATE RESOLUTION NO. 39—
BY SENATOR BROOME
A RESOLUTION
To commend the service and contributions of The Links, Incorporated and to recognize Tuesday, April 10, 2012, as Louisiana Links Day at the State Capitol.

SENATE RESOLUTION NO. 40—
BY SENATOR BROOME
A RESOLUTION
To express sincere condolences of the Senate of the Legislature of Louisiana upon the death of Lynn Valeria Spearman Dickerson.

SENATE RESOLUTION NO. 41—
BY SENATOR BROOME
A RESOLUTION
To commend Dr. Velma Hunter Jackson, DDS, for her many contributions made to the greater Baton Rouge area.

SENATE RESOLUTION NO. 42—
BY SENATOR NEVERS
A RESOLUTION
To commend and congratulate Lou Major Sr. of Bogalusa, Louisiana, upon induction into the LSU Manshp School Hall of Fame at the 38th Annual Hall of Fame Gala on Thursday evening, April 19th, 2012.

SENATE RESOLUTION NO. 45—
BY SENATOR PETERSON
A RESOLUTION
To commend Thursday, April 19, 2012, as the twenty-eighth annual “Red and White Day” at the Louisiana Senate.

Respectfully submitted,
“JODY” AMEDEE
Chairman

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

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS
April 12, 2012

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATORS DORSEY-COLOMB, WHITE, ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CLAITOR, CROWE, DONAHUE, ERDEY, GALLOW, GIRLORD, HAYMEIER, JOHNS, KOSTELKA, LAPLUE, LION, MARTIN, MILL, MORRELL, MORMISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND REPRESENTATIVES BARROW, CARTER, FRANKLIN, GEYMANN AND KLECKLEY
A CONCURRENT RESOLUTION
To commend Seimone Augustus upon her receipt of the Most Valuable Player award presented by the Women’s National Basketball Association (WNBA) for the 2011 Championship Finals.

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATORS JOHN SMITH AND LONG AND REPRESENTATIVE HOWARD
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Lake Charles attorney, Benjamin W. Mount, and to commend a life well spent in service to his community and to note the proud legacy he leaves to the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATORS JOHN SMITH AND LONG AND REPRESENTATIVE HOWARD
A CONCURRENT RESOLUTION
To commend and congratulate Robert Eugene “Bobby” Williams Jr. of Florien, Louisiana, upon being named as the fifteenth honoree to be inducted into the prestigious Sabine Hall of Fame on March 27, 2012.
SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR CROWE AND REPRESENTATIVES CROMER AND PEARSON
A CONCURRENT RESOLUTION
To designate April 3, 2012, as "Sidell Ladies For Liberty Day" at the Louisiana State Capitol.

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATOR CROWE AND REPRESENTATIVES CROMER AND PEARSON
A CONCURRENT RESOLUTION
To designate the week of April 1-7, 2012, as "Junior Auxiliary Week" at the legislature.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATORS GAYNE AND GARY SMITH AND REPRESENTATIVES GAINES, PRICE AND SCHENKANDER
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the passing of Reverend Lucien R. Garrett Sr.

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR LONG
A CONCURRENT RESOLUTION
To recognize the seventy-fifth anniversary of the United States Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program.

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATORS MORRELL, ADLEY, ALARIO, ALAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAIBORNE, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOW, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTIN, MILLS, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERTON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALLS, WALS WORTH, WARD AND WHITE AND REPRESENTATIVE BROSETT
A CONCURRENT RESOLUTION
To commend and congratulate Ashton Phelps Jr. upon being inducted into the Louisiana High School Basketball Coaches Association Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATORS MARTIN, ADLEY, ALARIO, APPEL, CHABERT, CLAIBORNE, CORTEZ, CROWE, DORSEY-COLOMB, ERDEY, GALLOW, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LONG, MILLS, MORRELL, MURRAY, NEVERS, PEACOCK, PERRY, PETERTON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALLS, WALS WORTH, WARD AND WHITE
A CONCURRENT RESOLUTION
To commend William Goldring as the recipient of the Times-Picayune Loving Cup for 2011.

SENATE CONCURRENT RESOLUTION NO. 48—
BY SENATOR MILLS
A CONCURRENT RESOLUTION
To commend Mary Julia S. Terrebonne upon her retirement from the Louisiana Department of Health and Hospitals.

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATORS BROOME, ADLEY, ALARIO, ALAIN, AMEDEE, APPEL, BROWN, BUFFINGTON, CLAIBORNE, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOW, GUILLOY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTIN, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERTON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALLS, WALS WORTH, WARD AND WHITE AND REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the passing of Victor V. Bussie, former president of the Louisiana AFL-CIO and a pivotal force in labor relations for over five decades.

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATORS THOMPSON, ADLEY, ALARIO, ALAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAIBORNE, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOW, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTIN, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERTON, RISER, GARY SMITH, JOHN SMITH, TARVER, WALS WORTH, WARD AND WHITE AND REPRESENTATIVE RICHARDSON
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of J. Ray Teddlie.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR ALARIO
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of New Orleans public relations executive, Ray A. Liuzza, to commend his life of service to the community, and to note the proud legacy of good works that he leaves to the state of Louisiana.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS
April 12, 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. 70—
BY REPRESENTATIVE HARRIS AND SENATOR GALLOT
A CONCURRENT RESOLUTION
To commend Harry B. Silver for his outstanding accomplishments and dedicated service to the city of Alexandria and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK
A CONCURRENT RESOLUTION
To commend Georgia Lynn Hilburn upon being named the Caddo Public Schools 2012 Middle School Student of the Year and to recognize her extraordinary accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 72—
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK
A CONCURRENT RESOLUTION
To commend Ruth Bishop of Caddo Magnet High School upon being named the Caddo Public Schools 2012 High School Student of the Year and to recognize her extraordinary accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 73—
BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK
A CONCURRENT RESOLUTION
To commend Samantha Hilburn upon being named the Caddo Public Schools 2012 Middle School Student of the Year and to recognize her extraordinary accomplishments.
The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, April 16, 2012.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O’QUIN  
Journal Clerk

HOUSE CONCURRENT RESOLUTION NO. 75—  
BY REPRESENTATIVE DANAHAY

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences upon the death of William "Bill" Lovejoy Henning, Sr., of Sulphur.

HOUSE CONCURRENT RESOLUTION NO. 80—  
BY REPRESENTATIVES BROSSETT, BADON, BARROW, WESLEY BISHOP, DIXON, LEGER, MORENO, NORTON, AND SMITH AND SENATORS MORRELL, MURRAY, AND PETERSON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Elizabeth Catlett, the former chair of the art department at Dillard University in New Orleans and an internationally renowned artist.

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

The roll was called with the following result:

PRESENT

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

Total - 36

ABSENT

LaFleur  Morrell  Perry
Total - 3

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur  1 Day  Morrell  1 Day
Perry  1 Day

Announcements

The following committee meetings for April 16, 2012, were announced:

Finance  1:00 P.M.  Room A
Natural Resources  9:00 A.M.  Hainkel Room
Retirement  9:30 A.M.  Room E
Revenue and Fiscal Affairs  1:00 P.M.  Hainkel Room

Adjournment

On motion of Senator Thompson, at 9:50 o'clock A.M. the Senate adjourned until Monday, April 16, 2012, at 4:00 o'clock P.M.