The Senate was called to order at 3:10 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 Erdey Peacock
Adley Guillory Perry
Allain Johns Peterson
Amedee Kostelka Riser
Appel LaFleur Smith, G.
Broome Long Smith, J.
Buffington Martin Thompson
Claitor Mills Walsworth
Crowe Murray Ward
Donahue Nevers White
Total - 30

ABSENT

Brown Dorsey-Colomb Morrell
Chabert Gallot Morrish
Cortez Heitmeier Tarver
Total - 9

The President of the Senate announced there were 30 Senators present and a quorum.

Prayer

The prayer was offered by Reverend George Lee Glass, 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 Cortez, the reading of the Journal was dispensed with and the Journal of April 16, 2012, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 57—
BY SENATOR ADLEY
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Marine Corps Corporal Trent William Robert Blankenship while in the service of his country.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 54—
BY SENATOR MORRELL
A RESOLUTION
To commend and congratulate Sarah Devlin, a film and media arts student from the New Orleans Center for Creative Arts (NOCCA), upon receipt of the 2012 Portfolio Gold Medal from Scholastic Art & Writing Awards.

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

SENATE RESOLUTION NO. 55—
BY SENATOR THOMPSON
A RESOLUTION
To designate May 4, 2012, as "FFA Day" at the legislature and to commend the state officers of FFA.

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

SENATE RESOLUTION NO. 56—
BY SENATOR PETERSON
A RESOLUTION
To recognize Monday, May 7, 2012, as Children's Defense Fund Day and to commend the Children's Defense Fund.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR MURRAY
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study how the value of a usufruct should be properly determined under state law.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Perry
Adley Heitmeier Peterson
Allain Johns Riser
Amedee Kostelka Smith, G.
Appel LaFleur Smith, J.
Broome Long Thompson
Buffington Martin Ward
Claitor Mills Walsworth
Crowe Murray White
Donahue Nevers
Dorsey-Colomb
Total - 34

NAYS

Total - 0

ABSENT

Chabert Gallot Martiny
Crowe Guillory
Total - 5

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

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

April 16, 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. 70 HB NO. 95 HB NO. 138
HB NO. 172 HB NO. 338 HB NO. 353
HB NO. 378 HB NO. 581 HB NO. 639
HB NO. 651

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 70—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 14:91.9, relative to sexual offenders; to prohibit sex offenders from residing or being physically present within a certain distance of a former victim; to prohibit sex offenders from communicating with a former victim; to provide for penalties; to provide for affirmative defenses; and to provide for related matters.

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

HOUSE BILL NO. 95—
BY REPRESENTATIVES HENRY, ADAMS, ARNOLD, STUART BISHOP, BROWN, HENRY BURNS, CHAMPAGNE, GAROFALO, GISCLAIR, GREENE, HAVARD, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, JAY MORRIS, PUGH, PLYLANT, REYNOLDS, RICHARD, SEABAUGH, TALBOT, THOMPSON, and WHITNEY
AN ACT
To amend and reenact Code of Criminal Procedure Article 895(I), (J), (K), (L), and (M) and to enact R.S. 15:538(E) and 574.4.3(F) and Code of Criminal Procedure Article 895(N), relative to sex offenders; to provide relative to conditions of probation and parole for certain sex offenders; to authorize the use of truth verification examinations; to provide relative to the administration of truth verification examinations; to prohibit the use of test results for certain purposes; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 138—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:536(A), 537(A), 541(2)(n) and (o), 542.1(A)(2)(d), and 543.1(8), relative to sex offender registration and notification; to make technical corrections to sex offender registration and notification provisions; to make technical corrections to sex offender registration and notification provisions relative to crime against nature and crime against nature by solicitation; and to provide for related matters.

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

HOUSE BILL NO. 172—
BY REPRESENTATIVE DIXON
AN ACT
To amend and reenact R.S. 37:793(A)(1), (6), and (7), (B)(1) and (4), (C)(1), (2), and (3), (E)(1), (G)(1), and (H)(2) and 795(B)(2)(q) and (s), to enact R.S. 37:751(F) and 793(A)(9) and (10) and (C)(6), (7), (8), and (9), and to repeal R.S. 37:793(A)(2), (4), (5) and (C)(4) and (5), relative to the practice of dentistry; to provide for a short title; to provide for definitions; to provide regulations for sedation of dental patients; to authorize promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 338—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact Code of Criminal Procedure Article 895(I), (J), (K), and (L) and to enact R.S. 14:91.2(A)(2) and (3) and (B)(1) and (2), relative to the unlawful presence of sex offenders; to amend provisions relative to the unlawful presence of sex offenders convicted of a sex offense; to provide relative to child care facilities; and to provide for related matters.

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

HOUSE BILL NO. 353—
BY REPRESENTATIVES HOFFMANN, ADAMS, ANDERS, CHANEY, CONNICK, COX, FRANKLIN, GISCLAIR, GREENE, HARRIS, HAVARD, HILL, KATRINA JACKSON, NANCY LANDRY, LEBAS, MACK, JAY MORRIS, ORTEGO, POPE, REYNOLDS, RICHARDSON, SEABAUGH, SIMON, WHITNEY, PATRICK WILLIAMS, and WILLMOTT
AN ACT
To amend and reenact R.S. 14:91.2(A)(2) and (3) and (B)(1) and (2), relative to the unlawful presence of sex offenders; to amend provisions relative to the unlawful presence of certain offenders convicted of a sex offense; to provide relative to child care facilities; and to provide for related matters.

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

HOUSE BILL NO. 378—
BY REPRESENTATIVES HENRY, ADAMS, ARNOLD, STUART BISHOP, BROWN, GUILLORY, HAZEL, HONORE, HOWARD, MACK, NORTON, and PVYLLANT
AN ACT
To amend and reenact R.S. 46:231.3 and 450.1(B)(6) and (C)(3) and to enact R.S. 46:231(15) and (16), 231.2.1, and 450.1(C)(4) and (5), relative to aid to needy families; to provide for the Family Independence Temporary Assistance Program benefits; to provide limitations on retailers participating in the cash assistance electronic benefits transfer system; to provide for definitions; to authorize promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 581—
BY REPRESENTATIVE LGER
AN ACT
To provide for the circumstances in which bail may be reinstated; to provide for the reinstatement of bail in certain cases; 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. 639—
BY REPRESENTATIVE PATRICK WILLIAMS
AN ACT
To amend and reenact R.S. 37:791(B) and to enact R.S. 37:770(F), 791(A)(3) and (4), and 795(B)(2)(v) and (3)(m), relative to the well-being program for dentists and dental hygienists; to provide for the assessment and collection of a fee to be used for the treatment of dentists and dental hygienists suffering from mental illness, physical deficiencies, or substance abuse; to provide for the limitation of liability of the Louisiana State Board of Dentistry and certain other specified people involved in the identification, investigation, and treatment of dentists and dental hygienists suffering from certain illnesses or deficiencies; to authorize the recovery of the cost of defending a frivolous lawsuit under certain circumstances; to establish minimum and maximum fees to be collected from dentists and dental hygienists to support the well-being program; and to provide for related matters.

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

HOUSE BILL NO. 651—
BY REPRESENTATIVE LAMBERT
AN ACT
To repeal R.S. 56:410.4, 410.5, 410.7(C), 410.8, 410.9, and 410.11, relative to fishing; to remove certain provisions relative to yo-yos or trigger devices and trotlines on certain bodies of water; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 73—
BY REPRESENTATIVE LIGI
AN ACT
To amend and reenact R.S. 40:41(D)(1) and (2)(introductory paragraph), relative to disclosure of records in the vital records registry; to authorize the use of certain records by judicial district courts; to provide for specified uses of vital records; and to provide for related matters.

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

HOUSE BILL NO. 141—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 18:1495.7(A) and R.S. 42:1124.4(A)(2), relative to financial disclosure; to change the deadline for certain disclosures by candidates for certain offices; to change the time for certain notices relative to financial disclosure statements; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 166—
BY REPRESENTATIVE LIGI
AN ACT
To enact Children's Code Article 603(15)(j), relative to the mandatory reporting of child abuse; to provide for the addition of certain coaches to the statutory list of mandatory reporters; 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. 216—
BY REPRESENTATIVES HARRISON, ARMES, BILLIOT, GISCLAIR, GUINN, LAMBERT, LEOPOLD, MONTOUCET, JIM MORRIS, ORTEGO, RICHARDSON, AND SCHEXNAYDER
AN ACT
To enact R.S. 56:301.9, relative to issuance of licenses associated with the commercial fishing industry; to authorize the Department of Wildlife and Fisheries to issue such licenses via the Internet; and to provide for related matters.

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

HOUSE BILL NO. 230—
BY REPRESENTATIVES THIBAUT, ARMES, CHANEY, CONNICK, GISCLAIR, GUINN, HARRISON, LAMBERT, LEOPOLD, AND SCHEXNAYDER AND SENATORS LAFLEUR AND RISER
AN ACT
To amend and reenact R.S. 56:116(C)(1), relative to weapons used during primitive firearms season; to provide for the minimum caliber of certain rifles used in primitive firearms season; to provide for the authority of the Wildlife and Fisheries Commission; and to provide for related matters.

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

HOUSE BILL NO. 231—
BY REPRESENTATIVE LIGI
AN ACT
To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime of unlawful sale of a live dog or cat at certain locations; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 233—
BY REPRESENTATIVES BURFORD AND REYNOLDS
AN ACT
To amend and reenact R.S. 56:116.1(D)(2), relative to taking of outlaw quadrupeds; to authorize taking outlaw quadrupeds at night on private property year-round with or without dogs; and to provide for related matters.

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

HOUSE BILL NO. 269—
BY REPRESENTATIVE BARROW
AN ACT
To amend and reenact R.S. 17:238(C), relative to the education of children in foster care; to provide relative to school placement of children in foster care; 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. 349—
BY REPRESENTATIVE DIXON
AN ACT
To amend and reenact R.S. 37:757(B), 760(A)(4)(b) and (9), 780(B)(1) and (3), 786(G), and 786.1(A)(1) and to enact R.S. 37:760(A)(16), relative to the Dental Practice Act; to provide for the provision of dental records in compliance with statutory law; to clarify the board's powers and duties to impose fines under certain circumstances; to authorize the board to defend employees, agents, or contractors in a lawsuit under certain circumstances; to clarify that the committee's administrative fine covers all of the board's costs from the start of the investigation through administrative hearings, judicial review, and appeals; to specify that the issuance of a stay of a board decision does not harm the Louisiana State Board of Dentistry; and to provide for related matters.
The bill was read by title and referred by the President to the Committee on Health and Welfare.

HOUSE BILL NO. 372—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact and reenact R.S. 56:433.1(A)(2), relative to the oyster seed ground vessel permit; to extend the application period for such permit; and to provide for related matters.

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

HOUSE BILL NO. 373—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 56:497(A)(2) and (C)(1), relative to the Wildlife and Fisheries Commission to establish such sites; and to provide for related matters.

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

HOUSE BILL NO. 397—
BY REPRESENTATIVE LAMBERT
AN ACT
To enact and reenact Code of Criminal Procedure Article 230.1(B) and to enact Code of Criminal Procedure Article 333.1, relative to bail; to provide for the setting of bail; to provide for the appearance before a judge for the purpose of setting bail; to provide for time restrictions; to provide for extensions; to provide for exceptions; to provide for the consequences of failure to set bail; and to provide for related matters.

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

HOUSE BILL NO. 401—
BY REPRESENTATIVE GISCLAIR
AN ACT
To amend and reenact R.S. 56:116.1(D)(1), relative to hunting; to provide for revenue to the fund; and to provide for related matters.

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

HOUSE BILL NO. 406—
BY REPRESENTATIVE GREENE
AN ACT
To enact and reenact R.S. 22:1574(A)(3), (B), (C), and (D)(1) and to enact R.S. 22:1574(A)(4), relative to the Bail Bond Apprentice Program; to provide for registration of Bail Bond Apprentice Program participants; to provide for recordkeeping relative to program participants; and to provide for related matters.

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

HOUSE BILL NO. 426—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 56:1832(B), relative to the Wild Louisiana Stamp; to provide for the use of proceeds from the sale of the Wild Louisiana Stamp; and to provide for related matters.

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

HOUSE BILL NO. 478—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 56:729(A), (B)(1), and (C)(1), relative to the Louisiana Alligator Resource Fund; to change the recipient of certain monies from the fur and refuge division to the office of wildlife; to provide for revenue to the fund; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Natural Resources.
HOUSE BILL NO. 702—
BY REPRESENTATIVE ARNOLE
AN ACT
To amend and reenact R.S. 38:330.8(B), relative to authority of levee districts; to provide relative to the funding of the Algiers Levee District and the Orleans Levee District; and to provide for related matters.

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

HOUSE BILL NO. 710—
BY REPRESENTATIVE BARROW
AN ACT
To amend and reenact R.S. 18:1484(2)(a), relative to campaign finance; to provide for persons required to file reports; to change the threshold for a candidate for any other office to be required to file; and to provide for related matters.

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

HOUSE BILL NO. 805—
BY REPRESENTATIVE BELL
AN ACT
To amend and reenact R.S. 17:202.1, relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "operator"; to define "person"; to define "wildfire"; to require notification of an emergency excavation within twenty-four hours after commencement of excavation; to require notification within twelve hours of an emergency excavation after a governmental declaration of emergency due to a tropical storm or hurricane; to require notification of an emergency excavation within twenty-four hours after control of an emergency caused by a wildfire; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 806—
BY REPRESENTATIVE PONTI
AN ACT
To amend and reenact R.S. 45:1622(2), (12), (13), and (20)(b), 163(D)(1)(b), 164(C), (D), (E)(1) and (2)(a) and (b), 165, 169, 172(A)(3), and 179 and to repeal R.S. 45:163(E) and 172(A)(4)(c), relative to the Louisiana Public Service Commission; to define "certificate"; to define "carrier"; to require notification of an emergency excavation within four hours after commencement of excavation; to require notification of an emergency excavation within twelve hours of an emergency excavation after a governmental declaration of emergency due to a tropical storm or hurricane; to require notification of an emergency excavation within twenty-four hours after control of an emergency caused by a wildfire; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 824—
BY REPRESENTATIVE PONTI
AN ACT
To amend and reenact R.S. 40:1749.12(11) and (12) and 1749.20(C)(introtductory paragraph) and to enact R.S. 40:1749.12(16) and 1749.15(C), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "operator"; to define "person"; to define "wildfire"; to require notification of an emergency excavation within four hours after commencement of excavation; to require notification within twelve hours of an emergency excavation after a gubernatorially declared state of emergency due to a tropical storm or hurricane; to require notification of an emergency excavation within twenty-four hours after control of an emergency caused by a wildfire; to provide for penalties; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.
House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVE STUART BISHOP
A CONCURRENT RESOLUTION
To amend the Department of Wildlife and Fisheries rule (LAC 76:V.115(E)(1)), which provides exemptions from the department's rules governing private possession of potentially dangerous quadrupeds, exotic cats, and nonhuman primates, to include in those exemptions the Zoo of Acadiana so long as it meets the American Zoo and Aquarium Association standards for enclosures and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVES REYNOLDS, GREENE, HILL, RICHARD, AND WHITNEY AND SENATOR GARY SMITH
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to encourage the National Marine Fisheries Service, the Gulf of Mexico Marine Fisheries Council, and the Gulf of Mexico Fisheries Management Council to adopt a weekend-only fishery management regime for red snapper in the Gulf of Mexico for 2012.

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

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to defund and appropriate no future funding to Planned Parenthood.

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

HOUSE CONCURRENT RESOLUTION NO. 41—
BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION
To designate the city of Scott as the Boudin Capital of the World.

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

HOUSE CONCURRENT RESOLUTION NO. 46—
BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION
To urge and request the office of public health in the Department of Health and Hospitals to study the feasibility of establishing a breast milk bank at a hospital in Northeast Louisiana with a level three neonatal intensive care unit.

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

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE KATRINA JACKSON
A CONCURRENT RESOLUTION
To urge and request the office of public health in the Department of Health and Welfare to study the feasibility of establishing a breast milk bank at a hospital in Northeast Louisiana with a level three neonatal intensive care unit.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON
AGRICULTURE, FORESTRY, AQUACULTURE, AND RURAL DEVELOPMENT

Senator Francis C. Thompson, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

April 17, 2012

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

HOUSE BILL NO. 109—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To repeal Part I of Chapter 15 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1961 through 1971, relative to the production and marketing of livestock; to repeal the regulation of use of stallions and jacks.

Reported favorably.

HOUSE BILL NO. 110—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To amend and reenact the heading of Part IV of Chapter 16 of Title 3 of the Louisiana Revised Statutes of 1950 and R.S. 3:2226, relative to diseases of animals; to provide for a technical correction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 152—
BY REPRESENTATIVE ANDERS
AN ACT
To amend and reenact R.S. 3:1413(C)(2)(a) and 1415(A)(6) and to enact R.S. 3:1413(C)(2)(a) and 1415(A)(6) and to enact R.S. 3:1415(A)(7), relative to fertilizers; to provide for the duty of the commissioner of agriculture; to provide for an organic certification cost-share rebate program; to provide for the duties of the commissioner of agriculture; to provide for cooperative agreements; to provide for organic labeling standards; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 153—
BY REPRESENTATIVE ANDERS
AN ACT
To enact R.S. 3:19 and 20, relative to the Department of Agriculture and Forestry; to provide for an organic certification cost-share rebate program; to provide for due dates; to provide for a deficiency assessment; and to provide for related matters.

Reported favorably.
HOUSE BILL NO. 176—
BY REPRESENTATIVE ANDERS
AN ACT
To amend and reenact R.S. 3:1400(A)(intro paragraph) and 1401(C)(1), relative to commercial feeds; to clarify the minimum deficiency assessment; to clarify minimum inspection fees; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 177—
BY REPRESENTATIVE ADLEY
AN ACT
To amend and reenact R.S. 3:1430.12(C), relative to agricultural liming materials, to provide for tonnage fees; and to provide for related matters.
Reported favorably.

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:

April 16, 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. 144—
BY SENATOR MILLS
AN ACT
To enact R.S. 47:337.11.2, relative to the sales and use tax of biologics; and to provide for related matters.
Reported favorably.

SENATE BILL NO. 177—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 47:1705(B)(2)(c)(i) and (ii), relative to information provided regarding millage rates; to provide relative to certain notice publication deadline to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.
Reported favorably.

SENATE BILL NO. 270—
BY SENATOR PERRY
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 Dreams Come True, Inc.; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 258—
BY REPRESENTATIVES FANNIN, ADAMS, ANDERS, ARMES, BARRAS, BERTHELOT, BILLIOT, BROADWATER, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, DIXON, EDWARDS, GAINES, GAROFALO, GEYMAN, GISCLAIR, GUILLOIRE, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HOFFMANN, HONORE, HOWARD, HUNTER, HUVAL, KATRINA JACKSON, JAMES, JEFFERSON, JONSON, JONES, LAMBERT, TERRY LANDRY, LEBAS, LEOPOLD, LIGI, LORUSSO, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PIERRE, POPE, PRICE, PYLANT, REYNOLDS, RICHARD, RICHARDSON, Ritchie, Robideaux, Schexnayder, Schroder, Shadoian, Simon, Smith, St. Germain, Thibaut, Thompson, Whitney, and Patrick Williams and Senators Kostelka and Riser
AN ACT
To amend and reenact R.S. 48:196.1, relative to the issuance of bonds; to authorize the State Bond Commission to issue bonds secured by certain licenses and fees; to provide for the deposit of certain monies into the State Highway Improvement Fund; to provide for the use of the proceeds of the bonds; to provide for a special fund; to provide for certain requirements and limitations on the issuance of the bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; to provide for an effective date; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 178—
BY REPRESENTATIVE WELBY
AN ACT
To enact 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 a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 271—
BY SENATOR PERRY
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 Friends of Palmetto Island State Park, Inc.; and to provide for related matters.
Reported favorably.
HOUSE BILL NO. 350—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact Code of Civil Procedure Article 2379, relative to evictions; to provide for rights of reimbursement; to provide for limitations; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 405—
BY REPRESENTATIVE DANAHAY
AN ACT
To enact Code of Civil Procedure Article 1922(C), relative to judgments; to provide for required information in a judgment; to provide relative to affidavits of distinction of judgments; to provide for recording fees; and to provide for related matters.
Reported favorably.

Respectfully submitted,
BEN W. NEVERS
Chairman

REPORT OF COMMITTEE ON JUDICIARY B

Senator Jean-Paul “JP” Morrell, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 17, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 565—
BY SENATOR DORSEY-COLOMB
AN ACT
To amend and reenact R.S. 15:833(A) and R.S. 46:1816(B)(6), and to enact Chapter 21-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1851 through 1857, relative to prisons and prisoners; to provide for the creation of escrow accounts for certain prisoners who enter into contracts for profits derived from the notoriety gained from their crimes; to provide relative to affidavits of distinction of judgments; to provide for recording fees; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 700—
BY SENATOR BROWN
AN ACT
To amend and reenact R.S. 29:729(E)(14) and to enact R.S. 29:729(E)(15), relative to powers and duties of the parish office of homeland security and emergency preparedness; to require the office to establish a voluntary registry of persons with special needs; and to provide for related matters.
Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVE LOPINTO
A CONCURRENT RESOLUTION
To authorize and direct the Louisiana State Law Institute to study and make recommendations for the revision of laws regarding expungement.

Respectfully submitted,
JEAN-PAUL “JP” MORRELL
Chairman

REPORT OF COMMITTEE ON JUDICIARY C

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 17, 2012

To the President and Members of the Senate:

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

HOUSE BILL NO. 119—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:571.21(B) and to enact R.S. 15:571.21(C), relative to probation and parole fees; to amend provisions relative to monetary assessments imposed as conditions of probation or parole; to provide for the assessment of a collection fee for certain funds due; to provide for the reinvestment of certain collected funds; to authorize the secretary of the Department of Public Safety and Corrections to enter into certain fee collection contracts; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 122—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:824(A) and (C), relative to the commitment of persons to the custody of the Department of Public Safety and Corrections; to authorize the commitment of certain persons to the custody of the Department of Public Safety and Corrections prior to conviction or sentencing; to provide for the housing of those persons; to provide for reimbursement to the department; and to provide for related matters.
Reported with amendments.

HOUSE BILL NO. 123—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:875(B)(1) and to enact R.S. 15:875(B)(3), relative to the imposition of restitution on offenders; to provide that restitution may be obtained from an offender for expenses incurred for an escape or attempted escape from any place where the offender is legally confined; to provide for applicability; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 994—
BY REPRESENTATIVE LOPINTO
AN ACT
To amend and reenact R.S. 15:571.3(B)(1)(a), relative to diminution of sentence for good behavior; to change the rate that diminution of sentence is calculated for certain offenders; to provide for applicability; and to provide for related matters.
Reported favorably.

Respectfully submitted,
JEAN-PAUL “JP” MORRELL
Chairman
SENATE BILL NO. 5—
BY SENATOR MURRAY
AN ACT
To amend and reenact Code of Criminal Procedure Article 521, 701, 708, 709, 717, and 808, relative to jury trials; to provide for use of evidence during jury deliberations; to provide for note taking; to provide for evidence in jury room; to provide for jury charges; and to provide for related matters.
Reported favorably.

SENATE BILL NO. 243—
BY SENATOR MARTINY
AN ACT
To enact Code of Criminal Procedure Articles 434.1 and 725.1, the introductory paragraph of 718 and 718(1) and 729.6 and to provide for related matters.
Reported favorably.

SENATE BILL NO. 482—
BY SENATOR PERRY
AN ACT
To enact Code of Criminal Procedure Article 521, 701, 708, 709, 717, and 808, relative to jury trials; to provide for use of evidence during jury deliberations; to provide for note taking; to provide for evidence in jury room; to provide for jury charges; and to provide for related matters.
Reported favorably.

SENATE BILL NO. 553—
BY SENATOR CLAITOR
AN ACT
To amend and reenact Code of Criminal Procedure Article 894(B)(2), relative to suspension and deferral of criminal sentences; to provide relative to disclosure of certain evidence and records; to provide relative to disclosure of certain witness information; and to provide for related matters.
Reported favorably.

SENATE BILL NO. 659—
BY SENATOR MARTINY
AN ACT
To amend and reenact Code of Criminal Procedure Articles 521, 717, the introductory paragraph of 718 and 718(1) and 729.6 and to enact Code of Criminal Procedure Articles 434.1 and 725.1, relative to criminal discovery; to provide for exceptions to grand jury secrecy; to provide relative to pretrial discovery motions; to provide relative to disclosure of certain evidence and records; to provide relative to discovery of certain evidence and records; to provide for related matters.
Reported favorably.

SENATE BILL NO. 686—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 14:106(A)(7)(a) and to enact R.S. 14:106(A)(8), relative to the crime of obscenity; to add the intentional transmission of sexually explicit text messages to the definition of the crime of obscenity; to provide for additional definitions; and to provide for related matters.
Reported favorably.

RESPECTFULLY SUBMITTED,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Senator Riser asked for and obtained a suspension of the rules to take up House Bill No. 969 just reported by Committee.

HOUSE BILL NO. 969—
BY REPRESENTATIVE TALBOT
AN ACT
To enact 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 a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.
Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 969 by Representative Talbot

AMENDMENT NO. 1
On page 3, line 26, after "previous year," insert "whichever is less."

AMENDMENT NO. 2
On page 5, line 8, after "organization," insert: "The Department of Education may bar a school tuition organization from participating in the rebate authorized under this Section if the school tuition organization fails to comply with the requirements of this item.

AMENDMENT NO. 3
On page 6, between lines 7 and 8, insert: "(xi) The school tuition organization shall adequately advertise the availability of scholarships to the public, with an emphasis on notifying parents of students in public schools that received a letter grade of "F" or "D", in the manner provided for in rules and regulations which shall be promulgated by the Department of Education in accordance with the Administrative Procedure Act.

AMENDMENT NO. 4
On page 6, line 9, after "which is" insert "approved."
AMENDMENT NO. 5
On page 6, at the beginning of line 10, after "approved" and before "or" insert a comma "."

AMENDMENT NO. 6
On page 6, line 14, after "school," insert: "The Department of Education may bar an otherwise qualified school from participating in the rebate authorized under this Section if the otherwise qualified school fails to comply with the requirements of this Item.

AMENDMENT NO. 7
On page 7, line 8, change "charge" to "charged"

AMENDMENT NO. 8
On page 8, line 7, after "exceed" insert "the lesser of"

AMENDMENT NO. 9
On page 8, line 9, change "for a" to "in the case of a" and after "eight grade" insert a comma ","

AMENDMENT NO. 10
On page 8, line 11, change "for a" to "in the case of a"

AMENDMENT NO. 11
On page 8, line 24, after "exceed" insert "the lesser of"

AMENDMENT NO. 12
On page 8, line 26, change "for a" to "in the case of a"

AMENDMENT NO. 13
On page 8, line 27, after "eight grade" insert a comma ","

AMENDMENT NO. 14
On page 8, line 28, change "for a" to "in the case of a"

AMENDMENT NO. 15
On page 9, line 17, after "(2)" insert "(a)"

AMENDMENT NO. 16
On page 9, between lines 20 and 21, insert:

"(b) The Department of Education shall ensure that the public of the state is aware of the availability of scholarships, with an emphasis on notifying parents of students in public schools that received a letter grade of "F" or "D", and shall provide for requirements for school tuition organizations to adequately advertise the availability of scholarships to the public, all as provided for in rules and regulations which shall be promulgated by the Department of Education in accordance with the Administrative Procedure Act.

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

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 77—
BY SENATORS GALLOT AND GARY SMITH
AN ACT
To amend and reenact R.S. 32:402.3(C) and 408(C)(1), relative, to motorcycle endorsements on drivers' licenses; to provide that persons meeting certain qualifications are not required to take a written knowledge test to obtain an "M" endorsement on a driver's license; and to provide for related matters.

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

SENATE BILL NO. 91—
BY SENATOR JOHN SMITH
AN ACT
To enact R.S. 13:2583.5, relative to the appointment of a deputy constable in Calcasieu Parish; to authorize a constable of a justice of the peace court in Calcasieu Parish to appoint a deputy; to provide for compensation; to provide for qualifications of office; to provide for residency requirements; to provide for prohibitions; and to provide for related matters.

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

SENATE BILL NO. 104—
BY SENATOR NEVERS
AN ACT
To amend and reenact R.S. 17:3164(A)(2)(b), 3167(E), and 3168, relative to postsecondary education; to provide relative to articulation and transfer of credit between and among public secondary and postsecondary educational institutions; to provide relative to the development and implementation of a statewide common course numbering system; to provide relative to reporting requirements; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 104 by Senator Nevers

AMENDMENT NO. 1
On page 2, at the beginning of line 26, delete "by the beginning of" and insert "during"

AMENDMENT NO. 2
On page 2, line 29, between "established" and "the" delete "by the beginning of" and insert "during"

AMENDMENT NO. 3
On page 3, line 2, between "established" and "the" delete "by the beginning of" and insert "during"

AMENDMENT NO. 4
On page 3, at the end of line 10, change "January thirty-first" to "September thirtieth" and at the beginning of line 11, delete "and July thirty-first"

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

SENATE BILL NO. 156—
BY SENATORS MURRAY AND MORRELL
AN ACT
To enact Children's Code Art. 905.1, relative to children committed to the Department of Public Safety and Corrections; to provide for assessment of reading ability; to provide for creation of an academic plan and timetable; to provide for court approval; to provide certain procedures, terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 156 by Senator Murray

AMENDMENT NO. 1
On page 1, line 3 change "assessment of reading ability" to "an assessment of academic grade level"
AMENDMENT NO. 2
On page 1, line 4 after "academic" delete the remainder of the line and insert "plan; to provide for submission of the academic plan and reports to the court;"

AMENDMENT NO. 3
On page 1, at the beginning of line 5 delete "approval;"

AMENDMENT NO. 4
On page 1, line 11, after "assigned to the" and before "custody" insert "secure"

AMENDMENT NO. 5
On page 1, delete lines 12 through 16 and insert the following:
"Safety and Corrections following an adjudication of delinquency, the department shall assess the child's academic grade level using a research based diagnostic tool within thirty days of the child's admission to a secure care facility.

B. The department shall develop a written academic plan for the child based upon all of the following criteria for each individual child:

1. Grade level diagnostic test results.
3. The individualized education plan or individualized learning plan, as applicable.
4. The length of time the child will be in the department's secure custody.

C. If the child tests at grade level or above, the individualized education plan or individualized learning plan shall be structured, depending on the child's abilities, to bring the child's academic performance up to grade level or as reasonably close thereto as possible, during the period the child is in the department's secure custody.

AMENDMENT NO. 6
On page 1, line 17, after "the child to" and before "earn" insert "timely prepare for or"

AMENDMENT NO. 7
On page 2, line 1, change "while he" to "during the period the child"

AMENDMENT NO. 8
On page 2, line 2, between "department's" and "custody" insert "secure"

AMENDMENT NO. 9
On page 2, delete lines 3 through 7 and insert the following:
"D. If the child tests below grade level, the individualized education plan or individualized learning plan shall be structured, depending on the child's abilities, to bring the child's academic performance up to grade level or as reasonably close thereto as possible, during the period the child is in the department's secure custody."

AMENDMENT NO. 10
On page 2, delete lines 8 and 9, and at the beginning of line 10 delete "assessment," and insert the following:
"E. The department shall submit the individualized education plan or individualized learning plan to the court within forty-five days of the child's admission to the secure care facility and a copy"

AMENDMENT NO. 11
On page 2, delete lines 12 through 19 and insert the following:
"F. A report on the child's academic progress shall be included in the department's quarterly report to the court."

AMENDMENT NO. 12
On page 2, at the beginning of line 20, change "E." to "G."

AMENDMENT NO. 13
On page 2, delete lines 22 through 25 and insert the following: "or guardian. The department shall provide this information to the school or academic program in which the child is thereafter enrolled upon written request."
AMENDMENT NO. 1
On page 1, line 15, change "2016" to "2017" and change "R.S. 49:191" to "R.S. 49:191"
On motion of Senator Long, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 284—
BY SENATORS CORTEZ, MILLS AND PERRY AND REPRESENTATIVES STUART BISHOP AND NANCY LANDRY
AN ACT
To enact R.S. 17:1994(C) and 3217.3, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with South Louisiana Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to South Louisiana Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 299—
BY SENATOR WHITE
A JOINT RESOLUTION
Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Southeast Baton Rouge community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 407—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 33:4121(A)(1)(a), relative to the Sewerage and Water Board of New Orleans; to provide relative to the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 436—
BY SENATOR LONG AND REPRESENTATIVE HOWARD
AN ACT
To amend and reenact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to provide for the powers and duties of the authority; to provide rules, conditions, and requirement for the sale, utilization, distribution, or consumption of water outside the state; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 436 by Senator Long

AMENDMENT NO. 1
On page 2, line 6, delete "Authority" and insert "authority"

AMENDMENT NO. 2
On page 2, delete line 8 and insert:
"A. All saltwater recreational finfish, except swordfish possessed by a recreational fisherman, shall have the head and caudal fin intact until set or put on shore. Swordfish and sharks possessed by a recreational fisherman shall not be skinned until set or put on shore. Tuna shall retain the caudal fin intact until set or put on shore. Swordfish and sharks possessed by a recreational fisherman, except swordfish, may be skinned prior to set or put on shore.

B. No person shall possess any finfish parts, such as filleted fish, while aboard a vessel on the water. For the purpose of consumption at sea aboard the harvesting vessel, a person shall have no more than two pounds of finfish parts per person on board the vessel, provided that the vessel is equipped to cook such finfish and such finfish does not exceed applicable bag limits.

AMENDMENT NO. 3
On page 1, line 7, after "recreational" delete "fish" and insert "finfish"

AMENDMENT NO. 4
On page 1, delete line 8 and insert:
"A. All saltwater recreational finfish, except swordfish possessed by a recreational fisherman, shall have the head and caudal fin intact until set or put on shore. Swordfish and sharks possessed by a recreational fisherman shall not be skinned until set or put on shore. Tuna shall retain the caudal fin intact until set or put on shore and those species of tuna which have minimum size restrictions may have the head removed as long as the carcass length without the head exceeds the minimum size requirement. All saltwater recreational finfish shall be measured in accordance with applicable law. Any garfish caught or possessed by a recreational fisherman in the saltwater areas of the state may have the head and caudal fin removed but, until the fish is set or put on shore, it shall retain a strip of skin sufficient to clearly identify the fish."

AMENDMENT NO. 5
On page 1, line 9, after "bait species," delete the remainder of the line and insert: "the following:
(1) Any legally harvested saltwater recreational finfish being utilized for bait, which does not have a size limit and is not in excess of any daily possession limits, and
(2) King or Spanish mackerel may be cut up and utilized for bait so long as the carcass is retained with the head and caudal fin intact while such parts are in possession aboard a fishing vessel for purposes of determining legal size and possession limits. Such carcasses may only be discarded once the parts or

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment shall be required for any contracts and other agreements which provide for the sale, utilization, distribution, or consumption, outside of the boundaries of the state of Louisiana, of the waters over which the authority has jurisdiction or control.

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

SENATE BILL NO. 468—
BY SENATOR ALLAIN
AN ACT
To amend and reenact R.S. 56:325.2(C), relative to saltwater recreational fish; to provide requirements of possession; to provide exceptions for possession; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENIATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 468 by Senator Allain

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 56:325.2(C)" to "R.S. 56:325.2(A), (B), and (C)"

AMENDMENT NO. 2
On page 1, line 6, delete "R.S. 56:325.2(C) is" and insert "R.S. 56:325(A), (B), and (C) are"

AMENDMENT NO. 3
On page 1, line 7, after "recreational" delete "fish" and insert "finfish"

AMENDMENT NO. 4
On page 1, delete line 8 and insert:
"A. All saltwater recreational finfish, except swordfish possessed by a recreational fisherman, shall have the head and caudal fin intact until set or put on shore. Swordfish and sharks possessed by a recreational fisherman shall not be skinned until set or put on shore. Tuna shall retain the caudal fin intact until set or put on shore and those species of tuna which have minimum size restrictions may have the head removed as long as the carcass length without the head exceeds the minimum size requirement. All saltwater recreational finfish shall be measured in accordance with applicable law. Any garfish caught or possessed by a recreational fisherman in the saltwater areas of the state may have the head and caudal fin removed but, until the fish is set or put on shore, it shall retain a strip of skin sufficient to clearly identify the fish."

B. No person shall possess any finfish parts, such as filleted fish, while aboard a vessel on the water. For the purpose of consumption at sea aboard the harvesting vessel, a person shall have no more than two pounds of finfish parts per person on board the vessel, provided that the vessel is equipped to cook such finfish and such finfish does not exceed applicable bag limits.

AMENDMENT NO. 5
On page 1, line 9, after "bait species," delete the remainder of the line and insert: "the following:
(1) Any legally harvested saltwater recreational finfish being utilized for bait, which does not have a size limit and is not in excess of any daily possession limits, and
(2) King or Spanish mackerel may be cut up and utilized for bait so long as the carcass is retained with the head and caudal fin intact while such parts are in possession aboard a fishing vessel for purposes of determining legal size and possession limits. Such carcasses may only be discarded once the parts or

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pieces of those finfish being utilized as bait are no longer possessed.

(3) Swordfish possessed by a recreational fisherman shall not be skinned until set or put on shore.

(4) Tuna shall retain the caudal fin intact until set or put on shore; and those species of tuna which have minimum size restrictions may have the head removed as long as the carcass length without the head exceeds the minimum size requirement.

(5) Any garfish caught or possessed by a recreational fisherman in the saltwater areas of the state may have the head and caudal fin removed but, until the fish is set or put on shore, it shall retain a strip of skin sufficient to clearly identify the fish.

AMENDMENT NO. 6
On page 1, delete lines 10 through 16.

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

SENATE BILL NO. 472—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 23:1472(12)(E) and 1761(9) and to enact R.S. 23:1711(G), relative to unemployment compensation; to provide for independent contractors; to provide for penalties; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 472 by Senator Murray

AMENDMENT NO. 1
On page 1, line 2, after "enact" delete the rest of the line and insert the following: "R.S. 23:1472(12)(H)(XXII) and 1711(G),"

AMENDMENT NO. 2
On page 1, delete line 8, and insert the following: "23:1472(12)(H)(XXII) and 1711(G) are hereby enacted to read as follows:"

AMENDMENT NO. 3
On page 1, line 15, change "that;" to "that; or"

AMENDMENT NO. 4
On page 2, between lines 8 and 9 insert the following: "(H) The term "employment" shall not include:"

XXII. The services performed by an individual who meets the definition of an owner-operator as is defined in R.S. 23:1021(10).

AMENDMENT NO. 5
On page 2, line 13, after "(1)(a)" and before "If the" insert "Written warning."

AMENDMENT NO. 6
On page 2, line 17, change "assessed," to the following: "issued a written warning as evidence that the employer has been cited for a first offense of misclassification. Such warning shall constitute a determination that any workers identified therein are employees, and all resulting contributions, interest and penalties shall be due, and shall be appealable as provided in this Section. However, no administrative penalties shall be due.

(b) Administrative penalties. If the administrator determines, after investigation, that an employer, or any officer, agent, superintendent, foreman, or employee of the employer, after June 30, 2013, and subsequent to the issuance of a written warning, failed to properly classify an individual as an employee and failed to pay contributions in accordance with this Chapter, then"

AMENDMENT NO. 7
On page 2, line 19, after "penalty" change "not to exceed ten thousand dollars per employee, not to" to "not of more than two hundred fifty dollars per each such individual. Thereafter, any such failure by an employer to properly classify an individual as an employee and pay contributions due shall be subject to a penalty of not more than five hundred dollars per each such individual."

AMENDMENT NO. 8
On page 2, line 20, delete "exceed a maximum penalty of twenty-five thousand dollars per audit."

AMENDMENT NO. 9
On page 2, delete lines 25 through 29.

AMENDMENT NO. 10
On page 3, delete lines 1 through 7, and insert the following:

"(c) If, after an employer has been issued a written warning and subsequently found, on two or more separate occasions, to have failed to properly classify an individual as an employee, the employer may also be subject to an additional fine of not less than one hundred dollars nor more than one thousand dollars, or imprisoned for not less than thirty days nor more than ninety days, or both. For the purpose of this Subsection, each employee so misclassified shall constitute a separate offense."

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

SENATE BILL NO. 495—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S. 38:3076(A)(24), 3087.136(4), 3087.266(A)(1), 3097.2(3), and the introductory paragraph of 3097.4(A), (D)(4),(5), and (6), and 3097.7, and to enact R.S. 38:3097.4(20) and (D)(7), relative to the Ground Water Resources Commission; to provide for the powers and duties of the commission; to change the name of the Ground Water Resources Commission; to provide for the study of the surface waters of the state; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 495 by Senator Long

AMENDMENT NO. 1
On page 1, line 3, after "3097.2(3)," delete the remainder of the line

AMENDMENT NO. 2
On page 1, line 4, delete ";(20) and"

AMENDMENT NO. 3
On page 1, line 16, delete "through 3097.6", and insert "et seq."

AMENDMENT NO. 4
On page 2, delete line 15, delete "the"

AMENDMENT NO. 5
On page 2, line 16, delete "introductory paragraph of"
(b) The chairman of the Senate Committee on Natural Resources, or his designee, shall serve as an ex-officio nonvoting member.

(6) The chairman shall not be counted as part of the total membership of the commission for purposes of determining the number of members necessary to constitute a quorum but, if present, they shall be counted as members for purposes of establishing a quorum for the particular meeting.

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

SENATE BILL NO. 513—
BY SENATOR CROWE

AN ACT

To enact R.S. 39:249, relative to the expenditure of state funds; to prohibit certain expenditures by the division of administration; to prohibit the approval of certain expenditures; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 513 by Senator Crowe

AMENDMENT NO. 1
On page 1, between line 7 and 8, insert the following: "$940.1. Motion picture investor; prohibition"

AMENDMENT NO. 2
On page 1, line 4, insert "certification" for "expenditures"

AMENDMENT NO. 3
On page 1, line 7, delete "51:940.1, relative to standards and procedures for the state Department of Economic Development or the Office of Entertainment Industry Development; to prohibit certain certifications by the Department of Economic Development or the Office of Entertainment Industry Development; to prohibit the approval of certain"

AMENDMENT NO. 4
On page 1, line 7, delete "§249. Prohibition and insert "§940.1. Motion picture investor; prohibition"

AMENDMENT NO. 5
On page 1, line 7, change "expenditures" to "certification" and delete "obscene or"

AMENDMENT NO. 6
On page 1, line 8, add "A. Purpose. The purpose of this Section is to provide heightened standards and procedures by the Department of Economic Development or the Office of Entertainment Industry Development."

AMENDMENT NO. 7
On page 1, delete lines 8 through 10 and insert the following: "AMENDMENT NO. 6"

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.
SENATE BILL NO. 535—
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 33:441.13, relative to the mayor's court for the town of Westlake; to expand the court's jurisdiction; and to provide for related matters.

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

SENATE BILL NO. 563—
BY SENATOR WHITE
AN ACT
To enact R.S. 17:58.2(I), 67, and 67.1, relative to the Southeast Baton Rouge Community School System; to provide for the school system, including its establishment and geographic boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide limitations of facility construction; to provide a mechanism for the collection and remittance of certain taxes; to provide relative to the provision of certain student services; to provide relative to certain applications for funding; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Education to Original Senate Bill No. 563 by Senator White

AMENDMENT NO. 1
On page 3, line 21, change "Interstate 10" to "Airline Highway"

AMENDMENT NO. 2
On page 3, line 26, change "Interstate 10" to "Airline Highway"

AMENDMENT NO. 3
On page 3, line 27, change "Interstate 10" to "Airline Highway"

AMENDMENT NO. 4
On page 6, between lines 25 and 26, insert the following:
"L. The president of the State Board of Elementary and Secondary Education shall appoint a committee of experts to make non-binding recommendations regarding the apportionment of financial obligations between the Southeast Baton Rouge Community School System and the East Baton Rouge Parish School System."

AMENDMENT NO. 5
On page 6, at the beginning of line 26, change "L." to "M."

AMENDMENT NO. 6
On page 10, between lines 1 and 2, insert the following:
"Section 2. Any high school student residing within the geographic boundaries of the Southeast Baton Rouge Community School System or the East Baton Rouge Parish School System may elect to remain enrolled in the high school he was attending on the effective date of this Act, until such time as the student graduates from high school. Such student shall be included in the membership count for the school system in which he is enrolled for all purposes, including state funding through the Minimum Foundation Program formula."

AMENDMENT NO. 7
On page 10, at the beginning of line 2, change "Section 2." to "Section 3."

SENATE BILL NO. 582—
BY SENATORS GALLOT AND GARY SMITH
AN ACT
To amend and reenact R.S. 32:194.3(B), relative to motorcyclists; to provide relative to handlebars on motorcycles; and to provide for related matters.

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

SENATE BILL NO. 626—
BY SENATOR JOHN SMITH
AN ACT
To amend and reenact R.S. 33:4577(C)(2), relative to the Beauregard Parish Covered Arena Authority; to provide for board powers and duties; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 626 by Senator John Smith

AMENDMENT NO. 1
On page 1, line 2, change "4577(C)(2)" to "4574.1.1(P) and 4577(C)(2)," to enact R.S. 33:4577.1 and to repeal R.S. 33:4577

AMENDMENT NO. 2
On page 1, line 6, change "4577(C)(2) is" to "4574.1.1(P) and 4577(C)(2) are" and between "reenacted" and "to" insert "and R.S. 33:4577.1 is hereby enacted"

AMENDMENT NO. 3
On page 1, between lines 6 and 7, insert the following:
"§4574.1.1. Occupancy taxes levied by the commissions * * *

P. If the Southwest Louisiana Convention and Visitors Bureau levies the tax authorized in Paragraph (A)(25) of this Section and/or the tax authorized by R.S. 33:4574.1(E)(2)/(b), an amount equal to twenty-five thousand dollars annually of the proceeds of the tax collected from the company which has a license to conduct slot machine gaming at a pari-mutuel live racing facility pursuant to Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, R.S. 27:351 et seq., shall be provided by the Southwest Louisiana Convention and Visitors Bureau quarterly to the governing authority of the Beauregard Parish Covered Arena Authority, which is subject to audit by the legislative auditor, shall not be required to report its expenditure of funds received pursuant to this Subsection to the Southwest Louisiana Convention and Visitors Bureau. * * *

AMENDMENT NO. 4
On page 2, between lines 14 and 15, insert the following:
"§4577.1. Beauregard Parish Covered Arena

In addition to powers otherwise granted by law, the Beauregard Parish governing authority shall have the following powers and duties with respect to owning, operating, and maintaining the Beauregard Parish Covered Arena:

(1) To enter into contracts for the sale, lease, or exchange of property.

(2) To enter into cooperative endeavors with any special district, political subdivision, or local governmental unit of the state.
To enact R.S. 33:9097.13, relative to neighborhood improvement districts; to create the Live Oak Trace Subdivision Crime Prevention and Improvement District in the city of Zachary in East Baton Rouge Parish; to provide for the boundaries and purpose of the district; to provide for the powers and duties of the district and its board of commissioners; to provide for the levy of a parcel fee upon voter approval; to provide for the district's budget; to provide with respect to termination of the district; and to provide for related matters.

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

SENATE BILL NO. 652—
BY SENATOR CLAITOR
AN ACT
To amend and reenact R.S. 47:9010(A)(7), relative to the regulation of air boats; to authorize St. Charles Parish and its municipalities to regulate the operation of air boats; to provide terms, conditions, and requirements; and to provide for related matters.

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

SENATE BILL NO. 667—
BY SENATOR GARY SMITH
AN ACT
To amend and reenact R.S. 32:402.1(A)(1)(a) and the introductory paragraph of 402.1(A)(2), relative to driver education; to provide relative to the requirements for driver education for persons who are less than eighteen years of age and for persons who are eighteen years of age or older; to provide relative to classroom instruction and actual driving instruction; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title, ordered engrossed and passed to a third reading.
SENATE BILL NO. 745—
BY SENATORS NEVERS AND WALSWORTH
AN ACT.
To enact R.S. 17:1379, relative to consolidation of certain school districts; to provide for the conduct of an election for such purpose; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 745 by Senator Nevers

AMENDMENT NO. 1
On page 1, line 2, change "certain school districts" to "school systems"

AMENDMENT NO. 2
On page 1, at the beginning of line 3, change "conduct" to "call"

AMENDMENT NO. 3
On page 1, line 6, after "§1379," delete the remainder of the line and insert "Consolidation of school systems; call of election"

AMENDMENT NO. 4
On page 1, line 7, after "shall be" change "conducted" to "called"

AMENDMENT NO. 5
On page 1, line 8, after "school" change "districts" to "systems"

AMENDMENT NO. 6
On page 1, at the end of line 9, delete "by" and insert "a resolution adopted by each of"

AMENDMENT NO. 7
On page 1, line 10, change "multiple school districts" to "two or more school systems"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 205—
BY REPRESENTATIVE BERTHELOT
AN ACT.
To amend and reenact R.S. 47:462(C), relative to motor vehicles; to authorize the use of prestige license plates on certain trucks; and to provide for related matters.

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

HOUSE BILL NO. 324—
BY REPRESENTATIVE DANAHAY
AN ACT.
To designate a portion of Highway 12 as the "Purple Heart Recipient Highway".

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 324 by Representative Danahay

AMENDMENT NO. 1
On page 1, line 2, after "Highway" insert "and to designate the Interstate 20/US 371 Interchange as the "Sergeant Joshua Barrett Madden Interchange"

AMENDMENT NO. 2
On page 2, between lines 7 and 8, insert the following:
"Section 2. The interchange of Interstate 20 and U.S. 371 (Exit 47 Shreve/Minden) in Webster Parish shall be hereinafter known and designated as the "Sergeant Joshua Barrett Madden Interchange".

AMENDMENT NO. 3
On page 1, line 8, change "2" to "3"

AMENDMENT NO. 4
On page 1, line 9, change "this" to "these" and "designation" to "designations"

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

HOUSE BILL NO. 539—
BY REPRESENTATIVE SMITH
AN ACT.
To amend and reenact R.S. 23:2045, 2049(B), and 2063(A)(1), relative to the Louisiana Workforce Investment Council; to provide with respect to the chairman and vice chairman; to provide for the frequency of meetings; to provide for a strategic plan; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 814—
BY REPRESENTATIVE HILL
AN ACT.
To enact R.S. 47:463.155, relative to motor vehicle special prestige plates; to authorize promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 865—
BY REPRESENTATIVE BARROW
AN ACT.
To amend and reenact R.S. 48:1456(A), (C), and (E) and 1460(9), relative to motor vehicles; to provide for related matters.

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

HOUSE BILL NO. 882—
BY REPRESENTATIVES HOWARD AND HILL
AN ACT.
To designate a certain portion of Highway 463 as the "B.R. Harvey Memorial Highway".

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

Senator Kostelka asked for and obtained a suspension of the rules to recall Senate Bill No. 296 from the Committee on Judiciary C.

SENATE BILL NO. 296—
BY SENATOR KOSTELKA
A JOINT RESOLUTION
Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; and to specify an election for the submission of the proposition to electors and to provide a ballot proposition.

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

Rules Suspended

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

HOUSE BILL NO. 610—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 34:1221(A)(introductory paragraph) and (5), relative to the Greater Baton Rouge Port Commission; to increase the membership of the commission; and to provide for related matters.

Senator Adley moved to recommit the bill from the Committee on Senate and Governmental Affairs to the Committee on Transportation, Highways and Public Works.

Without objection, so ordered.

Senate Bills and Joint Resolutions
Returned from the House of Representatives with Amendments

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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 221 by Senator Alario

AMENDMENT NO. 1
On page 1, line 5, after "2-1-1;" and before "and" insert the following: "to authorize the secretary of the Department of Revenue to administer and disburse donated monies;"

AMENDMENT NO. 2
On page 2, line 8, after "B."
[...]
[...]

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 221 by Senator Alario

AMENDMENT NO. 1
On page 2, line 22, following "but" and before "shall" insert "the report"

Senator Riser moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Donahue Morrish
Adley Dorsey-Colomb Murray
Allain Erdey Nevers
Amedee Gallot Peacock
Broome Johns Peterson
Brown Kostelka Riser
Buffington Smith, G.
Chabert Smith, J.
Claitor Martiny Ward
Cortez Mills White
Crowe Morrell
Total - 36

NAYS
Total - 0

ABSENT
Heitmeier Perry Tarver
Total - 3

The Chair declared the Senate concurred in the amendments proposed by the House.

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 407.25, 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.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Reengrossed Senate Bill No. 581 by Senator Appel

AMENDMENT NO. 1
On page 4 delete lines 26 through 28 in their entirety and insert in lieu thereof the following:

"(3) By not later than March 1, 2013, the state board shall submit a written report to each member of the legislature, the Senate Committee on Education secretary, and the House Committee on Education secretary on the status of development of the early childhood care and education network. Such report shall include but
not be limited to any recommendations relative to changes in law or administrative policy needed to properly implement the network."

Senator Appel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dorsey-Colomb  Murray
Adley  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
Claitor  Martiny  Thompson
Cortez  Mills  Walsworth
Crowe  Morrell  Ward
Donahue  Morrish  White

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate concurred in the amendments proposed by the House.

Senate Resolutions on Second Reading
Reported by Committees

SENATE RESOLUTION NO. 11—
BY SENATOR APPEL
A RESOLUTION
To urge and request the State Board of Elementary and Secondary Education, in collaboration with the Louisiana Serve Commission, to study the feasibility of establishing a "distinction for community service" endorsement program for students who have performed an exemplary number of community service hours during their high school career, and to provide a report to the Senate Committee on Education by February 1, 2013.

Reported favorably by the Committee on Education.

The resolution was read by title. On motion of Senator Appel, the Senate Resolution was adopted.

Senate Concurrent Resolutions on Second Reading
Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION
To urge and request the Board of Regents and the Board of Supervisors for Community and Technical Colleges to study the feasibility of merging Capital Area Technical College and Baton Rouge Community College in order to more adequately address the educational needs of students and the economic and workforce development needs of the greater Baton Rouge area.

Reported with amendments by the Committee on Education.
AMENDMENT NO. 1
On page 2, delete lines 12 and 13, and insert "its specific intent that the Coastal"

On motion of Senator Long, the committee amendment was adopted. The concurrent resolution was read by title, ordered engrossed and recommitted to the Committee on Transportation, Highways and Public Works.

Privilege Report of the Legislative Bureau
April 17, 2012

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 969—
BY REPRESENTATIVE TALBOT
AN ACT
To enact 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 a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

DANIEL R. MARTINY
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Martiny, the Bills and Joint Resolutions were read by title and passed to a third reading.

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

Called from the Calendar

Senator Morrell asked that Senate Bill No. 677 be called from the Calendar.

SENATE BILL NO. 677— (Substitute of Senate Bill No. 491 by Senator Morrell)
BY SENATOR MORRELL
AN ACT
To amend and reenact R.S. 33:4702(B)(1), (2), (3), (4), (6), and (7) and 4702 (D), (E), and (F) and to enact R.S. 33:4701(D) and 4702(C)(3), (H), (I), and (J), relative to Orleans Parish; to change references to legislative districts in Orleans Parish which has appointing authority for members serving on the board of the New Orleans Regional Business Park; to provide for the board’s membership, term of office, its powers and duties; and to provide for related matters.

Floor Amendments

Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Engrossed Senate Bill No. 677 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 3, after "(H)," insert "and" and after ")I)," delete ") and (J),"

AMENDMENT NO. 2
On page 1, line 11, after "(H)," insert "and" and after ")I)," delete ") and (J),"

AMENDMENT NO. 3
On page 9, delete lines 10 through 29, delete page 10 in its entirety, and on page 11, delete lines 1 through 25

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Riser
Broome Johns Smith, G.
Brown Kostelka Smith, J.
Buffington LaFleur Tarver
Chabert Long Thompson
Clairtor Martiny Walsworth
Cortez Mills Ward
Crowe Morrell White
Donahue Morrish
Total - 38

NAYS
Total - 0

ABSENT
Peterson
Total - 1

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

Called from the Calendar

Senator Crowe asked that Senate Bill No. 676 be called from the Calendar.

SENATE BILL NO. 676— (Substitute of Senate Bill No. 437 by Senator Crowe)
BY SENATOR CROWE
AN ACT
To amend and reenact R.S. 23:1513(A)(1), 1553(A), 1576, 1601(8), 1713(B) and (C), 1714, and 1726 and to enact R.S. 23:1531.1(E), relative to unemployment compensation; to provide for the penalty and interest account; to provide for filing certain documents; to provide for separation notices; to provide for method of calculation regarding the experience-rating account of an employer; to provide for disqualification of employee benefits subsequent to commission of a fraudulent act; to provide for the recovery of overpayment of benefits; to
provide for the payment of certain benefits; 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. 676 by Senator Crowe

**AMENDMENT NO. 1**

On page 1, line 3, following “23:1531.1(E),” insert "and to repeal R.S. 23:1713(D),”

**AMENDMENT NO. 2**

On page 1, line 17, following "when" and before "became" change "the same" to "they"

**AMENDMENT NO. 3**

On page 2, line 17, following "following" and before "?” change "occurs" to "pertain"

**AMENDMENT NO. 4**

On page 2, line 18, following "timely" and before "a separation" change "filed" to "files"

**AMENDMENT NO. 5**

On page 2, line 21, following "employer" and before "filed" change "has been" to "is"

**AMENDMENT NO. 6**

On page 2, line 22, following "employer" and before "determined" change "was" to "is"

**AMENDMENT NO. 7**

On page 4, line 17, following "following" and before "?” change "occurs" to "pertain"

**AMENDMENT NO. 8**

On page 5, line 27, change “* * *” to "(3) When an overpayment has been assessed in the amount of one hundred dollars or more, upon default, the administrator or his duly authorized representatives may make in any manner feasible, and cause to be recorded in the mortgage records of any parish in which such claimant owns immovable property, a statement under oath showing the amount of the overpayment in default; which statement, when filed for record, shall operate as a lien, privilege, and mortgage on the immovable property of the claimant from the date of such filing.”

**AMENDMENT NO. 9**

On page 6, line 12, following "Subsection C" and before "and any" insert "of this Section"

**AMENDMENT NO. 10**

On page 7, line 5, following "this" and before "shall" change "part" to "Part"

**AMENDMENT NO. 11**

On page 7, line 9, following "this" change "part." to "Part."

**AMENDMENT NO. 12**

On page 7, after line 15, insert "Section 2. R.S. 23:1713(D) is hereby repealed."

On motion of Senator Martiny, the amendments were adopted.

**Floor Amendments**

Senator Crowe proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 676 by Senator Crowe

**AMENDMENT NO. 1**

On page 1, line 3, after "23:1531.1(E)" and before ", relative" insert "and to repeal R.S. 23:1713(D)"

**AMENDMENT NO. 2**

On page 5, delete lines 27 through 29 and insert the following:

"(3) When an overpayment has been assessed in the amount of one hundred dollars or more, upon default, the administrator or his duly authorized representatives may make in any manner feasible, and cause to be recorded in the mortgage records of any parish in which such claimant owns immovable property, a statement under oath showing the amount of the overpayment in default; which statement, when filed for record, shall operate as a lien, privilege, and mortgage on the immovable property of the claimant from the date of such filing.”

**AMENDMENT NO. 3**

On page 6, delete lines 1 through 6

**AMENDMENT NO. 4**

On page 7, after line 15, insert the following:

"Section 2. R.S. 23:1713(D) is hereby repealed."

On motion of Senator Crowe, the amendments were adopted.

**Floor Amendments**

Senator Crowe proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 676 by Senator Crowe

**AMENDMENT NO. 1**

On page 5, delete lines 28 through 29 in their entirety

**AMENDMENT NO. 2**

On page 6, delete lines 1 through 6 in their entirety

On motion of Senator Crowe, the amendments were adopted.

The bill was read by title. Senator Crowe 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>
<th>NAYS</th>
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<tr>
<td>Mr. President</td>
<td>Dorsey-Colomb</td>
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<tr>
<td>Adley</td>
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<tr>
<td>Total - 0</td>
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</tbody>
</table>
The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Crowe moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Crowe asked that Senate Bill No. 217 be called from the Calendar.

SENATE BILL NO. 217—
BY SENATOR CROWE

To amend and reenact R.S. 38:2315 and to enact R.S. 38:2183 and R.S. 39:1553.1, relative to equal employment in certain public contracts; to prohibit employment discrimination on the basis of race, religion, national ancestry, age, sex or disability; to provide for the inclusion of certain language in public contacts; to prohibit certain designations not provided for in law; to provide exceptions; and to provide for related matters.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe and Senator Guillory to Engrossed Senate Bill No. 217 by Senator Crowe

AMENDMENT NO. 1

On page 4, between lines 22 and 23 insert the following:

"Section 5. Nothing in this Act shall be interpreted to prevent or restrict the admission or enrollment of any student to any public school, whether charter or otherwise, nor shall this Act be interpreted to have any effect whatsoever on the admission or enrollment policies of any public school, including charter schools."

AMENDMENT NO. 2

On page 4, line 23 change "Section 5." to "Section 6."

Senator Crowe moved the adoption of the amendments.

Senator Murray objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Allain
Amedee
Appel
Broome
Brown
Buffington
Cortez
Crowe
Donahue

Total - 24

NAYS

Cortez
Crowe
Donahue

Total - 9

ABSENT

Earle
Peacock
Guillory

Total - 6

The Chair declared the amended bill was placed on the Involuntary Calendar.

Called from the Calendar

Senator Peterson asked that Senate Bill No. 446 be called from the Calendar.

SENATE BILL NO. 446—
BY SENATOR PETERSON

To enact R.S. 40:2013.7, relative to mental health; to provide a prohibition on discrimination by a community-based physical health care provider based on a serious mental illness; to provide definitions; and to provide for related matters.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 446 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 3, delete "community-based physical health" and insert "primary"

AMENDMENT NO. 2

On page 1, line 7, delete "community-based physical health" and insert "primary"
AMENDMENT NO. 3
On page 1, line 9, delete "community-based physical health" and insert "primary"

AMENDMENT NO. 4
On page 1, line 13, delete "Community-based physical health" and insert "Primary"

On motion of Senator Peterson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Heitmeier Nevers
Adley Johns Peterson
Allain Kostelka Smith, G.
Broome LaFleur Smith, J.
Buffington Long Tarver
Chabert Mills Thompson
Dorsey-Colomb Morrell Ward
Erdey Morrish
Gallot Murray
Total - 25

NAYS
Broome Johns Smith, J.
Brown Kostelka Tarver
Buffington Martiny Thompson
Dorsey-Colomb Morrish Walsworth
Erdey Murray Ward
Gallot Peterson White
Guillory Riser
Heitmeier Smith, G.
Total - 22

ABSENT
Amedee Donahue
Crowe Martiny
Total - 4

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

Called from the Calendar

Senator Claitor asked that Senate Bill No. 186 be called from the Calendar for reconsideration.

SENATE BILL NO. 186—
BY SENATOR CLAITOR
A JOINT RESOLUTION
Proposing to amend Article IV, Sections 15 and 16(A), Article VIII, Section 3(C), and Article X, Section 27(A) of the Constitution of Louisiana, relative to state elected officials; to provide relative to eligibility; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 186 by Senator Claitor

AMENDMENT NO. 1
Delete Senate Floor Amendments Nos. 1, 2, 4, 9, 12, 13, and 16 proposed by Senator Claitor and adopted by the Senate on April 10, 2012.

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Claitor Mills
Adley Cortez Morrell
Allain Crowe Nevers
Amedee Donahue Peacock
Appel LaFleur Long
Total - 16

NAYS
Broome Johns Smith, J.
Brown Kostelka Tarver
Buffington Martiny Thompson
Dorsey-Colomb Morrish Walsworth
Erdey Murray Ward
Gallot Peterson White
Guillory Riser
Heitmeier Smith, G.
Total - 22

ABSENT
Perry
Total - 1

The Chair declared the amended bill failed to pass. Senator Martiny moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Called from the Calendar

Senator Riser asked that Senate Bill No. 499 be called from the Calendar.

SENATE BILL NO. 499—
BY SENATOR RISER
AN ACT
To enact R.S. 39:1405.5, relative to the issuance of debt by political subdivisions; to prohibit the State Bond Commission from approving the issuance of bonds, notes, or other evidences of indebtedness related to political subdivisions against whom there is filed certain unpaid judgments; to provide for the filing of notices of certain unpaid eligible judgments with the State Bond Commission; to provide that eligible judgments shall include judgments owed for goods, services, or work performed under a contractual obligation; and to provide for related matters.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Mills to Engrossed Senate Bill No. 499 by Senator Riser

AMENDMENT NO. 1
On page 1, line 4, after "related to" insert "certain"
AMENDMENT NO. 2
On page 1, line 8, after "obligation;" insert "to provide for exemptions for certain political subdivisions;"

AMENDMENT NO. 3
On page 1, line 12, after "A;" change "Bonds" to "Except as provided in Subsection F of this Section, bonds"

AMENDMENT NO. 4
On page 3, after line 8, insert:
"F. The provisions of this Section shall not apply to bonds, notes, or other evidence of indebtedness of the political subdivisions within the following parishes or municipalities, or bonds, notes, or other evidences of indebtedness by any political subdivision, special district, public trust, or other entity seeking to issue them on behalf of the political subdivisions within the following parishes or municipalities, if the parishes or municipalities are listed, or have the following populations according to the most recent federal decennial census:

(1) Any parish with a population between fifty thousand and fifty-two thousand two hundred fifty.
(2) Any parish with a population between seventy thousand and eighty thousand.
(3) Any parish with a population between thirty-three thousand two hundred fifty and forty thousand and three hundred thousand.
(4) Any parish with a population between sixty thousand five hundred and sixty-one thousand eight hundred.
(5) Any parish with a population between eighty-two thousand two hundred twenty-one and three thousand two hundred twenty-six thousand.
(6) Any parish with a population between eighty-seven thousand and ninety thousand.
(7) Any parish with a population between one hundred thousand and one hundred twenty-five thousand.
(8) Any parish with a population between one hundred twenty-five thousand and one hundred thirty thousand.
(9) Any parish with a population between one hundred thirty thousand and one hundred thirty-five thousand.
(10) Any parish with a population between one hundred thirty-five thousand and one hundred forty thousand.
(11) Any parish with a population between five hundred and one thousand.
(12) Any parish with a population between five thousand and ten thousand.
(13) Any parish with a population between ten thousand and twenty thousand.
(14) Any parish with a population between twenty thousand and thirty thousand.
(15) Any parish with a population between thirty thousand and thirty-five thousand.
(16) Any parish with a population between thirty-five thousand and forty thousand.
(17) Any parish with a population between forty thousand and forty-five thousand.
(18) Any parish with a population between forty-five thousand and fifty thousand.
(19) Any parish with a population between fifty thousand and fifty-five thousand.
(20) Any parish with a population between fifty-five thousand and sixty thousand.
(21) Any parish with a population between sixty thousand and sixty-five thousand.
(22) Any parish with a population between sixty-five thousand and seventy thousand.
(23) Any parish with a population between seventy thousand and seventy-five thousand.
(24) Any parish with a population between seventy-five thousand and eighty thousand.
(25) Any parish with a population between eighty thousand and eighty-five thousand.
(26) Any parish with a population between eighty-five thousand and ninety thousand.
(27) Any parish with a population between five thousand and five thousand five hundred.
(28) Any parish with a population between two hundred forty thousand and three hundred thousand.
(29) Any parish with a population between one hundred twelve thousand and one hundred twenty thousand.
(30) Any parish with a population between twenty-six thousand and twenty-seven thousand.
(31) Any parish with a population greater than four hundred forty thousand.
(32) Any parish with a population between two hundred forty thousand and three hundred fifty thousand.
(33) Any municipality with a population between three thousand and four thousand.
(34) Any municipality with a population between three thousand two hundred twenty-one and three thousand two hundred twenty-six thousand.
(35) Any municipality with a population between three thousand two hundred twenty-six thousand and three thousand two hundred twenty-seven thousand.
(36) Any municipality with a population between thirty thousand and thirty-five thousand.
(37) Any municipality with a population between one hundred thousand and one hundred twenty-five thousand.
(38) Any municipality with a population between one hundred twenty-five thousand and one hundred thirty thousand.
(39) Any municipality with a population greater than three hundred thousand.

The provisions of this Section shall not apply to the parishes of Lincoln, Grant, Bienville, Jackson, Natchitoches,
Rapides, Red River, Sabine and Winn or to any municipalities contained in any of these parishes."

Senator Gallot moved the adoption of the amendments.

Senator Riser objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Allain
Broome
Brown
Buffington
Claitor
Crowe
Donahue
Dorsey-Colomb
Erdey

Erdey
Gallot
Guillory
Heitmeier
Johns
LaFleur
Long
Martiny
Mills
Morrell

Murray
Nevers
Perry
Peterson
Smith, J.
Tarver
Thompson
Ward

NAYS

Mr. President
Amedee
Appel
Chabert

Cortez
Heitmeier
Kostelka
Long

Murray
Nevers
Peacock
Morrell

Nevens
Perry
Peterson
Smith, J.
Tarver
Thompson
Ward

Total - 26

The Chair declared the amendments were adopted.

Floor Amendments

Senator Riser proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Engrossed Senate Bill No. 499 by Senator Riser

AMENDMENT NO. 1
On page 3, after line 8, insert:

"I. Any parish with a population between ten thousand and ten thousand three hundred according to the most recent federal decennial census is not exempt from the provisions of this Section."

On motion of Senator Riser, the amendments were adopted.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 499 by Senator Riser

AMENDMENT NO. 1
On page 3, after line 8 insert the following:

"H. The provisions of this Section shall not apply to the parishes of Webster and Claiborne."

On motion of Senator Riser, the amendments were adopted.

Called from the Calendar

Senator Cortez asked that Senate Bill No. 643 be called from the Calendar.
SENATE BILL NO. 643—
BY SENATOR CORTEZ
To amend and reenact R.S. 22:1061(5)(e)(ii) and (iii), relative to portability, availability, and renewability of health insurance coverage; to provide for definitions of large and small employers for purposes of such coverage; and to provide for related matters.

Floor Amendments
Senator Cortez proposed the following amendments.

SENEG FLOOR AMENDMENTS
Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 643 by Senator Cortez

AMENDMENT NO. 1
On page 2, after line 4, add 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 Cortez, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Dorsey-Colomb Murray
Adley 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
Claitor Martiny Thompson
Cortez Mills Walsworth
Crowe Morrell White
Donahue Morrish
Total - 38

NAYS

Total - 0

ABSENT
Ward
Total - 1

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

Rules Suspended
Senator Adley asked for and obtained a suspension of the rules to revert to the Morning Hour.
To amend and reenact R.S. 13:587.2(A) and 587.4(A), relative to HOUSE BILL NO. 592— second reading.

To amend and reenact Code of Civil Procedure Article 4916, relative HOUSE BILL NO. 426— second reading.

To enact R.S. 13:961(F)(1)(u), relative to court reporter fees for the HOUSE BILL NO. 315— second reading.

To amend and reenact R.S. 13:2583.3(A) and (B), relative to HOUSE BILL NO. 68— second reading.

To enact R.S. 13:1565.1(C), relative to the Caddo Parish juvenile HOUSE BILL NO. 23— second reading.

HB NO. 746 HB NO. 777

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 23—
BY REPRESENTATIVE SEABAUGH
AN ACT
To enact R.S. 13:1565.1(C), relative to the Caddo Parish juvenile court; to authorize the clerk of the Juvenile Court for Caddo Parish to lease or purchase an automobile for office use; to provide for the purchase of insurance for the automobile; and to provide for related matters.

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

HOUSE BILL NO. 68—
BY REPRESENTATIVE SEABAUGH
AN ACT
To amend and reenact R.S. 13:2583.3(A) and (B), relative to constables; to provide with respect to the constable of a justice of the peace court in Caddo Parish; to provide for the appointment of one or more deputy constables; and to provide for related matters.

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

HOUSE BILL NO. 315—
BY REPRESENTATIVE HAVARD
AN ACT
To amend and reenact Code of Civil Procedure Article 4916, relative to justice of the peace courts; to provide for venue; to provide for applicability of rules of venue; and to provide for related matters.

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

HOUSE BILL NO. 426—
BY REPRESENTATIVE JAY MORRIS
AN ACT
To amend and reenact Code of Civil Procedure Article 4916, relative to court reporter fees for the Twentieth Judicial District Court; to authorize the judges of the Twentieth Judicial District Court to determine the fees to be charged for transcriptions and copies in all cases; and to provide for related matters.

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

HOUSE BILL NO. 592—
BY REPRESENTATIVE JAY MORRIS
AN ACT
To amend and reenact R.S. 13:587.2(A) and 587.4(A), relative to district courts; to provide relative to designation of specialty divisions or sections in district courts; to provide relative to the designation of a special division or section of the Fourth Judicial District Court; and to provide for related matters.

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

HOUSE BILL NO. 746—
BY REPRESENTATIVE CHANEY
AN ACT
To enact R.S. 49:170.17, relative to state symbols; to provide for the official state boat; and to provide for related matters.

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

HOUSE BILL NO. 777—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 13:5202(A), relative to small claims divisions of city courts; to provide for the jurisdictional amount in a small claims division; and to provide for related matters.

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

HOUSE BILL NO. 818—
BY REPRESENTATIVE SEABAUGH
AN ACT
To amend and reenact R.S. 13:5202(A), relative to small claims divisions of city courts; to provide for the jurisdictional amount in a small claims division; and to provide for related matters.

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

HOUSE BILL NO. 894—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b), and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1), relative to elections; to provide for election dates; to provide for certain deadlines relative to special elections and bond, tax, and other elections at which a proposition or question is to be submitted to the voters; 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. 942—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 42:1142, relative to enforcement of the laws under the jurisdiction of the Board of Ethics; to provide for the appeal of actions taken to enforce the laws under the jurisdiction of the Board of Ethics; to provide for appeal of actions of the Board of Ethics and the Ethics Adjudicatory Board; to provide the Board of Ethics a limited right to appeal final decisions of the Ethics Adjudicatory Board; to provide for the payment of attorney fees and court costs under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 955—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 18:463(A)(2)(c)(i), 1505.4(A)(1) and (4), (C), and (D)(1), 1511.4(D), and 1511.5(A)(1) and (2), (B), and (D) and to enact R.S. 18:1511.4.1, relative to the Campaign Finance Disclosure Act; to clarify the enforcement of certain violations of the Campaign Finance Disclosure Act; to the provide for the powers, functions, and duties of the Supervisory Committee on Campaign Finance Disclosure and the Ethics Adjudicatory Board relative to such enforcement; and to provide for related matters.

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

Committee on Campaign Finance Disclosure and the Ethics Violations of the Campaign Finance Disclosure Act; to clarify the enforcement of certain violations of the Campaign Finance Disclosure Act; to provide for the powers, functions, and duties of the Supervisory Committee on Campaign Finance Disclosure and the Ethics Adjudicatory Board relative to such enforcement; and to provide for related matters.
The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 1025—
BY REPRESENTATIVE POPE
AN ACT
To enact R.S. 37:1281.2, relative to the allied practitioner health profession; to establish an annual assessment for the identification, monitoring, assistance, and procurement of treatment of medical psychologists, physician assistants, and podiatrists suffering from certain conditions; to provide for a self-reporting waiver applicable to a violation related to the individual's ability to practice his profession with reasonable skill and safety by reason of substance abuse or psychiatric condition; to extend protected actions and communications to certain enumerated individuals and entities; and to provide for related matters.

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

HOUSE BILL NO. 1187— (Substitute for House Bill No. 751 by Representative Richardson)
BY REPRESENTATIVE RICHARDSON
AN ACT
To amend and reenact R.S. 37:1861(B)(2) and (5), 1862(A), 1864.1(A), 1864.2(C), and 1864.3, to enact R.S. 37:1861(B)(6), and to repeal R.S. 37:1862(B), 1864(A)(1)(d), 1864.1(C)(2), and 1867(B), relative to used or secondhand property; to prohibit cash payment for the purchase of copper; to establish a maximum cash payment for metals other than copper; to require an occupational license to act as a secondhand dealer; to require photographic records of certain goods upon request of law enforcement; to exempt the purchase of educational course materials; to repeal the exemption for tires and rims; to repeal the requirement that secondhand dealers record the license plate of a seller; and to provide for related matters.

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

HOUSE BILL NO. 1189— (Substitute for House Bill No. 892 by Representative Hodges)
BY REPRESENTATIVE HODGES
AN ACT
To enact R.S. 32:1717(D), relative to motor vehicles; to provide that certain operators of car carriers are not required to have certain license plates or insurance; and to provide for related matters.

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

Message from the House
ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS
April 17, 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. 94

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 94—
BY REPRESENTATIVE JONES AND SENATOR LONG
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to encourage and enable the Federal Energy Regulatory Commission to expedite the review and approval of Cheniere Energy’s Sabine Pass Liquified Natural Gas facility and to streamline the approval process for similar export facilities to magnify the economic benefits of liquefied natural gas exports throughout the region and nation.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON RETIREMENT

Senator Elbert L. Guillory, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 16, 2012

To the President and Members of the Senate:

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

SENATE BILL NO. 33—
BY SENATOR GUILLORY
AN ACT
To amend and reenact R.S. 11:102(B)(1), 103(B)(1), 448(A), 450(B), 787(A)(1), 1152(E) and (H), 2221(E)(1)(a), and 2257(E), relative to deferred retirement option plans or programs; to require employer contributions to continue during any retirement systems pursuant to such plans or programs; to provide for employer contributions in state and statewide retirement systems pursuant to such plans or programs; to require employer contributions to continue during any employee’s participation in such a plan or program; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 47—
BY SENATOR GUILLORY
AN ACT
To amend and reenact R.S. 11:403(5) and 701(5)(b) through (e) and to enact R.S. 11:701(5)(f) and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, relative to certain members of the Louisiana State Employees’ Retirement System and certain postsecondary education members of the Teachers’ Retirement System of Louisiana; to provide with respect to benefit calculation; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 52—
BY SENATOR GUILLORY
AN ACT
To amend and reenact R.S. 11:62(5)(a), (c), and (e) and (11)(c) and to enact R.S. 11:62(11)(d) and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, relative to certain members of the Louisiana State Employees’ Retirement System and certain postsecondary education members of the Teachers’
Retirement System of Louisiana; to increase employee contribution rates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 727—
BY SENATORS CLAITOR, APPEL, CORTEZ, CROWE, GUILLORY, LONG AND PERRY
AN ACT
To enact R.S. 11:413(11), relative to membership in the Louisiana State Employees' Retirement System; to provide for classes of employees who are ineligible for membership in the system; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 740—
BY SENATOR GUILLORY
AN ACT
To amend and reenact R.S. 11:542(A)(2) and (3), (B)(introductory paragraph), and (F)(2), 883.1(A)(2) and (3), (B)(introductory paragraph), and (G)(2) and to enact Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, and R.S. 11:542(A)(4), (B)(4), (F)(3), and 883.1(A)(4), (B)(4), and (G)(3), relative to certain accounts of the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to provide for calculation and application of credits and debits to the systems' experience accounts; to provide for subaccounts; to provide for an effective date, and to provide for related matters.

Respectfully submitted,
ELBERT L. GUILLORY
Chairman

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 17, 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 Bills have been properly enrolled:

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.

Reported with amendments.

Respectfully submitted,
"JODY" AMEDEE
Chairman

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To declare October 1, 2012, as World Peace Day in the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATORS GALLOT, ADLEY, KOSTELKA, LAFLEUR, LONG, RISER, JOHN SMITH AND WALSWORTH AND REPRESENTATIVES ARMES, BROWN, COX, DIXON, HARRIS AND HAZEL
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to support the 259th Air Traffic Control Squadron Louisiana National Guard and urge the Louisiana congressional delegation to take action to reverse the planned disbanding of the squadron.

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.

Respectfully submitted,
"JODY" AMEDEE
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 17, 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. 82—
BY REPRESENTATIVE SHADOIN AND SENATOR WALSWORTH
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.
HOUSE CONCURRENT RESOLUTION NO. 83—
BY REPRESENTATIVE SHADOIN AND SENATOR WALSWORTH
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.

HOUSE CONCURRENT RESOLUTION NO. 85—
BY REPRESENTATIVE CROMER AND SENATOR NEVERS
A CONCURRENT RESOLUTION
To commend Lou Major, Sr., on the occasion of being inducted into the Mansfield School of Fame.

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.

Motion to Make Special Order

Senator Adley asked for and obtained a suspension of the rules to make House Bill No. 969, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 1 on Wednesday, April 18, 2012.

HOUSE BILL NO. 969—
BY REPRESENTATIVE TALBOT
AN ACT
To enact 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 a rebate for certain donations to certain school tuition organizations; to provide for definitions, requirements, and limitations; to provide for the amount, approval, and issuance of rebates; to authorize the Department of Education to conduct audits; to authorize the promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, House Bill No. 969 was made Special Order of the Day No. 1 on Wednesday, April 18, 2012.

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President  Dorsey-Colomb  Murray
Adley  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
Clator  Martiny  Thompson
Cortez  Mills  Walsworth
Crowe  Morrell  Ward
Donahue  Morrish  White
Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for April 18, 2012, were announced:

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

Adjournment

On motion of Senator Thompson, at 6:50 o'clock P.M. the Senate adjourned until Wednesday, April 18, 2012, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Wednesday, April 18, 2012.

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