OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-NINTH DAY’S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 3, 2012

The Senate was called to order at 9:15 o'clock A.M. by Hon.
John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

YEAS

Mr. President Johns Peterson
Amedee Kostelka Riser
Broome Long Smith, G. Brown Martiny Smith, J.
Buffington Mills Thompson
Claitor Morrish Walsworth
Crowe Murray Ward
Erdey Nevers White
Gallot Peacock
Heitmeier Perry
Total - 28

NAYS

Total - 0

ABSENT

Adley Cortez LaFleur
Allain Duhue Morrell
Appel Dorsey-Colomb Tarver
Chabert Guillory
Total - 11

The President of the Senate announced there were 28 Senators
present and a quorum.

Prayer

The prayer was offered by Dr. Torin Sanders, 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 Walsworth, the reading of the Journal was
dispensed with and the Journal of May 2, 2012, was adopted.

Message from the House

HOUSE CONFEREES APPOINTED

May 2, 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 appointed the following members,

Representatives Brossett, Arnold and Kleckley.

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

Privilege Report of the
Legislative Bureau

May 3, 2012

To the President and Members of the Senate:

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

HOUSE BILL NO. 12—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact Code of Civil Procedure Article 592(A)(3)(a)(ii), relative to certification of class actions; to
provide for discovery and admissibility of expert witness testimony and evidence under certain circumstances; and to
provide for related matters.

Reported without amendments.

HOUSE BILL NO. 16—
BY REPRESENTATIVE JAY MORRIS
AN ACT

To enact R.S. 33:447.9, relative to the mayor’s court in the town of
Sterlington; to authorize an increase in court costs for violations
of municipal ordinances; to provide for the allocation of
additional funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 18—
BY REPRESENTATIVE JAY MORRIS AND SENATOR KOSTELKA
AN ACT

To amend and reenact R.S. 14:34, 34.1(B) and (C), and 34.7, relative
to the crime of battery; to provide for increased penalties for
certain crimes of battery when the victim is an active member
of the United States Armed Forces or a disabled veteran of the
United States Armed Forces; to provide for definitions; and to
provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 70—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To enact Code of Criminal Procedure Article 162.2, relative to search
warrants; to provide for the issuance of search warrants upon
electronic testimony; to provide procedures for the issuance of
warrants upon electronic testimony; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 96—
BY REPRESENTATIVE MORENO
AN ACT
To enact R.S. 14:73.10, relative to computer-related crime; to create the crime of online impersonation; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 99—
BY REPRESENTATIVE HENRY
AN ACT
To enact R.S. 15:1352(A)(30) through (44), relative to racketeering; to add enumerated crimes to the definition of “racketeering activity”; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 132—
BY REPRESENTATIVE LIGI
AN ACT
To amend and reenact Code of Criminal Procedure Article 895(I), relative to probation and parole for certain sex offenders; to authorize the impaneling of one or more additional grand juries; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 158—
BY REPRESENTATIVE BADON
AN ACT
To amend and reenact R.S. 46:236.3(E)(1)(a), (G), and (O), relative to child support enforcement; to provide for withholdings for support; to provide with respect to civil liability of persons who honor an income assignment order; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 191—
BY REPRESENTATIVE GREENE
AN ACT
To amend and reenact Code of Civil Procedure Article 1314(B), relative to service of process; to provide for service of pleadings; to provide with respect to service on an attorney; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 215—
BY REPRESENTATIVE SMITH
AN ACT
To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.106, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to the American Red Cross; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 216—
BY REPRESENTATIVE WILLMOTT
AN ACT
To amend and reenact Code of Criminal Procedure Article 415.1, relative to service of pleadings; to provide with respect to service on an attorney; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 224—
BY REPRESENTATIVE ARMES
AN ACT
To amend and reenact R.S. 46:236.3(E)(1)(a), (G), and (O), relative to child support enforcement; to provide for withholdings for support; to provide with respect to civil liability of persons who honor an income assignment order; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 225—
BY REPRESENTATIVES LORUSSO, ADAMS, AND WESLEY BISHOP
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.

Reported without amendments.

HOUSE BILL NO. 231—
BY REPRESENTATIVE LIGI
AN ACT
To enact R.S. 15:538(E) and Code of Criminal Procedure Article 895(N), (J), (K), (L), and (M) and to enact R.S. 15:538(E) 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.

Reported without amendments.

HOUSE BILL NO. 300—
BY REPRESENTATIVES LEGER, BARROW, WESLEY BISHOP, BROADWATER, BURFORD, HAZEL, HOFFMANN, JOHNSON, LAMBERT, LORUSSO, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott
AN ACT
To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.106, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to the American Red Cross; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 302—
BY REPRESENTATIVE DIXON
AN ACT
To enact R.S. 47:2129.1, relative to the collection of ad valorem taxes in Rapides Parish; to authorize the collector to accept quarterly payment of certain taxes and statutory impositions subject to approval of the governing body of the taxing authority; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 338—
BY REPRESENTATIVE JOHNSON
AN ACT
To enact R.S. 47:2129.1, relative to the collection of ad valorem taxes in Rapides Parish; to authorize the collector to accept quarterly payment of certain taxes and statutory impositions subject to approval of the governing body of the taxing authority; to provide for effectiveness; and to provide for related matters.

Reported with amendments.
LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 338 by Representative Johnson

AMENDMENT NO. 1
On page 2, line 15, following "condition" and before "probation" change "or" to "of"

HOUSE BILL NO. 355—
By Representative Pope
AN ACT
To enact R.S. 15:85.3, relative to posting of criminal bonds; to provide for an increase in fees assessed for criminal bonds in Denham Springs; to provide for collection of fees by the marshal of the Denham Springs City Court; to provide for allocation of funds to the marshal's general fund; to provide for use of funds for the operational expenses of the marshal's office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 361—
By Representative Ponti
AN ACT
To amend and reenact R.S. 35:191(A)(2), relative to notaries; to provide for parish commissioned notary jurisdiction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 432—
By Representative Lopinto
AN ACT
To amend and reenact R.S. 15:542.1.3(A) and (B)(2) and 544(C), (D), and (E) and to enact R.S. 15:544(F), relative to sex offender registration and notification; to provide relative to sex offenders convicted under the laws of another state; to provide for court documentation; to provide for the duration of sex offender registration and notification for certain offenders; to provide relative to the frequency of in-person registration renewals; to provide with respect to certification on an offender's registration history; to provide for an effective date; to provide for prospective application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 592—
By Representative Jay Morris
AN ACT
To amend and reenact R.S. 14:133.6, relative to offenses affecting organized government; to create the crime of filing a false lien against a government; to create the crime of filing a false lien against a law enforcement or court officer; to provide for criminal penalties; to authorize restitution; to provide relative to certification on an offender's registration history; to provide for an effective date; to provide for prospective application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 620—
By Representatives Thierry, Adams, Badon, Brown, Burrell, Guillory, Hazel, Hodges, Honore, Howard, Landry, Mack, Moreno, and Pylant
AN ACT
To amend and reenact R.S. 14:91.5 and R.S. 15:543.1, relative to the unlawful use of a social networking website; to provide relative to the crime of unlawful use of a social networking website; to provide for definitions; to remove the exception regarding permission by the court or the probation or parole officer; to provide notice of this crime to sex offenders; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 467—
By Representative Abramson
AN ACT
To amend and reenact Civil Procedure Article 2724(A), relative to notice in executory process proceedings; to provide for notice to certain persons; and to provide for related matters.

Reported without amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 592 by Representative Jay Morris

AMENDMENT NO. 1
On page 1, line 3, following "of" and before "divisions" change "speciality" to "specialized"

AMENDMENT NO. 2
On page 2, line 2, following "a certain division or" and before "of" change "divisions or sections" to "section"

HOUSE BILL NO. 616—
By Representative Anders
AN ACT
To enact R.S. 14:133.6, relative to offenses affecting organized government; to create the crime of filing a false lien against a law enforcement or court officer; to provide for criminal penalties; to authorize restitution; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 620—
By Representatives Thierry, Adams, Badon, Brown, Burrell, Guillory, Hazel, Hodges, Honore, Howard, Landry, Mack, Moreno, and Pylant
AN ACT
To amend and reenact R.S. 14:91.5 and R.S. 15:543.1, relative to the unlawful use of a social networking website; to provide relative to the crime of unlawful use of a social networking website; to provide for definitions; to remove the exception regarding permission by the court or the probation or parole officer; to provide notice of this crime to sex offenders; and to provide for related matters.

Reported with amendments.
LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 620 by Representative Thierry

AMENDMENT NO. 1
On page 2, line 26, following "instant" change "messenger" to "messaging"

AMENDMENT NO. 2
On page 7, line 10, Following "in" and before "of this" change "Paragraph (b)" to "Paragraph (6)"

HOUSE BILL NO. 650—
BY REPRESENTATIVES PATRICK WILLIAMS AND FOIL
AN ACT
To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.105, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due them to the Odyssey Foundation for the Arts, LLC for purposes of the Center of Excellence for Autism Spectrum Disorder; to authorize the secretary of the Department of Revenue to administer and disburse donated monies; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 835—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To amend and reenact R.S. 13:5121(2), 5124(B), and 5125, relative to bond validation suits; to provide for an online database for posting notice of filing bond validation suits; to provide for the information to be posted thereon; to provide for proof of posting; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 835 by Representative Miller

AMENDMENT NO. 1
On page 2, line 4, following "notification of" change "said" to "the"

AMENDMENT NO. 2
On page 2, line 29, following "publication as" delete "hereinabove"

AMENDMENT NO. 3
On page 3, line 1, following "provided" insert "in this Section"

HOUSE BILL NO. 898—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To amend and reenact R.S. 47:114(A) through (H), relative to tax administration; to provide for the quarterly filing of withholding tax returns; to provide for the due date of payments of the withholding return; to authorize rulemaking; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 929—
BY REPRESENTATIVE MILLER
AN ACT
To amend and reenact R.S. 35:191(A)(1)(d) and (e), 191.2(3), 191.4(B) through (H), and 192(A) and to enact R.S. 35:191(A)(1)(f) and (g), 191.1(C), and 191.4(I), relative to notaries; to provide for qualifications of notaries; to provide for education of notaries; to provide for fees; to provide for requirements for instructors; to provide for bonding requirements for certain notaries; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 929 by Representative Miller

AMENDMENT NO. 1
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 14, change "their" to "his"

AMENDMENT NO. 2
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 16, following "after" and before "rule" insert "a"

AMENDMENT NO. 3
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 19, following "(2)" and before "no" change "Conviction of a felony for which" to "A felony for which he has been convicted and"

AMENDMENT NO. 4
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 20, change "their" to "his"

AMENDMENT NO. 5
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 21, change "they" to "he"

AMENDMENT NO. 6
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 24, change "their" to "his"

AMENDMENT NO. 7
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 26, change "their" to "his"

AMENDMENT NO. 8
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 30, following "tried" and before "in summary" delete "contradiactorily with the notary public"

AMENDMENT NO. 9
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 1, line 34, change "their" to "his"

AMENDMENT NO. 10
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 1, change "their" to "his"

AMENDMENT NO. 11
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 4, following "(2) If after" insert "a"

AMENDMENT NO. 12
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 6, change "their" to "his"
AMENDMENT NO. 13
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 15, change “their” to “his”

AMENDMENT NO. 14
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 16, change “their” to “his”

AMENDMENT NO. 15
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 19, change “appointment or authorization” to “notarial powers or commission”

AMENDMENT NO. 16
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 27, following “felony” delete “in a trial court”

AMENDMENT NO. 17
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 31, change “their” to “his”

AMENDMENT NO. 18
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 35, change “institution of” to “instituting”

AMENDMENT NO. 19
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 37, following “felony” delete “in a trial court”

AMENDMENT NO. 20
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 2, 2012, on page 2, line 44, change “institution of” to “instituting”

AMENDMENT NO. 21
On page 4, line 11, following “governor” and before ”approved” change “,” to “of”

AMENDMENT NO. 22
On page 4, line 12, before ”and if” change “,” to “,”

HOUSE BILL NO. 980—
BY REPRESENTATIVE MACK
AN ACT
To amend and reenact Code of Criminal Procedure Article 496, relative to procedure after indictment; to provide relative to warrants of arrest on indictment or information; to require affidavits establishing probable cause for the issuance of warrants of arrest based on indictment or information; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1082—
BY REPRESENTATIVE THIBAUT
AN ACT
To amend and reenact R.S. 26:71.1(1)(h) and 271.2(1)(h), relative to Class A-General retail permits for low and high alcoholic beverages; to require a Class A-General retail establishment to adhere to certain guidelines relative to public restrooms; to require the retail establishment to obtain proof of compliance from the office of public health; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1098—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To amend and reenact R.S. 26:902 through 905, 906(B), (C), (D), and (E), 912, 913, 918(B), and 919(A), (E), and (F) and to repeal R.S. 26:907 and 915, relative to tobacco product permits for retail dealers; to eliminate requirements relative to registration certificates for tobacco retail dealers and all references thereto; to provide for a single class of permits for tobacco retail dealers; to provide for a decrease in retail dealer permit fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1164—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 26:80(A) and (F)(2)(introductory paragraph) and 280(A) and (F)(2)(introductory paragraph), relative to qualifications of applicants for low and high alcoholic beverage permits; to prohibit any applicant from obtaining a state or local permit who has been convicted of crimes involving distribution or possession with intent to distribute certain substances; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1164 by Representative Hazel

AMENDMENT NO. 1
On page 2, line 5, following “Schedule I” change “, as defined by” to “of”

AMENDMENT NO. 2
On page 3, line 24, following “exclusively for” and before “the sole” delete “and for”

AMENDMENT NO. 3
On page 3, line 29, following “Schedule I” change “, as defined by” to “of”

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR PERRY
A CONCURRENT RESOLUTION
To urge and request the Integrated Criminal Justice Information System (ICJIS) Policy Board to meet and coordinate the integration of the various crime information automated information systems.

The resolution was read by title and placed on the Calendar for a second reading.
Senate Bills and Joint Resolutions on Second Reading

SENATE BILL NO. 761— (Substitute of Senate Bill No. 517 by Senator Morrell)
BY SENATOR MORRELL
AN ACT
To enact Children’s Code Article 412.1, relative to children; to require the collection and remittance of certain data; and to provide for related matters.
On motion of Senator Morrell the bill was read by title, ordered engrossed and passed to a third reading.

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 99—
BY SENATOR BROWN
A RESOLUTION
To commend and express appreciation to Leonard Charles “Charlie” Tobias for thirty-three years of dedicated and distinguished law enforcement service with the West Baton Rouge Parish Sheriff’s Office on the occasion of his retirement.
On motion of Senator Brown the resolution was read by title and adopted.

SENATE RESOLUTION NO. 100—
BY SENATOR LONG
A RESOLUTION
To commend Micah Coleman, Natchitoches Central High School Boys Basketball Coach on being named “Coach of the Year”.
On motion of Senator Long the resolution was read by title and adopted.

SENATE RESOLUTION NO. 101—
BY SENATOR CLAITOR
A RESOLUTION
To recall Senate Bill No. 755 from the Committee on Commerce, Consumer Protection and International Affairs, discharge the committee from further consideration of the measure, and order the measure to the calendar on third reading and final passage.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB
A CONCURRENT RESOLUTION
To designate and recognize May 13-19, 2012, as National Women’s Health Week.

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President  Martiny
Amedee Mills  Smith, G.
Broome  Tarver
Brown  Thompson
Buffington  Walsworth
Heitmeier  Ward
Johns  White
Kostelka  Peterson
Long  Riser
Total - 25

NAYS

Total - 0

ABSENT

Adley  Cortez  Gallot
Allain  Crowe  Guillory
Appel  Donahue  LaFleur
Chabert  Dorsey-Colomb  Morrell
Claitor  Erdey
Total - 14

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
May 2, 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. 61  HB NO. 497  HB NO. 532
HB NO. 695  HB NO. 701  HB NO. 843
HB NO. 867  HB NO. 934  HB NO. 936
HB NO. 1048

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 61—
BY REPRESENTATIVE PEARSON
AN ACT
To amend and reenact R.S. 11:62(4)(introductory paragraph), 5(introductory paragraph), and (11)(introductory paragraph), 102(B)(1) and (3)(a) and (d)(v), (vi), and (vii), 542(A)(2)(a), 883.1(A)(2)(a), and 1145.1(A)(1)(introductory paragraph) and (a), (C)(4)(a)(introductory paragraph), and (E), and to enact R.S. 11:62(4.1), (5.1), and (11.1), 102(C)(1)(m), 542(C)(4)(d)(ii) and (e)(iii), 883.1(C)(4)(d)(ii) and (e)(iii), 1145.1(C)(4)(a)(iii) and (b)(iii), and Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1399.1 through 1399.7, relative to state retirement systems; to create a cash balance plan in certain state systems; to provide
for contributions, credits, eligibility, and benefits; 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. 497—
BY REPRESENTATIVES BARRAS AND SENATOR MILLS
A JOINT RESOLUTION
Proposing to add Article VII, Section 21(L) of the Constitution of Louisiana, to authorize the governing authority of the city of New Iberia to grant ad valorem tax exemption contracts for certain property annexed by the city; to provide for the approval of contracts; to provide for certain contract limitations; to provide with respect to the assessment and taxation of property subject to a contract; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 532—
BY REPRESENTATIVE JIM MORRIS
AN ACT
To amend and reenact R.S. 30:961(E) and to enact R.S. 30:961(I), relative to withdrawal of surface water; to extend the time frame within which opportunities for cooperative agreements for such withdrawal may be entered into; to provide for approval by legislative committees of certain cooperative endeavor agreements; and to provide for related matters.

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

HOUSE BILL NO. 695—
BY REPRESENTATIVES BADON AND BARROW
AN ACT
To amend and reenact R.S. 32:300.5(A)(1), (2)(b), and (C)(4) and 398.10(A)(6), to enact R.S. 32:300.5(B)(4) and (C)(5), and to repeal R.S. 32:289.1, 300.6, and 300.7, relative to the use of wireless communication devices while driving; to prohibit the use of wireless communication devices while driving; to repeal provisions providing for exceptions; to repeal provisions relative to minors; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 701—
BY REPRESENTATIVE GAROFALO
AN ACT
To amend and reenact R.S. 38:330.7, relative to police officers for the Southeast Louisiana Flood Protection Authorities; to authorize the employment of a superintendent by the Southeast Flood Protection Authority - East; to provide for such superintendent's powers and authority; to authorize the use of police security personnel from one levee district within another 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. 843—
BY REPRESENTATIVE LORUSSO
AN ACT
To amend and reenact R.S. 33:9091.5, relative to Orleans Parish; to provide relative to the Lake Vista Crime Prevention District; to provide relative to the purpose and governance of the district; to provide relative to district funding; to change provisions relative to the levy of a parcel fee; and to provide for related matters.

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

HOUSE BILL NO. 867—
BY REPRESENTATIVE ORTEGO
AN ACT
To enact R.S. 17:1519.18, relative to a partnership for health care; to authorize certain functions of the University Medical Center in Lafayette; to provide for a pilot program for coordinated school health and wellness centers; to provide for goals and requirements of the program; to provide for conditions relative to funding availability; and to provide for related matters.

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

HOUSE BILL NO. 934—
BY REPRESENTATIVES LIGI, ADAMS, ARNOLD, BADON, BILLIOT, WESLEY BISHOP, BROSSET, CONNICK, LEGER, LEOPOLD, LOPINTO, LORUSSO, TALBOT, AND WILLMOTT AND SENATORS ALARIO, APPEL, MARTINY, AND MORRELL
AN ACT
To enact R.S. 47:551.1, relative to special districts; to authorize the establishment of an automobile rental tax district in the parishes of Jefferson and Orleans; to provide for the boundaries, governance, and powers of the district; to authorize the levy of a tax on the lease or rental of certain automobiles under certain circumstances; to provide for the use of the avails of the tax; 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. 936—
BY REPRESENTATIVE DANAHAY
AN ACT
To enact R.S. 36:109(V) and Subpart B of Part I of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:61 through 68, relative to military forces; to create the Louisiana Military Advisory Council within the Department of Economic Development; to provide for the membership of the council and its officers; to provide for terms of office for the members of the council; to provide relative to compensation and expenses for council members; to provide the powers and duties of the council; to require the establishment of working groups; and to provide for related matters.

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

HOUSE BILL NO. 1048—
BY REPRESENTATIVE POPE
AN ACT
To enact R.S. 11:701(10), 761(A)(3)(b), 768(A)(2) and (B)(2)(introductory paragraph), and 786(A)(1) and to enact R.S. 11:785 and 927(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to tax-qualification of such system; to make certain changes to such system's provisions in conformity with federal tax-qualification provisions; to provide effective dates; 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. 38—
BY REPRESENTATIVE JONES
AN ACT
To enact R.S. 11:142(M), relative to the payment of retirement benefits; to provide for reports when such benefits should be stopped; to provide for certification by the employee; to provide relative to the fiduciary duty of affected boards; to provide relative to the recovery of erroneously paid benefits; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.
HOUSE BILL NO. 242—
BY REPRESENTATIVE HARRIS
AN ACT
To enact R.S. 33:2481.5, relative to the city of Alexandria; to provide relative to the municipal fire and police civil service; to provide relative to the position of deputy chief of police; to include the governing authority of the city of Alexandria among those authorized to create that position; and to provide for related matters.

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

HOUSE BILL NO. 477—
BY REPRESENTATIVE ABRAMSON
AN ACT
To enact Code of Civil Procedure Article 1476, relative to discovery in civil proceedings; to provide for claims involving asbestos or silica; to require the disclosure of certain information; to require certification; to provide for supplemental information; to provide for sanctions; 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. 534—
BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT
To amend and reenact R.S. 56:647(A) and (B) and to enact R.S. 51:2231(A) and (C) and 2256, relative to discrimination; to provide with respect to genetic discrimination; to provide with respect to discrimination in the workplace; to provide with respect to the Louisiana Commission on Human Rights and the Louisiana Workforce Commission; and to provide for related matters.

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

HOUSE BILL NO. 533—
BY REPRESENTATIVE TIM BURNS
A JOINT RESOLUTION
Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to provide relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts; to retain the existing number of members; to provide for implementation of membership from reapportioned congressional districts; to provide for submission of the proposed amendment to the electors; 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. 524—
BY REPRESENTATIVE HODGES
AN ACT
To amend and reenact R.S. 32:662.1, relative to driving while intoxicated; to provide for admission of intoxilyzer instrument recertification forms; 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. 535—
BY REPRESENTATIVE DOVE
AN ACT
To amend and reenact R.S. 17:24.4(A)(1), (2), and (4), (E), (F)(1)(c), (d), and (e), (3)(a) and (b)(ii), and (4)(a), and (G)(4)(a) and to repeal R.S. 17:24.4(F)(2), relative to the Louisiana Competency-Based Education Program and the Louisiana Educational Assessment Program; to provide relative to standards; to provide relative to testing; to provide relative to terminology and definitions; 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. 896—
BY REPRESENTATIVE SCHRODER
AN ACT
To amend and reenact R.S. 38:2(A) and (B), 3, 90.4(B)(1), 214(B), 218(B), 301(B) and (C)(2)(c), 306(C), 313(B)(2), 315, 319, 3074(A)(4) and (D)(4) and (9)(c), 3087.134(E)(5), and 3097.4(A)(9), relative to the coastal area; to provide the respective responsibilities of the Department of Transportation and Development and the Coastal Protection and Restoration Authority; 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. 916—
BY REPRESENTATIVE LEGER
AN ACT
To amend and reenact R.S. 36:4(A), R.S. 38:81(C), 101(A) and (B), 102, 103, 107(A), 108, 109, 213(A) and (D), and 330.1(K)(6), R.S. 49:214.1(E) and (F), 214.2(1) through (12), 214.3.1(A)(3), 214.4.2(A)(introductory paragraph) and (C)(1), 214.5.1(A), (B) introductory paragraph) and (15), and (C), 214.5.2(A)(introductory paragraph), (5) and (11), (B)(introductory paragraph), (1), (3), and (5), (C), (D), (E), and (F), 214.5.3(A)(1), (B), (D)(2)(introductory paragraph), (E)(1), (4), and (5), 214.5.4(G)(8), 214.5.7, 214.6.1, 214.6.2(A), (B), (C), (D)(introductory paragraph) and (1), (E), 214.6.3(A)(4) and (B), 214.6.6.6(A)(introductory paragraph), (C), (D), 214.6.7(A), (B), (E)(3), and (F), 214.6.9: and 214.6.11(A) and (D)(2), R.S. 56:421(B)(13) and (E)(4), 424(H), 432.1(A), (B), (C)(introductory paragraph) and (1), and (D)(1), and 432.2 and to repeal R.S. 49:214.3.1(A)(4) and 214.6.8, relative to the Coastal Protection and Restoration Authority and the Office of Coastal Protection and Restoration; to change the names of each entity; to provide relative to the powers, duties, and authorities of each entity; to provide relative to appointment to the Coastal Protection and Restoration Authority Board; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Natural Resources.
To amend and reenact R.S. 3:2004, 4222(C), and 4674(F), R.S. Committee on Natural Resources.

HOUSE BILL NO. 918—
BY REPRESENTATIVE GUINN
AN ACT
To enact R.S. 38:216.1, relative to unauthorized openings of water control structures; to prohibit the unauthorized opening of a water control structure; to provide for penalties; to provide for revocation of licenses and permits; 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. 954—
BY REPRESENTATIVE DANAHAY
AN ACT
To amend and reenact R.S. 3:2004, 4222(C), and 4674(F), R.S. Committee on Natural Resources.

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

HOUSE BILL NO. 971—
BY REPRESENTATIVE BARROW
AN ACT
To enact R.S. 47:551.1, relative to special districts; to authorize the establishment of an automobile rental tax district in East Baton Rouge Parish; to provide for the boundaries, governance, and powers of the district; to authorize the levy of a tax on the lease or rental of certain automobiles under certain circumstances; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 977—
BY REPRESENTATIVE HENRY BURNS
AN ACT
To amend and reenact R.S. 46:123(D)(1)(c)(iii) and (vi), relative to the Louisiana Military Family Assistance Board; to provide relative to requirements for need-based claims; and to provide for related matters.

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

HOUSE BILL NO. 986—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 11:62(12), 1581(5), and 1631(F)(1) and (2), relative to the Office of Courts Administration; to provide relative to the funding of benefits; to provide for definitions; to provide relative to benefits; to provide relative to the Louisiana Retirement System; to provide relative to benefits; to provide relative to benefits; to provide for implementation; and to provide for related matters.

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

HOUSE BILL NO. 1002—
BY REPRESENTATIVE HOFFMANN
AN ACT
To enact R.S. 11:2256(G) and 2256.2, relative to the Firefighters Retirement System; to provide for distribution of benefits of a member to a trust established for the benefit of a child; to provide definitions; to provide restrictions; and to provide for related matters.

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

HOUSE BILL NO. 1011—
BY REPRESENTATIVE PRICE
AN ACT
To enact R.S. 13:691(B)(5), relative to vehicle expenses for certain judges; to authorize an increase in the amount of reimbursements for vehicle expenses; and to provide for related matters.

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

HOUSE BILL NO. 1050—
BY REPRESENTATIVE RITCHIE
AN ACT
To enact R.S. 46:123(D)(1)(c)(iii) and (vi), relative to the Louisiana Military Family Assistance Board; to provide relative to requirements for need-based claims; and to provide for related matters.

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

HOUSE BILL NO. 1064—
BY REPRESENTATIVE BARROW
AN ACT
To enact R.S. 47:551.1, relative to special districts; to authorize the establishment of an automobile rental tax district in East Baton Rouge Parish; to provide for the boundaries, governance, and powers of the district; to authorize the levy of a tax on the lease or rental of certain automobiles under certain circumstances; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1065—
BY REPRESENTATIVE HENRY BURNS
AN ACT
To amend and reenact R.S. 11:2256(D)(1) and (2), relative to the Firefighters Retirement System; to provide for distribution of benefits of a member to a trust established for the benefit of a child; to provide definitions; to provide restrictions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.
HOUSE BILL NO. 1077—
   BY REPRESENTATIVE WESLEY BISHOP
   AN ACT
To amend and reenact R.S. 13:5109(C) and to enact R.S. 13:5109(B)(3) and (D), relative to the Louisiana Governmental Claims Act; to provide with respect to liability of certain employers and covered individuals; to provide for limitations; to prohibit seizure of property in certain circumstances; to provide for limitation on the prohibition; 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. 1121—
   BY REPRESENTATIVE JAMES
   AN ACT
To enact R.S. 23:905, relative to employee records; to provide for electronic transmission; to provide for the payment of costs; and to provide for related matters.

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

HOUSE BILL NO. 1143—
   BY REPRESENTATIVE NANCY LANDRY
   AN ACT
To amend and reenact R.S. 42:19(A)(1)(b)(ii), relative to meetings of public bodies; to provide relative to the duties of the presiding officer of a public body relative to agenda items; 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. 1200— (Substitute for House Bill No. 1108 by Representative Brown)
   BY REPRESENTATIVE BROWN
   AN ACT
To enact R.S. 48:283, relative to public works by the Department of Transportation and Development; to provide for plans, transfer, and relocations concerning buildings with historical or cultural significance acquired by the Department of Transportation and Development; 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 Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 119—
   BY REPRESENTATIVES TIM BURNS AND FOIL
A CONCURRENT RESOLUTION
To express condolences upon the death of Kerry Joseph Triche of Baton Rouge and to commend him posthumously for his exceptional achievements and contributions.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Amedee  Browne  Brown  Buffington  Claitor  Heitmeier  John  Kostelka  Long  Martiny  Mills  Morrish  Murray  Nevers  Peacock  Riser  Smith, G.  Smith, J.  Tarver

NAYS

Crowe  Donahue  Erdey  Gallot  Total - 30

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

Senate Bills and Joint Resolutions on Second Reading

REPORTED BY COMMITTEES

SENATE BILL NO. 106—
   BY SENATOR GALLOT
   AN ACT
To enact R.S. 24:31.4(E), relative to legislators; to provide for vacant property of the state to be utilized as legislative offices; to provide for a process for requests for property; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 106 by Senator Gallot

AMENDMENT NO. 1
On page 1, line 2, after “legislators;” delete the remainder of the line, delete line 3, and insert “authorize and provide for surplus space in state-owned property to be utilized as legislative offices; to provide for a procedure for requesting such space;”

AMENDMENT NO. 2
On line 1, line 9, change “is directed to implement” to “shall implement and maintain”

AMENDMENT NO. 3
On line 1, line 10, after “legislator,” change “vacant” to “surplus”

AMENDMENT NO. 4
On line 1, delete lines 11 and 12, and insert “property owned by the state and located within a legislator’s district can be utilized as the legislator’s office. A legislator seeking to utilize such surplus space as his office shall make a”

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

SENATE BILL NO. 311—
   BY SENATOR LAFLEUR
   AN ACT
To amend and reenact R.S. 22:1892(A)(3) and 1973(B)(6), relative to the payment and adjustment of insurance claims; to provide with respect to the good faith duty and claims settlement practices; to provide a definition for initiation of loss adjustment; to provide factors to be considered in determining the penalty to be awarded in the event of a certain violation; and to provide for related matters.

Reported with amendments by the Committee on Insurance.
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 511 by Senator LaFleur

AMENDMENT NO. 1
On page 2, line 4, after “loss adjustment” insert “not to exceed sixty days,” and delete the remainder of the line and delete lines 5 through 7 in their entirety

AMENDMENT NO. 2
On page 2, line 6, delete “on Insurance and the House Committee on Insurance, voting separately.”

AMENDMENT NO. 3
On page 2, lines 9 and 10, delete “when the failure has been arbitrary, capricious, or without probable cause

AMENDMENT NO. 4
On page 2, line 10, after “shall” insert “may”

AMENDMENT NO. 5
On page 2, line 12, delete “includes but is not limited to any of the following conduct:” and in lieu thereof insert the following: “shall be satisfied if the insurer establishes one of the following:

(a) The insurer has unconditionally tendered all undisputed amounts owed.
(b) The insurer has met with the insured.
(c) The insurer has proof that an inspection of the property has taken place within the time periods established in this Paragraph.

The provisions of this Paragraph shall become effective August 1, 2012.

AMENDMENT NO. 6
On page 2, delete lines 13 through 23 in their entirety

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

SENATE BILL NO. 452—
BY SENATOR WALSWORTH
AN ACT
To enact R.S. 44:3(A)(4)(b)(viii), relative to public records; to provide relative to the initial report; to provide that the law enforcement agencies, and communications districts; to provide for the modules for adult residential care providers; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 452 by Senator Walsworth

AMENDMENT NO. 1
On page 1, at the beginning of line 5, insert “booking”

AMENDMENT NO. 2
On page 2, line 4, after “R.S. 44:1 the” insert “booking”

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

SENATE BILL NO. 628—
BY SENATOR BUFFINGTON
AN ACT
To amend and reenact R.S. 40:2166.3(2) and 2166.5(B)(11)(d), relative to adult residential care; to provide with respect to services under adult residential care; to provide for the modules for adult residential care providers; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 628 by Senator Buffington

AMENDMENT NO. 1
On page 1, line 2, delete “amend and reenact R.S. 40:2166.3(2) and 2166.5(B)(11)(d)” and insert “enact R.S. 40:2166.7.1”

AMENDMENT NO. 2
On page 1, lines 3 and 4, delete “services under adult residential care; to provide for the modules for adult residential care providers” and insert “a moratorium on licensure of level 4 adult residential care providers”

AMENDMENT NO. 3
On page 1, lines 6 and 7, delete “R.S. 40:2166.3(2) and 2166.5(B)(11)(d)” and insert “enact R.S. 40:2166.7.1 is hereby enacted”

AMENDMENT NO. 4
On page 1, delete lines 8 through 17 and on page 2 delete lines 1 through 17 and insert:

§2166.7.1. Moratorium on licensure of level 4 adult residential care providers

Notwithstanding any other provision of law to the contrary, the department shall implement a moratorium on the licensure of additional level 4 adult residential care providers until July 1, 2017. The moratorium shall not apply to a provider which has received facility need review approval from the department for a level 4 adult residential care provider on or before April 25, 2012.

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

SENATE BILL NO. 690—
BY SENATOR BUFFINGTON
AN ACT
To amend and reenact R.S. 36:258(F) and R.S. 46:931, relative to providing services to the elderly; to provide for the Department of Health and Hospitals, office of aging and adult services; to provide for the office of elderly affairs in the office of the governor; and to provide for related matters.

Reported by substitute by the Committee on Health and Welfare.

The bill was read by title; the committee substitute bill was read.
Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:35.1(A)(3) is hereby amended and reenacted to read as follows:

§35.1. Battery of a child welfare or adult protective service worker

A.(1) * * *

(3) For purposes of this Section, “adult protective service worker” shall include any adult protection specialist or adult protection specialist supervisor employed by the Department of Health and Hospitals or the Governor’s Office of Elderly Affairs.

Section 2. R.S. 15:1503(4) is hereby amended and reenacted to read as follows:

§1503. Definitions

For purposes of this Chapter, the following terms shall have the following meanings, unless the context clearly indicates a different meaning:

(4)(a) “Adult protection agency” means the office of elderly affairs in the office of the governor, for any individual sixty years of age or older or an emancipated minor.

§406. Ex officio notaries public of the adult protection agency

A. Notwithstanding any provisions of law relative to qualifications and notaries public, except R.S. 35:391-(b), the director of the office of elderly affairs may appoint two investigators in the adult protection agency, office of elderly affairs, office of the governor, as ex officio notaries public.

B. The secretary of the Department of Health and Hospitals, as ex officio notary public.

D. The director or secretary authorized to make such appointments may suspend or terminate any appointment made pursuant to this Section at any time. Separation from the employ of the adult protection agency shall automatically terminate the powers of such an ex officio notary public.

Section 3. R.S. 35:406(A) and (D) are hereby amended and reenacted to read as follows:

§406. Ex officio notaries public of the adult protection agency

A. Notwithstanding any provisions of law relative to qualifications and notaries public, except R.S. 35:391-(b), the director of the office of elderly affairs may appoint two investigators in the adult protection agency, office of elderly affairs, office of the governor, as ex officio notaries public.

B. The secretary of the Department of Health and Hospitals, as ex officio notary public.

D. The director or secretary authorized to make such appointments may suspend or terminate any appointment made pursuant to this Section at any time. Separation from the employ of the adult protection agency shall automatically terminate the powers of such an ex officio notary public.

§35.1. Battery of a child welfare or adult protective service worker

A.(1) * * *

(3) For purposes of this Section, “adult protective service worker” shall include any adult protection specialist or adult protection specialist supervisor employed by the Department of Health and Hospitals or the Governor’s Office of Elderly Affairs.

Section 2. R.S. 15:1503(4) is hereby amended and reenacted to read as follows:

§1503. Definitions

For purposes of this Chapter, the following terms shall have the following meanings, unless the context clearly indicates a different meaning:

(4)(a) “Adult protection agency” means the office of elderly affairs in the office of the governor, for any individual sixty years of age or older or an emancipated minor.

(4)(b) In addition, the department may release information to other agencies of state government that are engaged in rendering services or treatment to a department recipient or former recipient. The agency receiving the information from the department under this Paragraph shall be bound by the same confidentiality standard as prescribed in this Section with regard to release of this information to the recipient, the client’s legal representative, or an outside source.

The Department of Health and Hospitals, and the Department of Children and Family Services, and for the purpose of adult protective services, the Office of Elderly Affairs, shall share access to each other’s case records to the extent that such access is not prohibited by any contrary provision of federal law or regulation.

F. The following information shall not be subject to waiver and shall not be released to applicants, recipients, or outside sources, except those outside sources engaged in the administration of the programs of the department:

* * *

§61. Elderly abuse: release of information

A.(1) The Department of Health and Hospitals shall, following an investigation by the department, the Office of Elderly Affairs, the office of the attorney general, or a local law enforcement agency, of any report of elderly abuse and the conviction of any person investigated for such abuse or the entering of a plea of guilty or nolo contendere by any person so investigated who is accused of such abuse, make available to any health care facility licensed by the department, upon request, the name and a photograph of any such person who has been convicted of or pled guilty or nolo contendere to a crime involving elderly abuse.

* * *

§932. Powers and duties

The office shall have the following powers and duties:

(10) To perform the functions of the state which are designed to meet the social and community needs of Louisiana residents sixty years of age or older, including but not limited to the provision of such comprehensive social programs as homemaker services, home repair and maintenance services, employment and training services, recreational and transportation services, counseling, information and referral services, protective services, and health-related outreach; but excluding the transportation program for the elderly and the handicapped program administered by the Department of Transportation and Development under Section 16(b)(2) of the Federal Urban Mass Transportation Act of 1964 as amended and other such programs and services assigned to authorize, knowingly permit, participate in, or acquiesce in the use of applications or client case records or the information contained therein for any purpose not directly connected with the administration of the programs of the department.

* * *

(1) To perform the functions of the state which are designed to meet the social and community needs of Louisiana residents sixty years of age or older, including but not limited to the provision of such comprehensive social programs as homemaker services, home repair and maintenance services, employment and training services, recreational and transportation services, counseling, information and referral services, protective services, and health-related outreach; but excluding the transportation program for the elderly and the handicapped program administered by the Department of Transportation and Development under Section 16(b)(2) of the Federal Urban Mass Transportation Act of 1964 as amended and other such programs and services assigned to
To amend and reenact R.S. 14:35.1(A)(3), R.S. 15:1503(4), R.S.

SENATE BILL NO. 762— (Substitute of Senate Bill No. 690 by
was adopted and becomes Senate Bill No. 762 by Senator Buffington,
following such approval by the legislature, whichever is later.

this Act shall become effective on July 1, 2012, or on the day
vetoes by the governor and subsequently approved by the legislature,

Louisiana Administrative Code.

applicable provisions as necessary to maintain continuity in the
adult services and redesignate and renumber, as the need may be, all
references to the office of elderly affairs to the office of aging and
office of aging and adult services by this Act shall continue to be
governor which govern or are applicable to the programs and
promulgated by the office of elderly affairs of the office of the
Department of Health and Hospitals, bureau of protective services,
the Governor's Office of Elderly Affairs, elderly protective services,
the office of the attorney general, and the courts.

Section 6. R.S. 46:936 is hereby repealed.

Section 7. All employees engaged in the performance of duties
relating to the functions of the programs and services transferred from
the office of elderly affairs in the office of the governor to the
Department of Health and Hospitals, office of aging and adult services,
are hereby transferred to the office of aging and adult services to carry out the functions of the office of aging and adult services.

Section 8. In order to ensure continuity of services, all office of
erly affairs contracts and leases related to the operation and
administration of its adult protective services; to provide for programs transferred to
the Department of Health and Hospitals, office of aging and adult services shall be deemed to have been transferred and assigned to the Department of Health and Hospitals upon the effective date of this Act without the necessity of amendment of the lease or contract, and the
Department of Health and Hospitals shall be solely responsible for all related obligations and liabilities arising on or after that effective date.

Section 9. The administrative rules contained in the Louisiana Administrative Code
promulgated by the office of elderly affairs of the office of the governor which govern or are applicable to the programs and operations transferred from the office of elderly affairs in the office of the governor to the Department of Health and Hospitals, office of aging and adult services by this Act shall continue to be effective, and the office of state register shall change all applicable references to the office of elderly affairs to the office of aging and adult services and redesignate and renumber, as the need may be, all applicable provisions as are necessary to maintain continuity in the Louisiana Administrative Code.

Section 10. This Act shall become effective on July 1, 2012; if
vetoes by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2012, or on the day following such approval by the legislature, whichever is later.

On motion of Senator Heitmeier, the committee substitute bill
was adopted and becomes Senate Bill No. 762 by Senator Buffington, substitute for Senate Bill No. 690 by Senator Buffington.

SENATE BILL NO. 762— (Substitute of Senate Bill No. 690 by
Senator Buffington)

BY SENATOR BUFFINGTON

AN ACT
To amend and reenact R.S. 14:35.1(A)(3), R.S. 15:1503(4), R.S.
35:406(A) and (D), R.S. 36:258(F), R.S. 46:56(A), (B)(1), and
(F)(4)(b), 61(A)(1) and (C), 932(10), and 2136.2(F) and to
repeal R.S. 46:936, relative the transfer of adult protection
services of the office of elderly affairs in the office of the
governor to the Department of Health and Hospitals, office of
aging and adult services; to provide for functions of the
programs and services transferred; to provide for contracts and
leases; to provide for administrative rules; and to provide for
related matters.

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

SENATE BILL NO. 707—
BY SENATOR AMEDEE

AN ACT
To amend and reenact R.S. 44:2, relative to public records; to exempt
certain records obtained by the Senate for the purpose of
confirmation from the public records law; and to provide for
related matters.

Reported favorably by the Committee on Senate and
Governmental Affairs. The 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. 712—
BY REPRESENTATIVE HENRY BURNS

AN ACT
To amend and reenact R.S. 13:5554(2)(introductory paragraph) and
(3) and 5555(C)(2) and (D), relative to the payment of insurance
premium costs; to provide for the payment of such costs for
retired sheriffs and employees of the Bossier Parish Sheriff's
Office; to provide relative to the Bossier Parish Retired
Employees Insurance Fund; to provide for the administration of
the fund; to provide for the use and investment of fund monies;
and to provide for related matters.

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

HOUSE BILL NO. 128—
BY REPRESENTATIVE JACOB DEARDEN

AN ACT
To amend and reenact R.S. 19:952, relative to the Louisiana
Revised Statutes of 1950.

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

HOUSE BILL NO. 24—
BY REPRESENTATIVE HENRY BURNS

AN ACT
To amend and reenact R.S. 44:2, relative to public records; to exempt
certain records obtained by the Senate for the purpose of
confirmation from the public records law; and to provide for
related matters.

HOUSE BILL NO. 24—
BY REPRESENTATIVE HENRY BURNS

AN ACT
To amend and reenact R.S. 49:1916(a) and to repeal R.S. 49:191(4)(b), relative
to the Department of Insurance, including provisions to provide for
the re-creation of the Dept. of Insurance 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 favorably by the Committee on Insurance. The bill
was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 150—
BY REPRESENTATIVE RITCHIE

AN ACT
To amend and reenact R.S. 22:254(3), relative to health maintenance
organizations; to clarify the minimum required capital and surplus for each such
entity; and to provide for related matters.

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

HOUSE BILL NO. 154—
BY REPRESENTATIVE THIBAUT

AN ACT
To amend and reenact R.S. 22:1268(A)(2) and 1287, relative to
policy refunds and interest; to provide for the crediting of refund
amounts against future premiums; to provide for the accrual of
interest on refunds; and to provide for related matters.

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

HOUSE BILL NO. 156—
BY REPRESENTATIVE SIMON

AN ACT
To amend and reenact R.S. 46:236.1(C) and (D)(4) and (5) and to
enact R.S. 46:236.1(A)(7) and (D)(6), relative to the
Supplemental Nutrition Assistance Program educational
component; to provide for legislative findings; to provide for
requirements of nutrition education services; to provide for
reporting requirements of the Department of Children and Family Services; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare.
The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 160—
BY REPRESENTATIVE RITCHE
AN ACT
To amend and reenact R.S. 22:821(B)(2), relative to the annual financial regulation fee assessed and collected by the commissioner of insurance; to include vehicle mechanical breakdown insurers and property residual value insurers among such insurers; and to provide for related matters.

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

HOUSE BILL NO. 193—
BY REPRESENTATIVE REYNOLDS
AN ACT
To amend and reenact R.S. 22:1986, relative to examinations of insurers by the commissioner of insurance; to provide with respect to the compensation of personnel employed by the commissioner of insurance to conduct such examinations; to delete provisions relative to the disposition of such monies; and to provide for related matters.

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

HOUSE BILL NO. 227—
BY REPRESENTATIVE SCHRODER
AN ACT
To amend and reenact R.S. 46:236.1(B)(3), relative to support officers; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare.
The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 229—
BY REPRESENTATIVE THIBAUT
AN ACT
To amend and reenact R.S. 22:584(D)(3), relative to investments by master limited partnerships; and to provide for related matters.

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

HOUSE BILL NO. 308—
BY REPRESENTATIVE THIERRY
AN ACT
To repeal R.S. 22:1965 and 1966, relative to unfair trade practices in automobile insurance; to repeal laws relative to unfair trade practices.

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To enact R.S. 49:191(5)(n) and to repeal R.S. 49:191(4)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State 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 favorably by the Committee on Senate and Governmental Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 378—
BY REPRESENTATIVES HOFFMANN, ADAMS, ANDERS, CHANEY, CONNICK, COX, FRANKLIN, GISCLAIR, GREENE, HARRIS, HAVARD, HILL, KATRINA JACKSON, NANCY LANDRY, LEBAS, MACK, JAY MORAIS, ORTEGO, POPE, REYNOLDS, RICHARDSON, SEABAUGH, SIMON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT
AN ACT
To amend and reenact R.S. 40:1300.252 and 1300.256, relative to prohibition of smoking; to provide for legislative findings; to prohibit outdoor smoking within a certain distance of buildings or other enclosed areas in which smoking is prohibited; to provide for an exception to a prohibition on outdoor smoking; to provide for actions of an owner or manager of a business which cause an outdoor area to become an area where smoking is prohibited by law; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 378 by Representative Hoffmann

AMENDMENT NO. 1
On page 2, delete lines 17 through 19 and insert:
"(b) The provisions of this Paragraph shall not apply to any of the following locations:

(i) A location which is exempted from a prohibition on smoking pursuant to the provisions of Subsection C of this Section.

(ii) An ingress point or egress point of an area which is exempted from a prohibition on smoking pursuant to the provisions of Paragraph C(12) of this Section.

(iii) An ingress point or egress point of a facility licensed to operate video draw poker devices pursuant to the provisions of R.S. 27:306 and in which smoking is not prohibited."

AMENDMENT NO. 2
On page 4, between lines 23 and 24, insert:
"(14) Any commercial motor carrier operation."

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

HOUSE BILL NO. 389—
BY REPRESENTATIVE SCHRODER
AN ACT
To amend and reenact R.S. 6:333(F)(14), R.S. 9:315.9(A)(6), 315.16(A), 315.401(1), 399.1(A) and (F)(3) and (4), and 406(B)(2) and (C)(2), R.S. 11:441.1(F), R.S. 13:4291(B)(1) and (C), R.S. 27:364(A)(1)(b)(vi), R.S. 40:34(B)(1)(h)(iv) and (E)(1) and 46.1(D) and (F)(introductory paragraph), R.S. 46:56(M)(1), 236.1.19(b) and (13), 236.1.2(G), 236.1.4(E), 236.1.5(C), 236.1.7(B), 236.1.8(D), 236.3(A)(2), 236.30(A), (B), and (D), 236.12(B)(1), 236.14(D)(1)(introductory paragraph) and (H)(2), 236.15(A)(1), 236.16, 238(F), and 2316.2(F), and R.S. 51:1442(4), relative to the Department of Children and Family Services; to provide for proper designation...
of certain sections and divisions of the department; to make technical changes; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 389 by Representative Schroder

AMENDMENT NO. 1
On page 1, line 6, after "236.1.4(E)" and before the comma "," insert "and (F)"

AMENDMENT NO. 2
On page 2, line 18, after "insured" and before "medical expenses" insert "ordinary"

AMENDMENT NO. 3
On page 8, at the end of line 28, after "236.1.4(E)" and before the comma "," insert "and (F)"

AMENDMENT NO. 4
On page 10, line 22, delete "Subsection" and insert "Subpart"

AMENDMENT NO. 5
On page 10, between lines 24 and 25, insert the following:
"F. If any state employee or any person working under a contract with the state knowingly, or by reason of negligence, discloses data match information of an individual in violation of any provision of this Subparagraph Subpart, such individual may bring a civil action for damages against such person in any district court of this state."

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

HOUSE BILL NO. 481—
BY REPRESENTATIVE JOHNSON

AN ACT
To amend and reenact R.S. 46:236.15(D)(1)(a), relative to the Department of Children and Family Services' limited administrative authority for certain paternity and child support actions; to clarify state law regarding unemployment insurance collections with respect to child support overpayments to comply with federal law; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 513—
BY REPRESENTATIVE GREGG

AN ACT
To amend 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.

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

HOUSE BILL NO. 564—
BY REPRESENTATIVE JOHNSON

AN ACT
To enact R.S. 22:1188.1, relative to long-term care insurance; to provide for prompt payment of long-term care insurance claims; to provide for definitions; to provide for applicability; to provide with respect to violations; and to provide for related matters.

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

HOUSE BILL NO. 591—
BY REPRESENTATIVE SIMON

AN ACT
To amend and reenact R.S. 36:259(T), 802(introduductory paragraph), and 901(A), R.S. 46:2633(D) and (E), 2634(B)(2), (3), (15), (D), and (H), and 2635(A), (B), and (C) and to enact R.S. 46:2633(F), relative to administration of the Traumatic and Spinal Cord Injury Trust Fund; to provide for composition and certain duties of the Department of Health and Hospitals, office of aging and adult services relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations,
updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 595 by Representative Cromer

AMENDMENT NO. 1
On page 1, line 3, between "931(A)(10)(a)," and "1821(A)," insert "1203(D),"

AMENDMENT NO. 2
On page 2, line 26, between "931(A)(10)(a)," and "1821(A)," insert "1203(D),"

AMENDMENT NO. 3
On page 6, between lines 23 and 24, insert the following: "1203. Creation of the plan * * * *
D. There shall be no liability on the part of and no cause of action of any nature shall arise or exist against the plan, its agents or employees, its board of directors, or the commissioner or his representatives for any action taken by them in the performance of their powers and duties under this Subpart J of Part III of this Chapter. * * * *"

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

HOUSE BILL NO. 596—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR WARD
AN ACT
To amend and reenact R.S. 9:4784(D) and to enact Part XVII of Chapter 1 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4791 through 4798, relative to towed and stored vessels; to provide for sales of certain boats; to provide for definitions; to provide for a privilege on towed and stored vessels; to provide for notice and advertisement; to provide for the disposition of proceeds; to provide for the authority to promulgate rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 624—
BY REPRESENTATIVE CHANEY
AN ACT
To enact Subpart C of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:391, relative to solicitations; to prohibit solicitations with misleading governmental appearances; to provide for a remedy; and to provide for related matters.

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

HOUSE BILL NO. 660—
BY REPRESENTATIVE STUART BISHOP
AN ACT
To enact Subpart C of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:391, relative to solicitations; to prohibit solicitations with misleading governmental appearances; to provide for a disclaimer; to provide for a civil penalty; to provide for a remedy; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 660 by Representative Stuart Bishop

AMENDMENT NO. 1
On page 2, delete lines 4 and 5, and insert: "B. In addition to the provisions of Subsection A of this Section, each solicitation shall bear on its face, at the beginning, in conspicuous and legible type:

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

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.

Reported favorably by the Committee on Commerce and Government Affairs.

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

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

HOUSE BILL NO. 852—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A)(1), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1284(F), 1299.1, 1300, 1302, 1307(B)(2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (J)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1405(B), 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), 1441(A) and (B), to enact R.S. 18:1307(B)(1)(d) and (l), 1308(A)(2)(h), (i), and (j),

termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title and referred to the Legislative Bureau.

828
The bill was read by title and referred to the Committee on Senate and Governmental Affairs. The bill was read by title and referred to the Legislative Bureau.

**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 relative to recall elections; to provide relative to applying to vote absentee by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper ballots; to provide relative to submission of certain changes in voting practice and procedure by political subdivisions; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 923—**

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 37:3552, 3553, 3554(A), (B), (D), (E), and (F), 3555, 3556, 3557, 3558(A), (B), and (D), 3559, 3561, 3563, 3564, 3565, and 3566(B) and (C) and to repeal R.S. 37:3560, relative to massage therapy; to provide for definitions; to provide for the Louisiana Board of Massage Therapy; to provide for fornication; to provide for the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper ballots; to provide relative to submission of certain changes in voting practice and procedure by political subdivisions; to provide for effectiveness; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to Engrossed House Bill No. 923 by Representative Ponti

**AMENDMENT NO. 1**

On page 1, line 13, after “injunctions;” insert “to provide an effective date;”

On page 18, after line 3, insert the following:

“Section 3. This Act shall become effective on January 1, 2013, except for the provisions of R.S. 37:3556(A)(1)(b), which shall become effective on August 1, 2012.”

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

**HOUSE BILL NO. 1148—**

BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 37:3272(A)(18)(introductory paragraph) and 3298(B) and to repeal R.S. 37:3298(D), relative to the Private Security Regulatory and Licensing Law; to provide for definitions; to provide for exceptions; to repeal certain exception; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to Engrossed House Bill No. 1148 by Representative Armes

**AMENDMENT NO. 1**

On page 2, line 21, before “the” insert “a licensed contract security company or”

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

Reconsideration

The vote by which Senate Bill No. 217 failed to pass on Wednesday, May 2, 2012, was reconsidered.

SENATE BILL NO. 217—
BY SENATOR CROWE

AN ACT

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.

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

Senate Concurrent Resolutions

On Second Reading
Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To establish an advisory group within the Department of Veterans Affairs to study, evaluate, and make recommendations on the proper utilization of the former Greenwell Springs Mental Health Hospital facility.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 72 by Senator Erdey

AMENDMENT NO. 1
On page 2, between lines 8 and 9 insert the following:

“(10) The chairman of the Capital Area Human Services District, or his designee.”

AMENDMENT NO. 2
On page 3, line 1 after “East Baton Rouge,” delete “and”

AMENDMENT NO. 3
On page 3, line 2, after “College” and before the period “.” insert “,”

The resolution was read by title. Senator Erdey moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Heitmeier  Perry
Adley  Johns  Peterson
Amedee  Kostekla  Riser
Broome  LaFleur  Smith, G.
Brown  Long  Smith, J.
Buffington  Martiny  Tarver
Clairtor  Mills  Thompson
The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Bagneris Rule

Senator Kostelka moved to suspend the rules to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 133—
BY SENATOR KOSTELKA
AN ACT
To amend and reenact R.S. 13:587.2(A) and 587.4(A), relative to courts and judicial procedure; to provide relative to district courts; to provide relative to designation by judges of speciality divisions or sections; to provide certain procedures, terms and conditions; to provide relative to the Fourth Judicial District Court; 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. 133 by Senator Kostelka

AMENDMENT NO. 1
On page 1, line 4, following "judges of" and before "divisions" change "speciality” to "specialized"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Johns Peterson
Amedee Kostelka Riser
Broome LaFleur Smith, G.
Brown Long Smith, J.
Buffington Mills Thompson
Claitor Morrish Tarver
Crowe Nevers Walsworth
Dorsey-Colomb Murray Ward
Erdey Nevers White
Gallot Peacock Perry
Heitmeier Total - 31

NAYS

Total - 0

ABSENT

Adley Chabert Guillory Morrell
Allain Cortez Donahue Morrell
Appel Total - 8

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

SENATE BILL NO. 337—
BY SENATOR AMEDEE
A JOINT RESOLUTION
Proposing to amend Article VII, Section 21(K)(1) of the Constitution of Louisiana, relative to ad valorem property tax exemptions of certain property owned by certain disabled veterans and their spouses; to provide for eligibility for claiming the exemption; to provide for an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 337 by Senator Amedee

AMENDMENT NO. 1
On page 2, line 3, following "exemption" and before "is" change "which" to "that"

AMENDMENT NO. 2
On page 2, line 27, following "property" and before "is" change "which" to "that"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Johns Peterson
Adley Kostelka Riser
Amedee LaFleur Smith, G.
Broome Long Smith, J.
Brown Martiny Tarver
Buffington Mills Thompson
Claitor Morrish Tarver
Dorsey-Colomb Murray Ward
Erdey Nevers White
Gallot Peacock Perry
Heitmeier Total - 31

NAYS

Total - 0
ABSENT

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

SENATE BILL NO. 397—
BY SENATOR GALLOT
AN ACT
To amend and reenact R.S. 47:1991(A), relative to ad valorem property tax assessments; to provide relative to the cancellation of certain assessments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td></td>
</tr>
<tr>
<td>Amedee</td>
<td>LaFleur</td>
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<tr>
<td>Broome</td>
<td>Long</td>
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<tr>
<td>Brown</td>
<td>Martin</td>
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<td>Buffington</td>
<td>Mills</td>
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<tr>
<td>Dorsey-Colomb</td>
<td>Morrise</td>
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<td>Erdey</td>
<td>Murray</td>
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<tr>
<td>Gallot</td>
<td>Nevers</td>
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<tr>
<td>Heitmeier</td>
<td>Peacock</td>
</tr>
<tr>
<td>Johns</td>
<td>Perry</td>
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</table>

NAYS

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>Total - 0</td>
<td></td>
</tr>
</tbody>
</table>

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

AMENDMENT NO. 1
On page 1, line 14, following "commissions" and before "is" change "which" to "that".

AMENDMENT NO. 2
On page 1, line 15, following "and" and before "has" change "which" to "that".

AMENDMENT NO. 3
On page 2, line 1, following "facility" and before "is" change "which" to "that".

AMENDMENT NO. 4
On page 2, line 6, following "located" and before "is" change "which" to "that".

AMENDMENT NO. 5
On page 2, line 16, following "parking" and before "is" change ", which" to "that".

AMENDMENT NO. 6
On page 2, line 19, following "state" and before "or" delete ",".

On motion of Senator Martin, the amendments were adopted.

The bill was read by title. Senator Dorsey-Colomb moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td></td>
</tr>
<tr>
<td>Amedee</td>
<td>LaFleur</td>
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<td>Gallot</td>
<td>Nevers</td>
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<tr>
<td>Heitmeier</td>
<td>Peacock</td>
</tr>
<tr>
<td>Johns</td>
<td>Perry</td>
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<tr>
<td>Total - 28</td>
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</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
<td>Total - 1</td>
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</tr>
</tbody>
</table>

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

SENATE BILL NO. 475—
BY SENATOR DORSEY-COLOMB AND REPRESENTATIVE BARROW
AN ACT
To enact R.S. 39:469, relative to the rebate of sales and use tax of the state and its political subdivisions; to provide for performance based tax rebates for musical or other entertainment events held in public facilities under certain conditions; to provide for the qualifications of the rebate; to provide for definitions; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 475 by Senator Dorsey-Colomb
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 519 by Senator Martiny

AMENDMENT NO. 1
On page 1, line 2, after "Code" delete the remainder of the line and insert "Article 412(H)(1), relative to"

AMENDMENT NO. 2
On page 1, line 6, after "Code" delete the remainder of the line and insert "Article 412(H)(1) is hereby"

AMENDMENT NO. 3
On page 1, delete lines 8 through 17 and on page 2, delete lines 1 through 3 and insert the following:

"Art. 412. Confidentiality of records; disclosure exceptions; sanctions"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Heitmeier Peacock
Amedee Johns Peterson
Broome Kostelka Riser
Brown LaFleur Smith, G.
Buffington Long Smith, J.
Claitor Martiny Tarver
Dorsey-Colomb Morrish Walsworth
Erdey Murray White
Gallot Nevers
Total - 30

NAYS
Amedee Peacock Riser
Total - 3

ABSENT
Adley Chabert Guillory
Allain Cortez Morrell
Appel Donahue Perry
Chabert Guillory
Total - 10

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

SENATE BILL NO. 574—

BY SENATOR GALLOT

AN ACT
To amend and reenact R.S. 47:2161 and to enact R.S. 47:2164, relative to ad valorem taxes; to require the payment of ad valorem taxes during the redemptive period after a tax sale; to provide for the liability for the payment of such taxes; and to provide for related matters.

Floor Amendments

Senator Gallot proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed Senate Bill No. 574 by Senator Gallot

AMENDMENT NO. 1
On page 1, delete lines 11 through 17 and on page 2, delete lines 1 and 2 and insert:

"A. From the date of filing a tax sale certificate selling tax sale title to a tax sale purchaser, all taxes on the property shall, after that date, be assessed to and paid by the tax sale purchaser until the property, or any part, is redeemed. If redeemed, the person redeeming shall pay all statutory impositions assessed upon the property subsequent to the tax sale. The failure to assess the property in the name of the tax sale purchaser shall not affect the validity of the tax sale."

On motion of Senator Gallot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President Johns Peterson
Broome Kostelka Smith, G.
Brown LaFleur Smith, J.
Buffington Long Tarver
Claitor Martiny Thompson
Dorsey-Colomb Mills Walsworth
Erdey Morrish Ward
Gallot Murray White
Heitmeier Nevers
Total - 26

NAYS
Amedee Peacock Riser
Total - 3

ABSENT
Adley Cortez Morrell
Allain Crowe Perry
Appel Donahue
Chabert Guillory
Total - 10

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

SENATE BILL NO. 596—

BY SENATOR KOSTELKA

AN ACT
To enact Code of Evidence Article 519, relative to testimonial privileges for judges in civil and criminal cases; to prohibit the issuance of a subpoena requiring a judge to testify in a civil, criminal, or juvenile proceeding without a hearing to determine privilege; to provide for specific requirements regarding the information being sought through the judge's testimony; to provide for a waiver for failure of a judge to timely object to a subpoena; to extend privilege to any judge or commissioner provided for in the constitution of Louisiana; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:
YEAS
Mr. President: Heitmeier
Amedee: Johns
Broome: Kostelka
Brown: Long
Buffington: Martiny
Claitor: Mills
Crowe: Morrish
Dorsey-Colomb: Murray
Erdey: Nevers
Gallot: Peacock
Total - 30

NAYS
Total - 0

ABSENT
Adley: Chabert
Allain: Cortez
Appel: Donahue
Total - 9

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

SENATE BILL NO. 605—
BY SENATOR GALLOT
AN ACT
To amend and reenact R.S. 47:2121(B), 2126, 2153(A), (B)(1)(a) and (C), 2154, and 2286, and to repeal R.S. 47:2122(10), 2124(A), 2156, 2287(A), 2289(B), and 2290(B), relative to ad valorem tax; to provide with respect to property subject to tax sale; to provide relative to information included on tax rolls; to provide for tax sale procedures and notifications; to provide for the assessment of property sold at a tax sale; to repeal the right to a redemption nullity for a tax debtor; 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. 605 by Senator Gallot

AMENDMENT NO. 1
On page 4, line 24, following "sale" and before "the" insert ",

AMENDMENT NO. 2
On page 4, line 35, change "[city]" to "[City]"

AMENDMENT NO. 3
On page 5, line 13, following "property" and before "or" insert ",

AMENDMENT NO. 4
On page 8, line 17, following "of" and before "actual" delete "providing"

AMENDMENT NO. 5
On page 8, line 18, following "or" and before "a" change "alternatively demonstrating" to "the demonstration of"

AMENDMENT NO. 6
On page 8, line 20, following "ascertainable" and before "or" delete ",

AMENDMENT NO. 7
On page 9, line 4, following "sales" and before "with" insert ",

AMENDMENT NO. 8
On page 9, line 6, following "process" and before "is" change "which" to "that"

AMENDMENT NO. 9
On page 9, line 14, following "nullity" delete ","

On motion of Senator Martiny, the amendments were adopted.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Gallot to Engrossed Senate Bill No. 605 by Senator Gallot

AMENDMENT NO. 1
On page 2, line 9, after "property" insert the following: ", or if there has been a tax sale to a party other than a political subdivision, the tax sale purchaser and the other owners, to the extent their interest were not sold at tax sale"

On motion of Senator Gallot, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President: Heitmeier
Amedee: Johns
Brown: Long
Buffington: Martiny
Claitor: Mills
Crowe: Morrish
Dorsey-Colomb: Murray
Erdey: Nevers
Gallot: Peacock
Total - 25

NAYS
Peacock: Riser
Walsworth: Total - 3

ABSENT
Adley: Chabert
Allain: Cortez
Appel: Donahue
Broome: Crowe
Total - 11

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

SENATE BILL NO. 649—
BY SENATOR GARY SMITH
AN ACT
To enact Code of Criminal Procedure Article 334.4, relative to bail; to provide for the use of global positioning system monitoring of persons charged with certain offenses; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Gary Smith moved the final passage of the bill.
ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 31

NAYS

Total - 0

ABSENT

Adley              Chabert         Morrell
Allain             Cortez          White
Appel              Morrell

Total - 8

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

SENATE BILL NO. 653—

BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:338.1(D), relative to sales tax of political subdivisions; to provide for the use of the tax proceeds of a sales tax district in the municipality of Breaux Bridge; 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. 653 by Senator Mills

AMENDMENT NO. 1
On page 2, line 26, following "Infrastructure" and before "which" insert ":"

AMENDMENT NO. 2
On page 3, line 3, following "municipality has" insert "held"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 32

NAYS

Total - 0

ABSENT

Adley              Chabert         Morrell
Allain             Cortez          White
Appel              Morrell

Total - 8

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

SENATE BILL NO. 680—

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 47:1835(A), relative to the tax commission; to provide with respect to the employment of a secretary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 32

NAYS

Total - 0

ABSENT

Adley              Chabert         Morrell
Allain             Cortez          White
Appel              Morrell

Total - 8

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

SENATE BILL NO. 759—

BY SENATORS NEVERS AND THOMPSON

AN ACT

To enact R.S. 17:436.3, relative to the care of students with diabetes; to provide for development of diabetes management and treatment plans; to provide relative to the provision of care by certain school personnel; to provide for the duties and responsibilities of the school principal and other school personnel; to provide for unlicensed diabetes care assistants, their duties and functions, and their training; to provide for student self-monitoring and treatment; to provide for immunity;
to provide for rules and regulations; to provide for effectiveness; 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. 759 by Senator Nevers

**AMENDMENT NO. 1**

On page 4, line 15, following "may" and before "provide" delete "only"

**AMENDMENT NO. 2**

On page 4, line 16, following "student" and before "in" insert "only"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Guillory</td>
</tr>
<tr>
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<td>Broome</td>
<td>Johns</td>
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<td>Kostelka</td>
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<td>Crowe</td>
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<tr>
<td>Donahue</td>
<td>Martiny</td>
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<tr>
<td>Dorsey-Colomb</td>
<td>Mills</td>
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<tr>
<td>Erdey</td>
<td>Morrish</td>
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<tr>
<td>Gallot</td>
<td>Murray</td>
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<td>Total - 30</td>
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<td>Smith, G.</td>
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<td>Total - 1</td>
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<td>ABSENT</td>
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<td>Appel</td>
<td>Cortez</td>
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<tr>
<td>Total - 8</td>
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</tr>
</tbody>
</table>

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

**SENATE BILL NO. 351—**

BY SENATOR MURRAY

**AN ACT**

To enact R.S. 47:551.1, relative to local taxes; to authorize the parishes of Jefferson and Orleans to establish an automobile rental tax district which shall be authorized to levy a local tax on the gross proceeds derived from the lease or rental of an automobile pursuant to an automobile rental contract; to require approval of the electorate of the district; to provide for the boundaries, governance, and powers of such districts; to provide for the use of the avails of the tax; and to provide for related matters.

**Floor Amendments**

Senator Murray proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 351 by Senator Murray

**AMENDMENT NO. 1**

On page 2, line 5, change "two and one-half" to "three"

On motion of Senator Murray, the amendments were adopted.

**Floor Amendments**

Senator Heitmeier proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Heitmeier and Alario to Engrossed Senate Bill No. 351 by Senator Murray

**AMENDMENT NO. 1**

On page 3, line 6, after "west bank" change "and" to ", provided that"

**AMENDMENT NO. 2**

On page 3, line 7, after "Center" insert: "and one sixth of that amount shall be distributed to the Gretna Cultural Center for the Arts"

On motion of Senator Heitmeier, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Heitmeier</td>
</tr>
<tr>
<td>Amedee</td>
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<td>Brown</td>
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<td>Martiny</td>
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<td>Dorsey-Colomb</td>
<td>Mills</td>
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<td>Erdey</td>
<td>Morrish</td>
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<td>Gallot</td>
<td>Murray</td>
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<td>Claitor</td>
<td>Johns</td>
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<td>Total - 15</td>
<td></td>
</tr>
</tbody>
</table>

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

**Rules Suspended**

Senator Kostelka asked for and obtained a suspension of the rules to revert to the Morning Hour.
To commend Jennifer Young Tu of New Orleans upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

To commend Dr. Alma Thornton of Baton Rouge upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

To commend Dr. Annette Oertling of New Orleans upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

To commend Shelly Deckert Dick of Baton Rouge on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

To commend Lily Acosta Galland, Norco Communications and Social Performance Manager, upon the occasion of her retirement after thirty-three years of service.

Reported without amendments.

To commend Senator Karen Carter Peterson on being elected as the chair of the Louisiana Democratic Party, the first female to hold the post.

Reported without amendments.

To commend Don Gregory on thirty-six years of outstanding service to the修行学。他 is directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Jennifer Young Tu of New Orleans upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Dr. Alma Thornton of Baton Rouge upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Dr. Annette Oertling of New Orleans upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Dawn Sharpe-Brackett of Slidell upon her receipt of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Madison Julia Matherne of New Orleans on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 86—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Daniell Lauren Borel of Baton Rouge on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATORS PETERSON, BROOME, BUFFINGTON AND DORSEY-COLOMB AND REPRESENTATIVES BARROW, CHAMPAGNE, HILL, HODGES, KATRINA JACKSON, NANCY LANDRY, MORENO, NORTON, SMITH, ST. GERMAIN, THIERRY AND WHITNEY
A CONCURRENT RESOLUTION
To commend Shelly Deckert Dick of Baton Rouge on being selected as a recipient of a 2012 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 88—
BY SENATOR GARY SMITH
A CONCURRENT RESOLUTION
To commend Lily Acosta Galland, Norco Communications and Social Performance Manager, upon the occasion of her retirement after thirty-three years of service.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 90—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To commend and congratulate Senator Karen Carter Peterson on being elected as the chair of the Louisiana Democratic Party, the first female to hold the post.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 91—
BY SENATOR GARY SMITH
A CONCURRENT RESOLUTION
To commend and congratulate the St. Charles Catholic High School Football Team upon its nonpareil excellence during the 2011 football season that culminated in winning the 2011 Louisiana High School Athletic Association Class 3A State Championship.

Reported without amendments.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATOR HEITMEIER AND REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION
To commend Don Gregory on thirty-six years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 3, 2012
To the Honorable President and Members of the Senate:
The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 924—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT
To enact R.S. 33:2740.70.1, relative to Orleans Parish; to create the Downtown Road Economic Development District within the parish; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to district funding, including the authority to levy taxes; and to provide for related matters.

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

HOUSE BILL NO. 1051—
BY REPRESENTATIVE SMITH
AN ACT
To amend and reenact R.S. 33:2740.8(A)(1) and (D)(1)(d), relative to downtown development districts; to provide relative to the Downtown Development District of the city of Baton Rouge; to provide relative to the boundaries and the governing board of the district; and to provide for related matters.

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

HOUSE BILL NO. 1061—
BY REPRESENTATIVE ORTEGO
AN ACT
To enact R.S. 40:1853.1 and to repeal R.S. 40:1853, relative to dispensing of fuels; to authorize the public use of automatic liquefied petroleum gas dispensing devices; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 1091—
BY REPRESENTATIVE FANNIN
AN ACT
To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2012-2013; and to provide for related matters.

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

HOUSE BILL NO. 1105—
BY REPRESENTATIVE KATRINA JACKSON
AN ACT
To enact R.S. 46:1053(FF), relative to hospital service districts; to authorize the governing authority of certain parishes to pay a commissioner's fee to each member of the board of commissioners of any hospital service district located within the boundaries of the parish; to provide relative to the purpose and amount of the fee; and to provide for related matters.

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

HOUSE BILL NO. 1106—
BY REPRESENTATIVES KATRINA JACKSON AND PATRICK WILLIAMS
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 donations to certain public schools; to provide for the amount and issuance of the rebate; to provide for certain requirements and limitations; 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. 1117—
BY REPRESENTATIVE BILLIOT
AN ACT
To amend and reenact R.S. 33:1236(21)(a)(i), relative to liens; to provide relative to the recordation and enforcement of certain liens; to provide for an award of attorney fees and court costs in certain circumstances; 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
SIGNED HOUSE CONCURRENT RESOLUTIONS
May 2, 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. 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.

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.

Petitions, Memorials and Communications
The following petitions, memorials and communications were received and read:

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR PERRY
A CONCURRENT RESOLUTION
To urge and request the Coastal Protection and Restoration Authority, in conjunction with appropriate member agencies, to jointly study the freshwater needs of the Mermentau Basin and the feasibility of diverting Atchafalaya River water into the Mermentau Basin.

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR WHITE
A CONCURRENT RESOLUTION
To commemorate the two hundred twenty-fifth anniversary of the signing of the Constitution of the United States of America and to recognize the contributions of the National Society, Sons of the American Revolution and the Daughters of the American Revolution National Society.

Respectfully submitted,
“JODY” AMEDEE
Chairman

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

ATTENDANCE ROLL CALL
ROLL CALL
The roll was called with the following result:

PRESENT

Mr. President
Guillory
Perry

Adley
Heitmeier
Peterson

Amedee
Johns
Riser

Browne
Kostelka
Smith, G.

Brown
LaFleur
Smith, J.

Buffington
Long
Tarver

Claitor
Martiny
Thompson

Crowe
Mills
Walsworth

Donahue
Morrish
Ward

Dorsey-Colomb
Murray
White

Erdey
Never

Gallot
Peacock

Total - 34

839
ABSENT

Allain Chabert Morrell  
Appel Cortez  
Total - 5

Leaves of Absence

The following leaves of absence were asked for and granted:

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Announcements

The following committee meetings for May 4, 2012, were announced:

Finance  9:00 A.M. Room A

The following committee meetings for May 7, 2012, were announced:

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

Adjournment

On motion of Senator Thompson, at 10:25 o'clock A.M. the Senate adjourned until Monday, May 7, 2012, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, May 7, 2012.

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