

**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	Donahue	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, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to **Senate Bill No. 262** by Senator Morrell:

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:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

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. 90—
BY REPRESENTATIVE MACK
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

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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 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. 158—
BY REPRESENTATIVE BADON
AN ACT

To amend and reenact R.S. 15:81(H)(1), relative to bond for release of municipal ordinances; to provide for an increase in the maximum amount of the bond which can be set in the Municipal Court of New Orleans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 191—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Criminal Procedure Article 415.1, relative to additional grand juries; 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. 215—
BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 46:1846, relative to communication between offender and victim; to amend provisions relative to prohibited communication between an offender and a victim; to amend procedures by which an offender and victim may communicate; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 219—
BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 14:202.1(D)(1) and (3), (E)(1) and (3), and (F)(1) and (3), relative to the crime of home improvement fraud; to increase the values associated with the amount of damage caused by home improvement fraud or the amount contracted to conduct the home improvements; 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 amend and reenact R.S. 47:1851(B), relative to ad valorem taxation; to provide for the definition of public service property for purposes of assessment; to provide for the definition of barge lines, towing, and other water transportation companies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 231—
BY REPRESENTATIVE LIGI
AN ACT

To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime of unlawful sale of a live dog or cat at certain locations; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

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 amend and reenact Code of Criminal Procedure Article 895(I), (J), (K), (L), and (M) and to enact R.S. 15:538(E) and 574.4.3(F) and Code of Criminal Procedure Article 895(N), relative to sex offenders; to provide relative to conditions of probation and parole for certain sex offenders; to authorize the use of truth verification examinations; to provide relative to the administration of truth verification examinations; to prohibit the use of test results for certain purposes; to provide for definitions; and to provide for related matters.

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 repeal R.S. 15:308(C) and 574.22, relative to the Louisiana Risk Review Panel; to repeal the statutory authority for the panel.

Reported without amendments.

HOUSE BILL NO. 433—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Children's Code Article 877(A), relative to juvenile adjudication hearings; to amend procedures relative to adjudication hearings for juvenile offenders charged with a crime of violence; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 439—

BY REPRESENTATIVE ABRAMSON

AN ACT

To repeal R.S. 9:2448, relative to testaments; to repeal the statutory authorization for the designation in a will of an attorney to handle an estate.

Reported without amendments.

HOUSE BILL NO. 459—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 966(B), (E), and (F), relative to motions for summary judgment; to provide for evidence which may be considered under certain circumstances; to provide for the inclusion of certain information in judgments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 462—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of Civil Procedure Article 42(4), relative to venue of foreign corporations and limited liability companies; to provide for venue in certain parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 467—

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact Code of 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.

HOUSE BILL NO. 558—

BY REPRESENTATIVES LOPINTO AND NORTON

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. 13:587.2(A) and 587.4(A), relative to district courts; to provide relative to designation of speciality divisions or sections in district courts; to provide relative to the designation of a special division or section of the Fourth Judicial District Court; and to provide for related matters.

Reported with 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, TERRY 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.

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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 MILLER 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 "contradictorily 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 ","

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 criminal justice automated information systems

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

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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 Head 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 LONG

A RESOLUTION

To commend and congratulate the players, coaches, and managers of the Zwolle High School boys basketball team on winning the 2012 Class B State Boys Basketball Championship.

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

SENATE RESOLUTION NO. 102—

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

Table with 3 columns: Name, YEAS, and Name. Lists names of Senators and their counts for YEAS.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, and Name. Lists names of Senators and their counts for ABSENT.

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:

Table with 3 columns: HB NO., HB NO., HB NO. Lists various House Bills and Joint Resolutions.

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)(iii) and (e)(iii), 883.1(C)(4)(d)(iii) 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 REPRESENTATIVE 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, BROSSETT, 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 amend and reenact 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.

May 3, 2012

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. 524—
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. 533—
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. 534—
BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT

To amend and reenact R.S. 56:647(A) and (B) and to enact R.S. 23:1749.1 through 1749.8, relative to overdue unemployment compensation benefits overpayment obligations; to provide for the suspension of certain licenses while overpayment obligations are due; to provide definitions; 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. 631—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 17:176(H), relative to extracurricular interscholastic athletic activities; to provide for eligibility for participation in extracurricular interscholastic athletic activities by certain students whose parents are in the uniformed services; to provide conditions; to provide for effectiveness; 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. 637—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 23:368(E)(3)(c) and 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. 707—
BY REPRESENTATIVE SCHRODER
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 DOVE
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 ST. GERMAIN
AN ACT

To amend and reenact R.S. 36:4(Z), 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), and (E), 214.6.3(A)(4) and (B), 214.6.6(A)(introductory paragraph), (C), and (D), 214.6.7(A), (B), (E)(3), and (F), 214.6.9, and 214.61(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.

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. 12:1084, 1164, and 1413, R.S. 13:32, R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and (B)(1), 3202(1), 3351.11(D)(3), 3973(1)(e) and (2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43, 1203.1(F)(introductory paragraph), and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and 234(A)(1), R.S. 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U), and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph) and (i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C), 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I), and (L), 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d), R.S. 42:17(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14), and R.S. 56:1699(C)(introductory paragraph), to enact R.S. 36:4(B)(14) and (H), 4.1(D)(16), 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R), 651(S), and 686(G), and to repeal R.S. 17:3138, Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 576, R.S. 25:802(3), (4), (10), and (11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8), (15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3), 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, and 802.8, R.S. 37:3601, Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 through 2803, and Act No. 16 of the 1960 Regular Session of the Legislature, relative to the various provisions of the Louisiana Revised Statutes of 1950; to provide for various technical corrections in provisions of the statutes, including corrections in legal citations, corrections in names of agencies, officers, and other entities, removal of references to agencies and other entities that have otherwise been repealed or no longer exist, and conforming changes to clarify potentially conflicting language; 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. 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. 11:2256(B)(2) and (3) and 2259(A) and 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 requirements; 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 amend and reenact 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. 11:2220(I) and 2225(B) and to repeal R.S. 11:2220.1, 2220.2, 2220.3, and 2234, relative to the Municipal Police Employees' Retirement System; to provide relative to compliance with applicable federal tax qualification requirements; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1064—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 11:62(12), 1581(5), and 1631(F)(1) and to enact R.S. 11:1636(C), relative to the District Attorneys' Retirement System; to provide relative to benefits; to provide relative to the funding of benefits; to provide for definitions; 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.

May 3, 2012

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 employees 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 employee access to wage and employment 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 notice of such meetings; to provide relative to meeting agendas; 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

Table listing names of members who voted 'YEAS': Mr. President, Amedee, Broome, Brown, Buffington, Claitor, Heitmeier, Johns, Kostelka, Long, Martiny, Mills, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver.

Table listing names of members who voted 'NAYS': Crowe, Donahue, Erdey, Gallot, Morrish, Murray, Nevers, Peacock, Thompson, Walsworth, Ward, White.

Total - 30

NAYS

Total - 0

ABSENT

Table listing names of members who were 'ABSENT': Adley, Allain, Appel, Chabert, Cortez, Dorsey-Colomb, Guillory, LaFleur, Morrell.

Total - 9

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; to" 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 offices for legislators; to provide for a procedure for requesting such space;"

AMENDMENT NO. 2

On page 1, line 9, change "is directed to implement" to "shall implement and maintain"

AMENDMENT NO. 3

On page 1, line 10, after "legislator," change "vacant" to "surplus"

AMENDMENT NO. 4

On page 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. 311 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 8, 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, change "~~shall~~" to "shall" and delete "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 with respect to records of prosecutive, investigative, and law enforcement agencies, and communications districts; to provide relative to the initial report; to provide that the photograph of any person arrested for an alleged offense shall be subject to disclosure; 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) are hereby amended and reenacted" and insert "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.

SENATE BILL NO. — (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.

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 the 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 in need of adult protective services as provided in this Chapter. * * *

(b) "Adult protection agency" means the Department of Health and Hospitals for any individual between the ages of eighteen and fifty-nine years of age or older or an emancipated minor in need of adult protective services as provided in this Chapter. The secretary of the Department of Health and Hospitals may assign the duties and powers provided in this Chapter to any office of the department for provision of adult protective services, as provided in this Chapter. * * *

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 for notaries public, except R.S. 35:391-1,

(1) The director of the office of elderly affairs may appoint two investigators in each region of the adult protection agency, office of elderly affairs, office of the governor, as ex officio notaries public. * * *

(2) The the secretary of the Department of Health and Hospitals may appoint three five investigators in the adult protection agency, Department of Health and Hospitals, as ex officio notaries 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 4. R.S. 36:258(F) is hereby amended and reenacted to read as follows:

§258. Offices; purposes and functions * * *

F. The office of aging and adult services shall be responsible for the programs and functions of the Department of Health and Hospitals related to the long-term care services to of the elderly and the protection and long-term care of persons with adult onset disabilities. It shall administer the residential state-operated nursing homes, the Villa Feliciana Medical Complex, the protection services program of adults from ages aged eighteen to fifty-nine, and older or an emancipated minor, the department's long-term support and services programs, the State Personal Assistance Services program, the Community and Family Support Program, the Traumatic Head and Spinal Cord Injury Trust Fund, as well as other related programs within the department. * * *

Section 5. R.S. 46:56(A), (B)(1), and (F)(4)(b), 61(A)(1) and (C), 932(10), and 2136.2(F) are hereby amended and reenacted to read as follows:

§56. Applications and client case records; definitions; confidentiality; waiver; penalty

A. Applications for assistance and information contained in case records of clients of the Department of Health and Hospitals; or the Department of Children and Family Services; or the Office of Elderly Affairs, for the purpose of adult protective services, shall be confidential and, except as otherwise provided, it shall be unlawful for any person to solicit, disclose, receive, make use of, or 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. * * *

B.(1) For the purposes of this Section, "department" means the Department of Health and Hospitals; and the Department of Children and Family Services; and the adult protection agency as provided in R.S. 15:1503(4). It is the express intent of this Section that 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 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: * * *

(4)(a) * * *

(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 may release information to each other for the purpose of furthering services or treatment to clients or recipients of services of either department. Information subject to release under this Section that is covered by federal statutes or regulations restricting release of the information shall be released only in accordance with the federal statutes or regulations. * * *

§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. * * *

C. The department, in consultation with the Office of Elderly Affairs, shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Section, including provisions which establish procedures under which the department shall request information from law enforcement officials and district attorneys and which establish procedures under which health care facilities may request information concerning whether or not a person has been convicted of or pled guilty or nolo contendere to a crime listed in R.S. 14:403.2. * * *

§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 under R.S. 15:1501 et seq., 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

departments of state government as provided in Title 36 of the Louisiana Revised Statutes of 1950.

§2136.2. Louisiana Protective Order Registry

F. The judicial administrator's office shall make the Louisiana Protective Order Registry available to state and local law enforcement agencies, district attorney offices, the Department of Children and Family Services, office of children and family services, support enforcement services, office of community services, 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 elderly affairs contracts and leases related to the operation and administration of its adult protective service 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 to 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. 24—

BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 13:5554(Z)(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. 94—

BY REPRESENTATIVE CROMER

AN ACT

To enact R.S. 49:191(6)(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(C), 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 RITCHIE
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. 46:236.1.8(D), relative to support enforcement services; to provide for designation of field 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 insurers; to authorize domestic insurers to invest in certain 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. 45:844.12(6)(k), relative to telephone solicitation; to authorize telephone solicitations on behalf of nonprofit organizations composed of public safety personnel; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 372—
BY REPRESENTATIVE TIM BURNS
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 MORRIS, 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), 315.40(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), 236.1.1(9)(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), 236.10(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 2136.2(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 "uninsured" 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 PATRICK WILLIAMS
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 GREENE
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(introductory paragraph), and 901(A), R.S. 46:2633(D) and (E), 2634(B)(2), (3), (13), (D), and (H), and 2635(A), (B), and (C) and to enact R.S. 46:2633(F), relative to administration of the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for 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 composition and certain duties of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for the advisory capacity of the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board within the Department of Health and Hospitals; 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. 595—

BY REPRESENTATIVE CROMER
AN ACT

To amend and reenact R.S. 22:23(D)(3)(b), 242(10), 653(A)(introductory paragraph), 851(A), 912(C), (D), and (E), 931(A)(10)(a), 1821(A), (C), (D)(1), (2)(e) and (g)(i)(aa), and (3)(c)(introductory paragraph) and (i), (d)(introductory paragraph) and (i) through (iv), and (e), and (F)(1), 1825(B)(introductory paragraph) and (C)(introductory paragraph) and (4), 1859(F), 1875, 1879(A), (B)(1)(introductory paragraph), and (C), 1880(B)(1)(introductory paragraph), (C)(introductory paragraph), and (D)(introductory paragraph), 1892(B)(1), (C)(1), and (D)(2), 1901(4), 1902(A)(2) and (9), 1903(C)(2)(introductory paragraph), 1904, 1905(C)(introductory paragraph) and (1), 1907, 1909(B) and (C), 1921(B) and (C), 1923(1)(a)(introductory paragraph) and (g), 1926(A), 1927(B), 1928(B), 1941, 1942, 1944, 1945, 1946, 1962(C) and (F), 1964(1)(g), (7)(a), (b), and (h), (9), (10)(c), (11), (13), (15)(c)(i), (iii), and (vii), (19)(b)(i)(introductory paragraph) and (c)(i), (20), (24), and (25), 1967, 1968, 1971(C), 1973(B)(introductory paragraph), 1981(A)(2) and (3) and (C)(introductory paragraph), 1983(D) through (H) and (I)(1) and (2), 1984(A) and (G), 1988, 1989, 1992, 1994(A), 2001, 2002(2) and (4), 2003(1)(e) and (f), 2005, 2006, 2008(A), 2009(E)(2) and (4), 2010(D), 2012(A)(introductory paragraph) and (3) and (B), 2013(B), 2018(A) and (B), 2019, 2020(C), 2021(A), 2023(C)(2), 2025(4), 2026, 2027(B), 2028(B), (C), and (D)(6), 2029, 2032, 2033(B), 2034(G) and (H), 2035(A) and (D), 2036(C), 2038(3), 2044, 2055(6)(a)(ii), (7)(introductory paragraph) and (a), (9)(a)(introductory paragraph) and (i) and (b), (12), and (15), 2056(C)(2)(f), 2058(A)(1)(a)(i) and (ii), (b)(i) and (ii), and (3)(a)(iv), 2059(A)(1), (C)(6), and (D), 2060(A)(1), 2061.1(A), 2062(A)(2)(a)(introductory paragraph) and (i) and (ii), (5)(a), and (6), 2083(A)(2)(introductory paragraph) and (a) and (C)(introductory paragraph) and (1), 2084(6), 2085(C)(1) and (3)(g), 2086(B) and (D), 2087(A)(2), (B)(1)(introductory paragraph) and (a) and (2)(introductory paragraph), (C)(2), (D)(introductory paragraph) and (3) and (4)(a), (E), (I)(introductory paragraph), (J), and (M)(3), 2088(D), 2089(A)(2) and (C)(8), 2091(A)(2) and (E)(1), 2092(D), 2093(E)(1), 2098(B) and (C)(introductory paragraph), 2112, 2113, 2114, 2118, 2119, 2132(C) and (D), 2133(2), 2135(A), 2147(A)(2), 2161(A)(introductory paragraph) and (6), 2171(A), (B), (C)(7), (13), and (21), (E)(6) and (14), (F)(5) and (12), and (G)(5), (11), and (12), 2181(B), 2191(A)(introductory paragraph) and (1), 2205, 2206, 2208, 2221(introductory paragraph), 2222(D)(introductory paragraph), 2223(F), 2243(2), 2244(A)(2), 2261(B), 2291, 2292(introductory paragraph), 2293(D)(2)(a) and (f) and (3), 2294(A)(5), 2296(B)(1), 2297(D)(8), 2302(E), 2307(G), 2308, 2313, 2314(F), 2315(A), 2316, 2326(A), 2363(B), 2364(A) and (F), and 2369(E)(1) and to repeal R.S. 22:1824(C), 2028(D)(3), 2161(A)(7), (12), (34), and (37), 2171(C)(20), (E)(17), and (G)(13), and 2303(D)(1), all relative to technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations,

May 3, 2012

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

HOUSE BILL NO. 624—

BY REPRESENTATIVE CHANEY AN ACT

To enact R.S. 22:821(B)(34) and Part XI of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1807.1, 1807.2, and 1807.3, relative to appraisers; to require registration of certain appraisers with the Department of Insurance; to grant regulatory authority to the commissioner; to provide for a registration for certain appraisal registrations; 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. 640—

BY REPRESENTATIVE GIROD JACKSON AN ACT

To enact R.S. 49:191(6) and to repeal R.S. 49:191(4)(c), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism 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. 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 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 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 Senate and Governmental Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 804—

BY REPRESENTATIVE JAMES AN ACT

To amend and reenact R.S. 32:781(5), (12), and (13)(a), 788(B), 793(A)(introductory paragraph), (2), and (5) and to enact R.S. 32:792(B)(16) and 795, relative to used motor vehicles; to provide for definitions; to provide relative to civil penalties; to provide for definitions in rent with option-to-purchase program; to provide relative to deposits and down payments; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 852—

BY REPRESENTATIVE TIM BURNS AN ACT

To amend and reenact R.S. 18:25(B), 104(A)(3), 109, 152(C)(2)(a), 154(C), 177(A), 402(F)(2), and (G), 427(B), 431(A)(1)(a) and (3)(a) and (B)(3), 435(A)(1), 465(E)(1)(a), 532.1(F), 562(A)(2), 591, 602(A), (B), (C), (D), (E)(1)(a), (2)(a), and (4), and (F), 604(B)(1) and (2)(a), 1284(F), 1299.1, 1300.13, 1302(2), 1307(B)(2) and (H), 1308(A)(1) and (2)(d), (e), (f), and (g), 1308.1(A), 1309(D)(1) and (E)(4), 1309.1, 1313(F)(9) and (10) and (I)(2)(a), 1314(B)(1), (C)(1)(b) and (3), and (D)(2), 1352, 1402(C), 1405(B), 1406(B), 1415(B), (C), (D), (E), and (F), 1431, 1432(A), 1433(A) and (B), and 1941(A) and (B), to enact R.S. 18:1307(B)(1)(d) and (I), 1308(A)(2)(h), (i), and (j),

1309(E)(5), 1313(F)(11), 1401(F), 1404(E), 1405(H), and 1415(G), and to repeal R.S. 18:1317, relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the authority and duties of the State Board of Election Supervisors and the secretary of state; to provide relative to voter registration; to provide relative to application for voter registration; to provide relative to notice of registration and change in registration; to provide relative to precinct registers used by the registrar of voters; to provide relative to disclosure of voter information; to provide relative to reinstatement of voter registration after suspension; to provide for election dates; to provide relative to watchers; to provide relative to courses of instruction for commissioners; to provide relative to qualifying for an election; to provide relative to nominating petitions; to provide relative to changing of precinct boundaries by parish governing authorities; to provide relative to procedures for voting during early voting and on election day; to provide relative to identification of voters; to provide for the time limits for making appointments to fill vacancies in certain offices; to provide for the time limits for issuing proclamations for special elections to fill vacancies in certain offices; to provide relative to the requirements for special elections for certain offices; to provide relative to propositions submitted to voters at certain elections; to provide relative to recall elections; to provide relative to applying to vote absentee by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the transmission of absentee by mail materials; to provide relative to absentee by mail ballots; to provide relative to the counting and tabulation and recounting of absentee by mail and early voting ballots; to provide relative to the preparation of voting machines; to provide relative to absentee by mail and early voting commissioners; to provide for the use of paper 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. 894—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 18:402(B)(2), (E)(1)(introductory paragraph) and (b) and (2)(b), and (F)(2), 1272(A), 1285(B)(1)(a), and 1300(C)(1), relative to elections; to provide for election dates; to provide for certain deadlines relative to special elections and bond, tax, and other elections at which a proposition or question is to be submitted to the voters; to provide for effectiveness; and to provide for related matters.

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. 917—

BY REPRESENTATIVES BROSSETT, BARROW, WESLEY BISHOP, COX, HAZEL, KATRINA JACKSON, JAMES, JEFFERSON, MONToucET, NORTON, ORTEGO, RICHARD, SMITH, AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 18:1308(B), relative to absentee voting by mail; to provide relative to procedures for voting absentee by mail; to provide relative to the means by which absentee voting materials may be returned to the registrar; to require certification under certain circumstances; to provide for limitations; to provide for definitions; 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 applicability of the Louisiana Massage Therapists and Massage Establishment Act; to provide for exemptions; to provide for the Louisiana Board of Massage Therapy; to provide for membership of the board; to provide for the powers and duties of the board; to require licensure for persons performing massage therapy; to provide for licensure for massage establishments; to establish licensure requirements; to provide for an examination; to provide for licensing regulations; to provide for the expiration and renewal of licenses; to provide for inactive status; to provide for disciplinary actions; to regulate advertising as a massage therapist or a massage establishment; to provide for penalties; to provide for injunctions; 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 Reengrossed House Bill No. 923 by Representative Ponti

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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 1, line 21, before "the" insert "a licensed contract security company or"

AMENDMENT NO. 2

On page 2, line 2, after "such" insert "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.

May 3, 2012

HOUSE BILL NO. 1187— (Substitute for House Bill No. 751 by Representative Richardson)

BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 37:1861(B)(2) and (5), 1862(A), 1864.1(A), 1864.2(C), and 1864.3, to enact R.S. 37:1861(B)(6), and to repeal R.S. 37:1862(B), 1864(A)(1)(d), 1864.1(C)(2), and 1867(B), relative to used or secondhand property; to prohibit cash payment for the purchase of copper; to establish a maximum cash payment for metals other than copper; to require an occupational license to act as a secondhand dealer; to require photographic records of certain goods upon request of law enforcement; to exempt the purchase of educational course materials; to repeal the exemption for tires and rims; to repeal the requirement that secondhand dealers record the license plate of a seller; and to provide for related matters.

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. 1187 by Representative Richardson

AMENDMENT NO. 1

On page 1, line 17, change "R.S. 37:1864.3 and 1869.1," to "~~R.S. 37:1864.3 and 1869.1,~~ R.S. 37:1869.1."

AMENDMENT NO. 2

On page 4, delete lines 20 and 21 and insert:
"C.(1) No secondhand dealer shall allow a seller to engage in multiple transactions within a twenty-four hour period totaling more than three hundred dollars for the purpose of circumventing this Section."

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. 1191— (Substitute for House Bill No. 970 by Representative Thibaut)

BY REPRESENTATIVE THIBAUT
AN ACT

To enact Subpart G-1 of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:691.1 through 691.27 and to repeal Subpart G of Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:691 through 694, relative to insurance holding company systems; to provide for definitions; to provide relative to subsidiaries of insurers; to provide relative to acquisitions of domestic insurers; to provide relative to filing requirements for persons offering to acquire domestic insurers; to provide relative to public hearings in relation to denied acquisition attempts; to provide for penalties for violations of holding company laws; 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. 1191 by Representative Thibaut

AMENDMENT NO. 1

On page 22, line 18, delete "is responsible for and"

AMENDMENT NO. 2

On page 24, at the end of line 27, insert: "The provisions of this Section shall become effective for the 2014 calendar year report filing cycle."

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 contracts; 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 ", and the office of the chairman of the Capital Area Human Services District"

On motion of Senator Heitmeier, the committee amendment was adopted.

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	Kostelka	Riser
Broome	LaFleur	Smith, G.
Brown	Long	Smith, J.
Buffington	Martiny	Tarver
Claitor	Mills	Thompson

Crowe	Morrish	Walsworth
Dorsey-Colomb	Murray	Ward
Erdey	Nevers	White
Gallot	Peacock	
Total - 32		
	NAYS	
Total - 0		
	ABSENT	
Allain	Cortez	Morrell
Appel	Donahue	
Chabert	Guillory	
Total - 7		

Gallot	Peacock	
Heitmeier	Perry	
Total - 31		
	NAYS	
Total - 0		
	ABSENT	
Adley	Chabert	Guillory
Allain	Cortez	Morrell
Appel	Donahue	
Total - 8		

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	Martiny	Tarver
Claitor	Mills	Thompson
Crowe	Morrish	Walsworth
Dorsey-Colomb	Murray	Ward
Erdey	Nevers	White

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	Walsworth
Dorsey-Colomb	Murray	Ward
Erdey	Nevers	White
Gallot	Peacock	
Heitmeier	Perry	
Total - 31		

NAYS

Total - 0

May 3, 2012

ABSENT

Allain	Cortez	Guillory
Appel	Crowe	Morrell
Chabert	Donahue	
Total - 8		

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

Mr. President	Kostelka	Peterson
Amedee	LaFleur	Riser
Broome	Long	Smith, G.
Brown	Martiny	Smith, J.
Buffington	Mills	Tarver
Dorsey-Colomb	Morrish	Thompson
Erdey	Murray	Walsworth
Gallot	Nevers	Ward
Heitmeier	Peacock	White
Johns	Perry	
Total - 29		

NAYS

Total - 0

ABSENT

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

The Chair declared the bill was passed and ordered it 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. 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 sent up floor 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

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 "has" 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 Martiny, 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

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

NAYS

Peacock
Total - 1

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 Dorsey-Colomb moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 519—
BY SENATOR MARTINY
AN ACT

To amend and reenact Children's Code Articles 407(A) and 412(A) and (H)(1), relative to juvenile proceedings; to provide relative to the confidentiality of delinquency hearings and the records thereof; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

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

Table with 3 columns: Mr. President, Heitmeier, Peacock, Amedee, Johns, Peterson, Broome, Kostelka, Riser, Brown, LaFleur, Smith, G., Buffington, Long, Smith, J., Claitor, Martiny, Tarver, Crowe, Mills, Thompson, Dorsey-Colomb, Morrish, Walsworth, Erdey, Murray, Ward, Gallot, Nevers, White, Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Adley, Chabert, Guillory, Allain, Cortez, Morrell, Appel, Donahue, Perry, Total - 9

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

Table with 3 columns: 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

Table with 3 columns: Amedee, Peacock, Riser, Total - 3

ABSENT

Table with 3 columns: 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:

May 3, 2012

YEAS

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

NAYS

Total - 0

ABSENT

Adley	Chabert	Guillory
Allain	Cortez	LaFleur
Appel	Donahue	Morrell
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 "s."

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 "s."

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 "s."

AMENDMENT NO. 7

On page 9, line 4, following "sales" and before "with" insert "s."

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 "s."

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Gallot proposed the following amendments.

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	Nevers
Amedee	Johns	Perry
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Smith, J.
Claitor	Long	Tarver
Dorsey-Colomb	Martiny	Thompson
Erdey	Mills	Ward
Gallot	Morrish	
Guillory	Murray	
Total - 25		

NAYS

Peacock	Riser	Walsworth
Total - 3		

ABSENT

Adley	Chabert	Morrell
Allain	Cortez	Peterson
Appel	Crowe	White
Broome	Donahue	
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 - 32		

NAYS

Total - 0

ABSENT

Adley	Chabert	White
Allain	Cortez	
Appel	Morrell	
Total - 7		

The Chair declared the bill was passed and ordered it sent to the House. Senator Gary Smith 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 "1"

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	Perry
Amedee	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	Long	Smith, J.
Claitor	Martiny	Tarver

Crowe	Mills	Thompson
Donahue	Morrish	Walsworth
Dorsey-Colomb	Murray	Ward
Erdey	Nevers	
Gallot	Peacock	
Total - 31		

NAYS

Total - 0

ABSENT

Adley	Chabert	Morrell
Allain	Cortez	White
Appel	LaFleur	
Total - 8		

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

SENATE BILL NO. 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	White
Allain	Cortez	
Appel	Morrell	
Total - 7		

The Chair declared the bill was passed and ordered it 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— (Substitute of Senate Bill No. 692 by Senator Nevers)

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;

May 3, 2012

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:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Broome, Brown, Buffington, Crowe, Donahue, Dorsey-Colomb, Erdey, Gallot, Total - 30; Guillory, Heitmeier, Johns, Kostelka, LaFleur, Long, Martiny, Mills, Morrish, Murray; Nevers, Peacock, Perry, Peterson, Riser, Smith, J., Tarver, Thompson, Walsworth, Ward

NAYS

Smith, G. Total - 1

ABSENT

Table with 3 columns of names: Adley, Allain, Appel, Total - 8; Chabert, Claitor, Cortez; Morrell, White

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:

YEAS

Table with 3 columns of names: Mr. President, Amedee, Broome, Brown, Buffington, Dorsey-Colomb, Erdey, Guillory, Total - 23; Heitmeier, Kostelka, LaFleur, Long, Martiny, Mills, Morrish, Murray; Nevers, Riser, Smith, G., Smith, J., Tarver, Walsworth, Ward

NAYS

Perry Total - 1

ABSENT

Table with 3 columns of names: Adley, Allain, Appel, Chabert, Claitor, Total - 15; Cortez, Crowe, Donahue, Gallot, Johns; Morrell, Peacock, Peterson, Thompson, White

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.

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 3, 2012

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 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 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. 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. 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. 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. 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. 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 Danielle 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:

May 3, 2012

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. 788	HB NO. 905	HB NO. 924
HB NO. 1051	HB NO. 1105	HB NO.1117
HB NO. 526	HB NO. 1061	HB NO. 1091
HB NO. 1106	HB NO. 4	HB NO. 220

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

**House Bills and Joint Resolutions
on First Reading**

HOUSE BILL NO. 4—

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 14:95.7(C), relative to the crime of possession or dealing in firearms with obliterated identification marks or serial numbers; to provide for increased 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. 220—

BY REPRESENTATIVES WESLEY BISHOP, BADON, BROWN, BURRELL, GUILLORY, HODGES, MORENO, AND NORTON
AN ACT

To amend and reenact R.S. 14:95.2.2(D), relative to reckless discharge of a firearm at a parade; to increase 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. 526—

BY REPRESENTATIVES MONTOUCET, BERTHELOT, HENRY BURNS, BURRELL, CHANEY, CONNICK, HARRISON, JAMES, MORENO, POPE, AND SCHRODER
AN ACT

To amend and reenact R.S. 33:2002(A)(1) and to enact R.S. 33:2002(A)(5), relative to eligibility for state supplemental pay for firefighters; to provide for eligibility for certain firefighters who are ordered to active military duty; to waive certain requirements as to length of employment; and to provide for related matters.

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

HOUSE BILL NO. 788—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:180(B), relative to annexation; to provide for exclusion of certain areas for annexation; and to provide for related matters.

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

HOUSE BILL NO. 905—

BY REPRESENTATIVE EDWARDS
AN ACT

To enact R.S. 33:2740.20, relative to St. Helena Parish; to create the St. Helena Parish Elderly Services District; to provide for the governance, boundaries, and powers and duties of the district; to authorize the district to levy ad valorem and sales taxes, subject to voter approval; and to provide for related matters.

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 Downman 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.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION

To urge and request state agencies, when translating information from the English language to the French language, to make every effort to make such translations using Louisiana French by utilizing dictionaries and other resources dedicated to the preservation and celebration of this unique language.

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.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 3, 2012

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 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.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

SENATE STATE OF LOUISIANA

April 24, 2012

The Honorable John A. Alario
President, Louisiana State Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear President Alario:

Due to personal obligations, I will be unable to be in Baton Rouge on Thursday, May 3, 2012.

I respectfully request to be granted an excused absence for that legislative day.

Very truly yours,
CONRAD H. APPEL
Senate District 9

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Guillory	Perry
Adley	Heitmeier	Peterson
Amedee	Johns	Riser
Broome	Kostelka	Smith, G.
Brown	LaFleur	Smith, J.
Buffington	Long	Tarver
Claitor	Martiny	Thompson
Crowe	Mills	Walsworth
Donahue	Morrish	Ward
Dorsey-Colomb	Murray	White
Erdey	Nevers	
Gallot	Peacock	
Total - 34		

May 3, 2012

ABSENT

Allain	Chabert	Morrell
Appel	Cortez	
Total - 5		

Leaves of Absence

The following leaves of absence were asked for and granted:

Allain	1 Day	Cortez	1 Day
Appel	1 Day	Morrell	1 Day
Chabert	1 Day		

Announcements

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

Finance	9:00 A.M.	Room A
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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