**OFFICIAL JOURNAL OF THE SENATE OF THE STATE OF LOUISIANA**

**THIRTY-NINTH DAY’S PROCEEDINGS**

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

- Senate Chamber
- Baton Rouge, Louisiana
- Tuesday, May 22, 2012

The Senate was called to order at 1:20 o’clock P.M. by Hon. John A. Alario Jr., President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

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<tr>
<th>Present</th>
<th>Absent</th>
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<tr>
<td>Dorsey-Colomb</td>
<td>Amedee Gallot</td>
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<td>Perry</td>
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<td>Adley Erdey</td>
<td>Chabert Heitmeyer</td>
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<td>Riser</td>
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<td>Allain Guillory</td>
<td>Crowe LaFleur</td>
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<td>Smith, G.</td>
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<td>Smith, J.</td>
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<td>Broome Kostelka</td>
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<td>Cortez Nevers</td>
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<td>Total - 30</td>
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The President of the Senate announced there were 30 Senators present and a quorum.

**Prayer**

The prayer was offered by The Very Reverend Rob Courtney, 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 Nevers, the reading of the Journal was dispensed with and the Journal of May 21, 2012, was adopted.

**Privilege Report of the Legislative Bureau**

May 22, 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. 9**

**BY REPRESENTATIVES LIGI AND CHAMPAGNE**

A JOINT RESOLUTION

Proposing to add Article X, Section 29(G) of the Constitution of Louisiana, to provide relative to public retirement systems and persons in such systems; to provide for legislative authority with respect to the forfeiture of retirement benefits by persons who are convicted of certain felonies; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 10**

**BY REPRESENTATIVES LIGI, ABRAMSON, ADAMS, ARNOLD, BILLIOT, STUART BISHOP, BROADWATER, BROUSSETT, BURFORD, TIM BURNS, CHAMPAGNE, CHANEY, DANAHAY, DIXON, EDWARDS, GAINES, GAROFALO, GISCLAIR, GUINN, HARRIS, HARRISON, HAVARD, HENRY, HENKENS, HOFMANN, HOLLS, HOWARD, JONES, KLECKLEY, NANCY LANDRY, LERGER, LORUSO, MORENO, ORTEGO, PEARSON, PYLANT, REYNOLDS, RITCHIE, SCHRODER, SEABAUGH, ST. GERMAIN, TALBOT, THIBAUT, THOMPSON, WHITNEY, AND WILLMOTT**

AN ACT

To amend and reenact the heading of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950 and to enact R.S. 11:293, relative to retirement benefits; to provide relative to public servants who are members, former members, or retirees of public retirement systems; to provide relative to forfeiture of a portion of retirement benefits by such persons who are convicted of certain felonies related to their offices; to provide relative to amounts awarded to spouses or dependents; to provide relative to restitution; to provide relative to the rights of spouses and former spouses; to provide relative to the employer and employee contributions made on behalf of such persons; to require the Department of Public Safety and Corrections and the secretary of state to report such office-related felonies; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 10 by Representative Ligi

**AMENDMENT NO. 1**

On page 2, line 17, following “establishes” and before “of” change “any” to “either”

**AMENDMENT NO. 2**

On page 5, line 22, following “shall” and before “to” change “only apply” to “apply only”

**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.

Reported without amendments.

**HOUSE BILL NO. 145**

**BY REPRESENTATIVE WESLEY BISHOP**

AN ACT

To enact R.S. 33:9091.19, relative to Orleans Parish; to create the North Kenilworth Improvement and Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Reported without amendments.
To amend and reenact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the board of commissioners of such a district; to provide relative to the authority of the governing authority of Jackson Parish with respect to the budget and taxing authority and the compensation and expenses of board members, the secretary-treasurer, and director of such a district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 411—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 17:3982(B), relative to educational facilities and property in Orleans Parish; to provide relative to the sale of such facilities and property by a charter school organization when they are no longer needed for an educational purpose; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 412—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 32:2(A)(2) and to enact R.S. 32:2(A)(3), relative to rules, regulations, and orders of the Department of Transportation and Development; to remove certain requirements for filing certain regulations in clerks of court offices; to remove specific requirements for references; to provide for effectiveness of certain orders issued by the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 421—
BY REPRESENTATIVE HARRISON
AN ACT
To amend and reenact R.S. 15:168(B)(1), relative to the judicial district indigent defender fund; to increase the special cost assessed in criminal cases in each judicial district court for the district indigent defender fund; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 436—
BY REPRESENTATIVES HARRISON, ADAMS, BERTHELOT, STUART BISHOP, BROADWATER, BROWN, BURFORD, TIM BURNS, CARMODY, COX, GISCL AIR, HARRIS, HAVARD, HENRY, HENSIGENS, HILL, HOFFMANN, HUVAL, JONES, KLECKLEY, MACK, PUGH, PYLANT, SCHEXNAYDER, SEABAUGH, SIMON, AND WHITNEY
AN ACT
To enact R.S. 17:264 and 3996(B)(30), relative to required instruction in public schools regarding Internet and cell phone safety; to provide relative to guidelines and teaching materials for such instruction; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 447—
BY REPRESENTATIVE THIERRY
AN ACT
To amend and reenact R.S. 27:392(B)(3)(b)(i), relative to the St. Landry Parish Excellence Fund; to provide for use of monies appropriated from the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 456—
BY REPRESENTATIVE LORUSSO
AN ACT
To amend and reenact R.S. 33:9038.59(G), relative to the New Orleans City Park Taxing District; to provide relative to tax increment financing and the dedication of state sales tax increments for such purpose; to provide relative to approval of agreements related to such state sales tax increment financing; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 465—
BY REPRESENTATIVE RODRIGUEZ
AN ACT
To amend and reenact R.S. 47:338.210(A)(1), (B), (C), and (D), relative to the regulation of Professional Employer Organizations by the Department of Insurance and the Louisiana Workforce Commission; to authorize such organizations to register electronically and through certain approved assurance organizations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 474—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 17:264 and 3996(B)(30), relative to required instruction in public schools regarding Internet and cell phone safety; to provide relative to guidelines and teaching materials for such instruction; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 483—
BY REPRESENTATIVE THIERRY
AN ACT
To enact R.S. 17:264 and 3996(B)(30), relative to required instruction in public schools regarding Internet and cell phone safety; to provide relative to guidelines and teaching materials for such instruction; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 492—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 17:264 and 3996(B)(30), relative to required instruction in public schools regarding Internet and cell phone safety; to provide relative to guidelines and teaching materials for such instruction; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.
HOUSE BILL NO. 610—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 34:1221(A)(introductory paragraph) and (5), relative to the Greater Baton Rouge Port Commission; to increase the membership of the commission; and to provide for related matters.

HOUSE BILL NO. 618—
BY REPRESENTATIVE ABRAMS
AN ACT
To enact Code of Civil Procedure Article 1563, relative to liability for environmental damage; to provide for limitations on the effect of an admission of liability; to provide for admissibility of evidence; to provide for referral to the Department of Natural Resources; to provide for admissibility of admission of responsibility; to provide for funding of the department's review; to provide for reimbursement to plaintiff; to provide for primary jurisdiction; and to provide for related matters.

LEGISLATIVE BUREAU AMENDMENTS

AMENDMENT NO. 1
In Senate Committee Amendment No. 3 proposed by the Senate Committee on Natural Resources and adopted by the Senate on May 21, 2012, on page 2, line 8, following "file" and before "into" change "the same" to "it!"

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.

LEGISLATIVE BUREAU AMENDMENTS

AMENDMENT NO. 1
In Senate Committee Amendment No. 3 proposed by the Senate Committee on Labor and Industrial Relations and adopted by the Senate on May 21, 2012, page 1, line 7, following "because" and before "race," insert "of" and line 8, change "accommodation" to "accommodations"

AMENDMENT NO. 2
In Senate Committee Amendment No. 4 proposed by the Senate Committee on Labor and Industrial Relations and adopted by the Senate on May 21, 2012, page 1, line 11, insert """" before "§2232."
Reported without amendments.

HOUSE BILL NO. 761—
BY REPRESENTATIVES HONORE AND SMITH
AN ACT
To amend and reenact R.S. 17:194(B), relative to school nutrition programs; to except certain elementary and secondary schools operated by certain public postsecondary institutions from certain requirements relative to the funding of school nutrition programs; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 801—
BY REPRESENTATIVE MONTOUCET
AN ACT
To enact R.S. 33:2490(E) and 2550(E), relative to the municipal fire and police civil service; to provide relative to employees who have resigned or retired from the classified service due to injury; to provide that any such employee may be reemployed at any time after his resignation or retirement; to provide relative to the position and class to which he may be reemployed; to provide relative to the qualifications and seniority of any such employee; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 831—
BY REPRESENTATIVE HAZEL
AN ACT
To amend and reenact R.S. 38:2227(A), relative to bidders on public contracts; to revise provisions prohibiting certain contractors from bidding on public contracts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 838—
BY REPRESENTATIVE CHAMPAGNE
AN ACT
To enact R.S. 49:214.5.4(I), relative to the Coastal Protection and Restoration Fund; to dedicate certain monies into the fund; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 856—
BY REPRESENTATIVES HONORE AND SMITH
AN ACT
To enact R.S. 32:900.1, relative to for-hire motor vehicles used to transport railroad workers; to provide for minimum liability coverage for passengers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 857—
BY REPRESENTATIVE JOHNSON
AN ACT
To enact Subpart J of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4780.81 through 4780.91, relative to Rapides Parish; to authorize the governing authority of the parish to provide zoning regulations and restrictions in a certain district within the parish; to provide procedures relative to the amendment and enforcement of any such regulation or restriction; to provide relative to the applicability of the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 900—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact the heading of Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031(A), (B), and (E), relative to the School Choice Pilot Program for Certain Students with Exceptionalities; to remove the limitation that the program be a two-year pilot program; to provide relative to student eligibility; to remove certain reporting requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 911—
BY REPRESENTATIVE DIXON
AN ACT
To amend and reenact the heading of Part II of Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4031(A), (B), and (E), relative to the School Choice Pilot Program for Certain Students with Exceptionalities; to remove the limitation that the program be a two-year pilot program; to provide relative to student eligibility; to remove certain reporting requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 924—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT
To enact Subpart J of Part I of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4780.81 through 4780.91, relative to Rapides Parish; to authorize the governing authority of the parish to provide zoning regulations and restrictions in a certain district within the parish; to provide procedures relative to the amendment and enforcement of any such regulation or restriction; to provide relative to the applicability of the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 956—
BY REPRESENTATIVE BADON
AN ACT
To amend and reenact R.S. 33:9100.12(A) and to enact R.S. 33:9100.12(A), and (E), relative to Orleans Parish; to authorize a tuition increase; and to provide for related matters.

Reported without amendments.
Reported without amendments.

HOUSE BILL NO. 1056—
BY REPRESENTATIVE FRANKLIN
AN ACT
To enact R.S. 47:463.155, relative to prestige license plates; to provide for the Free and Accepted Mason license plate; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1064—
BY REPRESENTATIVE HOFFMANN
AN ACT
To amend and reenact R.S. 11:1636(C), relative to the District Attorneys’ Retirement System; to provide relative to benefits; to provide with respect to medical benefits; to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1083—
BY REPRESENTATIVE PYLANT
AN ACT
To enact 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 for related matters.

Reported without amendments.

HOUSE BILL NO. 1103—
BY REPRESENTATIVE LEGER
AN ACT
To amend and reenact R.S. 33:130.842(A) and to enact R.S. 33:130.845(10), relative to the Louisiana Sports and Entertainment District; to revise the boundaries of the district; to provide procedures regarding the dedication of certain state of Louisiana sales tax increments for district purposes; and to provide for related matters.

Reported without amendments.

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 amount of the fee; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.
To amend and reenact R.S. 11:62(6) and 2213

HOUSE BILL NO. 1174—

Reported without amendments.

HOUSE BILL NO. 1123—

To enact R.S. 32:83, relative to driving on certain highways; to

HOUSE BILL NO. 1135—

"in this Subitem"

On page 2, line 2, following "to" and before "be" change "above" to

HOUSE BILL NO. 1129—

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House

Bill No. 1129 by Representative Hodges

AMENDMENT NO. 1

On page 2, line 2, following "to" and before "be" change "above" to

"in this Subitem"

HOUSE BILL NO. 1135—

By Representative Billiot

To enact R.S. 32:83, relative to driving on certain highways; to

provide for method of driving on multiple-lane highways with

left-turn lanes; and to provide for related matters.

house bill no. 1173—

To amend and reenact R.S. 17:43, 46(A)(1)(b), (B), (D), (E)(1),

(2)(d), and (4)(b) and (c), (G)(1)(a); iii), (I), (N)(2), (P), and (Q),

47(A), (B), and (D)(1)(a) and (6)(a); (b), (c), and (d), 48(A) and

(B), 49(A) and (B), 348(A) and (B), and 1945 and R.S.

36:642(C)(1) and 648.1, to enact R.S. 17:46(A)(1)(c), and to

repeal R.S. 17:41.1, 348(D) and (E), and 1945(C)(4) and (5),

provides relative to special education; provides relative to the

administration and supervision of Louisiana special schools

and programs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1174—

To amend and reenact R.S. 11:62(6) and 2213(introductory

paragraph), (4), and (20) and to enact Part II of Chapter 8 of

Subtitle III of Title 11 of the Louisiana Revised Statutes of

1950, to be comprised of R.S. 11:2241.1 through 2241.8, and

Part III of Chapter 8 of Subtitle III of Title 11 of the Louisiana

Revised Statutes of 1950, to be comprised of R.S. 11:2242.1

through 2242.8, relative to the establishment of subplans for

new hires within the Municipal Police Employees’ Retirement

System; to provide relative to eligibility, benefits, accrual and

contribution rates; to provide for definitions; to provide

restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1202—

To amend and reenact R.S. 11:1581(5), 1612, 1614, 1617,

1631(F)(1), and 1635 and to enact R.S. 11:1588, 1631(G),

1632(C), (D), (E), and (F), 1633(C), 1636(C) and (D), 1638(C),

1645, and 1646, relative to the District Attorneys’ Retirement

System of Louisiana; to provide relative to federal tax

qualification status of the system; to authorize changes to be

made using the Administrative Procedure Act; and to provide

for related matters.

Reported without amendments.

HOUSE BILL NO. 1211—

To amend and reenact R.S. 30:2456(D)(3), relative to the

Louisiana Oil Spill Prevention and Response Act; to provide

relative to contracts entered into by the oil spill coordinator;

to provide relative to entry on to vessels by the coordinator;

to provide for a study of the Oil Spill Contingency Fund; and

to provide for related matters.

Reported without amendments.

Respectfully submitted,

DANIEL R. MARTINY

Chairman

Adoption of Legislative Bureau Report

On motion of Senator Martiny, the Legislative Bureau

amendments were adopted and the Bills and Joint Resolutions were

read by title and passed to a third reading.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 139—

To commend Charles Robichaux on his years of service as principal

at Meaux Elementary School in Vermilion Parish and to

recognize him on the occasion of his retirement.

The resolution was read by title and placed on the Calendar for

a second reading.

SENATE RESOLUTION NO. 140—

To commend Benny Dronet for forty-three years of teaching and

forty-one years of coaching at Delcambre High School and to

congratulate him upon the occasion of his retirement.

The resolution was read by title and placed on the Calendar for

a second reading.

SENATE RESOLUTION NO. 141—

By Representative John Smith

To commend Angela Ortiz, a student at Anacoco High School in

Vernon Parish, upon the occasion of her signing a national letter

of intent committing her to play basketball at Louisiana College,

beginning in the fall.

The resolution was read by title and placed on the Calendar for

a second reading.
Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 126—
BY SENATORS LONG AND GALLOT AND REPRESENTATIVES BROWN, COX AND HOWARD
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Joe Sampite', former mayor of Natchitoches, to commend a life well spent in service to his community, and to note the proud legacy he leaves to the city of Natchitoches and the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Wallace Hart Dunlap, to commend a life well spent in service to his community, and to note the proud legacy he leaves to the state of Louisiana.

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

Senate Bills and Joint Resolutions on Second Reading

SENATE BILL NO. 767— (Substitute of Senate Bill No. 573 by Senator Murray)
BY SENATOR MURRAY
AN ACT
To enact Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.551 through 130.558, relative to economic and community development in Orleans Parish; to provide for the levy and collection of taxes, with voter approval; to provide relative to the avails of the taxes; to provide for annual reporting; to provide for public records; to provide for an effective date and a termination date; and to provide for related matters.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 129—
BY SENATOR BROOME
A RESOLUTION
To recognize Tuesday, May 22, 2012, as YMCA Day in Louisiana.

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

SENATE RESOLUTION NO. 130—
BY SENATOR PERRY
A RESOLUTION
To commend Gerald P. Breaux for more than thirty years of service with the Lafayette Convention and Visitors Commission and to congratulate him upon the occasion of his retirement.

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

SENATE RESOLUTION NO. 131—
BY SENATOR CORTEZ
A RESOLUTION
To recognize May 2012 as Amyotrophic Lateral Sclerosis Awareness Month.

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

SENATE RESOLUTION NO. 132—
BY SENATOR JOHN SMITH
A RESOLUTION
To commend the Leesville High School Lady Cats for reaching the Class 4A state softball championship game.

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

SENATE RESOLUTION NO. 133—
BY SENATOR ALLAIN
A RESOLUTION
To designate May 31, 2012, as St. Jude Children's Hospital Day at the Louisiana Senate.

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

SENATE RESOLUTION NO. 134—
BY SENATOR RISER
A RESOLUTION
To urge and request officials in Louisiana to partner with prescribers, pharmacists, school-based organizations, and the manufacturers of branded and generic prescription medications to evaluate existing efforts at deterring prescription drug abuse, determine the effectiveness of current efforts and make recommendations to the state on best practices for combating abuse while ensuring that access is not restricted for those individuals who are in need of prescription medications.

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

SENATE RESOLUTION NO. 135—
BY SENATOR CROWE
A RESOLUTION
To recognize the third Sunday in January, as Pro-Life Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 136—
BY SENATOR CROWE
A RESOLUTION
To recognize the first Thursday in May of each year as the State Day of Prayer at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 137—
BY SENATOR JOHN SMITH
A RESOLUTION
To commend the players, coaches, managerial personnel, and statistician of the Hornbeck High School Hornets Boys Baseball Team upon its excellence during the 2012 season that culminated in winning the Class B State High School Baseball Championship.

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

SENATE RESOLUTION NO. 138—
BY SENATOR JOHN SMITH
A RESOLUTION
To commend and congratulate the players and coaches of the Anacoco High School Lady Indians on winning the Class B Girls High School State Softball Championship.

On motion of Senator John Smith the resolution was read by title and adopted.
Senate Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator Adley asked that Senate Resolution No. 53 be called from the Calendar.

SENATE RESOLUTION NO. 53—
BY SENATORS ADLEY AND PEACOCK
A RESOLUTION
To commend Moonbot Studios in Shreveport upon winning the Oscar for Best Animated Short Film for The Fantastic Flying Books of Mr. Morris Lessmore at the Eighty-Fourth Annual Academy Awards on February 26, 2012.

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

Called from the Calendar

Senator Peterson asked that Senate Resolution No. 89 be called from the Calendar.

SENATE RESOLUTION NO. 89—
BY SENATOR PETERSON
A RESOLUTION
To commend Loyola University, New Orleans for the contribution that it makes each day to the state of Louisiana by preparing young professionals to strongly compete in the legal, academic and business environments.

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

Called from the Calendar

Senator Peterson asked that Senate Resolution No. 90 be called from the Calendar.

SENATE RESOLUTION NO. 90—
BY SENATOR PETERSON
A RESOLUTION
To commend Xavier University for the contribution that it makes daily to the state of Louisiana especially in the areas of biological sciences, life sciences, and the physical sciences.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATOR LAFLEUR
A CONCURRENT RESOLUTION
To formally recognize and to urge and request the United States government, particularly the Assistant Secretary-Indian Affairs of the United States Department of the Interior and the members of the Louisiana congressional delegation, to take appropriate action to formally recognize the Louisiana Precinct of the Southern Band of the Cherokee Nation of Webbers Falls, Oklahoma 74470, as an American Indian tribe.

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

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR HEITMEIER AND REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION
To commend Jodi Wilson upon her thirty-three years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate her on the occasion of her retirement from the Department of Health and Hospitals.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Adley Guillory Perry
Allain Heitmeier Peterson
Appel Johns Riser
Broom Kostelka Smith, G.
Brown Long Smith, J.
Buffington Martiny Thompson
Claitor Morrell Walsworth
Cortez Morrish Ward
Donahue Murray Nevers
Dorsey-Colomb Total - 31

NAYS

Total - 0

ABSENT

Amedee Gallot Tarver
Chabert LaFleur White
Crowe Mills

Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATOR CORTEZ
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of George Norris Hebert.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Adley Guillory Perry
Allain Heitmeier Peterson
Appel Johns Riser
Broom Kostelka Smith, G.
Brown Long Smith, J.
Buffington Martiny Thompson
Claitor Morrell Walsworth
Cortez Morrish Ward
Donahue Murray Nevers
Dorsey-Colomb Total - 31

NAYS

Total - 0

ABSENT

Amedee Gallot Tarver
Chabert LaFleur White
Crowe Mills

Total - 8
The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 122—**  
**BY SENATOR MILLS**  
A CONCURRENT RESOLUTION  
To urge and request the State Board of Elementary and Secondary Education to make recommendations relative to the consideration of family involvement or use of family involvement data in measuring school performance and educator effectiveness.

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

**ROLL CALL**

The roll was called with the following result:

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<td>Mr. President</td>
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The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 123—**  
**BY SENATOR WHITE**  
A CONCURRENT RESOLUTION  
To commemorate the two hundredth anniversary of the War of 1812 and "The Star Spangled Banner".

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

**ROLL CALL**

The roll was called with the following result:

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<td>Mr. President</td>
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The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 124—**  
**BY SENATOR CLAITOR**  
A CONCURRENT RESOLUTION  
To urge and request the State Board of Elementary and Secondary Education to study and determine the most equitable funding methodology to appropriately address the individual needs of children with special needs within the Minimum Foundation Program formula and to incorporate such methodology into the formula as expeditiously as possible.

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

**ROLL CALL**

The roll was called with the following result:

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<td>Mr. President</td>
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The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 125—**  
**BY SENATOR PETERSON**  
A CONCURRENT RESOLUTION  
To create and provide with respect to a special committee to study and make recommendations with respect to statutes relative to inappropriate communication between school employees and minor students and to recommend to the Senate Judiciary B Committee what requirements for professional development, continuing education or pre-service training might be established relative to the professional, ethical, legal, and boundary rules governing inappropriate communication between school employees and minor students which should be enacted into law.

The resolution was read by title and referred by the President to the Committee on Senate and Governmental Affairs.
39th DAY'S PROCEEDINGS

May 22, 2012

Page 10 SENATE

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 9 of the Joint Rules of the Senate and House of Representatives to require the most recently calculated amount of the Unfunded Accrued Liability to be displayed on the homepage of the legislative website.

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

HOUSE CONCURRENT RESOLUTION NO. 86—
BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the advantages and disadvantages of enacting a state law to limit the salary amount paid to public school administrators, with certain exceptions, to the amount paid to teachers in the same school system and to report its findings and recommendations at least sixty days prior to the 2013 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 90—
BY REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION

To direct the Criminal Code Committee of the Louisiana State Law Institute to study the issue of post-conviction relief, specifically with regard to the costs associated with providing such relief, and to issue a report of its findings and recommendations on the feasibility of assessing certain fees for applications for post-conviction relief to the Legislature of Louisiana.

The resolution was read by title and referred by the President to the Judiciary Committee.

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE CHAMPAGNE
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study executive compensation at the university system offices and boards and to report its findings to the legislature at least sixty days prior to the 2013 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study financial disclosure and ethics training requirements for the calendar year in which the terms of office end for elected officials whose terms end early in the calendar year.

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

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study financial disclosure and ethics training requirements for the calendar year in which the terms of office end for elected officials whose terms end early in the calendar year.

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

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION

To direct the Louisiana Sentencing Commission to study the feasibility of requiring an offender to serve his term of imprisonment through home incarceration with the use of electronic monitoring and to report its findings to the legislature prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE BROSSETT
A CONCURRENT RESOLUTION

To recognize Thursday, May 24, 2012, as UNO Day at the legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President    Erdey    Nevers
Adley    Guillory    Peacock
Allain    Heitmeier    Perry
Appel    Johns    Peterson
Brown    LaFleur    Smith, G.
Buffington    Long    Smith, J.
Claitor    Martiny    Thompson
Cortez    Morrell    Walsworth
Donahue    Morrish    Ward
Dorsey-Colomb    Murray    White

Total - 33

NAYS

Total - 0

ABSENT

Amedee    Crowe    Mills
Chabert    Gallot    Tarver

Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 159—
BY REPRESENTATIVES TIM BURNS, ABRAMSON, ARNOLD, BURRELL, EDWARDS, GREENE, LEEGER, AND RICHARD AND SENATORS BROOME, GALLOW, MARTINY, MURRAY, AND NEVERS A CONCURRENT RESOLUTION

To commend Professor Lucy McGough, longtime professor of law at the Louisiana State University Paul M. Hebert Law Center, for her extraordinary achievements and contributions to the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President    Erdey    Nevers
Adley    Guillory    Peacock
Allain    Heitmeier    Perry
Appel    Johns    Peterson

Total - 33

NAYS

Total - 0

ABSENT

Adley    Guillory    Peacock
Allain    Heitmeier    Perry
Appel    Johns    Peterson

Total - 0

The roll was called with the following result:

YEAS

Mr. President    Erdey    Nevers
Adley    Guillory    Peacock
Allain    Heitmeier    Perry
Appel    Johns    Peterson

Total - 6
The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVES STUART BISHOP, NANCY LANDRY, AND ROBIDEAUX AND SENATOR CORTEZ
A CONCURRENT RESOLUTION
To commend Katie Atkins of Lafayette for her outstanding artistic accomplishments, including winning the 2012 art contest sponsored by the George Rodrigue Foundation of the Arts and the selection of her design for the official Louisiana Bicentennial poster.

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

ROLL CALL
The roll was called with the following result:

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

NAYS
Total - 0

ABSENT
Chabert Mills
Galhot Tarver
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVES FRANKLIN, DANAHAY, GEYMANN, GUINN, HENGENS, HILL, AND KLECKLEY AND SENATORS JOHNS, MORRISH, AND JOHN SMITH
A CONCURRENT RESOLUTION
To commend Joshua Ledet of Westlake for his extraordinary musical talents and achievements and for the tremendous pride he brings to the state of Louisiana.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey Peacock
Adley Guillory Perry
Amedee Heitmeier Peterson
Appel Johns Riser
Broome Kostelka Smith, G.
Brown LaFleur Smith, J.
Buffington Long Thompson
Claitor Martiny Walsworth
Cortez Morrell Ward
Crowe Morrish White
Donahue Murray
Total - 35

NAYS
Total - 0

ABSENT
Chabert Mills
Galhot Tarver
Total - 4

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.
HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To urge and request the Department of Public Safety and Corrections to study the feasibility and effectiveness of establishing a procedure for allowing persons under the custody of the Department of Public Safety and Corrections to participate in bone marrow testing and for creating incentives to encourage participation.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Donahue  Morrish
Adley  Dorsey-Colomb  Murray
Allain  Erdey  Nevers
Amedee  Guillory  Perry
Appel  Heitmeyer  Peterson
Broome  Johns  Riser
Brown  Kostelka  Smith, G.
Buffington  LaFleur  Smith, J.
Claitor  Long  Thompson
Cortez  Martiny  Ward
Crowe  Morrell  White

Total - 33

NAYS

Total - 0

ABSENT

Chabert  Mills  Tarver
Gallot  Peacock  White

Total - 6

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

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To urge and request the Department of Children and Family Services to study prospective changes to Louisiana statutes and policies relative to children placed in state custody pending child in need of care proceedings which would provide for the best interests of such children and to report its findings to the legislative committees on health and welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Donahue  Nevers
Adley  Dorsey-Colomb  Peacock
Allain  Erdey  Perry
Amedee  Heitmeyer  Peterson
Appel  Johns  Riser
Broome  Kostelka  Smith, G.
Brown  LaFleur  Smith, J.
Buffington  Long  Thompson
Claitor  Martiny  Ward
Cortez  Morrell  White

Total - 34

NAYS

Total - 0

ABSENT

Chabert  Gallot  Tarver
Crowe  Mills  White

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE TALBOT
A CONCURRENT RESOLUTION
To urge and request the legislative auditor to identify expenditures of proceeds collected by the state but not deposited into the treasury and expenditures of “Non-Appropriated Requirements” and to report its findings to the legislature thirty days prior to the 2013 Regular Session of the Legislature of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 166—
BY REPRESENTATIVE SHADOIN
A CONCURRENT RESOLUTION
To commend members of the administration, faculty, and staff of Hopewell Elementary School and Hopewell High School in Dubach, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 5

NAYS

Total - 0

ABSENT

Chabert  Gallot  Tarver
Crowe  Mills  White

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVE SIMON AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION
To commend Ms. Jodi Wilson on her thirty-three years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate her on the occasion of her
retirement from the Louisiana Department of Health and Hospitals.

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

**ROLL CALL**

The roll was called with the following result:

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<td>Chabert</td>
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The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY**

Senator Michael A. Walsworth, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 22, 2012

To the President and Members of the Senate:

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

**HOUSE BILL NO. 1067—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 30:2418(I)(2), relative to recycling waste tires; to provide for payment to waste tire processors; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

MICHAEL A. WALSWORTH
Chairman

**REPORT OF COMMITTEE ON JUDICIARY C**

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

May 22, 2012

To the President and Members of the Senate:

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

**HOUSE BILL NO. 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.

Reported favorably.

**HOUSE BILL NO. 204—**

BY REPRESENTATIVE GUILLODY

AN ACT

To enact R.S. 14:95.2.3, relative to offenses affecting public safety; to create the crime of reckless discharge of a firearm on residential property in unincorporated areas of a parish; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

Respectfully submitted,

ROBERT W. KOSTELKA
Chairman

House Bills and Joint Resolutions on Second Reading

Just Reported by Committees

Senator Kostelka asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

**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.

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

**HOUSE BILL NO. 204—**

BY REPRESENTATIVE GUILLODY

AN ACT

To enact R.S. 14:95.2.3, relative to offenses affecting public safety; to create the crime of reckless discharge of a firearm on residential property in unincorporated areas of a parish; to provide for definitions; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1067—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 30:2418(I)(2), relative to recycling waste tires; to provide for payment to waste tire processors; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.
SENNATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1067 by Representative St. Germain

AMENDMENT NO. 1
On page 1, line 2, after "2418" insert "(H)(1) and"

AMENDMENT NO. 2
On page 1, line 3, after "processors"; insert "to provide for insurance and financial responsibility requirements;"

AMENDMENT NO. 3
On page 1, line 5, delete "R.S. 30:2418(I)(2) is" and insert "R.S. 30:2418(H)(1) and (I)(2) are"

AMENDMENT NO. 4
On page 1, between lines 7 and 8, insert the following:

"H. The secretary shall promulgate rules, regulations, and guidelines for the administration and enforcement of the waste tire program provided for in this Chapter, which shall be subject to legislative review and approval by the Senate Committee on Environmental Quality and the House Committee on Natural Resources and Environment. The rules, regulations, and guidelines shall provide for but not be limited to:

(1) Establishing standards, requirements, and permitting procedures for waste tire transporters, collection sites, and processors. Requirements shall include proof of commercial liability insurance in a sufficient amount and other evidence of financial responsibility as determined by the secretary. For waste tire transporters, financial responsibility shall include a surety bond in a minimum amount of ten thousand dollars, as determined by the secretary."

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

Rules Suspended

Senator White asked for and obtained a suspension of the rules to recall House Bill No. 47 from the Committee on Finance.

HOUSE BILL NO. 47—
BY REPRESENTATIVE MACK
AN ACT
To amend and reenact R.S. 14:98(C)(1)(introductory paragraph) and to enact R.S. 14:98(C)(4), relative to operating a vehicle while intoxicated; to provide for a minimum mandatory prison sentence and treatment for certain offenses of operating a vehicle while intoxicated; and to provide for related matters.

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

Rules Suspended

Senator Crowe asked for and obtained a suspension of the rules to recall Senate Bill No. 679 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 679—
BY SENATOR CROWE
AN ACT
To enact R.S. 1:58.5, relative to special days; to recognize and designate the first Thursday in May as Louisiana's "State Day of Prayer"; to provide for legislative intent; and to provide for related matters.

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

Rules Suspended

Senator Long asked for and obtained a suspension of the rules to recall House Concurrent Resolution No. 123 from the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVE THIBAUT
A CONCURRENT RESOLUTION
To establish the False River Watershed Council and to provide for its membership and responsibilities.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President    Dorsey-Colomb    Nevers
Adley           Erdey           Perry
Allain          Guillory        Riser
Amedee          Heitmeier       Smith, G.
Appel           Johns           Smith, J.
Broome          Kostelka        Tarver
Brown           LaFleur         Thompson
Buffington      Long            Walsworth
Claitor         Martini         Ward
Cortez          Morrell         White
Crowe           Morrish         Murray
Donahue
Total - 34

NAYS
Total - 0

ABSENT
Chabert        Mills           Peterson
Gallot         Peacock
Total - 5

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

Rules Suspended

Senator Erdey asked for and obtained a suspension of the rules to recall Senate Concurrent Resolution No. 116 from the Committee on Transportation, Highways and Public Works.
SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR ERDEY
A CONCURRENT RESOLUTION
To urge and request that the Department of Transportation and Development study LA 37, between its intersection with Sullivan Road and its intersection with LA 409 (Liberty Road) in East Baton Rouge Parish, to improve its safety to the traveling public.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dorsey-Colomb  Nevers
Adley  Erdey  Perry
Allain  Guillory  Peterson
Amedee  Heitmeier  Riser
Appel  Johns  Smith, G.
Broom  Kostelka  Smith, J.
Brown  LaFleur  Tarver
Buffington  Long  Thompson
Claitor  Martiny  Walsworth
Cortez  Morrell  Ward
Crowe  Morrish  White
Donahue  Murray
Total - 35

NAYS

Total - 0

ABSENT

Chabert  Mills
Gallot  Peacock
Total - 4

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

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall House Bill No. 822 from the Committee on Finance.

HOUSE BILL NO. 1058—
BY REPRESENTATIVES FANNIN AND KLECKLEY AND SENATORS ALARIO AND DONAHUE
AN ACT
To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 1058 was read by title and recommitted to the Committee on Finance.

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall House Bill No. 1059 from the Committee on Finance.

HOUSE BILL NO. 1059—
BY REPRESENTATIVE FANNIN
AN ACT
To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2011-2012; to provide for an effective date; and to provide for related matters.

On motion of Senator Donahue, House Bill No. 1059 was read by title and recommitted to the Committee on Finance.

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to recall House Bill No. 1091 from the Committee on Finance.

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.

On motion of Senator Donahue, House Bill No. 1091 was read by title and recommitted to the Committee on Finance.

Rules Suspended

Senator Riser asked for and obtained a suspension of the rules to recall House Bill No. 2 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Riser, House Bill No. 2 was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.
Reconsideration

The vote by which House Bill No. 543 failed to pass on Monday, May 21, 2012, was reconsidered.

HOUSE BILL NO. 543—

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley  Guilyory  Morrish
Allain  Heitmeier  Murray
Broome  Johns  Peterson
Brown  Kostelka  Smith, G.
Buffington  LaFleur  Tarver
Dorsey-Colomb  Long  Thompson
Erdey  Martiny  White
Gallot  Morrell
Total - 23

NAYS

Mr. President  Cortez  Perry
Amedee  Donahue  Riser
Appel  Nevers  Smith, J.
Claitor  Peacock  Walsworth
Total - 12

ABSENT

Chabert  Mills
Crowe  Ward
Total - 4

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

Motion to Reconsider Vote

Senator Morrell asked for and obtained a suspension of the rules to reconsider the vote by which the House Amendments to Senate Bill No. 98 were rejected.

Without objection, so ordered.

Reconsideration

The vote by which the House Amendments to Senate Bill No. 98 were rejected earlier today was reconsidered.

SENATE BILL NO. 98—
By Senator Morrell

AN ACT

To enact R.S. 40:1510, relative to fire protection districts, municipal fire departments or volunteer fire departments; to allow expenditure of public funds in connection with certain activities; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 98 by Senator Morrell

AMENDMENT NO. 1

On page 1, delete lines 14 and 15 and insert the following:

'(2) The purchase of a meal in conjunction with an event acknowledging a firefighter who receives a plaque, trophy, certificate, medal, or similar memento to acknowledge outstanding achievement or valiant act of personnel not to exceed twenty-five dollars per recipient.'

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Adams and St. Germain to Engrossed Senate Bill No. 98 by Senator Morrell

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House of Representatives on May 2, 2012.

AMENDMENT NO. 2

On page 1, line 14, after "Meals" insert comma "," and "snacks or refreshments"

AMENDMENT NO. 3

On page 1, line 14, after "in" insert "fire department related meetings, workshops, training programs, or"

AMENDMENT NO. 4

On page 1, after line 15, insert the following:

'(3) The provisions of this Section shall not be construed to prohibit or restrict the use of public funds to pay or defray the reasonable expenses of travel and lodging required for attendance at any conference or convention for the purpose of educating or training fire department personnel with regard to their public duties and responsibilities.'

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Erdey  Nevers
Adley  Gallot  Peacock
Allain  Guilyory  Perry
Amedee  Heitmeier  Peterson
Appel  Johns  Riser
Broome  Kostelka  Smith, G.
Brown  LaFleur  Tarver
Buffington  Long  Thompson
Claitor  Martiny  Walsworth
Cortez  Morrell  White
Donahue  Morrise
Dorsey-Colomb  Murray
Total - 35

NAYS

Total - 0

ABSENT

Chabert  Mills
Crowe  Ward
Total - 4

1332
The Chair declared the Senate concurred in the amendments proposed by the House.

Motion to Reconsider Vote

Senator Donahue asked for and obtained a suspension of the rules to reconsider the vote by which the House Amendments to Senate Bill No. 313 were rejected.

Without objection, so ordered.

Reconsideration

The vote by which the House Amendments to Senate Bill No. 313 were rejected earlier today was reconsidered.

SENATE BILL NO. 313—
BY SENATOR DONAHUE
AN ACT
To amend and reenact R.S. 47:302.26, relative to the disposition of certain state sales tax collections in St. Tammany Parish; to provide for annual appropriations to the St. Tammany Parish Fund and for the disposition and use of the money in such fund; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 313 by Senator Donahue

AMENDMENT NO. 1
On page 2, line 23, following "Camp Salmen" and before "the" change "Recreation Area" to "Nature Park"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

| Chabert               | Mills             | Peterson     |
| Crowe                 | Morrell           | Ward         |

Total - 6

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

Rules Suspended

Senator Murray asked for and obtained a suspension of the rules to pass over Senate Resolutions Reported by Committee to be adopted.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 408—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 33:4080(A), relative to the sewerage system in the city of New Orleans; to provide for the shifting of high voltage electric lines and certain wires, at the owner's expense, to accommodate public system projects; and to provide for related matters.

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

SENATE BILL NO. 409—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to authorize the Sewerage and Water Board of New Orleans to use design-build contracts; to extend the authorization time for use of design-build contracts by certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or both; 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. 409 by Senator Murray

AMENDMENT NO. 1
On page 2, line 9 after "five" delete "eight" and insert "six"

On motion of Senator Murray, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| Adley          | Johns             | Murray       |
| Brown          | Kostelka          | Perry        |
| Buffington     | LaFleur           | Thompson     |
| Gallot         | Martiny           | Morrish      |
| Heitmeier      |                  |              |
| Total - 14     |                  |              |

NAYS

| Mr. President | Chabert           | Smiith, J.   |
| Appel         | Crowe             | Walsworth    |
| Cortez        | Erdey             | Riser        |
| Guiffory      |                  |              |
| Total - 16    |                  |              |

The Chair declared the Senate concurred in the amendments proposed by the House.
The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Murray moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

SENATE BILL NO. 562—
BY SENATOR PERRY
AN ACT
To amend and reenact R.S. 33:9039.124(A)(1) and (4), relative to the tax upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities levied and collected by the Abbeville Film and Visitors Commission District; to terminate the tax upon the occupancy of hotel rooms, motel rooms, and camping facilities with the district; to authorize the district to collect and levy a one percent tax, subject to voter approval; 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. 562 by Senator Perry

AMENDMENT NO. 1

On page 1, line 13, following "provided in" change "Subparagraph (A)(1)(b) of this Section" to "Subparagraph (b) of this Paragraph"

AMENDMENT NO. 2

On page 2, line 1, following "in" change "Subparagraph (A)(1)(a)" to "Subparagraph (a) of this Paragraph"

AMENDMENT NO. 3

On page 2, line 13, following "of" change "Paragraph (Q)(3)" to "Paragraph (3)"

AMENDMENT NO. 4

On page 2, line 14, change "of this Section." to "of this Subsection."

AMENDMENT NO. 5

On page 2, line 16, following "provisions of" and before "shall" change "Paragraph (Q)(2) of this Section" to "this Paragraph"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

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

SENATE BILL NO. 600—
BY SENATOR PERRY
AN ACT
To amend and reenact R.S. 33:4574.1.1(Q)(1), and to enact R.S. 33:4574.1.1(Q)(2)(g) and (3), relative to the tax upon occupancy on hotel rooms, motel rooms, and camping facilities; to terminate the tax upon occupancy on hotel rooms, motel rooms, and camping facilities levied and collected by the Vermilion Parish Tourist Commission for the purpose of funding recreation programs for youth; to authorize the tourist commission to levy and collect an additional two percent tax for certain purposes, subject to voter approval; 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. 600 by Senator Perry

AMENDMENT NO. 1

On page 1, line 16, following "in" and before ", the" change "Subparagraph (Q)(1)(b) of this Section" to "Subparagraph (b) of this Paragraph"

AMENDMENT NO. 2

On page 2, line 6, following "in" and before "shall" change "Subparagraph (Q)(1)(a) of this Section" to "Subparagraph (a) of this Paragraph"

AMENDMENT NO. 3

On page 2, line 13, following "of" change "Paragraph (Q)(3)" to "Paragraph (3)"

AMENDMENT NO. 4

On page 2, line 14, change "of this Section." to "of this Subsection."

AMENDMENT NO. 5

On page 2, line 16, following "provisions of" and before "shall" change "Paragraph (Q)(2) of this Section" to "this Paragraph"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Heitmeier Perry
Adley Johns Peterson
Amedee Kostelka Riser
Appel LaFleur Smith, G.
Broome Long Smith, J.
Brown Martiny Tarver
Buffington Mills Thompson
Cortez Morrell Walsworth

Total - 35

NAYS

Total - 0
39th DAY'S PROCEEDINGS

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SENATE

May 22, 2012

39th DAY'S PROCEEDINGS

Dorsey-Colomb  Morrisey  Ward
Erdey      Murray       White
Gallot      Nevers       Peacock
Guillery    Total - 34
NAYS

Total - 0
ABSENT

Allain  Claitor       Donahue
Chabert  Crowe        Total - 5

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

Senator Broome in the Chair

Motion to Reconsider Vote

Senator Murray asked for and obtained a suspension of the rules to reconsider the vote by which Senate Bill No. 409 failed to pass.

Without objection, so ordered.

Reconsideration

The vote by which Senate Bill No. 409 failed to pass earlier today was reconsidered.

SENATE BILL NO. 409—
BY SENATOR MURRAY

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to authorize the Sewerage and Water Board of New Orleans to use design-build contracts; to extend the authorization time for use of design-build contracts by certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or both; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Gallot  Nevers
Adley        Heitmeier  Murray
Broome       Johns       Nevers
Brown        Kostelka    Smith, G.
Buffington   LaFleur    Tarver
Dorsey-Colomb Martiny  White
Total - 36
NAYS

Total - 0
ABSENT

Amedee  Guillory       Smith, J.
Appel       Long         Thompson
Claiteur    Morrisey     Walsworth
Cortez      Peacock      Ward
Donahue     Perry        Riser
Erdey       Total - 16

ABSENT

Allain        Crowe       Peterson
Chabert       Morrisey    Total - 5

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

Mr. President in the Chair

SENATE BILL NO. 670—
BY SENATOR LAFLEUR

To amend and reenact R.S. 56:302.9(A) and 302.9.1(A), relative to charter boat and charter boat fishing guides; to provide for licensing requirements; to provide for proof of liability insurance; 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. 670 by Senator LaFleur

AMENDMENT NO. 1

On page 2, line 6, following "amount" and before "as" insert "to protect the public" and on line 7, delete "to protect the public"

AMENDMENT NO. 2

On page 2, line 11, following "shall" and before "to those" change "only be made available" to "be made available only"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Gallot  Nevers
Adley        Guillory       Peacock
Amedee       Heitmeier     Perry
Appel       Johns          Peterson
Broome       Kostelka      Riser
Brown        Long          Smith, G.
Buffington   LaFleur      Smith, J.
Claiteur    Mills          Thompson
Cortez       Morrisey      Walsworth
Dorsey-Colomb  Murray      Ward
Erdey       Total - 36
NAYS

Total - 0
ABSENT

Chabert  Crowe       Donahue
Total - 3

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

SENATE BILL NO. 766— (Substitute of Senate Bill No. 593 by Senator Alario)

BY SENATORS ALARIO, MILLS, JOHNS AND NEVERS

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

Mr. President in the Chair

SENATE BILL NO. 593—
BY SENATOR ALARIO

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to authorize the Sewerage and Water Board of New Orleans to use design-build contracts; to extend the authorization time for use of design-build contracts by certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or both; 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. 593 by Senator Alario

AMENDMENT NO. 1

On page 2, line 6, following "amount" and before "as" insert "to protect the public" and on line 7, delete "to protect the public"

AMENDMENT NO. 2

On page 2, line 11, following "shall" and before "to those" change "only be made available" to "be made available only"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Gallot  Nevers
Adley        Guillory       Peacock
Amedee       Heitmeier     Perry
Appel       Johns          Peterson
Broome       Kostelka      Riser
Brown        Long          Smith, G.
Buffington   LaFleur      Smith, J.
Claiteur    Mills          Thompson
Cortez       Morrisey      Walsworth
Dorsey-Colomb  Murray      Ward
Erdey       Total - 36
NAYS

Total - 0
ABSENT

Chabert  Crowe       Donahue
Total - 3
AN ACT
To enact R.S. 40:1299.30.1, relative to abortion; to provide for the Pain-Capable Unborn Child Protection Act; to provide for legislative intent; to provide for definitions; to provide for the determination of postfertilization age; to provide for penalties; 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. 766 by Senator Alario

AMENDMENT NO. 1
On page 2, line 26, following "unborn" and before "experiencing" change "child" to "child's"

AMENDMENT NO. 2
On page 7, line 7, following "Section" and before "but" insert ","

AMENDMENT NO. 3
On page 7, line 8, following "law" and before "shall" insert ","

AMENDMENT NO. 4
On page 7, line 11, following "abortion" and before "but" insert "," and following "Section" and before "shall" insert ","

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Brown                    Crowe
Chabert                  Peterson

Total - 4

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

Explanation of Vote
Senator Crowe stated he intended to vote yea on Senate Bill No. 766, and asked that the Official Journal so state.
HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to conduct a study relative to the intersection of Louisiana Highway 1 and Louisiana Highway 3090 in Lafourche Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gallot Nevers
Adley Guillory Perry
Allain Heitmeier Peterson
Amedee Johns Riser
Brown LaFleur Smith, G.
Buffington Long Thompson
Claitor Martiny Walsworth
Cortez Mills Ward
Donahue Morrish White
Dorsey-Colomb Morrisey Murray
Erdey Nevers

Total - 34

NAYS

Total - 0

ABSENT

Broome Crowe Tarver
Chabert Morrell

Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE HAZEL
A CONCURRENT RESOLUTION
To urge and request the Board of Supervisors of Community and Technical Colleges to submit a written report relative to the status of the reconstruction and reopening of the Sidney N. Collier Technical Division site of Delgado Community College to the House Committee on Education and the Senate Committee on Education by not later than May 15, 2012.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Peacock
Adley Heitmeier Perry
Allain Johns Peterson
Amedee Kostelka Riser
Brown LaFleur Smith, G.
Buffington Long Thompson
Claitor Martiny Walsworth
Cortez Mills Ward
Donahue Morrish White
Dorsey-Colomb Morrisey Murray
Erdey Nevers

Total - 34

NAYS

Total - 0

ABSENT

Broome Crowe Tarver
Chabert Morrell

Total - 5

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

AMENDMENT NO. 2
On page 2, at the end of line 14, change "2012" to "2013"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gallot Nevers
Adley Guillory Perry
Allain Heitmeier Peterson
Amedee Johns Riser
Brown LaFleur Smith, G.
Buffington Long Thompson
Claitor Martiny Walsworth
Cortez Mills Ward
Donahue Morrish White
Dorsey-Colomb Morrisey Murray
Erdey Nevers

Total - 34

NAYS

Total - 0

ABSENT

Broome Crowe Tarver
Chabert Morrell

Total - 5

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 79 by Representative Badon

AMENDMENT NO. 1
On page 1, at the end of line 6, change "2012" to "2013"
The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 152—**
BY REPRESENTATIVE ORTEGO
A CONCURRENT RESOLUTION
To urge and request the office of facility planning and control and the office of state buildings to study the use of products which have been determined to have low volatile organic compound (VOC) content in the maintenance, renovation, or construction of public buildings and report the findings to the Legislature of Louisiana no later than December 31, 2012.

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

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

### Rules Suspended

Senator Peterson asked for and obtained a suspension of the rules to take up at this time:

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

Called from the Calendar

Senator Peterson asked that Senate Bill No. 577 be called from the Calendar.

**SENATE BILL NO. 577—**
BY SENATOR PETERSON
AN ACT
To enact Part XIV of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1019 through 1019.2, relative to employment; to create the Louisiana Equal Pay Task Force; to provide for purpose; to provide for composition of the task force; to provide for duties and powers of the task force; to provide for reporting deadlines; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Erdey</td>
<td>Morrish</td>
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<tr>
<td>Adley</td>
<td>Gallot</td>
<td>Murray</td>
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<td>Buffington</td>
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<tr>
<td>Dorsey-Colomb</td>
<td>Morrell</td>
<td>White</td>
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<td>Total - 33</td>
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<td>NAYS</td>
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<th>ABSENT</th>
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<tr>
<td>Appel</td>
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<td>Chabert</td>
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<tr>
<td>Total - 6</td>
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</table>

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

**ROLL CALL**

The roll was called with the following result:

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<td>Total - 33</td>
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<td>Chabert</td>
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<td>Total - 6</td>
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</tbody>
</table>
The Chair declared the bill was passed and ordered it sent to the House. Senator Peterson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

**HOUSE BILL NO. 73—**

By Representative Liggi

AN ACT

To amend and reenact R.S. 40:41(D)(1) and (2)(introductory paragraph), relative to disclosure of records in the vital records registry; to authorize the use of certain records by judicial district courts; to provide for specified uses of vital records; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

<table>
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<th>YEAS</th>
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<td>Mr. President</td>
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<td>Amedee</td>
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<td>Guillory</td>
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<td>Total - 34</td>
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<tr>
<td>Crowe</td>
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<td>Total - 5</td>
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</table>

The Chair declared the bill was passed and ordered it returned to the House. Senator Martiny moved the final passage of the bill.

**HOUSE BILL NO. 80—**

By Representative Tim Burns

AN ACT

To amend and reenact R.S. 40:2115(C), relative to smoking in hospitals; to eliminate the requirement for accommodation of smoking by inpatients in psychiatric facilities of the Department of Health and Hospitals; to establish procedures for treatment of smokers with mental illness in such facilities; and to provide for related matters.

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

**Floor Amendments**

Senator LaFleur proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator LaFleur to Engrossed House Bill No. 172 by Representative Dixon

**AMENDMENT NO. 1**

On page 6, line 27, after "surgeon" and before "permitted" insert "who is"

**AMENDMENT NO. 2**

On page 6, line 28, after "anesthesia" insert a period "." and change "provided" to "Provided"

**AMENDMENT NO. 3**

On page 6, line 29, after "anesthetist" and before "on the" delete "remains" and insert "must remain"

**AMENDMENT NO. 4**

On page 7, line 9, after "anesthesia" insert a period "," and change "provided" to "Provided"

**AMENDMENT NO. 5**

On page 7, line 9, after "anesthesia" insert a period "," and delete the remainder of the line

**AMENDMENT NO. 6**

On page 7, delete line 10 in its entirety and insert the following: "Except for oral and maxillofacial surgeons, third party anesthesia providers authorized pursuant to this Paragraph shall not be required to obtain a permit from the board or pay any fees or other assessments to the board:"

On motion of Senator LaFleur, 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
Adley
Allain
Amedee
Broome
Brown
Buffington
Claitor
Cortez
Crowe
Donahue
Dorsey-Colomb
Erdey

Gallot
Guillory
Heitmeier
Johns
Kostelka
LaFleur
Long
Martiny
Mills
Morrell
Morrish
Murray
Nevers

Peacock
Perry
Peterson
Riser
Smith, G.
Smith, J.
Tarver
Thompson
Walsworth
Ward
White

Total - 37

NAYS

Total - 0

ABSENT

Appel

Chabert

Total - 2

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

HOUSE BILL NO. 292—
BY REPRESENTATIVES PUGH, CHAMPAGNE, HENRY, LORUSSO, AND TALBOT
AN ACT
To enact R.S. 17:60.4, relative to term limits for school board members; to require local option elections in certain school districts to determine if a district’s school board members shall have term limits; to specify the term limitations for school board members if approved by the electors voting in a school district; to provide for applicability; to provide relative to the conduct of such elections and the costs thereof; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Allain
Amedee
Broome
Brown
Buffington
Claitor
Cortez
Crowe
Donahue
Dorsey-Colomb
Erdey

Gallot
Guillory
Heitmeier
Johns
Kostelka
LaFleur
Long
Martiny
Mills
Morrell
Morrish
Murray
Nevers

Peacock
Perry
Peterson
Riser
Smith, G.
Smith, J.
Tarver
Thompson
Walsworth
Ward
White

Total - 20

NAYS

Total - 16

ABSENT

Appel

Chabert

Total - 1

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

HOUSE BILL NO. 319—
BY REPRESENTATIVE MONTOUCET
AN ACT
To enact R.S. 47:1907(A)(4), relative to assessors; to provide relative to the salary for the assessor of Lafayette Parish; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Allain
Amedee
Broome
Brown
Buffington
Claitor
Cortez
Crowe
Donahue
Dorsey-Colomb
Erdey

Gallot
Guillory
Heitmeier
Johns
Kostelka
LaFleur
Long
Martiny
Mills
Morrell
Morrish
Murray

Peacock
Perry
Peterson
Riser
Smith, G.
Smith, J.
Tarver
Thompson
Walsworth
Ward
White

Total - 38

NAYS

Total - 0

ABSENT

Appel

Total - 1

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

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

Floor Amendments

Senator Gallot proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed House Bill No. 349 by Representative Dixon

AMENDMENT NO. 1
Delete Senate Committee Amendment No.1 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 17, 2012.
AMENDMENT NO. 2
On page 3, line 20, after "person." insert: "Any costs assessed by the committee shall not include costs related solely to a charge in a formal complaint in a disciplinary proceeding instituted by the board which is later dismissed or not proven at an administrative adjudication. Nothing in this Paragraph shall prohibit the board from assessing eligible costs related to additional violations when the investigation of a complaint leads to the discovery of such additional violations proven at an administrative adjudication. Should the person contend that some costs assessed by the committee are attributable solely to allegations dismissed or not proven, he may file within thirty days of his receipt of the costs claimed a motion to traverse assessment of those costs in accordance with applicable board rules."

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

NAYS

Total - 0

ABSENT
Appel Donahue
Total - 2

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

HOUSE BILL NO. 357—
BY REPRESENTATIVE BROWN
AN ACT
To amend and reenact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide for the election to the offices of justice of the peace and constable; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

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

NAYS

Total - 0

ABSENT
Appel Donahue
Total - 5

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

HOUSE BILL NO. 365—
BY REPRESENTATIVE STUART BISHOP
AN ACT
To enact R.S. 18:461.1, relative to candidates for certain office; to require certain ethics education and training for certain candidates; to provide relative to certifying such training; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

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

NAYS

Total - 0

ABSENT
Appel Donahue
Total - 5

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

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed House Bill No. 365 by Representative Stuart Bishop

AMENDMENT NO. 1
On page 1, line 16, delete "the deadline for filing a financial"

AMENDMENT NO. 2
On page 1, line 17, delete "disclosure statement filed pursuant to R.S. 18:1495.7." and insert: "three days following qualifying for such office."

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 541—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 40:2017.11 and to enact R.S. 40:1563(L), relative to the review of plans or specifications; to authorize the fire marshal to review plans for health care facilities and residential living options and collect charges; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 510—

BY REPRESENTATIVES BURFORD AND COX

AN ACT

To enact R.S. 13:2621, relative to the DeSoto Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the office of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0
The Chair declared the bill was passed and ordered it returned to the House. Senator John Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

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

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
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<td>Mr. President</td>
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<tbody>
<tr>
<td>Donahue</td>
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<td>Total - 1</td>
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</table>

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

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

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

**ROLL CALL**

The roll was called with the following result:

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<td>Mr. President</td>
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<td>Cortez</td>
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<td>Crowe</td>
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<tr>
<td>Dorsey-Colomb</td>
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<tr>
<td>Total - 35</td>
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<tbody>
<tr>
<td>Donahue</td>
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<tr>
<td>Total - 4</td>
</tr>
</tbody>
</table>

The Chair declared the bill was passed and ordered it returned to the House. Senator Johns moved to reconsider the vote by which the bill was passed and laid the motion on the table.
HOuse Bill NO. 721—
BY REPRESENTATIVE MORENO
AN ACT
To amend and reenact R.S. 13:5073(A)(1), relative to the certification of tobacco product manufacturers; to provide for a fee for certification for tobacco product manufacturers; to provide for the use of the fees; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Mr. President Gallot Nevers</td>
<td>Adley Guillory Perry</td>
</tr>
<tr>
<td>Allain Heitmeier Peterson</td>
<td>Appel Johns Smith, G.</td>
</tr>
<tr>
<td>Broome Kostelka Smith, J.</td>
<td>Brown LaFleur Tarver</td>
</tr>
<tr>
<td>BUFFINGTON Long Walsworth</td>
<td>Chabert MartiNY Ward</td>
</tr>
<tr>
<td>Donahue Mills White</td>
<td>Dorsey-Colomb Morrish</td>
</tr>
<tr>
<td>Erdey Murray</td>
<td>Total - 31</td>
</tr>
<tr>
<td>Claitor Crowe Riser</td>
<td>Total - 5</td>
</tr>
<tr>
<td>Cortez Peacock</td>
<td>Amedee Morrell Thompson</td>
</tr>
<tr>
<td>Total - 3</td>
<td></td>
</tr>
</tbody>
</table>

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

HOUSE BILL NO. 767—
BY REPRESENTATIVE GIROD JACKSON
AN ACT
To amend and reenact R.S. 13:477(24) and 621.24, relative to the Twenty-Fourth Judicial District; to provide for election sections for the Twenty-Fourth Judicial District; to provide for the election of judges; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Mr. President Dorsey-Colomb Nevers</td>
<td>Adley Erdey Peacock</td>
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<tr>
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<tr>
<td>Cortez Mills White</td>
<td>Crowe Morrish White</td>
</tr>
<tr>
<td>Donahue Murray</td>
<td>Total - 38</td>
</tr>
</tbody>
</table>

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

HOUSE BILL NO. 846—
BY REPRESENTATIVES SIMON, BADON, BERTHELOT, BILLIOT, WESLEY BISHOP, BROWN, HENRY BURNS, COX, DOVE, GAROFALO, GISCLAIR, HARRIS, HOFFMANN, HOWARD, JAMES, JEFFERSON, LIEBER, LIGI, MORENO, POPE, REYNOLDS, RICHARD, RICHARDSON, SHADOIN, AND THOMPSON
AN ACT
To amend and reenact R.S. 28:2(14), (17), and (29)(a)(introductory paragraph), 52(A) and (C), 52.1(A), 52.3(A), 53(A)(1), 55(J), 64(D), and 772(E) and to enact R.S. 28:171.1, relative to mental health law; to provide for definitions; to establish principles for the state mental health system; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

<table>
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<tr>
<td>Mr. President Dorsey-Colomb Nevers</td>
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<tr>
<td>Donahue Murray</td>
<td>Total - 38</td>
</tr>
</tbody>
</table>

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

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. Senator Buffington moved the final passage of the bill.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Dorsey-Colomb  Murray
Adley  Erdey  Nevers
Allain  Gallot  Peacock
Amedee  Guirly  Perry
Appel  Heitmeier  Peterson
Broome  Johns  Riser
Brown  Kostelka  Smith, G.
Buffington  LaFleur  Smith, J.
Chabert  Long  Tarver
Claitor  Martiny  Thompson
Cortez  Mills  Walsworth
Crowe  Morrell  Ward
Donahue  Morrish  White
Total - 39

NAYS

Total - 0

ABSENT

Dorsey-Colomb
Total - 1

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

HOUSE BILL NO. 936—

BY REPRESENTATIVES 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.

Floor Amendments

Senator John Smith proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator John Smith to Reengrossed House Bill No. 936 by Representative Danahay

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert the following:

"(3) Thereafter, each appointment shall serve a four year term."

On motion of Senator John Smith, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Adley  Allain  Amedee  Appel  Broome  Brown  Buffington  Chabert  Claitor  Cortez  Crowe  Donahue  Johns  Kostelka  LaFleur  Long  Martiny  Mills  Morrell  Morrish  Murray  Nevers  Gallot  Guirly  Heitmeier  Nevers  Peacock  Perry  Peterson  Total - 38

NAYS

Total - 0

ABSENT

Dorsey-Colomb
Total - 1

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

HOUSE BILL NO. 952—

BY REPRESENTATIVES BROSETT, ARNOLD, BADON, BARROW, BERTHELLOT, BILLIOT, WESLEY BISHOP, HENRY BURNS, BURRELL, CARMODY, COX, DOVE, EDWARDS, GAROFALO, HARRIS, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, LIGI, MORENO, PIERRE, SCHEXNAYDER, SMITH, AND WILLMOTT

AN ACT

To enact Part I-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:26.10.1 through 26.10.5, relative to mental and behavioral health services; to provide a short title; to a provide a statement of legislative intent; to provide for management of mental and behavioral health resources; to provide for innovative mental and behavioral health services; and to provide for related matters.

Floor Amendments

Senator Heitmeier proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 952 by Representative Brossett

AMENDMENT NO. 1

On page 3, line 3, change “ Minimum” to “Creation and implementation of minimum”

AMENDMENT NO. 2

On page 3, line 18, change “The” to “Recognition of the” and “are” to “as”

AMENDMENT NO. 3

On page 3, line 22, change “ State” to “Performance by state” and delete “perform”

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

Mr. President  Dorsey-Colomb  Murray
Adley  Erdey  Nevers
Allain  Gallot  Peacock
Amedee  Guirly  Perry
Appel  Heitmeier  Peterson

Page 29 SENATE
May 22, 2012
The Chair declared the bill was passed and ordered it returned to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1015**

**BY REPRESENTATIVE LIGI**

**AN ACT**

To amend and reenact R.S. 32:1253(A)(1) (introductory paragraph), relative to the Louisiana Motor Vehicle Commission; to provide relative to membership; and to provide for related matters.

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

**HOUSE BILL NO. 1016**

**BY REPRESENTATIVE POPE**

**AN ACT**

To amend and reenact R.S. 46:1409(A), 1413(N), and 1414 and to enact R.S. 46:1409(B)(10) and 1413(A)(7), relative to child day care; to provide for rules, regulations, and standards for licensed day care centers; to provide for certain duties of the Department of Children and Family Services relative to regulation of day care centers; to provide for requirements of the Louisiana Advisory Council on Child Care and Early Education; 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:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. President</td>
<td>Dorsey-Colomb</td>
<td>Nevers</td>
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<tr>
<td>Adley</td>
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<td>Peacock</td>
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<td>Allain</td>
<td>Gallot</td>
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<td>Morrell</td>
<td>White</td>
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<tr>
<td>Donahue</td>
<td>Morrish</td>
<td>White</td>
</tr>
<tr>
<td>Total - 38</td>
<td>NAYS</td>
<td>ABSENT</td>
</tr>
<tr>
<td>Total - 0</td>
<td>0</td>
<td>1</td>
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</tbody>
</table>

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

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed House Bill No. 823 by Representative Greene

AMENDMENT NO. 1
On page 1, line 12, after "applicability;" delete "to provide for an effective date;"

AMENDMENT NO. 2
On page 5, delete lines 20 through 24

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Donahue

Total - 1

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

HOUSE BILL NO. 1063—
BY REPRESENTATIVES SIMON AND ORTEGO

To enact R.S. 37:158, relative to the practice of architecture; to provide for firm practices; to provide for licensure by the State Board of Architectural Examiners; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Appel proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Appel to Reengrossed House Bill No. 1063 by Representative Simon

AMENDMENT NO. 1
Delete Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on May 17, 2012.

On motion of Senator Appel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson

Total - 38

NAYS

Total - 0

ABSENT

Donahue

Total - 1

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

HOUSE BILL NO. 1025—
BY REPRESENTATIVE POPE

To enact R.S. 37:1281.2, relative to the allied practitioner health program; to establish an annual assessment for the identification, monitoring, assistance, and procurement of treatment of medical psychologists, physician assistants, and podiatrists suffering from certain conditions; to provide for a self-reporting waiver applicable to a violation related to the individual's ability to practice his profession with reasonable skill and safety by reason of substance abuse or psychiatric condition; to extend protected actions and communications to certain enumerated individuals and entities; and to provide for related matters.

Floor Amendments

Senator Simon proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Simon to House Bill No. 1025 by Representative Pope

AMENDMENT NO. 1
Delete Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on May 17, 2012.

On motion of Senator Simon, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson

Total - 38

NAYS

Total - 0

ABSENT

Donahue

Total - 1

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

HOUSE BILL NO. 1065—
BY REPRESENTATIVE BROADWATER

To amend and reenact R.S. 12:1607(A) and (D), relative to the professional licenses of business entities after a conversion; to clarify the provisions of law regarding the updating of a professional license after the conversion of a domestic business entity; to provide for a surviving entity following a merger where the ownership of the entity does not change; to provide for retroactivity; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Riser moved the final passage of the bill.

HOUSE BILL NO. 1096—
BY REPRESENTATIVE BILLIOT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, Section 1 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, Section 1 of Act No.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Claitor

Total - 1

The Chair declared the bill was passed and ordered it returned to the House. Senator Martiny moved the final passage of the bill.

HOUSE BILL NO. 1102—
BY REPRESENTATIVE LIGI

To enact R.S. 47:1508(B)(30), relative to the Department of Revenue; to authorize the disclosure of certain taxpayer information to the Louisiana Clerks of Court Association; to restrict the use of such information; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38
The Chair declared the bill was passed and ordered it returned to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1111—
BY REPRESENTATIVE THIBAUT
AN ACT
To enact R.S. 4:183(C), relative to the Horsemens Benevolent and Protective Association; to describe benefits for permittees and employees; and to provide for related matters.

Floor Amendments
Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Cortez to Engrossed House Bill No. 1111 by Representative Thibaut

AMENDMENT NO. 1
On page 1, line 13, after "others." insert "The term "hospital and medical benefits" shall also include one-time benevolence payments to persons in the equine industry who are in financial need as a result of serious illness or injury, fire, or natural disaster, including but not limited to hurricane, tornado, or flood."

On motion of Senator Cortez, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson
Broome Johns Riser
Brown Kostelka Smith, G.
Buffington LaFleur Smith, J.
Chabert Long Tarver
Claisse Martiny Thompson
Cortez Mills Walsworth
Crowe Morrell Ward
Donahue Morrish White
Total - 39

Total - 0

NAYS
Total - 0

ABSENT
Total - 0

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

HOUSE BILL NO. 1113—
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 44:9(F) and (G) and to enact R.S. 44:4(45), relative to public records; to provide relative to the exemption of certain records in the possession of the Louisiana Licensed Professional Counselors Board of Examiners; to provide for the continued confidentiality of such records; to provide relative to the disclosure of certain confidential information to the Louisiana Licensed Professional Counselors Board of Examiners; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Dorsey-Colomb Murray
Adley Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson
Broome Johns Riser
Brown Kostelka Smith, G.
Buffington LaFleur Smith, J.
Chabert Long Tarver
Claisse Martiny Thompson
Cortez Mills Walsworth
Crowe Morrell Ward
Donahue Morrish White
Total - 39

Total - 0

NAYS
Total - 0

ABSENT
Total - 0

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

HOUSE BILL NO. 1120—
BY REPRESENTATIVE LAMBERT
AN ACT
To amend and reenact R.S. 47:301(10)(a)(ii), relative to exclusions from local sales tax; to provide with respect to the exclusion for the resale of certain services from local sales tax; to clarify certain provisions; to provide with respect to compliance with rules and regulations; to provide for the acceptance by a local collector of a resale certificate; 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 Erdey Nevers
Allain Gallot Peacock
Amedee Guillory Perry
Appel Heitmeier Peterson
Broome Johns Riser
Brown Kostelka Smith, G.
Buffington LaFleur Smith, J.
Chabert Long Tarver
Claisse Martiny Thompson
Cortez Mills Walsworth
Crowe Morrell Ward
Donahue Morrish White
Total - 39

Total - 0

NAYS
Total - 0

ABSENT
Total - 0

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Cortez moved the final passage of the amended bill.
The Chair declared the bill was passed and ordered it returned to the House. Senator Gallot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1188— (Substitute for House Bill No. 802 by Representative Anders)

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and 1864.3 and to enact R.S. 37:1861(B)(6) and Chapter 22 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1961 through 1975, relative to used or secondhand property; to provide for an exemption to the secondhand dealer law; to prohibit cash payments for the purchase of copper and other metals; to establish the Louisiana Scrap Metal Recyclers Law; to provide for definitions; to require an occupational license to operate as a scrap metal recycler; to require changes in location to be noted on a license; to provide for hours of operation; to require records of scrap metal purchased and of the sellers; to prohibit the purchase of scrap metal not owned by the seller; to prohibit scrap metal purchases from person under the age of eighteen; to require a statement of ownership from the seller; to provide that failure to obtain the statement shall be prima facie evidence of fraud; to provide for exoneration from fraudulent, willful, or criminal knowledge; to require daily reports; to require the use of a national database; to provide for violations; to provide for penalties; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 1188 by Representative Anders

AMENDMENT NO. 1

Delete Legislative Bureau Amendment No. 2, proposed by the Legislative Bureau and adopted by the Senate on May 21, 2012.

On motion of Senator Martiny, 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
Adley
Allain
Amedee
Broome
Brown
Buffington
Chabert
Cortez
Crowe
Donahue
Dorsey-Colomb

NAYS

Total - 0

ABSENT

Total - 3
NAYS
Claitor Riser
Erdey Smith, J.
Total - 4

ABSENT
Amedee Morrell Morrish
Total - 3

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

HOUSE BILL NO. 1207— (Substitute for House Bill No. 604 by Representative Harrison)
BY REPRESENTATIVES HARRISON, DOVE, AND WHITNEY AND SENATOR CHABERT
AN ACT
To enact R.S. 51:1422, relative to unfair and deceptive trade practices; to prohibit misrepresentation regarding the provision of local television service; to provide for exceptions; to provide for violations; and to provide for related matters.

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

HOUSE BILL NO. 1034—
BY REPRESENTATIVE FOIL
AN ACT
To amend and reenact R.S. 42:1102(18)(b), relative to the application of the Code of Governmental Ethics to certain persons; to provide an exception to the definition of “public employee” for persons who perform specified, limited contractual services; and to provide for related matters.

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

ROLL CALL
The roll was called with the following result:

YEAS
Amedee Donahue Walsworth
Appel Erdey Ward
Broome LaFleur White
Cortez Nevers
Crowe Perry
Total - 13

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

ABSENT
Claitor Morrell
Total - 2

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

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. Senator Cortez moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

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

NAYS
Total - 0

ABSENT
Claitor Morrell
Total - 2

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

HOUSE BILL NO. 950—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 42:1132(A), (B)(introductory paragraph), (C), and (D), 1134(A)(1) and (K), 1135, 1141(A), (B)(1)(a), (C)(1), (2), and (3)(c)(d), and 1151 through 1157, to enact R.S. 42:1141(B)(3) and (C)(3)(e) and (f) and 1141.2 through 1141.6, and to repeal R.S. 42:1141(C)(4), (5), (6), (7), and (8), (D), (E), and (F), 1141.1, and 1157.2, relative to enforcement of the laws under the jurisdiction of the Board of Ethics; to clarify the powers and duties of the Board of Ethics and the Ethics Adjudicatory Board relative to such enforcement; to provide relative to certain time limitations; and to provide for related matters.

Called from the Calendar
Senator Cortez asked that House Bill No. 950 be called from the Calendar.

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. Senator Cortez moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

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

NAYS
Total - 0

ABSENT
Claitor Morrell
Total - 2

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

HOUSE BILL NO. 950—
BY REPRESENTATIVE TIM BURNS
AN ACT
To amend and reenact R.S. 42:1132(A), (B)(introductory paragraph), (C), and (D), 1134(A)(1) and (K), 1135, 1141(A), (B)(1)(a), (C)(1), (2), and (3)(c)(d), and 1151 through 1157, to enact R.S. 42:1141(B)(3) and (C)(3)(e) and (f) and 1141.2 through 1141.6, and to repeal R.S. 42:1141(C)(4), (5), (6), (7), and (8), (D), (E), and (F), 1141.1, and 1157.2, relative to enforcement of the laws under the jurisdiction of the Board of Ethics; to clarify the powers and duties of the Board of Ethics and the Ethics Adjudicatory Board relative to such enforcement; to provide relative to certain time limitations; and to provide for related matters.
Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 950 by Representative Tim Burns

AMENDMENT NO. 1
On page 3, line 16, after "this Section," delete the remainder of the line, delete line 17, and insert "All determinations of a panel shall be by a majority vote. However, if a panel consists of three members, all determinations of the panel shall require a unanimous vote of the members of the panel."

AMENDMENT NO. 2
On page 5, line 6, after "of the investigation." delete the remainder of the line and delete lines 7 through 9

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Reengrossed House Bill No. 950 by Representative Tim Burns

AMENDMENT NO. 1
On page 9, at the end of line 14, insert the following:

"If a person request and receives an advisory opinion issued by the Board of Ethics and acts or relies on such advisory opinion, the advisory opinion shall be admissible as evidence at the hearing."

On motion of Senator Morrell, the amendments were adopted.

Floor Amendments

Senator Gallot proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Reengrossed House Bill No. 950 by Representative Tim Burns

AMENDMENT NO. 1
On page 5, line 20, change "prescriptive." to "peremptive." and delete the remainder of the line and delete lines 21 through 28 in their entirety

AMENDMENT NO. 2
On page 6, delete lines 1 through 9 in their entirety

AMENDMENT NO. 3
On page 7, line 17, change 'defendant" to "person who is the subject of the investigation or complaint"

AMENDMENT NO. 4
On page 10, line 1, after "testimony" delete the remainder of the line and delete line 2 in its entirety and insert "pursuant to the Louisiana Code of Evidence."

AMENDMENT NO. 5
On page 10, line 19, after "person," insert "other than the person who is subject to the investigation or complaint."

Motion

Senator Amedee moved for a division of the question on the floor amendments.

Without objection, so ordered.

Senator Gallot moved the adoption of Amendments No. 1 and 2.

Senator Amedee objected.

ROLL CALL

The roll was called with the following result:

YEAS

Brown LaFleur Tarver
Donahue Morrell Walsworth
Gallot Peterson
Kostelka Smith, G.
Total - 10

NAYS

Mr. President Crowe Nevers
Adley Dorsey-Colomb Peacock
Allain Erdey Perry
Amedee Guillory Riser
Broome Johns Smith, J.
Buffington Long Thompson
Chabert Mills Ward
Claitor Morrish White
Cortez Murray
Total - 26

ABSENT

Appel Heitmeier Martiny
Total - 3

The Chair declared Amendments No. 1 and 2 were rejected.

Senator Gallot moved the adoption of Amendments No. 3, 4, and 5.

Without objection, Amendments No. 3, 4, and 5 were adopted.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 950 by Representative Tim Burns

AMENDMENT NO. 1
On page 5, delete lines 26 through 28

On motion of Senator Claitor, 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 Erdey Nevers
Adley Guillory Peacock
Allain Heitmeier Perry
Amedee Johns Riser
Broome Kostelka Smith, G.
Brown LaFleur Smith, J.
Buffington Long Tarver
Chabert Martiny Thompson
Claitor Mills Walsworth
The Chair declared the amended bill was passed and ordered it returned to the House. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Walsworth asked that House Bill No. 378 be called from the Calendar.

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 exceptions 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.

Floor Amendments

Senator Walsworth proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Reengrossed House Bill No. 378 by Representative Hoffmann

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Health and Human Resources and adopted by the Senate on May 8, 2012.

AMENDMENT NO. 2

On page 2, delete lines 15 and 16, and insert: “person of a state owned building as defined in R.S. 39:127(A).”

On motion of Senator Walsworth, the amendments were adopted.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 378 by Representative Hoffmann

AMENDMENT NO. 1

On page 2, line 20 after “smoking” and before “in” insert the following: “by an employee”

On motion of Senator LaFleur, the amendments were adopted.

The roll was called with the following result:

YEAS

Amedee
Appel
Broome
Crowe
Donahue
Dorsey-Colomb
Total - 18

NAYS

Erdey
Gallot
Heitmeier
LaFleur
Long
Morrish
Ward

NAYAS

Cortez
Mr. President
Adley
Brown
Buffington
Chabert
Claitor
Total - 16

Murray
Peterson
Riser
Smith, J.

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

ROLL CALL

The roll was called with the following result:

YEAS

Amedee
Appel
Broome
Crowe
Donahue
Dorsey-Colomb
Total - 35

NAYS

Dorsey-Colomb
Gallot
Peterson
Total - 3

ABSENT

Appel
Total - 1
ABSENT

Allain Perry White
Martiny Thompson
Total - 5

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Walsworth moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

Called from the Calendar

Senator White asked that House Bill No. 616 be called from the Calendar.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Gallot
Total - 1

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

Called from the Calendar

Senator Morrell asked that House Bill No. 385 be called from the Calendar.

HOUSE BILL NO. 385—
BY REPRESENTATIVE MORENO
AN ACT
To enact Code of Criminal Procedure Article 718.1 and to repeal R.S. 46:1845, relative to discovery; to provide relative to discovery procedures in certain criminal cases; to prohibit the reproduction of certain evidence in certain cases involving pornography involving juveniles, video voyeurism, and obscenity; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Gallot
Total - 1

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

Called from the Calendar

Senator Martiny asked that House Bill No. 912 be called from the Calendar.

HOUSE BILL NO. 912—
BY REPRESENTATIVE NANCY LANDRY
AN ACT
To amend and reenact Children's Code Articles 1247 through 1250 and 1252(A), relative to intrafamily adoptions; to provide relative to notice to certain persons; to provide for the filing of an answer; to provide for redacting of social security numbers; to provide for service of process; to provide relative to investigations by the Department of Children and Family Services; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed House Bill No. 912 by Representative Nancy Landry

AMENDMENT NO. 1
Delete Senate Floor Amendments Nos. 1 through 5, proposed by Senator Martiny and adopted by the Senate on May 21, 2012.

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Adley

Allain

Amedee

Appel

Broome

Brown

Buffington

Chabert

Claitor

Cortez

Donahue

Dorsey-Colomb

Mr. President

Erdey

Gallot

Guilory

Heitmeier

Johns

Kostelka

LaFleur

Long

Martiny

Mills

Morrell

Morrish

Murray

NEvers

Peacock

Perry

Peterson

Riser

Smith, G.

Smith, J.

Tarver

Thompson

Walsworth

Ward

White

NAYS

Total - 38

Total - 0

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

Rules Suspended

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 22, 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. 62—
BY SENATORS MURRAY AND THOMPSON
A CONCURRENT RESOLUTION
To request that the commissioner of administration determine that the “best use and disposition” of the former site of the state insurance building near the state capitol is to transfer the property to the control of the legislature for the use of the legislative auditor and the legislature, and to implement the transfer.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATORS CROWE, DONAHUE AND NEVERS AND REPRESENTATIVES TIM BURNS, HOLIS, SCHRODER, SIMON, ARNOLD, BURFORD, HENRY, BURNS, GAROFALO, GISCLAIR, GUILORY, HARRIS, HOFFMANN, HUNTER, KLECKLEY, LIGI, LOREUSO, RICHARD, SEABAUGH, ST. GERMAIN AND WHITNEY
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to urge the United States Army Corps of Engineers, New Orleans District, to follow the recommendations of the Louisiana Department of Natural Resources, office of coastal management, as to the implementation of fair and reasonable regulations on wetland habitat assessment and compensation for wetland impacts.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR KOSTELKA
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations relative to a potential conflict between provisions of law regarding the notice that must be provided to a criminal defendant as to his right to waive trial by jury, and the defendant’s right to waive formal arraignment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 9—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study widening and lengthening the on-ramp to Interstate 110 from which traffic traveling from the state capitol enters Interstate 110 north in Baton Rouge.

Reported without amendments.
SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR BROWN AND REPRESENTATIVES BERTHELOT, LAMBERT, PRICE, AND SCHENAYDER
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the feasibility and costs of the four lane widening of LA 73 between LA 30 and Interstate 10 and the four lane widening of LA 30 between Interstate 10 and LA 44, all in Ascension Parish.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR DORSEY-COLOMB
A CONCURRENT RESOLUTION
To urge and request the Board of Regents and the Board of Supervisors of Community and Technical Colleges to study the feasibility of merging Capital Area Technical College and Baton Rouge Community College in order to more adequately address the educational needs of students and the economic and workforce development needs of the greater Baton Rouge area.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 41—
BY SENATORS MORRISH AND MURRAY AND REPRESENTATIVES ARNOLD, BADON, BILLIOT, WESLEY BISHOP, BROSETT, BROWN, COX, GAROFALO, GISCRAIL, HARRISON, HENSSENS, HOWARD, KATRINA JACKSON, KLECKLEY, Leger, LIGI, MILLER, ORTEGO, REYNOLDS, RICHARD, SCHENAYDER, ST. GERMAIN, TALBOT AND WHITNEY
A CONCURRENT RESOLUTION
To approve the annual integrated coastal protection plan for Fiscal Year 2012-2013, as adopted by the Coastal Protection and Restoration Authority.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 46—
BY SENATORS MORRISH, BROWN, BUFFINGTON, HEITMEIER AND GARY SMITH
A CONCURRENT RESOLUTION
To approve the comprehensive master plan for integrated coastal protection projects, as adopted by the Coastal Protection and Restoration Authority.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To recognize the need to devise strategies, with a strong emphasis on recognizing the warning signs of a cardiovascular event, that encompasses socioeconomic factors, cultural barriers, and lifestyle choices, for women at highest risk, to decrease the incidence of women dying of heart disease and stroke.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR CLAULTOR
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study legal issues surrounding groundwater and surface water law and report its recommendation to the legislature on or before March 1, 2013.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 60—
BY SENATOR PERRY AND REPRESENTATIVE HENSSENS
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education and the state Department of Education to develop and implement a comprehensive curriculum for a high school communications course that will prepare students to communicate effectively, both orally and in writing.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR HEITMEIER AND REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION
To commend Jodi Wilson upon her thirty-three years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate her on the occasion of her retirement from the Department of Health and Hospitals.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 121—
BY SENATOR CORTEZ
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of George Norris Hebert.
Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR WHITE
A CONCURRENT RESOLUTION
To commemorate the two hundredth anniversary of the War of 1812 and "The Star Spangled Banner".
Reported without amendments.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 22, 2012

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 112—
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 40:1007(A), (B), (G), and (H), and to enact R.S. 40:1007(I) and (J), relative to the Louisiana Board of Pharmacy; relative to the Uniform Controlled Dangerous Substance Law; to provide for access to prescription monitoring program information; and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 114—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 40:1299.58.5(A)(2)(a) and (b) and (3), relative to declarations concerning medical procedures; to provide with respect to the order of priority for the procedure for making a declaration for a qualified patient who has not previously made a declaration; to provide for voting number when the class involves multiple persons; and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 214—
BY SENATOR MILLS
AN ACT
To amend and reenact R.S. 37:1202(A)(5), 1203(A)(5), 1207(B), 1213, 1214, and 1230(C), and to repeal R.S. 37:1215, relative to the Louisiana Board of Pharmacy; to provide with respect to certain qualifications to engage in the practice of pharmacy; to...
To amend and reenact R.S. 22:822(A) and (B)(3), relative to criminal
SENATE BILL NO. 242—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 15:1110(E), relative to juvenile detention
centers; to provide relative to the effective date for required
terms and conditions; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 218—
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S.
22:2005.1 and 2043.1, relative to saltwater recreational fish; to provide requirements of
license; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 235—
BY SENATORS MILLS AND THOMPSON
AN ACT
To enact Part LXXII of Chapter 5 of Title 40 of the Louisiana
Revised Statutes of 1950, to be comprised of R.S. 40:1300.351,
relative to funding for health care; to authorize parish and
municipal entities to consult with the Department of Health and Hospitals for technical assistance relative to funding; and to
provide for related matters.
Reported without amendments.

SENATE BILL NO. 289—
BY SENATOR ALLAIN
AN ACT
To amend and reenact R.S. 15:1098.8, relative to juvenile detention centers; to provide for notice by mail when the receiver allows or
disallows a claim; to provide for actions by and against a receiver; and to provide for related matters.
Reported without amendments.

SENATE BILL NO. 249—
BY SENATOR GARY SMITH
AN ACT
To enact R.S. 15:1098.8, relative to juvenile detention centers; to provide for the creation of a multi-jurisdictional board of commissioners to support the operation of a juvenile detention facility; to provide the purpose and boundaries of the district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for special costs; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 468—
BY SENATOR ALLAIN
AN ACT
To amend and reenact R.S. 39:28(A), (B), and (C), relative to
saltwater recreational fish; to provide requirements of
license; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 485—
BY SENATOR JOHNS
AN ACT
To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S.
38:3076(A)(24), 3087.136(4), 3087.266(A)(1), Chapter 13 A-1 of
Title 38 (Heading), 3097.23(3), 3097.4(A), (D)(4),(5), and (6),
and 3097 7, and to enact R.S. 3097.4(D)(7), relative to the
Ground Water Resources Commission; to change the name of
the Ground Water Resources Commission; to provide for
additional members to the commission; to provide for the powers and duties of the commission; to change the name of the
Ground Water Management Advisory Task Force; to provide for the study of the surface waters of the state; and to provide for related matters.
Reported with amendments.

SENATE BILL NO. 495—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 36:359(K) and (L) and 802.18, and R.S.
38:3076(A)(24), 3087.136(4), 3087.266(A)(1), Chapter 13 A-1 of
Title 38 (Heading), 3097.23(3), 3097.4(A), (D)(4),(5), and (6),
and 3097 7, and to enact R.S. 3097.4(D)(7), relative to the
Ground Water Resources Commission; to change the name of
the Ground Water Management Advisory Task Force; to provide for the study of the surface waters of the state; and to provide for related matters.
Reported with amendments.
Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

May 22, 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 House Bill No. 586 by Representative St. Germain:

Representatives St. Germain, Gisclair and T. Landry.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 22, 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 House Bill No. 589 by Representative St. Germain:

Representatives St. Germain, Gisclair and Brown.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 22, 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 House Bill No. 615 by Representative St. Germain:

Representatives St. Germain, Gisclair and Franklin.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 22, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 98 by Representative Thibaut, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 22, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 167 by Representative Dixon, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 22, 2012

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 474 by Representative Abramson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 142—

BY SENATOR MORRELL

A RESOLUTION

To amend the membership for the Behavior Analysts Licensure and Regulation Study Commission that shall study the licensure and regulation of behavior analysts and to require a report on the baseline framework for such licensure and regulation on or before February 1, 2013.

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

Rules Suspended

Senator Martiny asked for and obtained a suspension of the rules to allow the Senate Committee on Commerce, Consumer Protection, and International Affairs to hear Senate Concurrent Resolution No. 142 without the required 24-hour notice.
Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 22, 2012

To the Honorable President and Members of the Senate:

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

HB NO. 1030

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

House Bills and Joint Resolutions

Senator Guillory asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 1030—
BY REPRESENTATIVE TALBOT
AN ACT
To amend and reenact R.S. 11:1118 and 1120(A), relative to certain members of the Louisiana School Employees' Retirement System; to provide for termination of membership in certain circumstances for certain members; to provide relative to transfers of service credit in certain circumstances; to provide limitations; to provide for reinstatement; and to provide for related matters.

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

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

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVES ST, GERMAIN, DOVE, GISCLAIR, HARRISON, JONES, RICHARD, AND WHITNEY AND SENATORS ALLAIN AND CHABERT
A CONCURRENT RESOLUTION
To commend Officer Neil Abbott of the Houma Police Department for his dedication to serving and protecting his fellow citizens.

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

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVE LEOPOLD
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to increase the speed limit on Louisiana Highway 23 in Port Sulphur, Plaquemines Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVE GUINN
A CONCURRENT RESOLUTION
To commend the Roastin' with Rosie Barbeque Festival in Jefferson Davis Parish and to recognize it as an official state championship barbeque contest.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY A

Senator Ben W. Nevers, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 22, 2012
To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE TIM BURNS
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study Louisiana's existing laws governing peremptory exceptions and immunity and to make specific recommendations as to whether immunity should be added as a peremptory exception.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVE SMITH
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study procedures for the filing of liens for unpaid wages and to make specific recommendations for legislation.

Reported favorably.
To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:2501.1(G).

HOUSE BILL NO. 503—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:2501.1(G), relative to courts and judicial procedure; to provide relative to the jurisdiction of the Traffic Court of New Orleans and the First and Second City Courts of New Orleans; to provide relative to appeals by any person aggrieved by a decision concerning a traffic violation enforced by the city of New Orleans' automated traffic enforcement system; to provide certain terms and conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 866—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 36:802(introductory paragraph), Part XXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.39.5 through 1299.39.7. and R.S. 40:1299.58(C), 1299.131(A)(3), and 1300.11, and to enact R.S. 36:259(MM), relative to consent to medical treatment; to provide for methods by which informed consent may be obtained; to provide for definitions; to create the Louisiana Medical Disclosure Panel; to provide for membership, powers, and duties of such panel; to provide for attendance via telecommunications; to provide for limitations on liability; to provide for medical disclosure lists; to provide for exceptions to obtaining informed consent; to provide for the promulgation of rules and regulations; to provide for placement of the Louisiana Medical Disclosure Panel within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 873—
BY REPRESENTATIVE ARNOLD
AN ACT
To enact Code of Civil Procedure Article 4850.2 and Section 2 of Chapter 2 of Title 1 of Book VIII of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 4857, relative to the appellate jurisdiction and procedure; to provide the Traffic Court of New Orleans with exclusive jurisdiction for appeals taken from an administrative hearing for certain traffic violations; to authorize de novo review by the traffic court on administrative hearing appeals; to provide the First and Second City Court of New Orleans with appellate jurisdiction over appeals taken from the Traffic Court of New Orleans for certain traffic violations; to require the adoption of rules to implement the procedure for hearing and deciding such appeals; to direct the Louisiana State Law Institute to make certain conforming technical changes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 940—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 13:3852(A) and to enact R.S. 13:3852(C), relative to seizure of property; to provide with respect to notice of seizure; to provide that additional notice of rescheduled sale dates is not required; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1010—
BY REPRESENTATIVES ARNOLD, EDWARDS, AND MACK
AN ACT
To amend and reenact R.S. 13:392 and to enact R.S. 13:352(D), (E), and (F), and 588, relative to furniture and equipment purchased or owned by the courts of appeal and each judicial district court; to require the title of all furniture and equipment purchased and in possession of the courts of appeal to vest in the purchasing court; to require an itemized statement of furniture and equipment purchased and in possession of the courts of appeal; to require a certificate of sale or other itemization; to authorize any judge to purchase any item of furniture or equipment purchased and nonpublic funds upon termination of office; to provide for the disposition of the sale proceeds; and to provide for related matters.

Reported favorably.
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 recording 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.
Reported with amendments.

HOUSE BILL NO. 1125—
BY REPRESENTATIVE BROADWATER
AN ACT
To amend and reenact Code of Civil Procedure Article 681, relative to service of process; to provide for the appointment of certain persons as private process servers; to provide for qualifications; and to provide for related matters.
Reported with amendments.

HOUSE BILL NO. 1159—
BY REPRESENTATIVES ARNOLD AND LEGER AND SENATOR MORRELL
AN ACT
To amend and reenact Code of Civil Procedure Article 681, relative to real and actual interests; to provide for real and actual interests of certain legal entities; and to provide for related matters.
Reported with amendments.

HOUSE BILL NO. 1168—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact Code of Civil Procedure Article 1293(C), relative to service of process; to provide for the appointment of certain persons as private process servers; to provide for qualifications; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 1192— (Substitute for House Bill No. 922 by Representative Barras)
BY REPRESENTATIVE BARRAS
AN ACT
To enact Code of Civil Procedure Article 1293(C), relative to service of process; to provide for the appointment of certain persons as private process servers; to provide for qualifications; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 1205— (Substitute for House Bill No. 910 by Representative Johnson)
BY REPRESENTATIVE JOHNSON
AN ACT
To amend and reenact R.S. 46:236.2(A) and (B) and 236.14(E)(3)(a) and to enact R.S. 46:236.1.12, relative to obligations for child support; to provide for the transfer of an obligation for support to a caretaker; to provide for procedures; to provide for employer reporting requirements of the child support program; and to provide for related matters.
Reported favorably.

HOUSE BILL NO. 1208— (Substitute for House Bill No. 840 by Representative Thompson)
BY REPRESENTATIVE THOMPSON
AN ACT
To amend and reenact R.S. 9:315.47 and to enact R.S. 9:315.46(C) and (D), relative to the suspension of licenses for failure to pay child support; to provide for modification or lifting of suspensions for partial compliance; to provide for a court order lifting the suspension of a license in certain circumstances; to provide for reinstatement of licenses for partial compliance; and to provide for related matters.
Reported with amendments.

Respectfully submitted,
BEN W. NEVERS
Chairman

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

Senator Nevers asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 468—
BY REPRESENTATIVES ABRAMSON AND THOMPSON
AN ACT
To amend and reenact Civil Code Articles 689, 690, 691, 692, 694, and 705 and to enact Civil Code Article 696.1, relative to rights of servitude and servitudes of passage; to provide for the right of passage for utilities; to provide for limitations and locations of a servitude of passage; to provide for definitions; and to provide for related matters.
Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 468 by Representative Abramson

AMENDMENT NO. 1
On page 1, line 12, after "is bound" insert: "to compensate his neighbor for the right of passage acquired and"

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

HOUSE BILL NO. 503—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 13:2501.1(F) and to enact R.S. 13:2501.2, relative to the suspension of licenses for failure to pay child support; to provide for modification or lifting of suspensions for partial compliance; to provide for an award of attorney fees and court costs in certain circumstances; and to provide for related matters.
Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.
HOUSE BILL NO. 866—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 36:802(introductory paragraph), Part XXII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.39.7 through 1299.39.9, and R.S. 40:1299.58(C), 1299.131(A)(3), and 1300.11, and to enact R.S. 36:259(MM), relative to consent to medical treatment; to provide for methods by which informed consent may be obtained; to provide for definitions; to create the Louisiana Medical Disclosure Panel; to provide for membership, powers, and duties of such panel; to provide for attendance via telecommunication; to provide for limitations on liability; to provide for medical disclosure lists; to provide for exceptions to obtaining informed consent; to provide for the promulgation of rules and regulations; to provide for placement of the Louisiana Medical Disclosure Panel within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 866 by Representative Abramson

AMENDMENT NO. 1
On page 10, at the end of line 3, insert "One of the six physicians shall be a hospital-employed physician."

AMENDMENT NO. 2
On page 10, between lines 9 and 10, insert the following:
"(f) One member licensed to practice optometry in this state who shall be selected from a list of nominees submitted to the governor by the Optometry Association of Louisiana.

(f) One member licensed as a nurse practitioner in this state who shall be selected from a list of nominees submitted to the governor by the Louisiana Association of Nurse Practitioners."

AMENDMENT NO. 3
On page 10, line 12, after "podiatrist," and before "one" insert "the optometrist, the nurse practitioner."

AMENDMENT NO. 4
On page 10, delete line 25 in its entirety and insert "the secretary of the department shall fill the vacancy by selection, subject to confirmation by the Senate, for the unexpired portion of the term."

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

HOUSE BILL NO. 873—
BY REPRESENTATIVE ARNOLD
AN ACT
To enact Code of Civil Procedure Article 4850.2 and Section 2 of Chapter 2 of Title 1 of Book VIII of the Code of Civil Procedure, to be comprised of Code of Civil Procedure Article 4857, relative to the appellate jurisdiction and procedure; to provide the Traffic Court of New Orleans with exclusive jurisdiction for appeals taken from the Traffic Court of New Orleans for certain traffic violations; to authorize de novo review by the traffic court on administrative hearing appeals; to provide the First and Second City Court of New Orleans with appellate jurisdiction over appeals taken from the Traffic Court of New Orleans for certain traffic violations; to require the adoption of rules to implement the procedure for hearing and deciding such appeals; to direct the Louisiana State Law Institute to make certain conforming technical changes; and to provide for related matters.

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

HOUSE BILL NO. 940—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 13:3852(A) and to enact R.S. 13:3852(C), relative to seizure of property; to provide with respect to notice of seizure; to provide that additional notice of rescheduled sale dates is not required; and to provide for related matters.

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

HOUSE BILL NO. 1010—
BY REPRESENTATIVES ARNOLD, EDWARDS, AND MACK
AN ACT
To amend and reenact R.S. 13:392 and to enact R.S. 13:352(D), (E), and (F), and 588, relative to furniture and equipment purchased or owned by the courts of appeal and each judicial district court; to require the title of all furniture and equipment purchased and in possession of the courts of appeal to vest in the purchasing court; to require an itemized statement of furniture and equipment requested for purchase; to authorize certain persons to complete the sale of furniture or equipment; to authorize any judge to purchase furniture and equipment with nonpublic funds upon termination of office; to provide for the disposition of the sale proceeds; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1117 by Representative Billiot

AMENDMENT NO. 1
On page 1, line 2, after "R.S." delete the remainder of the line and insert "§33:4718. Revocation of dedication of property for certain purposes; to provide for the revocation of certain dedications; to provide for exchanges to certain dedicated property."

AMENDMENT NO. 2
On page 1, line 6, after "R.S." change "33:1236(21)(a)(i)" to "33:4718."

AMENDMENT NO. 3
On page 1, line 2, after "R.S." delete the remainder of the line and insert "§33:4718. Revocation of dedication of property for certain purposes; to provide for the revocation of certain dedications; to provide for exchanges to certain dedicated property."

The parish governing authorities and municipal corporations of the state, except the parish of Orleans, may revoke and set aside the dedication of all parks, public squares or plots dedicated to public use within their respective limits, when such parks, public squares or plots have been abandoned or are no longer needed for public purposes.

Upon such revocation, the title to the land covered by and embraced in said parks, public squares or plots, shall revert to the person or persons who were the owners of such land at the time of the dedication, their heirs, successors or assigns. The reversion provided for in this Section shall not apply when a parish governing authority exchanges property dedicated to public use for property of
equal or greater value to be dedicated for the same such public purpose or use."

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

HOUSE BILL NO. 1125—
BY REPRESENTATIVE BROADWATER
AN ACT
To amend and reenact Code of Civil Procedure Article 1469(5), Code of Criminal Procedure Article 740, R.S. 13:3667.3(B), and R.S. 49:956.1, relative to the attendance and testimony of legislators in certain court and administrative hearings; to extend the requirement of a preliminary motion and hearing to former legislators where their attendance or testimony is being solicited on matters relating to their former service as lawmakers; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1150—
BY REPRESENTATIVE HUNTER
AN ACT
To amend and reenact R.S. 13:850(B)(introductory paragraph) and to enact R.S. 13:850(E), relative to facsimile filings in civil actions; to provide for exceptions to filing an original document in certain circumstances; to provide for procedures; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1150 by Representative Hunter

AMENDMENT NO. 1
On page 1, line 2, delete "and to enact R.S. 13:850(E)"

AMENDMENT NO. 2
On page 1, line 8, delete "and R.S. 13:850(E) is hereby enacted"

AMENDMENT NO. 3
On page 1, delete lines 15 through 19.

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

HOUSE BILL NO. 1159—
BY REPRESENTATIVES ARNOLD AND LEGER AND SENATOR MORRELL
AN ACT
To amend and reenact Code of Civil Procedure Article 681, relative to real and actual interests; to provide for real and actual interests of certain legal entities; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1159 by Representative Arnold

AMENDMENT NO. 1
On page 1, on line 11, after "juridical entity" delete "or an unincorporated association" and on page 1, line 12, delete the words "or an unincorporated association."

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

HOUSE BILL NO. 1168—
BY REPRESENTATIVE TIM BURNS
AN ACT
To enact Code of Civil Procedure Article 1293(C), relative to service of process; to provide for the appointment of certain persons as private process servers; to provide for qualifications; and to provide for related matters.

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

HOUSE BILL NO. 1192— (Substitute for House Bill No. 922 by Representative Barras)
BY REPRESENTATIVE BARRAS
AN ACT
To enact R.S. 35:191(W), relative to notaries public; to provide for qualifications; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1192 by Representative Barras

AMENDMENT NO. 1
On page 1, line 13, after "who has passed" delete the remainder of the line and insert "the"

AMENDMENT NO. 2
On page 1, line 14, after "R.S. 35:191.1," insert "except for any performance assessment component."

AMENDMENT NO. 3
On page 2, line 6, after "(2)" insert "(a)"

AMENDMENT NO. 4
On page 2, line 11, after "Subsection shall" insert "only include businesses that are in existence on the effective date of this Act, but shall"

AMENDMENT NO. 5
On page 2, line 15, change "(a)" to "(i)"

AMENDMENT NO. 6
On page 2, line 18, change "(b)" to "(ii)"

AMENDMENT NO. 7
On page 2, between lines 20 and 21 insert the following: "(b) A notary commissioned pursuant to this Subsection shall not do any of the following in the course and scope of his employment: (i) Draft and prepare a last will and testament or donation mortis causa, (ii) Draft and prepare a trust, (iii) Draft and prepare any instrument that transfers title to immovable property including, but not limited to, an act of sale or act of donation.

AMENDMENT NO. 8
On page 3, at the end of line 13 and before the period "," insert the following: "and the penalties that may be imposed for violations of the limitations and prohibitions imposed by this Subsection"

AMENDMENT NO. 9
On page 4, line 6, after "performance assessment" delete "or other"

AMENDMENT NO. 10
On page 4, line 8, after "performance assessment" delete "or other"
AMENDMENT NO. 11
On page 4, line 10, after "assessment" delete "or other"

AMENDMENT NO. 12
On page 4, line 14, after "act exceeded the" delete the remainder of the line, delete lines 15 and 16 in their entirety, and insert: "authority or jurisdiction limitations imposed by Paragraphs (2) and (3) of this Subsection.

AMENDMENT NO. 13
On page 4, delete lines 22 through 29 in their entirety, on page 5 delete line 1, and insert the following:

(7) Any person receiving a notary commission pursuant to this Subsection may have his commission suspended by the secretary of state if the secretary of state receives a sworn complaint that the notary exceeded his authority or jurisdiction provided by this Subsection. During the period of suspension, the notary shall have no authority to exercise any of the duties or functions of a notary public. The secretary of state shall notify the notary by certified mail, return receipt requested, of the suspension and that the notary has thirty days from receipt of the notice to file a written appeal with the secretary of state contesting the decision to suspend the notarial commission. If the notary fails to file a written appeal within thirty days of receipt of the notice or the secretary of state determines that the suspension should be upheld after receipt of a written appeal, the secretary of state shall notify the district attorney of the parish in which the notary is commissioned for the purpose of institution of a rule to show cause to revoke the commission pursuant to R.S. 35:15.

AMENDMENT NO. 14
On page 5, line 2, delete "August 1, 2016" and insert "June 30, 2015"

AMENDMENT NO. 15
On page 5, line 6, delete "August 1, 2016" and insert "June 30, 2015"

AMENDMENT NO. 16
On page 5, after line 6, insert the following:

Section 2. The provisions of this Act shall become effective on January 1, 2013.

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

HOUSE BILL NO. 1205— (Substitute for House Bill No. 910 by Representative Johnson)

By Representative Johnson

An ACT
To amend and reenact R.S. 46:236.2(A) and (B) and 236.14(E)(3)(a) and to enact R.S. 46:236.1.12, relative to obligations for child support; to provide for the transfer of an obligation for support to a caretaker; to provide for procedures; to provide for extension or reporting requirements of the child support program; and to provide for related matters.

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

HOUSE BILL NO. 1208— (Substitute for House Bill No. 840 by Representative Thompson)

By Representative Thompson

An ACT
To amend and reenact R.S. 9:315.47 and to enact R.S. 9:315.46(C) and (D), relative to the suspension of licenses for failure to pay child support; to provide for modification or lifting of suspensions for partial compliance; to provide for a court order lifting the suspension of a license in certain circumstances; to provide for reinstatement of licenses for partial compliance; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1208 by Representative Thompson

AMENDMENT NO. 1
On page 1, line 2, delete "and (D)"

AMENDMENT NO. 2
On page 1, line 8 after "R.S. 315:46(C)" delete "and" and on line 9, delete "(D) are" and insert "is"

AMENDMENT NO. 3
On page 1, delete lines 19 through 20, and on page 2, delete lines 1 and 2.

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

Rules Suspended

Senator Donahue asked for and obtained a suspension of the rules to revert to:

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 128—

By Senators Donahue and Alario

A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of $204,700,000 not to exceed one-third of the balance of the Budget Stabilization Fund, due to the reduction of the revenue forecast for the current fiscal year in the amount of $204,700,000 as adopted by the Revenue Estimating Conference at its meeting of April 24, 2012, and as recognized by the Joint Legislative Committee on the Budget at its meeting of May 10, 2012.

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

SENATE CONCURRENT RESOLUTION NO. 129—

By Senator Brown

A CONCURRENT RESOLUTION

To direct parish councils on aging, regional offices of aging and adult services, and regional offices of citizens with developmental disabilities to establish voluntary registry of persons with special needs who request assistance during times of evacuation, including voluntary, advisory, mandatory, or forced evacuations.

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

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules to allow the Senate Committee on Transportation, Highways and Public Works to hear Senate Concurrent Resolution No. 129 without the required 24-hour notice.

SENATE CONCURRENT RESOLUTION NO. 130—

By Senators Peacock, Adley and Tarver

A CONCURRENT RESOLUTION

To endorse the Louisiana State University Shreveport Commitment Plan, as adopted by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, to enhance programs to meet higher education needs in the region, to establish the Louisiana State University Shreveport
Commitment Plan Implementation Group to monitor the implementation of the plan, and to requires the Louisiana State University Board of Supervisors to provide a written report to the Senate and House committees on education semiannually for the next five academic years on the progress of implementing the plan.

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 22, 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 Bills and Joint Resolutions:

HOUSE BILL NO. 26—
BY REPRESENTATIVE CONNICK
AN ACT
To enact R.S. 9:3191.1, relative to the return of expropriated residential property; to provide for prescription; to provide for payment; to provide for transfer of ownership; to provide for civil procedures for opposing transfer of ownership; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 37—
BY REPRESENTATIVE GISCALAR
AN ACT
To enact R.S. 33:447.9, relative to the Mayor’s Court of the town of Lockport; to provide for additional court costs for violations of municipal ordinances; to provide for the use of additional funds; and to provide for related matters.

HOUSE BILL NO. 49—
HOUSE BILL NO. 220—
BY REPRESENTATIVES WESLEY BISHOP, BADON, BARROW, BROWN, BURRELL, DIXON, GUILLOIRE, HODGES, HUNTER, KATRINA JACKSON, JAMES, MORENO, NORTON, PIERRE, AND ALFRED WILLIAMS
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.

HOUSE BILL NO. 222—
BY REPRESENTATIVE WESLEY BISHOP
AN ACT
To amend and reenact R.S. 14:95.5(F), relative to illegal carrying of weapons; to provide with respect to prior offenses; to authorize the use of convictions of ordinances as predicate offenses for the purpose of increased penalties; and to provide for related matters.

HOUSE BILL NO. 249—
BY REPRESENTATIVES BENJAMIN THOMPSON AND SENATOR THOMPSON
AN ACT
To enact R.S. 15:542.1(D), relative to sex offender registration and notification; to provide for the content of such notification; to provide for definitions; and to provide for related matters.

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)(b)(iv) and (E)(1) and 46:1(D) and (F)(introductory paragraph), R.S. 46:56(M)(1), 236.11(9)(b) and (13), 236.12(G), 236.1.4(E) and (F), 236.1.5(C), 236.1.7(B), 236.18(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 make technical changes; and to provide for related matters.

HOUSE BILL NO. 414—
BY REPRESENTATIVE BARROW AND SENATORS BROOME AND DORSEY-COLOMB
AN ACT
To amend and reenact R.S. 33:4574(B)(6) and (F)(1)(a) and (b)(v), 4574.1.1(A)(6) and (L), and 4574.16(introductory paragraph) and to repeal R.S. 33:4574.1.1(H), relative to East Baton Rouge Parish; to provide relative to the Baton Rouge Area Convention and Visitors Bureau; to change the name of the bureau; to provide for legislative intent; to direct the Louisiana State Law Institute to change the name of the bureau in other provisions of law; and to provide for related matters.

HOUSE BILL NO. 426—
BY REPRESENTATIVE JAY MORRIS
AN ACT
To amend and reenact Code of Civil Procedure Article 4916, relative to a notice of pendency of action; to provide for procedural matters; and to provide for related matters.

HOUSE BILL NO. 450—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 9:4823(A)(introductory paragraph) and (2), 4831(A), 4833(E), 4835(A) and (B), 4862(B)(3), 4865(C), 4872(A) and (B), and 4885(C), relative to claims and privileges; to provide for a one-year time limitation within which to file a suit to enforce a Private Works Act privilege; to provide with respect to a notice of pendency of action; to provide for technical corrections; and to provide for related matters.

HOUSE BILL NO. 453—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact Code of Civil Procedure Article 2293(B)(1), relative to notice of seizure in judgment debtor cases; to provide for the form of such notice; and to provide for related matters.

HOUSE BILL NO. 470—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 35:2.1(A), relative to notaries; to provide for the execution of an act of correction; to provide for notaries who may execute an act of correction; to provide for the form of the act of correction; and to provide for related matters.

HOUSE BILL NO. 538—
BY REPRESENTATIVE JAY MORRIS
AN ACT
To amend and reenact R.S. 9:4422(introductory paragraph) and (3), relative to obligations secured by mortgages or privileges; to provide with respect to promissory notes; and to provide for related matters.

HOUSE BILL NO. 566—
BY REPRESENTATIVE BROSSETT
AN ACT
To enact R.S. 47:305.71 and 337.9(D)(3), relative to local sales and use tax exemptions; to provide for a local sales and use tax exemption for sales of certain property to the "St. Bernard Project, Inc."; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 584—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 32:706.2, relative to peace officers; to clarify who is qualified to perform inspections for vehicle identification number; to provide for rules and regulations; and to provide for related matters.

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.

HOUSE BILL NO. 595—
BY REPRESENTATIVE CROMER
AN ACT
To amend and reenact R.S. 22:23(D)(3)(b), relative to reckless discharge of a firearm at a parade; to increase penalties; and to provide for related matters.
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.

HOUSE BILL NO. 668—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 32:403.4(A), relative to commercial
motor vehicle drivers; to require persons applying for
commercial driver's licenses to make certain certifications; and
to provide for related matters.

HOUSE BILL NO. 680—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 48:36, relative to toponographic mapping;
to provide for mandatory development and maintenance of a
statewide digital geospatial database for toponographic mapping;
and to provide for related matters.

HOUSE BILL NO. 696—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 15:587(A)(1)(e) and R.S. 32:408(A)(4)(b)
and (d), (B)(2)(introductory paragraph) and (a)(ii) and (F)(1)
and to enact R.S. 32:408.1(5) and 414K(3), relative to
commercial motor vehicle driver's licenses; to provide for
background checks; to provide for commercial motor vehicle
driver's licenses tests matters; and to provide for related matters.

HOUSE BILL NO. 904—
BY REPRESENTATIVE HUNTER
AN ACT
To amend and reenact R.S. 9:2799(A)(1) and 2799.3, relative to
limitation of liability for damages from donated food; to provide
for limitation of liability of schools, churches, and civic
organizations; and to provide for related matters.

HOUSE BILL NO. 941—
BY REPRESENTATIVE ABRAMSON
AN ACT
To amend and reenact R.S. 9:4820(A) and to enact R.S. 9:4820(D),
relative to the Private Works Act; to provide for effective dates of
privileges; to provide for priority of privileges; and to provide for
related matters.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE PRICE
AN ACT
To amend and reenact R.S. 13:691(A)(2) and (3), relative to
commercial driver's licenses to make certain certifications; and
motor vehicle drivers; to require persons applying for

HOUSE BILL NO. 1109—
BY REPRESENTATIVE PRICE
AN ACT
To enact R.S. 17:87.6(C), relative to alienation of school property by
school boards; to authorize local public school boards to sell
certain used individual computing devices at private sale to
students or their parents, tutors, or legal guardians; to provide
limitations on such sales and for the deposit and use of funds
derived from such sales; and to provide for related matters.

HOUSE BILL NO. 1116—
BY REPRESENTATIVE BADON AND SENATORS DORSEY-COLOMB
AN ACT
To amend and enact R.S. 14:35.3(D)(introductory paragraph),
relative to background checks; to provide for commercial motor
vehicle driver's licenses; to provide for related matters.

HOUSE BILL NO. 1148—
BY REPRESENTATIVE ARMES
AN ACT
To enact R.S. 48:390(B) and 390.1(A)(2) and to enact
R.S. 48:390(I) and 390.1(D).relative to closure of
captive railroad crossings; to require the Department of Transportation and
Development to notify affected landowners prior to the closing of any
captive railroad crossings; and to provide for related matters.

HOUSE BILL NO. 623—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 48:390(B) and 390.1(A)(2) and to enact
R.S. 48:390(I) and 390.1(D), relative to closure of railroad crossings; to require the Department of Transportation and
Development to notify affected landowners prior to the closing of any railroad crossings; and to provide for related matters.
To amend and reenact R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D),

SENATE BILL NO. 19—

SENATE and Governmental Affairs, submitted the following report:

signed by the President of the Senate.

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

same.

To enact Subpart G-1 of Part III of Chapter 2 of Title 22 of the

Louisiana Revised Statutes of 1950, relative to insurance

acquisition attempts; to provide for penalties for violations of

requirements for persons offering to acquire domestic insurers;

acquisitions of domestic insurers; to provide relative to

holding company systems; to provide for definitions; to provide

comprised of R.S. 22:691 through 723, relative to insurance

Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950,

22:691.1 through 691.27, and to repeal Subpart G of Part III of

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.

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

Representative Richardson)

BY REPRESENTATIVES RICHARDSON, ADAMS, ANDERS, ARMES, BARROW, BERTHELLOT, BROWN, COX, HARRIS, HARRISON, HOFFMANN, HONORE, HOWARD, LEBA, LOPINTO, JAY MORRIS, NORTON, PIERRE, PONTI, POPE, PYLANT, REYNOLDS, SCHEIN, TAYLOR, ST. GERMAIN, AND THIBAUT and SENATORS APPEL, CORTEZ, THOMPSON, AND WHITE

AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph), (2), and (5), 1862(A), 1864.1(A), 1864.4(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.

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 723, 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.

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

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

same.

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 22, 2012

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 19—

SENATE BILLS CORTEZ AND WALSWORTH and REPRESENTATIVE

HOFFMANN

AN ACT

To amend and reenact R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D), to enact R.S. 11:710(A)(5), (6), and (7) and to repeal R.S. 11:710(H), relative to the Teachers’ Retirement System of Louisiana; to provide for definitions; to allow certain retirees reemployed as substitute teachers to receive benefits during reemployment; to allow certain retirees reemployed as an instructor of adult education or literacy program to receive benefits during reemployment; to provide limitations; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 31—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:728(C)(1)(a) and (b)(ii) and (iii) and (2)(a) and (b) and R.S. 17:3997(A)(2) and (3) and to repeal Act 999 of the 2010 Regular Session, relative to the Teachers’ Retirement System of Louisiana; to provide relative to membership in the system of charter school teachers; to provide for purchase of service credit by charter school teachers; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 115—

BY SENATOR MILLS

AN ACT

To enact R.S. 40:2110(D) and (E), relative to suspension of a license for a freestanding inpatient psychiatric hospital; to provide for immediate suspension of a license under certain circumstances; to provide for notice, appeal, and injunctive relief; and to provide for related matters.

SENATE BILL NO. 126—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; to provide applicability; and to provide for related matters.

SENATE BILL NO. 128—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 37:711.2(5), 711.15(A)(4)(b), and 711.23(C)(2), to enact R.S. 37:711.3(K) and 711.4(E), and to repeal R.S. 37:711.4(D), relative to the Louisiana Professional Geoscience Practice Act; to provide for the definition of geoscience; to exempt petroleum geoscientists; to provide for license eligibility; to provide for exemptions from examination requirements; to provide for board membership; to repeal certain prohibitions and limitations upon the receipt and use of state funds; and to provide for related matters.

SENATE BILL NO. 130—

BY SENATORS CROWE, ALARIO, APPEL, KOSTELKA, LONG, THOMPSON AND WALSWORTH

AN ACT

To enact R.S. 40:989.3, relative to violations of the Controlled Dangerous Substances Law; to create the crime of unlawful distribution of products containing Mitragyna speciosa to minors; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 146—

BY SENATOR LONG

AN ACT

To enact R.S. 22:1706(H)(10), relative to standards of conduct of certain public adjusters; to prohibit a public adjuster from acting as an appraiser on claims he or she is adjusting; and to provide for related matters.

SENATE BILL NO. 157—

BY SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GUILLORY, HEITMEIER, JOHNS, LONG, MILLS, MORKIS, MURRAY, NEVERS, PEACOCK, PERRY, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

AN ACT

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

SENATE BILL NO. 195—
BY SENATOR MILLS
AN ACT
To enact R.S. 40:964(Schedule I)(D)(4) and (F)(9) and (10), relative to controlled dangerous substances; to provide relative to substances having a depressant effect on the central nervous system, specifically phenazepam; to add certain substances to Schedule I of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

SENATE BILL NO. 341—
BY SENATOR CLAITOR
AN ACT
To amend and reenact R.S. 56:699.5(A) and (B) and 699.6 and to repeal R.S. 56:699.1 and 699.2, relative to the firearm and hunter education courses; to provide for firearm and hunter education requirements; to provide terms and conditions for exceptions from firearm and hunter education; and to provide for related matters.

SENATE BILL NO. 399—
BY SENATORS WHITE, NEVERS AND THOMPSON
AN ACT
To amend and reenact R.S. 12:403(2) and 407, relative to electric cooperatives; to provide relative to powers and bylaws; to provide for perpetual existence of cooperatives in certain circumstances; to provide relative to adoption, amendment, or repeal of bylaws; to provide certain terms, conditions, and requirements; to provide for the board of directors taking certain actions without authorization of the members of the cooperative; and to provide for related matters.

SENATE BILL NO. 625—
(Substitute of Senate Bill No. 609 by Senator Murray)
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 13:477(introductory paragraph), 691(A), 1306, 1307, 1311, 1312, 1381.2, and 1594, and R.S. 4:4.181, to enact R.S. 13:1213.2, to repeal R.S. 13:477.1, 477(41), 621.41 through 621.46, 714.1, 714.2, 751.1 through 751.5, 841.3, 983, 996.62 through 996.64, R.S. 44:181.5 and 181.6, and Sections 6, 8, 9, 22, and 31 of Act No. 621 of the 2006 Regular Session of the Legislature, and to provide for certain provisions of Section 19 of Act No. 621 of the 2006 Regular Session of the Legislature as amended by Act No. 675 and Act No. 873 of the 2008 Regular Session of the Legislature and Act No. 340 of the 2011 Regular Session of the Legislature, relative to courts and judicial procedure; to provide relative to the civil and criminal district courts and juvenile court of the parish of Orleans; to repeal provisions relative to the consolidation of the civil and criminal district courts of Orleans Parish into the Forty-First Judicial District Court and their respective clerks; to repeal effective dates for repeals of provisions related to the civil and criminal district courts and the abolition of the juvenile court of Orleans Parish; to provide that certain provisions of law that would have otherwise been repealed shall remain in effect; to provide for the distribution of fees collected in the Civil District Court; to provide for the salaries of the civil and criminal district court judges and certain family and juvenile court judges; to provide exclusive jurisdiction to the magistrate and criminal district court judges and commissioners to set certain bonds and release certain defendants; to provide relative to terms of office and elections for Orleans Parish Juvenile Court judges; to direct the Louisiana State Law Institute to redesignate certain statutory provisions; and to provide for related matters.

SENATE BILL NO. 667—
BY SENATOR GARY SMITH
AN ACT
To amend and reenact R.S. 32:402(1)(A)(1)(a) and the introductory paragraph of 402.1(A)(2), relative to driver education; to provide relative to the requirements for driver education for persons who are less than eighteen years of age and for persons who are eighteen years of age or older; to provide relative to classroom instruction and actual driving instruction; and to provide for related matters.

SENATE BILL NO. 97—
BY SENATORS MORRELL, ALARIO, JOHNS, LAFLEUR AND GARY SMITH AND REPRESENTATIVES ADAMS, ANDREWS, ARMES, ARNOLD, BADON, BERTHELOT, BILLIOT, BROSSETT, BROWN, HENRY BURNS, CARMOODY, CHANEY, COX, DIXON, DOVE, EDWARDS, GAINES, GARDELLO, GLISCLAIR, HARRISON, HAZEL, HENSSENS, HILL, HONORE, HOWARD, HUNTER, HUVAL, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, TERRY LANDRY, LIGER, LEOPOLD, LOPINTO, MACK, MORENO, JAY MORRIS, NORTON, PIERRE, PONTI, PRICE, PYLANT, REYNOLDS, RITCHIE, SCHENNYNAYDER, SHADOIN, SMITH, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS AND WILLMOTT
AN ACT
To enact Part IV of Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5631 through 5636 and R.S. 36:4(B)(1)(f), to create and provide relative to the Louisiana Sheriff’s Executive Management Institute; to provide relative to the board of directors, their qualifications and appointment; to provide for Senate confirmation; to provide for the necessary conditions required to receive an increase in compensation; and to provide for related matters.

SENATE BILL NO. 167—
BY SENATOR GARY SMITH
AN ACT
To enact R.S. 22:821(B)(34) and 1431, and Part VIII-A of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1781.1 through 1781.6, relative to portable electronics insurance; to provide definitions; to provide with respect to the vendors of portable electronic devices; to provide for the requirements for the sale of portable electronics insurance; to provide with respect to termination of portable electronics insurance; and to provide related matters.

SENATE BILL NO. 231—
BY SENATORS MURRAY, MILLIS AND THOMPSON AND REPRESENTATIVE THIBAUT
AN ACT
To enact R.S. 47:120.102, relative to donations of refunds; to provide for related matters.

SENATE BILL NO. 271—
BY SENATOR PERRY AND REPRESENTATIVES BERTHELOT, CHAMPAGNE AND HENSSENS
AN ACT
To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, relative to the sale of portable electronics insurance; and to provide for certain donations to the Dreams Come True, Inc.; to provide for the administration and disbursement of donated monies; and to provide for related matters.

SENATE BILL NO. 324—
BY SENATOR PERRY
AN ACT
To amend and reenact R.S. 13:783(D)(1)(a) and (7), relative to clerks of court; to provide relative to the clerk of court of Cameron Parish, East Feliciana Parish, Franklin Parish, St. Charles Parish, Vermilion Parish, West Baton Rouge Parish, and West Feliciana Parish; to provide for an automobile expense allowance for the clerk of court of Cameron Parish, East Feliciana Parish, Franklin Parish, St. Charles Parish, Vermilion Parish, West Baton Rouge Parish, and West Feliciana Parish; and to provide for related matters.

SENATE BILL NO. 234—
BY SENATOR GARY SMITH AND REPRESENTATIVES BILLIOT, BROWN, GUILORY, GIROD JACKSON, MILLER, ST. GERMAIN AND WILLMOTT
AN ACT
To amend and reenact R.S. 26:932(1) and (5) through (9), 933(B)(2), (D) and (E) and (F)(2)(a), 934(2) and (3), 935(A), (B)(1)(a), and (C), 936(B), and 937 and to enact R.S. 26:932(10) and 933(F), relative to...
alcoholic beverages and tobacco; to provide regarding the Louisiana Responsible Vendor Program; to create server permits for security personnel; to provide for definitions; to provide for training requirements and for certification; to provide for security personnel liability and for penalties, fines, suspension or revocation of a permit; to provide for permit fees; to provide for exemption from local training and licensing regulation in certain instances; and to provide for related matters.

Respectfully submitted,
"JODY" AMEDEE
Chairman

The foregoing Senate Bills 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 22, 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. 115—
BY SENATOR CROWE
A CONCURRENT RESOLUTION
To commend Jerrie LeDoux for her ten years of outstanding service to the Louisiana TeenPact Leadership School.

SENATE CONCURRENT RESOLUTION NO. 117—
BY SENATORS LONG, ADLEY, ALARIO, ALLAIN, AMEDEEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAIGHT, CROWE, DONAHUE, DORSEY-COLMB, ERDEY, GALLOT, GUILLO, HEITMEIER, JOHNS, KOSTELKA, LAFLER, MARTINLY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the passing of Donald Long, a gentleman and Christian family man, and to commemorate a life well spent in service to his fellow man.

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATOR BROOME
A CONCURRENT RESOLUTION
To commend Lucy S. McGough, a professor of law at LSU’s Paul M. Hebert Law Center, upon her many outstanding career accomplishments and contributions in the realm of Children and Family Law.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATORS CROWE, DONAHUE AND NEVERS AND REPRESENTATIVES CROMER AND PEARSON
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Cecelia Louise Minnick Drennan, a successful real estate agent and civic volunteer in Slidell.

Respectfully submitted,
"JODY" AMEDEEE
Chairman

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

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

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

Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for May 23, 2012, were announced:

Commerce  9:00 A.M.  Room E
Education  11:00 A.M.  Hainkel Room
Health and Welfare  9:00 A.M.  Hainkel Room
Insurance  9:00 A.M.  Room A
Local and Mun. Affairs  11:00 A.M.  Room F
Senate and Gov’t Affairs  9:30 A.M.  Room F
Transportation  11:00 A.M.  Room E

Adjournment

On motion of Senator Thompson, at 5:05 o’clock P.M. the Senate adjourned until Wednesday, May 23, 2012, at 1:00 o’clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o’clock P.M. on Wednesday, May 23, 2012.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk