

**DAILY PROOF OF THE OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA  
TWELFTH DAY'S PROCEEDINGS**

**Thirty-Sixth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, April 20, 2010

The Senate was called to order at 3:05 o'clock P.M. by Hon. Joel T. Chaisson II, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Dorsey	Murray
Adley	Erdey	Peterson
Amedee	Gautreaux B	Riser
Appel	Guillory	Shaw
Broome	Hebert	Smith
Chabert	Jackson	Thompson
Cheek	Long	Walsworth
Crowe	Martiny	
Donahue	Morrish	
Total - 25		

**ABSENT**

Alario	Kostelka	Morrell
Claitor	LaFleur	Mount
Duplessis	Marionneaux	Nevers
Gautreaux N	McPherson	Quinn
Heitmeier	Michot	
Total - 14		

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

**Prayer**

The prayer was offered by Senator Walsworth, 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 B. Gautreaux, the reading of the Journal was dispensed with and the Journal of April 19, 2010, was adopted.

**Introduction of Senate Bills  
and Joint Resolutions**

Senator B. Gautreaux asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

**SENATE BILL NO. 726—  
BY SENATOR LAFLEUR**

**AN ACT**

To amend and reenact R.S. 40:1299.42(B)(2) and (D)(5), 1299.43(A)(1), and 1299.44(C)(5)(e), relative to medical malpractice; to provide relative to limitation of recovery; to provide with respect to the amount of costs assessed against a health care provider; to provide relative to medical care and related benefits; to provide with respect to a special interrogatory given to the jury; to provide with respect to actions against the patient's compensation fund; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 727—  
BY SENATOR MICHOT**

**AN ACT**

To amend and reenact Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1551 through 1716, and to repeal R.S. 39:1540, Part V-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:196 through 200 and Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1481 through 1526, relative to the procurement code; to provide for procurement by public bodies, including provisions for a central purchasing agency, for procurement regulations, and for source selection for items to be purchased and methods for such purchases; to provide for definitions and access to procurement information; to provide for the authority and duties of the commissioner of administration with respect to procurement; to provide for certain appointments and qualifications; to provide for mandatory information requirements; to provide for bid procedures and for types of contracts; to provide for contract modification, termination, and contract clauses; to provide for legal and contractual remedies and for administrative appeals; to provide for cooperative purchasing; to provide with respect to conflicts with other provisions of law; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 728—  
BY SENATOR BROOME**

**AN ACT**

To amend and reenact R.S. 17:7(6)(b)(i)(cc)(introductory paragraph), relative to teacher certification requirements; to reduce the number of years of experience needed by an out-of-state certified teacher to qualify for a Louisiana teaching certificate; and to provide for related matters.

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

**SENATE BILL NO. 729—  
BY SENATOR SHAW**

**AN ACT**

To amend and reenact R.S. 11:102.2(B)(4) and 883.1(A)(1) and (2)(a), (C)(4)(a)(introductory paragraph), (b)(introductory paragraph), and (c)(i), and to repeal R.S. 11:102.2(C)(2) and 883.1(C)(4)(d) and (e) and (G)(2), relative to the Teachers' Retirement System of Louisiana; to provide relative to increase in retiree benefits; to provide for funding; and to provide for related matters.

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

**SENATE BILL NO. 730—  
BY SENATOR DORSEY**

**AN ACT**

To amend and reenact R.S. 33:9097.2(B), (E)(1) and (3), and (G)(1), (3)(b) and (4), relative to the South Burbank Crime Prevention District; to provide relative to boundaries and governance; to provide relative to parcel fees and ad valorem taxes; and to provide for related matters.

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

**SENATE BILL NO. 731—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 49:258(1), relative to private contractual legal services to represent the state or a state agency; to provide relative to time limits for publication of certain documents; to require that the documents be published in certain publications; and to provide for related matters.

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

**SENATE BILL NO. 732—**  
BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1880, relative to health insurance; to provide for balance billing disclosure; to provide for definitions; to provide with respect to health insurance issuer, facility, and facility-based physician disclosure; and to provide for related matters.

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

**SENATE BILL NO. 733—**  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 33:2561(E), relative to appeals by employees in the classified service; to provide for the jurisdiction of appeals; and to provide for related matters.

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

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 19, 2010

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:

**HOUSE BILL NO. 215—**  
BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Children's Code Articles 631(A) and 652(C), (D), and (E) and to enact Children's Code Article 652(F) and (G), relative to child in need of care proceedings; to provide relative to filing petitions; to provide relative to discovery; and to provide for related matters.

**HOUSE BILL NO. 340—**  
BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 9:1123.115(A) and to enact R.S. 9:1121.111, relative to the Louisiana Condominium Act; to require an advance be put in escrow accounts when purchasing a condominium unit; and to provide for related matters.

**HOUSE BILL NO. 341—**

BY REPRESENTATIVE SMILEY

AN ACT

To amend and reenact R.S. 37:683(B)(3), relative to terms for appointments to the Louisiana Professional Engineering and Land Surveying Board ; to provide for a two-year term for one of the licensed professional land surveyor appointees; and to provide for related matters.

**HOUSE BILL NO. 495—**

BY REPRESENTATIVE HARRISON

AN ACT

To enact R.S. 9:1103, relative to carbon sequestration; to provide for ownership of compensation from certain carbon sequestration; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 1088—**

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 23:1310.3, relative to workers' compensation claims; to provide for the initiation of a claim for benefits; to provide for service of process; to provide for the filing of an answer; to provide for mediation; to provide for the running of prescription; to require mediation to encourage settlement of the case; to provide for a dispute open in excess of three hundreds days; to provide for fines and other penalties when a party fails to appear; and to provide for related matters.

**HOUSE BILL NO. 1156—**

BY REPRESENTATIVES HENRY BURNS, ABRAMSON, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BILLIOT, BURFORD, TIM BURNS, CARMODY, CHANDLER, CHANEY, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LIGI, LORUSSO, MILLS, MORRIS, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, TEMPLET, TUCKER, WADDELL, WHITE, AND WILLIAMS

AN ACT

To enact Subpart H of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:359 through 359.13, relative to child custody; to provide for the Military Parent and Child Custody Protection Act; to provide for definitions; to provide for temporary modifications of custody orders; to provide for evidence; to provide duties to disclose certain information; to provide for the appointment of counsel; to provide for attorney fees; and to provide for related matters.

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:315.1(A), relative to transfer of small deposits; to provide for changes to the transfer of small deposits upon the death of a depositor; and to provide for related matters.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVE CONNICK

AN ACT

To enact Code of Civil Procedure Article 1443(E), relative to depositions; to provide for the payment of costs and sanctions in certain circumstances; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

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

Senator Nevers 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. 41—**

BY REPRESENTATIVE CONNICK  
AN ACT

To enact Code of Civil Procedure Article 1443(E), relative to depositions; to provide for the payment of costs and sanctions in certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:315.1(A), relative to transfer of small deposits; to provide for changes to the transfer of small deposits upon the death of a depositor; and to provide for related matters.

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

**HOUSE BILL NO. 215—**

BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact Children's Code Articles 631(A) and 652(C), (D), and (E) and to enact Children's Code Article 652(F) and (G), relative to child in need of care proceedings; to provide relative to filing petitions; to provide relative to discovery; and to provide for related matters.

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

**HOUSE BILL NO. 340—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:1123.115(A) and to enact R.S. 9:1121.111, relative to the Louisiana Condominium Act; to require an advance be put in escrow accounts when purchasing a condominium unit; and to provide for related matters.

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

**HOUSE BILL NO. 341—**

BY REPRESENTATIVE SMILEY  
AN ACT

To amend and reenact R.S. 37:683(B)(3), relative to terms for appointments to the Louisiana Professional Engineering and Land Surveying Board ; to provide for a two-year term for one of the licensed professional land surveyor appointees; and to provide for related matters.

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

**HOUSE BILL NO. 495—**

BY REPRESENTATIVE HARRISON  
AN ACT

To enact R.S. 9:1103, relative to carbon sequestration; to provide for ownership of compensation from certain carbon sequestration; to provide for exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 1088—**

BY REPRESENTATIVE PONTI  
AN ACT

To amend and reenact R.S. 23:1310.3, relative to workers' compensation claims; to provide for the initiation of a claim for benefits; to provide for service of process; to provide for the filing of an answer; to provide for mediation; to provide for the running of prescription; to require mediation to encourage

settlement of the case; to provide for a dispute open in excess of three hundreds days; to provide for fines and other penalties when a party fails to appear; and to provide for related matters.

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

**HOUSE BILL NO. 1156—**

BY REPRESENTATIVES HENRY BURNS, ABRAMSON, ANDERS, ARMES, ARNOLD, BOBBY BADON, BALDONE, BILLIOT, BURFORD, TIM BURNS, CARMODY, CHANDLER, CHANEY, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GUINN, HARRISON, HAZEL, HILL, HOFFMANN, HOWARD, SAM JONES, KATZ, LIGI, LORUSSO, MILLS, MORRIS, RICHARD, RICHARDSON, GARY SMITH, JANE SMITH, TEMPLET, TUCKER, WADDELL, WHITE, AND WILLIAMS

AN ACT

To enact Subpart H of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:359 through 359.13, relative to child custody; to provide for the Military Parent and Child Custody Protection Act; to provide for definitions; to provide for temporary modifications of custody orders; to provide for evidence; to provide duties to disclose certain information; to provide for the appointment of counsel; to provide for attorney fees; and to provide for related matters.

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

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 19, 2010

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 117—**

BY REPRESENTATIVES GALLOT, DOWNS, AND FANNIN AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. Betty E. Smith of Ruston.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 117—**

BY REPRESENTATIVES GALLOT, DOWNS, AND FANNIN AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. Betty E. Smith of Ruston.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Mount
Adley	Duplessis	Murray
Alario	Erdey	Nevers
Amedee	Gautreaux B	Peterson
Appel	Guillory	Quinn
Broome	Hebert	Riser
Chabert	Kostelka	Shaw
Cheek	Long	Smith
Claitor	Martiny	Thompson
Donahue	Morrish	
Total - 29		

NAYS

Total - 0

ABSENT

Crowe	LaFleur	Morrell
Gautreaux N	Marionneaux	Walsworth
Heitmeier	McPherson	
Jackson	Michot	
Total - 10		

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

AGRICULTURE, FORESTRY, AQUACULTURE, AND RURAL DEVELOPMENT

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

April 20, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 330— BY SENATOR HEBERT

AN ACT

To amend and reenact the introductory paragraph of R.S. 3:2091(B) and to enact R.S. 3:2091(17), relative to the membership of the Louisiana Board of Animal Health; to add a member to the board nominated by the Louisiana Meat Goat Association; and to provide for related matters.

Reported favorably.

Respectfully submitted, FRANCIS C. THOMPSON Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 20, 2010

To the President and Members of the Senate:

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

SENATE BILL NO. 73—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 3:2465(C), relative to operating procedures for animal shelters; to prohibit euthanasia by carbon monoxide gas chambers on cats and dogs beginning on January 1, 2015 and thereafter; to prohibit euthanasia by intracardiac injection on a conscious animal; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 104—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 38:326(A) and (C), relative to police officers of a levee district and a levee and drainage district; to provide relative to the special officer commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 233—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 774 and 806, relative to jury trials; to provide for the closing arguments and charges to a jury prior to deliberations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 234—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:451, relative to confession evidence in a criminal proceeding; to make technical corrections; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 282—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 401(A)(5), relative to qualifications of jurors; to provide for persons who have been convicted of a felony but not received a pardon by the governor; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 449—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 648(A), (B)(1), and the introductory paragraph of Code of Criminal

Procedure Art. 648(B)(3) and to enact Code of Criminal Art. 648(B)(2), relative to procedures after a determination of mental capacity or incapacity; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DANIEL R. MARTINY  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

Senator Yvonne Dorsey, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 20, 2010

To the President and Members of the Senate:

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

**SENATE BILL NO. 38—**  
BY SENATOR MARTINY

AN ACT

To enact R.S. 14:102.24, relative to cockfighting; to create the crime of participation in cockfighting; to provide for elements of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 45—**  
BY SENATOR APPEL

AN ACT

To enact Code of Criminal Procedure Art. 883.2(C), relative to restitution to victims; to provide for certain procedures; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 215—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 14:98(D)(1)(a) and (E)(1)(a) and (4)(b), relative to offenses involving operating a vehicle while intoxicated; to provide with respect to the crime of operating a vehicle while intoxicated; to amend the criminal penalties for such crime; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 374—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:529.1(G), relative to the habitual offender law; to provide for imprisonment at hard labor for persons sentenced under the habitual offender law; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 375—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 14:62.8(B)(2) and to enact R.S. 14:2(B)(42), relative to the crime of home invasion; to provide for penalties at hard labor for under certain circumstances; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 376—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 46:1844(W)(1)(b) and to enact R.S. 46:1844(W)(1)(c), relative to criminal procedure, to provide for confidentiality of minors who are crime victims; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 378—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 46:1844(C)(3), relative to criminal procedure; to provide that a parent may refuse to allow their minor children to be interviewed by certain persons; to provide penalties for willful disregard of rights; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 380—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 495.1 and 704, relative to severance of offenses; to provide for motions to sever criminal offenses and defendants under certain circumstances; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
YVONNE DORSEY  
Chairman

**REPORT OF COMMITTEE ON**

**RETIREMENT**

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 19, 2010

To the President and Members of the Senate:

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

**SENATE BILL NO. 14—**  
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 11:416(A)(3)(a) and to enact R.S. 11:446(G), relative to the Louisiana State Employees' Retirement System; to allow for a change in beneficiary in certain circumstances and in relation to certain supplemental benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 58—**  
BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 11:429(B), relative to the purchase of service credit in the Louisiana State Employees' Retirement System; to provide for the purchase of service credit and the use of such credit for the purposes of attaining eligibility for retirement subject to certain limitations; to provide for an effective date; and to provide for related matters.

Reported favorably.

April 20, 2010

SENATE BILL NO. 62—  
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 11:1757(B), relative to the Municipal Employees' Retirement System; to provide for benefit payment options; to provide for designation of beneficiary; to allow change of such designation; to provide conditions for such change; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 85—  
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:62(8)(a) and (b), 1946, and 1966, relative to the Parochial Employees' Retirement System; to provide for ranges for employee contributions for Plans A and B; to provide the board of trustees with authority to set the employee contribution rates for members of Plan A and Plan B within the ranges; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 97—  
BY SENATOR MORRISH

AN ACT

To enact R.S. 11:783(D)(1)(c), relative to the Teachers' Retirement System of Louisiana; to provide for a change in beneficiary under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 100—  
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:1902(11) and (14), and 1938(J)(4)(a)(i) and (ii), relative to the Parochial Employees' Retirement System; to provide for average compensation; to provide for calculation of additional benefits following participation in the Deferred Retirement Option Plan; to provide for definition of terms; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 134—  
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:104 and Chapter 3 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:121 through 127, relative to the Public Retirement Systems' Actuarial Committee; to provide relative to membership, officers, meetings, duties, and staffing of the committee; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
D.A. "BUTCH" GAUTREAUX  
Chairman

Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees

SENATE BILL NO. 9—  
BY SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 32:300.5(C)(4), relative to texting while driving a motor vehicle; to provide for the use of certain wireless telecommunications devices for text messaging; to

change the violation to a primary offense; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 9 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:300.5(C)(4)" insert "and R.S. 32:300.7(D)"

AMENDMENT NO. 2

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

\* \* \*

§300.7. Use of certain wireless telecommunications devices by minors while driving prohibited; exceptions

\* \* \*

D. Any violation of this Section shall constitute a ~~non-moving~~ moving violation. ~~A law enforcement officer shall enforce the provisions of this Section as a secondary action and a driver may be cited only if stopped for a moving violation.~~

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

SENATE BILL NO. 15—  
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 47:492(B), relative to changing the design of a prestige license plate from "HAM Operator" to "Amateur Radio"; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 15 by Senator Appel

AMENDMENT NO. 1

On page 1, line 14, change "Radio." to "Radio."

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

SENATE BILL NO. 16—  
BY SENATOR APPEL

AN ACT

To repeal Chapter 48 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3471 through 3486, relative to the Millennium Port Authority; and to provide for related matters.

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

SENATE BILL NO. 49—  
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 38:2324(B) and 2330.2(B) and R.S. 44:23.1(A), relative to the Sabine River Authority; to establish the Sabine River Authority as a nonbudget unit of the state; to provide with regard to certain records of the Sabine River Authority; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 49 by Senator Long

##### AMENDMENT NO. 1

On page 1, line 17, delete "**a two-thirds**" and insert "**majority**"

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

##### **SENATE BILL NO. 63—**

BY SENATOR AMEDEE AND REPRESENTATIVES LAMBERT AND AUBERT

##### AN ACT

To require the Department of Transportation and Development to study the feasibility of a West Bank Turnpike; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 63 by Senator Amedee

##### AMENDMENT NO. 1

On page 1, line 2, change "require" to "request"

##### AMENDMENT NO. 2

On page 1, line 5, change "**shall**" to "**may**"

##### AMENDMENT NO. 3

On page 1, delete line 15, and insert:

**"Section 2. The legislature urges the Department of Transportation and Development to"**

##### AMENDMENT NO. 4

On page 1, line 16, at the beginning of the line, delete "**and**"

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

##### **SENATE BILL NO. 68—**

BY SENATOR MCPHERSON

##### AN ACT

To authorize and provide for the transfer of certain state property in Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

##### **SENATE BILL NO. 77—**

BY SENATOR MCPHERSON

##### AN ACT

To amend and reenact R.S. 48:2074 (D)(2) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works is chairman of the board; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 77 by Senator McPherson

##### AMENDMENT NO. 1

On page 2, line 4, after "Works" delete "Committee".

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

##### **SENATE BILL NO. 143—**

BY SENATOR LONG

##### AN ACT

To designate Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers Highway"; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 143 by Senator Long

##### AMENDMENT NO. 1

On page 1, line 6, change "Highway." to "Highway."

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

##### **SENATE BILL NO. 201—**

BY SENATOR DUPLESSIS

##### AN ACT

To amend and reenact R.S. 33:9091.15(F)(3)(c), relative to Orleans Parish; to provide for renewal elections of parcel fees for the Oak Island Neighborhood Improvement District; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 201 by Senator Duplessis

##### AMENDMENT NO. 1

On page 1, line 17, delete "**at any regularly**"

##### AMENDMENT NO. 2

On page 2, line 1, delete "**scheduled election in the city of New Orleans**"

##### AMENDMENT NO. 3

On page 2, line 2, between "Orleans" and the period "." insert "**for that purpose in accordance with the Louisiana Election Code**"

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

##### **SENATE BILL NO. 202—**

BY SENATOR DUPLESSIS

##### AN ACT

To amend and reenact R.S. 33:9080.3, relative to Orleans Parish; to provide for renewal elections of parcel fees for the Lakewood East Security and Neighborhood Improvement District; and to provide for related matters.

April 20, 2010

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 202 by Senator Duplessis

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 33:9080.3" and the comma "," insert "(F)(3)(c)"

AMENDMENT NO. 2

On page 1, line 7, between "R.S. 33:9080.3" and "is hereby" insert "(F)(3)(c)"

AMENDMENT NO. 3

On page 2, line 2, delete "at any regularly"

AMENDMENT NO. 4

On page 2, line 3, delete "scheduled election in the city of New Orleans"

AMENDMENT NO. 5

On page 2, line 4, between "Orleans" and the period "." insert "for that purpose in accordance with the Louisiana Election Code"

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

SENATE BILL NO. 206—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 47:463.24(D), relative to special license plates for retired law officers; to provide for eligibility; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 206 by Senator Martiny

AMENDMENT NO. 1

On page 1, at the beginning of line 9, delete "and" and after "employment," insert "and has not been convicted of any felony,"

AMENDMENT NO. 2

On page 1, line 10, after "Section" insert "and renewal of such special license plate"

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

SENATE BILL NO. 254—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 33:1418, relative to hybrid or alternative fuel vehicles; to require political subdivisions to purchase or lease only hybrid fuel or alternative fuel vehicles; to provide for exceptions; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 254 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, delete "require" and insert "allow"

AMENDMENT NO. 2

On page 1, line 3, delete "only"

AMENDMENT NO. 3

On page 1, line 9, delete "not"

AMENDMENT NO. 4

On page 1, line 10, delete "if unless" and insert "if"

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

SENATE BILL NO. 306—

BY SENATOR MARTINY

AN ACT

To enact R.S. 33:2955(A)(1)(k), relative to investments by political subdivisions; to provide for investment in debt instruments issued by any state other than Louisiana; to provide for investment in debt instruments issued by political subdivisions of any state other than Louisiana; to provide restrictions on such types of investments; to provide requirements relative to political subdivisions purchasing such debt instruments; and to provide for related matters.

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

SENATE BILL NO. 336—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:104(B), 302.2(B) and 643(B)(2)(a), relative to exemptions for noncommercial hunting and fishing license fees; to provide an exemption for certain military personnel from paying noncommercial hunting and fishing license fees; and to provide for related matters.

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

SENATE BILL NO. 338—

BY SENATOR MARIONNEAUX

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in West Baton Rouge Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

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

SENATE BILL NO. 441—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:818.52(C),(D)(1),(E) and (F), relative to the fine associated with the issuance of a dyed fuel violation ticket; to provide an agency review process; to provide for the distribution of the fines collected; and to provide for related matters.

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



**SENATE BILL NO. 482—**  
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 48:601(A), to enact R.S. 48:601(E), and to repeal R.S. 48:601(D)(2)(c), relative to St. Landry Parish; to provide for the absorption of parish road districts upon creation of a new parishwide road district; and to provide for related matters.

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

**SENATE BILL NO. 483—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 56:110.1, relative to the Quality Deer Management Program; to create the Quality Deer Management Program; to provide for the management of the program; to provide for the powers and duties of the Department of Wildlife and Fisheries; to provide for eligibility requirements; to provide terms and conditions; and to provide for related matters.

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

**SENATE BILL NO. 592—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 30:121 and to enact R.S. 30:124.1, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to grant servitudes on state lands for the development and production of energy from hydrokinetics; to provide for legislative findings; to provide a process for granting servitudes on state lands for the development and production of energy from hydrokinetics; to provide for the powers and duties of the secretary of natural resources and of the State Mineral and Energy Board; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 592 by Senator Michot

AMENDMENT NO. 1

On page 1, delete line 2, and insert "To enact R.S. 30:121(E) and 124.1, relative to the development"

AMENDMENT NO. 2

On page 1, line 7, delete "natural" and insert "the Department of Natural Resources"

AMENDMENT NO. 3

On page 1, line 8, delete "resources"

AMENDMENT NO. 4

On page 1, delete line 11, and insert "Section 1. R.S. 30:121(E) and 124.1 are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 2, line 3 after "**environment.**" delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete lines 4, 5 and 6 and insert

"\*\* \*"

AMENDMENT NO. 7

On page 2, delete line 10, and insert "**rules and regulations promulgated by the secretary of the Department of Natural Resources in accordance with the Administrative Procedure Act**"

AMENDMENT NO. 8

On page 2, line 11, delete "**Chapter**"

AMENDMENT NO. 9

On page 2, line 22, after "such" delete "**Commission**" and insert "**commission**"

AMENDMENT NO. 10

On page 2, line 24, delete "Section 3" and insert "Section 2"

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

**SENATE BILL NO. 599—**

BY SENATOR B. GAUTREAUX

AN ACT

To enact R.S. 49:214.5.4(E)(4), relative to the Coastal Protection and Restoration Fund; to provide relative to funding and resource allocation; to provide that no more than five percent of the federal revenues generated from Outer Continental Shelf oil and gas activity may be used for administrative costs or fees; to provide for the uses of the remaining percent of the federal revenues; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 599 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 3, change "five" to "seven"

AMENDMENT NO. 2

On page 1, line 4, delete "the" and insert "certain" and delete "oil and gas" and insert "energy"

AMENDMENT NO. 3

On page 1, line 5, after "fees;" insert "to provide certain exceptions;"

AMENDMENT NO. 4

On page 1, line 12, change "**five**" to "**seven**"

AMENDMENT NO. 5

On page 1, line 13, delete "**oil and gas**" and insert "**energy**"

AMENDMENT NO. 6

On page 2, at the end of line 1, insert "**The provisions of this Paragraph shall not apply to revenues received by the state pursuant to Section 1337(g) of Title 43 of the United States Code, also known as "8(g)" funds.**"

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

**SENATE BILL NO. 611—**

BY SENATOR DORSEY

AN ACT

To enact R.S. 33:9038.64, relative to cooperative and economic development in East Baton Rouge Parish; to create the River Park Development District, a political subdivision of the state of Louisiana; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body; to provide for the levy and collection of taxes and special assessments within the district; to provide for the authority to

create subdistricts within the district; to authorize the district to issue and sell bonds; to authorize the district to engage in tax increment financing; to provide for the duration of the district; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 611 by Senator Dorsey

AMENDMENT NO. 1

On page 7, line 23, after "grant," and before "purchase," delete "expropriation."

AMENDMENT NO. 2

On page 8, at the beginning of line 4, delete "general obligation bonds."

AMENDMENT NO. 3

On page 8, delete lines 7 and 8 in their entirety

AMENDMENT NO. 4

On page 8, line 9, change "(7)" to "(6)"

AMENDMENT NO. 5

On page 8, line 11, change "(8)" to "(7)"

AMENDMENT NO. 6

On page 8, line 13, change "(9)" to "(8)"

AMENDMENT NO. 7

On page 8, line 15, change "(10)" to "(9)"

AMENDMENT NO. 8

On page 8, line 23, change "(11)" to "(10)"

AMENDMENT NO. 9

On page 9, between lines 28 and 29, insert the following: "(3) In the event that a tax under this Section is proposed for the district or for a subdistrict where there are no qualified electors, such tax shall not become effective unless and until it is approved by the city-parish council."

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

SENATE BILL NO. 617—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 617 by Senator McPherson

AMENDMENT NO. 1

On page 1, after line 17, insert the following: "C. This Section shall apply to a first violation. A law enforcement officer may impound a private passenger car, pickup truck, van, recreational vehicle, or motorcycle for a second or subsequent violation."

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

SENATE BILL NO. 629—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:104(A)(9) and 302.1(H), relative to nonresident hunting and fishing licenses; to remove reciprocity provisions regarding the purchase of hunting and fishing licenses; and to provide for related matters.

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

SENATE BILL NO. 641—

BY SENATORS MORRELL AND HEBERT AND REPRESENTATIVE LEGER

AN ACT

To enact R.S. 33:41, relative to local governmental subdivisions; to provide that certain contracts are void and unenforceable; to impose a duty upon the attorney of the local governmental subdivision; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 641 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, after "relative to" and before "local" insert "a" and change "governmental subdivision" to "government authority"

AMENDMENT NO. 2

On page 1, line 3, delete "the attorney of"

AMENDMENT NO. 3

On page 1, line 4, change "governmental subdivision" to "government authority"

AMENDMENT NO. 4

On page 1, line 10, after "(public bribery)" and before "shall" insert a comma "," and insert "and where a conviction has been obtained,"

AMENDMENT NO. 5

On page 1, line 11, after "state." insert "However, in instances where the contract or purchase agreement encompasses a service or commodity that is of a vital need to or for the public, a court may allow a limited transition period to enable the local government authority to secure an alternative source for the service or commodity."

AMENDMENT NO. 6

On page 1, line 12, delete "The attorney for the local governmental subdivision" and insert "(1) The local government authority that is a party to the contract or purchase agreement"

AMENDMENT NO. 7

On page 1, line 13, after "name," insert "through an attorney of it's choosing,"

AMENDMENT NO. 8

On page 1, between lines 16 and 17, insert the following: "(2) In the event the attorney chosen by the local government authority fails to apply for the order or injunction required by Paragraph (B)(1) of this Section, within ninety days following a conviction, the district attorney shall apply for such order or injunction on behalf of the local government authority."

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

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

**HOUSE BILL NO. 921—**

BY REPRESENTATIVE CORTEZ  
AN ACT

To authorize and provide for the transfer of certain state property, located in Lafayette Parish, from the Department of Transportation and Development to the city of Youngsville and to provide for related matters.

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

**Reconsideration**

The vote by which Senate Bill No. 198 failed to pass on Monday, April 19, 2010, was reconsidered.

**SENATE BILL NO. 198—**

BY SENATOR DUPLESSIS  
AN ACT

To amend and reenact R.S. 32:707.2(C)(2) and (3), and to enact R.S. 6:969.18(A)(5) and R.S. 32:707.2(H), relative to electronic lien and title services; to authorize financial institutions to charge consumer fees in connection with motor vehicle transactions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Murray
Alario	Guillory	Nevers
Appel	Hebert	Peterson
Broome	Heitmeier	Quinn
Chabert	Jackson	Shaw
Cheek	Martiny	Smith
Donahue	Morrell	
Dorsey	Morrish	
Total - 22		

**NAYS**

Adley	Crowe	Marionneau
Amedee	Erdey	Riser
Claitor	Gautreaux B	Thompson
Total - 9		

**ABSENT**

Gautreaux N	Long	Mount
Kostelka	McPherson	Walsworth
LaFleur	Michot	
Total - 8		

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

**Notice Regarding Vote**

Senator Shaw stated he intended to vote nay on Senate Bill No. 198, and asked that the Official Journal so state.

**Senate and Concurrent Resolutions  
on Second Reading  
Reported by Committees**

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR LONG  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development study the feasibility of constructing a second bridge across the Red River in Natchitoches Parish.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. 35 by Senator Long

**AMENDMENT NO. 1**

On page 1, line 2, after "Development" insert "to"

**AMENDMENT NO. 2**

On page 1, line 7, after "Louisiana" insert "to"

**AMENDMENT NO. 3**

On page 1, line 9, after "WHEREAS," insert "in order"

**AMENDMENT NO. 4**

On page 1, line 10, after "study" change "on" to "of"

**AMENDMENT NO. 5**

On page 1, line 11, after "Parish" change "needs to" to "must"

**AMENDMENT NO. 6**

On page 1, line 14, after "Development" insert "to"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dorsey	Marionneau
Adley	Duplessis	Martiny
Alario	Erdey	Morrish
Amedee	Gautreaux B	Murray
Appel	Guillory	Nevers
Broome	Hebert	Peterson
Chabert	Heitmeier	Quinn
Cheek	Jackson	Riser
Claitor	Kostelka	Shaw
Crowe	LaFleur	Smith
Donahue	Long	Thompson
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Gautreaux N	Michot	Mount
McPherson	Morrell	Walsworth
Total - 6		

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

April 20, 2010

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 51— BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 26:273(A)(2), relative to wholesaler dealer's permits; to provide for limitations of issuance of wholesaler dealer's permits; to provide for exceptions; 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 Morrish
Adley Gautreaux B Murray
Alario Guillory Nevers
Amedee Hebert Peterson
Appel Heitmeier Quinn
Broome Jackson Riser
Chabert Kostelka Shaw
Claitor LaFleur Smith
Crowe Marionneaux Thompson
Dorsey Martiny
Duplessis Morrell
Total - 31

NAYS

Total - 0

ABSENT

Cheek Long Mount
Donahue McPherson Walsworth
Gautreaux N Michot
Total - 8

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

SENATE BILL NO. 52— BY SENATOR B. GAUTREAU

AN ACT

To amend and reenact R.S. 15:574.2(A)(1), relative to the Board of Parole; to provide for minimum qualifications of members; and to provide for related matters.

Floor Amendments

Senator Kostelka proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Engrossed Senate Bill No. 52 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 3, after "members;" insert "to provide for appointment of members;"

AMENDMENT NO. 2

On page 1, line 16, after "or have" delete the remainder of the line and insert "previously served at least one full term on the"

AMENDMENT NO. 3

On page 2, line 1, after "Crime, Inc." insert "and at least three names submitted by Crimefighters, LLC"

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 52 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 17, after "board" insert ",or have been employed by or have been a volunteer of, the Department of Corrections in the last five years"

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Erdey McPherson
Alario Gautreaux B Morrell
Amedee Gautreaux N Murray
Appel Guillory Morrish
Broome Hebert Nevers
Chabert Heitmeier Peterson
Cheek Kostelka Quinn
Claitor LaFleur Riser
Donahue Long Shaw
Dorsey Marionneaux Smith
Duplessis Martiny Thompson
Total - 33

NAYS

Total - 0

ABSENT

Mr. President Jackson Mount
Crowe Michot Walsworth
Total - 6

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

SENATE BILL NO. 80— BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 44:9(A)(4), relative to expungement of arrest records in misdemeanor and felony cases; to authorize the clerk of court to collect the expungement processing fee; to provide for an administrative fee; and to provide for related matters.

Floor Amendments

Senator Jackson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 80 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 13, after "Section." insert the following:

**"On or after August 15, 2010, twenty percent of any increase of the processing fee for the expungement of any record of arrest charged and collected by the sheriff and the district attorney shall be paid into the state treasury for deposit into the Louisiana Public Defender Fund."**

On motion of Senator Jackson, 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	Dorsey	Morrish
Adley	Duplessis	Murray
Alario	Erdey	Peterson
Appel	Gautreaux B	Quinn
Broome	Heitmeier	Shaw
Chabert	Jackson	Smith
Cheek	Kostelka	Thompson
Claitor	LaFleur	
Crowe	Martiny	
Total - 25		

NAYS

Amedee	Hebert	Marionneaux
Donahue	Long	Riser
Total - 6		

ABSENT

Gautreaux N	Michot	Nevers
Guillory	Morrell	Walsworth
McPherson	Mount	
Total - 8		

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

SENATE BILL NO. 649—  
BY SENATOR HEBERT

AN ACT

To enact R.S. 13:478, relative to district courts; to provide for fund allocation for certain divided judicial districts; and to provide for related matters.

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

SENATE BILL NO. 654—  
BY SENATOR HEBERT

AN ACT

To enact Chapter 34 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S.13:5401, relative to the courts and judicial procedure; to provide authorization for judicial district courts to enter into intergovernmental agreements to jointly operate programs funded by state and federal funds in order to share administrative costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dorsey	Marionneaux
Alario	Duplessis	Martiny
Amedee	Erdey	McPherson
Appel	Gautreaux B	Morrell
Broome	Gautreaux N	Murray
Chabert	Hebert	Peterson
Cheek	Heitmeier	Riser
Claitor	LaFleur	Shaw
Donahue	Long	Thompson
Total - 27		

NAYS

Crowe	Morrish	Quinn
Kostelka	Mount	
Total - 5		

ABSENT

Mr. President	Michot	Walsworth
Guillory	Nevers	
Jackson	Smith	
Total - 7		

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

SENATE BILL NO. 661—  
BY SENATOR HEBERT

AN ACT

To enact R.S. 30:2040.1, relative to environmental quality; to provide relative to the siting of certain solid waste disposal facilities near the Acadiana Regional Airport; to provide terms and conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gautreaux N	Morrish
Alario	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Quinn
Cheek	LaFleur	Riser
Donahue	Long	Shaw
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Erdey	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Claitor	Michot
Crowe	Walsworth
Total - 4	

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

April 20, 2010

SENATE BILL NO. 684—  
BY SENATOR CROWE

AN ACT

To amend and reenact R.S. 28:53(B)(1) and (4)(d) and (G)(2), relative to coroners; to provide relative to admission by emergency certificate and the coroner's seventy-two-hour rule regarding patients who are out of the parish at the time of commitment; and to provide for related matters.

Floor Amendments

Senator Crowe proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Crowe to Original Senate Bill No. 684 by Senator Crowe

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 28:53" delete "(B)(1) and (4)(d) and" and after "(G)(2)" insert "and to enact R.S. 28:53(G)(7)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 28:53" delete the rest of the line and insert the following:

"(G)(2) is hereby amended and reenacted and R.S. 28:53(G)(7) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 11 through 17

AMENDMENT NO. 4

On page 2, delete line 1 through 19

AMENDMENT NO. 5

On page 2, line 24 delete "If" and insert the following: **"Except as provided in Paragraph (7) of this Subsection, if"**

AMENDMENT NO. 6

On page 2, line 25, delete **"coroner, or deputy coroner"**

AMENDMENT NO. 7

On page 2, line 27, after "person." delete the rest of the line and delete lines 28 and 29

AMENDMENT NO. 8

On page 3, delete line 1 and between line 2 and 3 insert the following:

**"(7) As it relates to a parish which has a population between one hundred and ninety-one thousand and one hundred ninety-two thousand residents, according to the latest decennial census, all of the following shall apply:**

**(a) The coroner or deputy coroner, who is a physician, may conduct and execute an emergency certificate, as provided in this Subparagraph (b) of this Paragraph by telemedicine utilizing video conferencing equipment, provided that all of the following are met:**

**(i) A licensed health care professional, who can adequately and accurately assist with obtaining any necessary information including but not limited to that information in Subparagraph (B)(4) of this Section and where such health care professional will be present in the examining room with the patient at the time of the video conferencing.**

**(ii) The coroner or deputy coroner shall comply with all of the provision in Subsection F of this Section.**

**(b) The coroner or deputy coroner, who is a physician, may conduct and execute an emergency certificate, as provided in this Subparagraph (a) of this Paragraph by telemedicine under all of the following circumstances:**

**(i) If the initial examination, pursuant to Subparagraph (B)(1) of this Section, has been made in person by a psychiatrist, psychiatric mental health nurse practitioner, or a psychologist.**

**(ii) If the coroner has made the initial examination, pursuant to Paragraph (3) of this Subsection, by telemedicine and has executed the first emergency commitment certificate, then a second examination shall be made in person within the seventy-two hour period set forth in this Part by any psychiatrist, psychiatric mental health nurse practitioner or by a psychologist at the treatment facility where the person is confined.**

**(c)(i) When a patient is transferred from another parish a second physician's emergency certificate shall be executed by a physician at the admitting facility.**

**(ii) The coroner shall be notified immediately following the execution of the second emergency and shall conduct independent examination within seventy-two hours as provided in Paragraph (3) of this Subsection, in manner provided in accordance with Subparagraph (a) of this Paragraph.**

**(iii) Nothing herein shall be construed to authorize a period of commitment to exceed fifteen days from the date of the initial physician emergency certificate in the transporting parish in accordance with Subsection (F) of this Section."**

On motion of Senator Crowe, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Erdey	Morrell	
Total - 37		

NAYS

Total - 0

ABSENT

Mr. President  
Total - 2

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

SENATE BILL NO. 342—  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 51:1423(A), (D) and the introductory paragraph of (E), to enact R.S. 51:1423(F), and to repeal R.S. 51:1423(D)(3), relative to gift certificates; to provide for cash redemption of remaining value under a certain amount; to eliminate certain exemptions; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 342 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, following "(D) and" change "the introductory paragraph of (E)," to "(E), and"

AMENDMENT NO. 2

On page 1, line 3, following "51:1423(F)," delete "and to repeal R.S. 51:1423(D)(3),"

AMENDMENT NO. 3

On page 1, line 7, following "(D) and" and before "(E)" delete "the introductory paragraph of"

AMENDMENT NO. 4

On page 2, delete line 8, and insert  
 "(1) Gift certificates that are distributed by the issuer to a consumer pursuant to an awards loyalty or promotional program without any money or other thing of value being given in exchange for the gift certificate by the consumer.

(2) Gift certificates that are sold below face value or donated to nonprofit and charitable organizations for fundraising purposes.

~~(3) Gift certificates that are usable with multiple sellers of goods or services."~~

AMENDMENT NO. 5

On page 2, delete line 12 in its entirety

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Michot  
 Total - 1

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

**SENATE BILL NO. 368—**  
 BY SENATOR SHAW

AN ACT

To enact R.S. 56:637(A)(3), relative to exotic animals; to require retailers to disclose in writing, certain information to a consumer who purchases an iguana; to provide for the keeping of such animals; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Duplessis	Morrish
Alario	Erdey	Nevers
Appel	Gautreaux N	Riser
Chabert	Guillory	Shaw
Crowe	Kostelka	Smith
Donahue	Long	Thompson
Dorsey	Martiny	Walsworth
Total - 21		

NAYS

Amedee	Hebert	Morrell
Broome	Heitmeier	Mount
Cheek	Jackson	Murray
Claitor	LaFleur	Peterson
Gautreaux B	Marionneaux	
Total - 14		

ABSENT

Mr. President  
 McPherson  
 Total - 4

Michot  
 Quinn

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

**SENATE BILL NO. 492—**  
 BY SENATOR NEVERS

AN ACT

To enact R.S. 42:1124.2.1(A)(4), relative to financial disclosure; to provide that members of the governing or management board of a charter school are subject to certain financial disclosure requirements; and to provide for related matters.

**Floor Amendments**

Senator Duplessis proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Duplessis to Engrossed Senate Bill No. 492 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, change "To enact R.S. 42:1124.2.1(A)(4)," to "To amend and reenact R.S. 42:1124.3(A) and to enact R.S. 42:1124.2.1(A)(4),"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 42:1124.2.1(A)(4)" to "R.S. 42:1124.3(A) is hereby amended and reenacted and R.S. 42:1124.2.1(A)(4)"

April 20, 2010

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:
"\$1124.3. Financial disclosure; certain elected officials, voting districts of under five thousand

[Effective Date: Text of Section effective on January 1, 2010.]

A. Each person holding a public office who represents a voting district having a population of fewer than five thousand and each member of the governing authority or management board of a charter school created pursuant to Chapter 42 of Title 17, except any person who is required to file a financial statement by R.S. 42:1124, 1124.2, or 1124.2.1 shall annually file a financial statement as provided in this Section.

\* \* \*

On motion of Senator Duplessis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Alario, Amedee, Appel, Broome, Chabert, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdey, Gauteaux N, Guillory, Hebert, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Morrell, Mount, Murray, Nevers, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth, Total - 34

NAYS

Gauteaux B
Total - 1

ABSENT

Mr. President, Cheek, Heitmeier, Michot, Total - 4

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

SENATE BILL NO. 539— BY SENATOR NEVERS

AN ACT

To require the secretary of the Department of Health and Hospitals to license and enroll in the Medicaid program certain providers who operate intermediate care facilities for the developmentally disabled; to provide for an exception to the facility need review process; and to provide for related matters.

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

SENATE BILL NO. 672— BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1911, relative to unauthorized insurers; to provide for access to the records of certain insureds by the commissioner of insurance; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Duplessis, Erdey, Gauteaux B, Gauteaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth, Total - 38

NAYS

Total - 0

ABSENT

Michot
Total - 1

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

SENATE BILL NO. 673— BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d), relative to the commissioner of insurance; to provide for the filing of annual audited statements by certain professional, trade, and occupational or public liability trust funds; and to provide for related matters.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 673 by Senator Hebert

AMENDMENT NO. 1

On page 2, line 4, following "Chapter 2" and before "," insert "of this Title"

AMENDMENT NO. 2

On page 2, line 5, following "Chapter 7" and before "," insert "of this Title"

AMENDMENT NO. 3

On page 2, line 16, following "Chapter 2" and before "," insert "of this Title"

AMENDMENT NO. 4

On page 2, line 16, following "Chapter 7" and before "," insert "of this Title"

AMENDMENT NO. 5

On page 2, line 29, following "Chapter 2" and before "," insert "of this Title"

AMENDMENT NO. 6

On page 2, line 29, following "Chapter 7" and before "," insert "of this Title"



On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	

Total - 38

NAYS

Total - 0

ABSENT

Michot  
Total - 1

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

**SENATE BILL NO. 674—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:771 and R.S. 44:4.1(B)(10), relative to property and casualty insurance companies; to provide with respect to the annual filing of actuarial opinions; to provide for the filing of actuarial opinion summaries; to provide for the filing of actuarial opinion reports and workpapers; to provide for the commissioners authority to engage actuaries; to provide for liability with respect to actuarial opinions; to provide for the confidentiality of certain documents; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Guillory	Murray
Appel	Hebert	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith

Donahue  
Dorsey  
Duplessis  
Total - 38

Marionneaux  
Martiny  
McPherson

Thompson  
Walsworth

NAYS

Total - 0

ABSENT

Michot  
Total - 1

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

**SENATE BILL NO. 675—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:68, relative to domestic insurers; to provide for the retention of original records; to provide for securities; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Morrell
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Guillory	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Crowe	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Gautreaux N  
Total - 3

Hebert

Michot

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

**SENATE BILL NO. 10—**  
BY SENATOR N. GAUTREAU

AN ACT

To amend and reenact R.S. 15:739(A) and (C), relative to prison inmates; to provide for testing under certain incidents; and to provide for related matters.

**Floor Amendments**

Senator Martiny proposed the following amendments.

April 20, 2010

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 10 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, delete line 11 and insert the following: "state **and** who **bites another person; spits or throws**"

AMENDMENT NO. 2

On page 1, line 12, delete "infectious disease by **biting or spitting or** throwing of"

AMENDMENT NO. 3

On page 1, line 13, after "fluid" delete the remainder of the line and delete line 14 and insert the following: "**directly on another person; or causes, through contact, bleeding or exposure of flesh of another person in such a manner that the contact may cause the other person to contract an infectious disease,** shall submit to a test"

AMENDMENT NO. 4

On page 1, line 15, change "offender" to "**incarcerated prisoner**"

AMENDMENT NO. 5

On page 2, line 5, delete lines 5 through 8 and insert the following: "**C. Any person who is involved in or witnesses an incident provided for in Subsection A of this Section may notify by affidavit**"

AMENDMENT NO. 6

On page 2, line 9, at the beginning of the line delete "swearing," and at the end of line delete "the exposure" and insert "**an incident provided for in Subsection A of this Section**"

AMENDMENT NO. 7

On page 2, line 11, after "incident" insert a period "." and delete the remainder of the line and delete line 12

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Guillory	Nevers
Appel	Hebert	Peterson
Broome	Heitmeier	Quinn
Chabert	Jackson	Riser
Cheek	Kostelka	Shaw
Claitor	LaFleur	Smith
Crowe	Long	Thompson
Donahue	Marionneaux	Walsworth
Dorsey	Martiny	
Duplessis	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Michot	Morrell
Total - 2	

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

SENATE BILL NO. 638—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:5.11(G), and to enact R.S. 40:5.11(H), relative to the water fluoridation program; to provide notice to consumers of water originating from public water systems under certain circumstances; to prohibit the use of certain chemicals within certain fluoridated water systems; to provide for penalties; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 638 by Senator Claitor

AMENDMENT NO. 1

On page 2, line 7, delete "dates" and insert "date" and after "begin" delete "and end"

AMENDMENT NO. 2

On page 2, line 9, after "process," delete the remainder of the line and delete line 10 in its entirety.

AMENDMENT NO. 3

On page 2, line 13, after "compound" and before "in" insert ", in the water fluoridation process"

AMENDMENT NO. 4

On page 2, line 17, before "from" insert "during the water fluoridation process"

On motion of Senator Claitor, the amendments were adopted.

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

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

Called from the Calendar

Senator Walsworth asked that Senate Bill No. 270 be called from the Calendar.

SENATE BILL NO. 270—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 47:463.73(C)(2), and (E), relative to special prestige license plates for Louisiana public and private high schools; to provide relative to collection of royalty fees; 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	Duplessis	McPherson
Adley	Erdey	Morrish

Alario	Gautreaux B	Mount
Amedee	Gautreaux N	Murray
Appel	Guillory	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Hebert	Michot	Morrell
--------	--------	---------

Total - 3

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

**Called from the Calendar**

Senator B. Gautreaux asked that Senate Bill No. 602 be called from the Calendar.

**SENATE BILL NO. 602—  
BY SENATOR B. GAUTREAUX  
AN ACT**

To amend and reenact R.S. 11:447(A), 786(A), and 1152(A), relative to state retirement systems; to restrict participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

**Floor Amendments**

Senator Nevers proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Nevers and Long to Engrossed Senate Bill No. 602 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To enact R.S. 11:447(F), 786(F), and 1152(M), relative to state retirement"

AMENDMENT NO. 2

On page 1, delete line 7 and insert "Section 1. R.S. 11:447(F), 786(F), and 1152(M) are hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 10 through 15 and insert:

"\* \* \* \* \*

**F. No member of this system whose membership begins after July 1, 2010, shall be permitted to participate in the plan.**

AMENDMENT NO. 4

On page 2, delete lines 1 through 14 and insert"

"\* \* \* \* \*

**F. No member of this system whose membership begins after July 1, 2010, shall be permitted to participate in the plan.**

AMENDMENT NO. 5

On page 2, delete lines 17 through 24 and insert:

"\* \* \* \* \*

**M. No member of this system whose membership begins after July 1, 2010, shall be permitted to participate in the plan.**

On motion of Senator Nevers, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dorsey	Marionneaux
Adley	Duplessis	Martiny
Alario	Erdey	McPherson
Amedee	Gautreaux B	Murray
Appel	Gautreaux N	Nevers
Broome	Heitmeier	Peterson
Chabert	Jackson	Quinn
Cheek	Kostelka	Shaw
Crowe	LaFleur	Thompson
Donahue	Long	Walsworth

Total - 30

**NAYS**

Claitor	Morrish
Morrell	Mount

Total - 4

**ABSENT**

Guillory	Michot	Smith
Hebert	Riser	

Total - 5

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

**Called from the Calendar**

Senator Crowe asked that Senate Bill No. 506 be called from the Calendar.

**SENATE BILL NO. 506—  
BY SENATOR CROWE AND REPRESENTATIVE ARNOLD  
AN ACT**

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to honor the 2009 World Champion New Orleans Saints; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to create a foundation and provide for foundation members; to authorize the promulgation of rules and regulations; and to provide for related matters.

**Floor Amendments**

Senator Claitor proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 506 by Senator Crowe

AMENDMENT NO. 1

Delete the set of one Senate Floor Amendment, proposed by Senator Claitor and adopted by the Senate on April 14, 2010.

AMENDMENT NO. 2

Delete the Senate Floor Amendments proposed by Senator Crowe and adopted by the Senate on April 14, 2010.

AMENDMENT NO. 3

In the set of two Senate Floor Amendments proposed by Senator Claitor and adopted by the Senate on April 14, 2010:

Delete Amendment No. 1

April 20, 2010

In Amendment No. 2, on page 2, line 10, after "Superdome" delete the remainder of the line, and delete line 11, and insert a period "."

AMENDMENT NO. 4

On page 1, line 4, after "plates;" delete the remainder of the line and delete line 6 and 7, and insert: "and to provide for related matters."

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Duplessis, Morrish, Adley, Erdey, Mount, Alario, Gautreaux B, Murray, Amedee, Gautreaux N, Nevers, Appel, Guillory, Peterson, Broome, Heitmeier, Quinn, Chabert, Jackson, Riser, Cheek, LaFleur, Shaw, Claitor, Long, Smith, Crowe, Marionneaux, Thompson, Donahue, Martiny, Walsworth, Dorsey, McPherson. Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Hebert, Michot, Kostelka, Morrell. Total - 4

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

Called from the Calendar

Senator Claitor asked that Senate Bill No. 497 be called from the Calendar.

SENATE BILL NO. 497— BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 40:49(A), relative to death and spontaneous fetal death certificates; to provide for preparation and filing of death and spontaneous fetal death certificates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Erdey, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Guillory, Murray, Appel, Hebert, Nevers, Broome, Heitmeier, Peterson

Table with 3 columns of names: Chabert, Jackson, Quinn, Cheek, Kostelka, Riser, Claitor, LaFleur, Shaw, Crowe, Long, Smith, Donahue, Marionneaux, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson. Total - 38

NAYS

Total - 0

ABSENT

Table with 1 column of names: Michot. Total - 1

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator B. Gautreaux asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

SENATE BILL NO. 734— BY SENATOR MOUNT

AN ACT

To enact R.S. 33:2481.4 and 2541.1, relative to the municipal police civil service; to provide that the position of deputy chief of police is in the unclassified service; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; to provide relative to resignation from the position and return to the classified police service; and to provide for related matters.

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

SENATE BILL NO. 735— BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 48:205, relative to purchases by the Department of Transportation and Development; to authorize notice of requests for bids and receipt of bids through a secure electronic interactive environment; and to provide for related matters.

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

SENATE BILL NO. 736— BY SENATOR DORSEY

AN ACT

To amend and reenact the Code of Criminal Procedure Article 876 and to enact the Children's Code Article 857(D), relative to criminal procedure; to provide for sentencing of adults for certain crimes committed as a child; to provide for certain adults charged for crimes committed as a child; to provide for requirements of sentencing; to provide for terms, conditions, and procedures; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 737—**  
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:24(D) and R.S. 36:642(B),(C), and (D)(1), 643(A),645(A)(4) and (5) and (B)(1)(a)(iii), and to repeal R.S. 36:648 and 649, relative to elementary and secondary education; to provide relative to the structure and organization of the state Department of Education; to provide relative to the powers, duties, and functions of the state superintendent of education and the State Board of Elementary and Secondary Education; to grant the state superintendent and the state board greater authority and discretion with respect to the development and implementation of plans for the restructuring or reorganization of the Department of Education; to delete provisions that legislatively prescribe the offices within the Department of Education and the name, purposes, and functions of offices within the department; to delete provisions that require each office within the Department of Education be headed by an assistant superintendent appointed by the superintendent and confirmed by the Senate; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 738—**  
BY SENATOR APPEL

AN ACT

To enact R.S. 9:2798.6, relative to civil liability; to provide for a limitation of liability for certain professional employees of a school district; to provide for prohibitions; to provide for definitions, terms and conditions; and to provide for related matters.

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

**SENATE BILL NO. 739—**  
BY SENATOR MORRISH

AN ACT

To enact Chapter 10 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:1001 through 1005, and R.S. 39:94(A)(2)(a)(iv), relative to the Louisiana Carbon Capture and Enhanced Oil Recovery Act; to provide relative to enhanced oil and gas recovery projects utilizing injection of carbon dioxide; to provide for the duties and powers of the commissioner of conservation and the secretary of the Department of Natural Resources; to provide definitions, terms and conditions; to establish a special custodial trust fund; to provide for the uses of certain monies deposited into such fund; and to provide for related matters.

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

**SENATE BILL NO. 740—**  
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:45(A)(1), 442, 444(B)(1), (2), and (3), and 461, relative to teacher tenure; to provide a uniform period of probation for teachers seeking tenure; and to provide for related matters.

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

**SENATE BILL NO. 741—**  
BY SENATOR B. GAUTREAU

AN ACT

To enact R.S. 41:1215.3, relative to certain state leases; to provide for leases transferred from the office of state parks to the office of state lands; to provide for the uses of property subject to such lease; and to provide for related matters.

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

**SENATE BILL NO. 742—**  
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 40:2403B(1)(f), relative to Council on Peace Officer Standards and Training; to provide for the membership on the Council of Peace Officer Standards and Training; and to provide for related matters.

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

**SENATE BILL NO. 743—**  
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 24:973.1(B)(1) and (2), and (E)(5), relative to the Legislative Youth Advisory Council; to provide for the selection of members nominated for membership by certain school clubs and community organizations; to provide for submission of an annual report; and to provide for related matters.

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

**SENATE BILL NO. 744—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 17:3096(G), relative to monies in certain qualified tuition programs and civil procedure; to exempt certain funds from attachment, levy, garnishment, or legal process; to provide terms and conditions, and to provide for related matters.

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

**SENATE BILL NO. 745—**  
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 39:1564(B) and (C), 1594(C)(2), and 1597, relative to state purchasing; to provide for the powers and duties of the state director of purchasing; to provide relative to competitive sealed bidding; to provide for sole source selection; and to provide for related matters.

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

**SENATE BILL NO. 746—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:3129(C) and (E), and 3130(B)(1), and R.S. 39:28(C) and 32.1, and to enact R.S. 17:3129(F), relative to postsecondary education; to provide relative to funding institutions of postsecondary education; to provide for the powers of the Board of Regents; to provide for approval of the budget request forms; to require legislative approval of the formula adopted by the Board of Regents; and to provide for related matters.

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

**SENATE BILL NO. 747—**  
BY SENATOR JACKSON

AN ACT

To enact R.S. 40:600.66(C) and R.S. 49:220.10, relative to housing needs in declared disaster areas as a result of hurricanes Katrina and Rita; to provide with respect to Road Home Program applicants whose claims were denied because of unresolved succession and inheritance issues; to provide for an effective date; and to provide for related matters.

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

April 20, 2010

**SENATE BILL NO. 748—**  
BY SENATOR THOMPSON

AN ACT

To enact R.S. 56:410.11, relative to the use of certain fishing gear; to regulate the use of certain fishing gear on Lake Saint Joseph; to provide for the use of yo-yos and trigger devices; to provide conditions, requirements, and penalties; and to provide for related matters.

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

**SENATE BILL NO. 749—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 24:653(H)(2), relative to the Joint Legislative Committee on the Budget; to provide for the review of certain negotiations, compromises or settlements by the Litigation Subcommittee of the Joint Legislative Committee on the Budget; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 750—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:3105(A) and to enact R.S. 13:996.67, relative to courts and judicial procedure; to provide for the Civil District Court for the parish of Orleans; to authorize the Civil District Court for the parish of Orleans and the clerk of court of the Civil District Court for the parish of Orleans to impose additional costs of court and service charges in certain civil matters; to provide for the collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds; to provide procedures and conditions; to provide for the compensation of jurors in civil cases triable by a jury in the Civil District Court for the parish of Orleans; to increase such compensation; and to provide for related matters.

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

**SENATE BILL NO. 751—**  
BY SENATORS MURRAY, PETERSON, HEITMEIER, DUPLESSIS AND MORRELL AND REPRESENTATIVES BROSSETT, HENDERSON, ARNOLD, LORUSSO, ABRAMSON, LEGER, HINES AND STIAES

AN ACT

To amend and reenact R.S. 43:202(A), relative to judicial and legal advertisements in Orleans Parish; to authorize judicial advertisements in specified weekly news publications; to provide for requirements for the weekly news publication, and to provide for related matters.

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

**SENATE BILL NO. 752—**  
BY SENATOR LONG

AN ACT

To enact R.S. 39:1367(E)(2)(b)(v) and Chapter 17-F of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1800.21 through 1800.35, relative to the creation of a nonprofit corporation to provide for the financing and leasing of centers of excellence; to provide for its board of directors; to authorize the lease and sublease of the facilities; to authorize the issuance of bonds and certificates of participation; to empower the nonprofit corporation, the Louisiana Community and Technical College System and the state to take such other actions or enter into such other agreements as may be necessary and appropriate to carry out its responsibilities; to provide that debt issued by the nonprofit corporation is excluded from net state tax supported debt; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**SENATE BILL NO. 753—**  
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 17:221.4(B)(2)(introductory paragraph) and to enact R.S. 17:221.4(B)(5), relative to elementary and secondary education; to provide with respect to dropout prevention and recovery programs; to provide with respect to cohort graduation rates and dropout rates; to provide for publication of school and school system cohort graduation rates; to provide for notification to parents of certain students regarding dropout rates and other school performance related information; and to provide for related matters.

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

**SENATE BILL NO. 754—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 36:801.1(A) and R.S. 38:330.12 and to enact R.S. 36:509(P) and R.S. 38:330.12.1, relative to non-flood assets of levee districts; to provide for the management and control of such assets; to create the Non-flood Protection Asset Management Authority; to provide for the powers, duties, and functions of the authority; to provide for a board of commissioners of the authority and for the membership of the board; and to provide for related matters.

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

**SENATE BILL NO. 755—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact Code of Criminal Procedure Article 894(A)(3) and the introductory paragraph of R.S. 14:98 B(1)(a)(b), the introductory paragraph of C(1), D(1)(a) and (b)(i), D(3)(b), E(1)(a), (b), and (d), and E(4) and to enact R.S. 14:98 B(3) and C(4), relative to the offense of operating a vehicle while intoxicated; to provide for the mandatory participation in certain substance abuse programs; to provide for the criteria for such programs; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 756—**  
BY SENATOR QUINN

AN ACT

To enact R.S. 46:1816(B)(8), relative to the Crime Victims Reparations Act; to provide for funds composing the Crime Victims Reparations Fund; to provide for the inclusion of funds from the Angola rodeo at Louisiana State Penitentiary; and to provide for related matters.

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

**SENATE BILL NO. 757—**  
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 22:1266(A)(1)(b), relative to automobile insurance policies; to provide with respect to a policy insuring multiple automobiles; and to provide for related matters.

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

**SENATE BILL NO. 758—**  
BY SENATOR MARTINY

AN ACT

To repeal R.S. 15:308(C) and 574.22, relative to the Louisiana Risk Review Panel; to abolish the panel; and to provide for related matters.

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

**SENATE BILL NO. 759—**  
BY SENATOR THOMPSON

AN ACT

To enact Subpart B-20 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.441 through 130.447, relative to agricultural, economic, and industrial development in Madison Parish; to create the Madison Parish Economic and Industrial Development District; to provide for the governance, powers, duties, and funding of the district; to authorize the district to issue bonds and levy taxes; and to provide for related matters.

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

**SENATE BILL NO. 760—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 12:421, relative to electric cooperatives; to provide relative to distribution of the assets of a cooperative; to provide for restrictions on members of the board of directors; to provide certain terms, conditions and requirements; and to provide for related matters.

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

**SENATE BILL NO. 761—**  
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:4701(A), 4702(B)(1), (2), (4) and (6)(b), (C), (E), (F), (G), 4703(A) and (C), and 4706(A) and (B); to enact R.S. 33:4701(C), 4702(B)(3) and (D), and 4706(C) and (D), and to repeal R.S. 33:4702(H),(I) and (J); relative to the New Orleans Regional Business Park; to provide with respect to the purpose of the district; to provide with respect to the members appointed to the board; to provide for an executive director; to provide with respect to plans submitted by the board and the process related to such plans; to provide with respect to issuing bonds; to provide with respect to unpaid and outstanding bonds; to provide with respect to the powers of the district; to provide with respect to the use of district funds; and to provide for related matters.

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

**SENATE BILL NO. 762—**  
BY SENATOR BROOME

AN ACT

To enact Chapter 44 of Title 51 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 51:2701 through 2703, relative to discrimination in land use or land development decisions; to provide for unlawful acts; and to provide for related matters.

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

**SENATE BILL NO. 763—**  
BY SENATOR SMITH

AN ACT

To require certain parish arena district board appointments be made by the parish fair board president; and to provide for related matters.

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

**SENATE BILL NO. 764—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 39:84(B)(1) and to enact R.S. 39:32(E)(9), 36(A)(3)(c), and 84(B)(5), relative to budgetary procedures; to require that certain personnel information involving unclassified employees be included in budget requests; to require that certain personnel information involving unclassified employees be included in the executive budget; to provide that the Joint Legislative Committee on the Budget approve the creation of new unclassified positions; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 765—**  
BY SENATORS MCPHERSON AND CHEEK

AN ACT

To enact Chapter 64 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2891, relative to Medicaid upper payment limit collaboratives; to provide for a Medicaid upper payment limit collaborative to continue access to healthcare services; to provide for development of funding mechanisms for hospitals; and to provide for related matters.

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

**SENATE BILL NO. 766—**  
BY SENATOR MCPHERSON

AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 and 2746, relative to reimbursement methodology for mental health services; to direct the Department of Health and Hospitals to establish a uniform reimbursement methodology for community mental health centers and community mental health clinics; to direct the department to promulgate rules and regulations relative to the uniform reimbursement methodology; and to provide for related matters.

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

**SENATE BILL NO. 767—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:266(B) and to enact R.S. 32:57(I), relative to traffic offenses; to provide relative to the disposition of fines for exceeding the posted speed limit on an interstate highway; to change the name of the "Louisiana Highway Safety Commission Fund"; to provide relative to court costs for multiple offenses; and to provide for related matters.

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

**SENATE BILL NO. 768—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:473.1(D) and (E), relative to motor vehicles; to provide for the presumption of responsibility for an abandoned motor vehicle; to provide for the towing and storage of an abandoned motor vehicle; and to provide for related matters.

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

April 20, 2010

**SENATE BILL NO. 769—**  
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 14:51, relative to aggravated arson; to provide relative to injury to persons; to provide relative to injury to firefighters, law enforcement officers, and first responders; and to provide for related matters.

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

**SENATE BILL NO. 770—**  
BY SENATOR CHEEK

AN ACT

To enact R.S. 40:2009.26, relative to adjudications and fair hearings; to provide for the delegation of the fair hearings function; to provide for the adjudication and hearing functions of the Department of Health and Hospitals; to provide for the delegation of certain functions and authority to the division of administrative law, except where prohibited by federal law; to require an agency to prove its exempt status; to provide for the transfer of adjudications and the resources related to handling such adjudications; and to provide for related matters.

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

**SENATE BILL NO. 771—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 32:1526 and R.S. 45:161, 162, 163, 164, 167, 169, and 169:1, relative to the regulation of motor carriers; to provide relative to the Unified Carrier Registration Agreement; to provide for the regulation of interstate and intrastate motor carriers; to provide for funds; to provide for the powers, duties, and functions of the state and its agencies in the regulation of motor carriers; and to provide for related matters.

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

**SENATE BILL NO. 772—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 36:801.1(A) and R.S. 38:330.12(A) and to enact R.S. 36:509(P) and R.S. 38:330.12.1, relative to the New Orleans Lakefront Airport; to create the New Orleans Lakefront Airport Authority; to provide for transfer of the management, control, and maintenance of the airport facility to the authority; to provide for the powers, duties, and functions of the authority exercised through a board of commissioners of the authority; to provide for the membership of the board of commissioners; and to provide for related matters.

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

**SENATE BILL NO. 773—**  
BY SENATOR DONAHUE

AN ACT

To enact R.S. 28:22.1, relative to corners; to create health solutions centers in certain parishes according to the latest decennial census; to provide for legislative intent; to authorize certain services; to provide for consent; and to provide for related matters.

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

**SENATE BILL NO. 774—**  
BY SENATOR CLAITOR

AN ACT

To amend and reenact Code of Criminal Procedure Article 912.1(A), relative to criminal procedure; to provide relative to the right to appeal in any case of conviction of a capital offense; to provide

for notice of the right to waive such appeal; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 775—**  
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 48:972, relative to bridges; provides relative to free passage for publicly owned vehicles over toll bridges; and to provide for related matters.

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

**SENATE BILL NO. 776—**  
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 37:2150.1(8.1), relative to contractors; to provide for the definition of a mechanical contractor; and to provide for related matters.

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

**SENATE BILL NO. 777—**  
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 29:42(A), the introductory paragraph of R.S. 29:42(I), R.S. 38:2225.2.1(A)(1), R.S. 48:250.2(A) and 2084.13(E), R.S. 49:214.5.2(A)(7), and 214.6.2(A) and (D), and to enact R.S. 48:250.3(I), relative to design-build and related contracts; to prohibit such contracts from being entered into after a certain date; and to provide for related matters.

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

**SENATE BILL NO. 778—**  
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 39:1426(D), relative to the sale of general obligation bonds by political subdivisions; to provide for conditions of such sales; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**SENATE BILL NO. 779—**  
BY SENATORS LAFLEUR AND MICHOT AND REPRESENTATIVE MONTOUCET

AN ACT

To amend and reenact R.S. 25:651 through 653, and to enact R.S. 25:654 through 657, relative to the Council for the Development of French in Louisiana; to provide for membership; to provide for the domicile; to provide its purpose and mission; to provide for the powers; to provide for appointment of an executive committee; to provide for an executive director; to provide for compensation of members; to provide for funding; to provide for an annual report; and to provide for related matters.

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

**SENATE BILL NO. 780—**  
BY SENATOR CHEEK AND REPRESENTATIVE BURFORD

AN ACT

To amend and reenact R.S. 15:543.1, 544(B)(1) and (E) and to enact R.S. 15:553, relative to sex offenders; to provide for lifetime registration; to prohibit certain types of employment of sex offenders; to provide for penalties; and to provide for related matters.

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



**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 20, 2010

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:

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 33:1448(G)(1) and to enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in Webster Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact R.S. 33:9091.6(F)(3)(b), relative to the Upper Hurstville Security District in Orleans Parish; to provide relative to the renewal of parcel fees; and to provide for related matters.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVE EDWARDS  
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(p), relative to the Department of Veterans Affairs, including provisions to provide for the re-creation of the Department of Veterans Affairs and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

**HOUSE BILL NO. 223—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 33:3819(I), relative to waterworks districts in Calcasieu Parish; to provide for the per diem paid to waterworks district commissioners; to authorize the parish governing authority to authorize an increase in per diem upon request from such a district; and to provide for related matters.

**HOUSE BILL NO. 243—**

BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 15:254.9(B)(1), relative to Plaquemines Parish; to provide with respect to the witness fee fund; to provide for the payment of benefits for employees of the Plaquemines Parish Sheriff's Office; and to provide for related matters.

**HOUSE BILL NO. 253—**

BY REPRESENTATIVES MONTUCET AND GUILLORY AND SENATOR MORRISH  
AN ACT

To enact R.S. 25:215(B)(17), relative to the Acadia Parish Library; to transfer responsibility for accounting and management of library funds to the Acadia Parish Library Board of Control; and to provide for related matters.

**HOUSE BILL NO. 332—**

BY REPRESENTATIVE NOWLIN  
AN ACT

To repeal R.S. 13:997 and Act No. 492 of the 1962 Regular Session of the Legislature, relative to the Natchitoches Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any obligations, property, records, and employees of the commission; and to provide for related matters.

**HOUSE BILL NO. 411—**

BY REPRESENTATIVE BARROW  
AN ACT

To amend and reenact R.S. 33:404(A)(3), relative to the duties of a mayor; to provide relative to provisions of the Lawrason Act; to correct a statutory reference; and to provide for related matters.

**HOUSE BILL NO. 480—**

BY REPRESENTATIVE MONTUCET  
AN ACT

To amend and reenact R.S. 56:1681(A)(2)(c), relative to the State Parks and Recreation Commission membership; to provide relative to nominations; and to provide for related matters.

**HOUSE BILL NO. 509—**

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 33:1373(D) and 1374(D) and to enact R.S. 13:2493.1(D), relative to providing concurrent jurisdiction of the Municipal Court of New Orleans with the Civil District Court for the parish of Orleans over certain environmental and blighted property issues; to provide for a special environmental docket for the Housing and Environmental Court Division of the Municipal Court of New Orleans; to authorize summary proceedings; and to provide for related matters.

**HOUSE BILL NO. 517—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:62(5)(c) and to repeal R.S. 24:36(E), relative to the Louisiana State Employee's Retirement System; to provide for the employee contribution rate of the clerk and sergeant at arms of the Louisiana House of Representatives and the secretary and sergeant at arms of the Louisiana Senate; to provide for the employee contribution rate of legislators, the governor, lieutenant governor, and certain other elected officials; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 518—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:403(1), relative to the Louisiana State Employee's Retirement System; to provide for the definition of "accumulated contributions"; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 746—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d), relative to the Louisiana State Employees' Retirement System; to provide for calculation of benefits for persons electing early retirement; to provide for different calculation methods depending upon whether such persons are in service at the time of retirement; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 900—**

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 49:149 and 149.2, relative to capitol police; to provide that capitol police officers shall be employees of the Department of Public Safety and Corrections; to provide relative to the carrying of weapons; to provide with respect to bonds; and to provide for related matters.

April 20, 2010

**HOUSE BILL NO. 1002—**

BY REPRESENTATIVE BARROW  
AN ACT

To enact Part I-A of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:481, relative to municipalities governed by special legislative charters; to provide that the provisions of the Lawrason Act govern if the provisions of any such charter are silent on a particular matter; to provide relative to conflicts; and to provide for related matters.

**HOUSE BILL NO. 1113—**

BY REPRESENTATIVES RICHMOND AND LEGER  
AN ACT

To enact R.S. 33:9615, relative to local ethics entities; to provide for appellate review of decisions of the board; to provide restrictions on such right of appeal; to provide definitions; and to provide for related matters.

**HOUSE BILL NO. 345—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To repeal R.S. 6:965(D), relative to the Additional Default Remedies Act.

**HOUSE BILL NO. 386—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 51:935.1(A)(1)(a) and (2), (B)(4)(introductory paragraph), and (E)(1)(a), to enact R.S. 51:935.1(B)(4)(f) through (l) and (6), and to repeal R.S. 51:935.1(A)(3), relative to the Department of Economic Development; to require an annual report; to require the report to be submitted electronically to each member of the Legislature of Louisiana; to require reporting of each local or regional economic development commission participating in the development of prospective businesses; to require the reporting of jobs created and retained; to require the reporting of revenue; to require a listing of successful businesses from fiscal years previously reported; to require the reporting of workers trained to meet needs; and to provide for related matters.

**HOUSE BILL NO. 449—**

BY REPRESENTATIVE NOWLIN  
AN ACT

To amend and reenact R.S. 37:687(A), 690(A), 693(B)(4)(a), 697(A), and 698(A)(7) and (10), (D), (E), (F), (G), (K), and (M), 700(D), (E), (F), (G), (K), (M), and (Q) and to enact R.S. 37:700(A)(11), relative to the Louisiana Professional Engineering and Land Surveying Board; to change the name of the executive secretary of the board to the executive director; to provide for a change to minimum requirements for licensure of a land surveyor; to provide for changes to disciplinary and enforcement proceedings by the board; to provide for changes to complaint review committees within the board; to provide for powers and duties of complaint review committees; and to provide for related matters.

**HOUSE BILL NO. 485—**

BY REPRESENTATIVE BILLIOT  
AN ACT

To amend and reenact R.S. 38:301.1(A), relative to elevation reports; to require that levee elevation reports indicate the elevation based on the North American Vertical Datum of 1988; and to provide for related matters.

**HOUSE BILL NO. 1142—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:539(A)(1) and to enact R.S. 11:441(G), 502.3(D), 538.1, and 538.2; relative to the Louisiana State Employees' Retirement System; to provide for conformity and compliance with qualified plan provisions of the Internal Revenue Code; to provide for limitations on contributions to a plan; to provide relative to the reversion of funds to employers; to provide for rollovers of distributions; to require the

distribution of certain information relative to such rollover distributions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1199—**

BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 23:108(B)(1) and (C), 111(C)(10) and (11) and (F), and 113 and to enact R.S. 23:108(F) and 111(C)(12), relative to employment services; to provide penalties for violations; to provide a cause of action and legal recourse; to prohibit certain actions by employment services; to provide for penalties for unlicensed persons; and to provide for related matters.

**HOUSE BILL NO. 1238—**

BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 25:380.152(C)(1), relative to the governing board of the Germantown Colony Museum; to provide relative to board membership; and to provide for related matters.

**HOUSE BILL NO. 96—**

BY REPRESENTATIVE RICHARD  
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 319—**

BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand the class of petitioners; and to provide for related matters.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Children's Code Articles 1131(E)(1) and (G) and 1243.2(A)(1) and (C), relative to records checks in adoption proceedings; to provide for uniformity in records checks procedures in agency, private, and intrafamily adoptions; and to provide for related matters.

**HOUSE BILL NO. 614—**

BY REPRESENTATIVE PONTI  
AN ACT

To enact R.S. 37:1490, relative to home inspections; to prohibit the performance of both home inspection services and real estate professional services by the same person in a transaction; and to provide for related matters.

**HOUSE BILL NO. 31—**

BY REPRESENTATIVE KLECKLEY  
AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:134, 134.1(A), and 134.2(3)(b) and (c), relative to expropriation by a declaration of taking; to authorize the city of Lake Charles to expropriate property by a declaration of taking for certain purposes; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

**HOUSE BILL NO. 33—**

BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Articles 1458, 1462(B), and 1467, relative to discovery; to require certain forms of responses to interrogatories, requests for production of documents, and requests for admissions; and to provide for related matters.

**HOUSE BILL NO. 38—**BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Article 1443(B), relative to the recordation of testimony, questions, objections, and other statements during depositions; to require recordation during depositions except under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 66—**BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 9:2371, relative to donations inter vivos; to provide for acceptance of donations of immovable property; to provide for recordation; to provide form requirements; and to provide for related matters.

**HOUSE BILL NO. 209—**BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:3561.1(A), relative to payment of licensing fees; to change the method of payment for individuals seeking licenses to make consumer loan transactions; and to provide for related matters.

**HOUSE BILL NO. 335—**BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:1088(E)(3) and 1094(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph) and to repeal R.S. 6:1094(A)(1)(d), (B)(1)(d), (C), (D), (E), and (G), relative to the licensing requirements of mortgage loan originators; to provide for changes to the minimum requirements for licensure of a mortgage loan originator; to provide for changes to the pre- and post-licensing continuing education requirements of mortgage loan originators; and to provide for related matters.

**HOUSE BILL NO. 370—**BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:3891(8) and (9) and to enact R.S. 9:3891(14), relative to agency relations in real estate transactions; to provide for a change in the definition of "designated agency" and "designated agent"; to provide for a definition of "substantive contact"; and to provide for related matters.

**HOUSE BILL NO. 646—**BY REPRESENTATIVE BROSETT  
AN ACT

To enact R.S. 38:330.1(C)(2)(a)(xi), relative to the Southeast Louisiana Flood Protection Authorities; to add a member to the nominating committee; and to provide for related matters.

**HOUSE BILL NO. 805—**BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 9:4822(E)(2) and (4), relative to privileges under the Private Works Act; to authorize certain persons to sign a notice of termination of work; to provide for successors; and to provide for related matters.

**HOUSE BILL NO. 808—**BY REPRESENTATIVE TIM BURNS  
AN ACT

To enact R.S. 9:5504, relative to liens and privileges; to provide relative to the recordation of liens and privileges; to require the recordation of liens and privileges in certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1052—**BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To enact R.S. 1:61, relative to general provisions of the Revised Statutes of 1950; to provide a uniform definition of a

disadvantaged business enterprise; and to provide for related matters.

**HOUSE BILL NO. 522—**BY REPRESENTATIVE GIROD JACKSON  
AN ACT

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

**HOUSE BILL NO. 602—**BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 47:2153(A), relative to the notice of delinquent ad valorem taxes; to provide for the time within which to send notice; and to provide for related matters.

**HOUSE BILL NO. 604—**BY REPRESENTATIVE CHAMPAGNE AND SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 47:1957(E) and 1998(C), relative to the assessment of property for ad valorem taxation; to provide for procedures related to missing, incomplete, or incorrect reporting of taxable property; to require certain notifications to property owners under certain circumstances; to provide with respect to an assessor's authority to initiate litigation against certain taxpayers; to require the provision of notice to certain taxing authorities; and to provide for related matters.

**HOUSE BILL NO. 782—**BY REPRESENTATIVE CROMER  
AN ACT

To amend and reenact R.S. 19:351 and 352(A), relative to expropriation by a declaration of taking; to provide for definitions; to authorize the parish of St. Tammany to expropriate property by a declaration of taking for certain purposes; to repeal the termination date regarding the authority of expropriation by a declaration of taking; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

### House Bills and Joint Resolutions on First Reading

Senator B. Gautreaux 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. 4—**BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 33:1448(G)(1) and to enact R.S. 33:1448(Y), relative to the premium costs of group hospital and health insurance for retired sheriffs and retired deputy sheriffs in Webster Parish; to provide for eligibility for payment of premium costs; and to provide for related matters.

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

**HOUSE BILL NO. 31—**BY REPRESENTATIVE KLECKLEY  
AN ACT

To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes of 1950, R.S. 19:134, 134.1(A), and 134.2(3)(b) and (c), relative to expropriation by a declaration of taking; to authorize the city of Lake Charles to expropriate property by a declaration of taking for certain purposes; to provide procedures for the expropriation by a declaration of taking; and to provide for related matters.

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

**HOUSE BILL NO. 33—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Articles 1458, 1462(B), and 1467, relative to discovery; to require certain forms of responses to interrogatories, requests for production of documents, and requests for admissions; and to provide for related matters.

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

**HOUSE BILL NO. 38—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact Code of Civil Procedure Article 1443(B), relative to the recordation of testimony, questions, objections, and other statements during depositions; to require recordation during depositions except under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 66—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 9:2371, relative to donations inter vivos; to provide for acceptance of donations of immovable property; to provide for recordation; to provide form requirements; and to provide for related matters.

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

**HOUSE BILL NO. 96—**  
BY REPRESENTATIVE RICHARD  
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 148—**  
BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact R.S. 33:9091.6(F)(3)(b), relative to the Upper Hurstville Security District in Orleans Parish; to provide relative to the renewal of parcel fees; and to provide for related matters.

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

**HOUSE BILL NO. 174—**  
BY REPRESENTATIVE EDWARDS  
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(p), relative to the Department of Veterans Affairs, including provisions to provide for the re-creation of the Department of Veterans Affairs and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 209—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:3561.1(A), relative to payment of licensing fees; to change the method of payment for individuals seeking licenses to make consumer loan transactions; and to provide for related matters.

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

**HOUSE BILL NO. 223—**  
BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 33:3819(I), relative to waterworks districts in Calcasieu Parish; to provide for the per diem paid to waterworks district commissioners; to authorize the parish governing authority to authorize an increase in per diem upon request from such a district; and to provide for related matters.

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

**HOUSE BILL NO. 243—**  
BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 15:254.9(B)(1), relative to Plaquemines Parish; to provide with respect to the witness fee fund; to provide for the payment of benefits for employees of the Plaquemines Parish Sheriff's Office; and to provide for related matters.

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

**HOUSE BILL NO. 253—**  
BY REPRESENTATIVES MONTOUCET AND GUILLORY AND SENATOR MORRISH  
AN ACT

To enact R.S. 25:215(B)(17), relative to the Acadia Parish Library; to transfer responsibility for accounting and management of library funds to the Acadia Parish Library Board of Control; and to provide for related matters.

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

**HOUSE BILL NO. 319—**  
BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand the class of petitioners; and to provide for related matters.

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

**HOUSE BILL NO. 332—**  
BY REPRESENTATIVE NOWLIN  
AN ACT

To repeal R.S. 13:997 and Act No. 492 of the 1962 Regular Session of the Legislature, relative to the Natchitoches Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any obligations, property, records, and employees of the commission; and to provide for related matters.

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

**HOUSE BILL NO. 335—**BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 6:1088(E)(3) and 1094(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph) and to repeal R.S. 6:1094(A)(1)(d), (B)(1)(d), (C), (D), (E), and (G), relative to the licensing requirements of mortgage loan originators; to provide for changes to the minimum requirements for licensure of a mortgage loan originator; to provide for changes to the pre- and post-licensing continuing education requirements of mortgage loan originators; and to provide for related matters.

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

**HOUSE BILL NO. 345—**BY REPRESENTATIVE ARNOLD  
AN ACT

To repeal R.S. 6:965(D), relative to the Additional Default Remedies Act.

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

**HOUSE BILL NO. 370—**BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 9:3891(8) and (9) and to enact R.S. 9:3891(14), relative to agency relations in real estate transactions; to provide for a change in the definition of "designated agency" and "designated agent"; to provide for a definition of "substantive contact"; and to provide for related matters.

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

**HOUSE BILL NO. 386—**BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 51:935.1(A)(1)(a) and (2), (B)(4)(introductory paragraph), and (E)(1)(a), to enact R.S. 51:935.1(B)(4)(f) through (l) and (6), and to repeal R.S. 51:935.1(A)(3), relative to the Department of Economic Development; to require an annual report; to require the report to be submitted electronically to each member of the Legislature of Louisiana; to require reporting of each local or regional economic development commission participating in the development of prospective businesses; to require the reporting of jobs created and retained; to require the reporting of revenue; to require a listing of successful businesses from fiscal years previously reported; to require the reporting of workers trained to meet needs; and to provide for related matters.

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

**HOUSE BILL NO. 397—**BY REPRESENTATIVE LANDRY  
AN ACT

To amend and reenact Children's Code Articles 1131(E)(1) and (G) and 1243.2(A)(1) and (C), relative to records checks in adoption proceedings; to provide for uniformity in records checks procedures in agency, private, and intrafamily adoptions; and to provide for related matters.

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

**HOUSE BILL NO. 411—**BY REPRESENTATIVE BARROW  
AN ACT

To amend and reenact R.S. 33:404(A)(3), relative to the duties of a mayor; to provide relative to provisions of the Lawrason Act; to correct a statutory reference; and to provide for related matters.

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

**HOUSE BILL NO. 449—**BY REPRESENTATIVE NOWLIN  
AN ACT

To amend and reenact R.S. 37:687(A), 690(A), 693(B)(4)(a), 697(A), and 698(A)(7) and (10), (D), (E), (F), (G), (K), and (M), 700(D), (E), (F), (G), (K), (M), and (Q) and to enact R.S. 37:700(A)(11), relative to the Louisiana Professional Engineering and Land Surveying Board; to change the name of the executive secretary of the board to the executive director; to provide for a change to minimum requirements for licensure of a land surveyor; to provide for changes to disciplinary and enforcement proceedings by the board; to provide for changes to complaint review committees within the board; to provide for powers and duties of complaint review committees; and to provide for related matters.

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

**HOUSE BILL NO. 480—**BY REPRESENTATIVE MONTOUCE  
AN ACT

To amend and reenact R.S. 56:1681(A)(2)(c), relative to the State Parks and Recreation Commission membership; to provide relative to nominations; and to provide for related matters.

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

**HOUSE BILL NO. 485—**BY REPRESENTATIVE BILLIOT  
AN ACT

To amend and reenact R.S. 38:301.1(A), relative to elevation reports; to require that levee elevation reports indicate the elevation based on the North American Vertical Datum of 1988; and to provide for related matters.

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

**HOUSE BILL NO. 509—**BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 33:1373(D) and 1374(D) and to enact R.S. 13:2493.1(D), relative to providing concurrent jurisdiction of the Municipal Court of New Orleans with the Civil District Court for the parish of Orleans over certain environmental and blighted property issues; to provide for a special environmental docket for the Housing and Environmental Court Division of the Municipal Court of New Orleans; to authorize summary proceedings; and to provide for related matters.

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

**HOUSE BILL NO. 517—**BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:62(5)(c) and to repeal R.S. 24:36(E), relative to the Louisiana State Employee's Retirement System; to provide for the employee contribution rate of the clerk and sergeant at arms of the Louisiana House of Representatives and the secretary and sergeant at arms of the Louisiana Senate; to provide for the employee contribution rate of legislators, the governor, lieutenant governor, and certain other elected

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officials; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 518—**  
BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:403(1), relative to the Louisiana State Employee's Retirement System; to provide for the definition of "accumulated contributions"; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 522—**  
BY REPRESENTATIVE GIROD JACKSON  
AN ACT

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

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

**HOUSE BILL NO. 602—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 47:2153(A), relative to the notice of delinquent ad valorem taxes; to provide for the time within which to send notice; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 604—**  
BY REPRESENTATIVE CHAMPAGNE AND SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 47:1957(E) and 1998(C), relative to the assessment of property for ad valorem taxation; to provide for procedures related to missing, incomplete, or incorrect reporting of taxable property; to require certain notifications to property owners under certain circumstances; to provide with respect to an assessor's authority to initiate litigation against certain taxpayers; to require the provision of notice to certain taxing authorities; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 614—**  
BY REPRESENTATIVE PONTI  
AN ACT

To enact R.S. 37:1490, relative to home inspections; to prohibit the performance of both home inspection services and real estate professional services by the same person in a transaction; and to provide for related matters.

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

**HOUSE BILL NO. 646—**  
BY REPRESENTATIVE BROSSETT  
AN ACT

To enact R.S. 38:330.1(C)(2)(a)(xi), relative to the Southeast Louisiana Flood Protection Authorities; to add a member to the nominating committee; and to provide for related matters.

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

**HOUSE BILL NO. 746—**  
BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d), relative to the Louisiana State Employees' Retirement System; to provide for calculation of benefits for persons electing early retirement; to provide for different calculation methods depending upon whether such persons are in service at the time of retirement; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 782—**  
BY REPRESENTATIVE CROMER  
AN ACT

To amend and reenact R.S. 19:351 and 352(A), relative to expropriation by a declaration of taking; to provide for definitions; to authorize the parish of St. Tammany to expropriate property by a declaration of taking for certain purposes; to repeal the termination date regarding the authority of expropriation by a declaration of taking; and to provide for related matters.

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

**HOUSE BILL NO. 805—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 9:4822(E)(2) and (4), relative to privileges under the Private Works Act; to authorize certain persons to sign a notice of termination of work; to provide for successors; and to provide for related matters.

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

**HOUSE BILL NO. 808—**  
BY REPRESENTATIVE TIM BURNS  
AN ACT

To enact R.S. 9:5504, relative to liens and privileges; to provide relative to the recordation of liens and privileges; to require the recordation of liens and privileges in certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 900—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 49:149 and 149.2, relative to capitol police; to provide that capitol police officers shall be employees of the Department of Public Safety and Corrections; to provide relative to the carrying of weapons; to provide with respect to bonds; and to provide for related matters.

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

**HOUSE BILL NO. 1002—**  
BY REPRESENTATIVE BARROW  
AN ACT

To enact Part I-A of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:481, relative to municipalities governed by special legislative charters; to provide that the provisions of the Lawrason Act govern if the provisions of any such charter are silent on a particular matter; to provide relative to conflicts; and to provide for related matters.

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

**HOUSE BILL NO. 1052—**

BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To enact R.S. 1:61, relative to general provisions of the Revised Statutes of 1950; to provide a uniform definition of a disadvantaged business enterprise; and to provide for related matters.

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

**HOUSE BILL NO. 1113—**

BY REPRESENTATIVES RICHMOND AND LEGER  
AN ACT

To enact R.S. 33:9615, relative to local ethics entities; to provide for appellate review of decisions of the board; to provide restrictions on such right of appeal; to provide definitions; and to provide for related matters.

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

**HOUSE BILL NO. 1142—**

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 11:539(A)(1) and to enact R.S. 11:441(G), 502.3(D), 538.1, and 538.2; relative to the Louisiana State Employees' Retirement System; to provide for conformity and compliance with qualified plan provisions of the Internal Revenue Code; to provide for limitations on contributions to a plan; to provide relative to the reversion of funds to employers; to provide for rollovers of distributions; to require the distribution of certain information relative to such rollover distributions; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1199—**

BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 23:108(B)(1) and (C), 111(C)(10) and (11) and (F), and 113 and to enact R.S. 23:108(F) and 111(C)(12), relative to employment services; to provide penalties for violations; to provide a cause of action and legal recourse; to prohibit certain actions by employment services; to provide for penalties for unlicensed persons; and to provide for related matters.

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

**HOUSE BILL NO. 1238—**

BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 25:380.152(C)(1), relative to the governing board of the Germantown Colony Museum; to provide relative to board membership; and to provide for related matters.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

Senator Julie Quinn, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 20, 2010

To the President and Members of the Senate:

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

**SENATE BILL NO. 46—**

BY SENATOR APPEL  
AN ACT

To amend and reenact Code of Civil Procedure Art. 4907(B), relative to procedure in parish and city courts; to provide relative to the delay for applying for a new trial; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 53—**

BY SENATOR N. GAUTREAUX  
AN ACT

To amend and reenact R.S. 46:236.15(D)(1)(a), and to enact R.S. 27:2(C) and (D) and 24(A)(5), relative to support; to provide for public policy regarding gaming and child support; to provide for the intercept and seizure of payments of progressive slot machine annuities and cash gaming winnings for the payment of child support and overpayments to the department; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 108—**

BY SENATOR RISER  
AN ACT

To amend and reenact R.S. 40:46(A), relative to legitimation; to provide for legitimation by a major child and the biological parents; to provide for specific information required; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 130—**

BY SENATOR MORRELL  
AN ACT

To enact R.S. 46:236.1.5(D) and Chapter 13-D of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1441 through 1449, relative to child support; to provide relative to the collection of child support through private party child support collection agencies; to provide for definitions; to provide for the regulation of services of private party child support collection agencies; to provide relative to prohibited practices and penalties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 169—**

BY SENATOR WALSWORTH  
AN ACT

To enact R.S. 8:502.3, relative to the funeral merchandise trust fund; to provide for exemption from seizure of merchandise trust fund monies; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 218—**

BY SENATOR APPEL  
AN ACT

To enact R.S. 9:4815, relative to the Private Works Act; to provide for the escrow of funds due under certain contracts; to provide for the duties of an escrow agent; to provide for the release of funds from escrow; and to provide for related matters.

Reported with amendments.

April 20, 2010

**SENATE BILL NO. 320—**  
BY SENATOR QUINN

AN ACT

To amend and reenact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, presently comprised of R.S. 9:355.1 through 355.17, to be comprised of R.S. 9:355.1 through 355.19, relative to the relocation of the residence of a child; to provide for definitions; to provide for applicability; to provide for the proposal of relocation; to provide for notice; to provide for an objection; to provide for the limitation on an objection to relocation by non-parents; to provide for the failure to object; to provide for court authorization to relocate; to provide for a temporary order; to provide for the priority for hearings; to provide for factors to determine relocation; to provide for the appointment of a mental health expert; to provide for the burden of proof; to provide for a modification of custody; to provide for the posting of security; to provide for sanctions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 343—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Civil Procedure Articles 283, 3061, 3228, and 3396.18(B), and R.S. 6:312(A), 314(E), 315.1(C), 321(A), 322 through 324, 653.1(E), 664(A), 765(B), 766(A)(4) and (5)(b), 766.1(E), 767(C) and (D), 768(B), and 769(A) and (E) through (G), and R.S. 9:1513(A) through (C), 1514(A)(1), (2), and (4), and (B), 1515(C) and (D), 1551(B), 1552(C) and (D), 2156(C)(10), 2157, 2431(7), 2449(B), and 3839, and R.S. 23:638, and R.S. 33:1501, 4545.23, 4546.16, and R.S. 47:55(2) and 1673; and to repeal Code of Civil Procedure Articles 2951, 2953 and 2954, and R.S. 6:653.4(F), 765(C), and 767(E), and R.S. 8:814, and R.S. 9:1552(E), 2432 through 2439, and 2449(C), and R.S. 12:603(F), and R.S. 40:33(H), and R.S. 47:2431 through 2437, and 2451; all relating to inheritance taxes; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 361—**  
BY SENATOR SMITH

AN ACT

To amend and reenact Civil Code Articles 538, 549, 553, 558, 567 through 569, 573 through 575, 577, 580, 581, 583, 584, 586 through 594, 601, 604, 608, 613, 615, 616, 618 through 620, and 623 through 625, and to enact Civil Code Articles 568.1, 568.2, and 568.3, relative to usufruct; to provide for the continuous revision; to provide for the general principles; to provide for the capacity to receive; to provide for voting shares of stock; to provide for improvements and alterations; to provide for contracts affecting liability; to provide for disposition of nonconsumables; to provide for obligations and rights; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 437—**  
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 9:2772(H)(2), relative to contracts; to provide for recovery of attorney fees and court costs in certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 457—**  
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 9:4203 and 4206, relative to the Louisiana Binding Arbitration Law; to provide certain

procedures, requirements, and conditions regarding evidence; to provide relative to payment of deposits, fees, or expenses; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 644—**  
BY SENATOR BROOME

AN ACT

To enact Chapter 2-A of Title XVI of the Louisiana Children's Code, comprised of Arts. 1623 through 1640, and to repeal Chapter 2 of Title XVI of the Louisiana Children's Code, comprised of Arts. 1608 through 1622, relative to the Interstate Compact on the Placement of Children; to authorize the state to enter into an interstate compact on the placement of children; to provide procedures, terms, conditions, requirements, and effects; to provide purposes and definitions; to provide relative to compact applicability; to provide relative to jurisdiction, assessments, placement, and state responsibility; to establish an interstate commission for the placement of children and provide for its powers, duties, membership, procedures, organization, operation, officers and staff; to provide certain qualified immunity, defenses, and indemnification; to provide for rulemaking functions and procedures; to provide for the effects of rules promulgated by the commission; to provide for judicial review of such rules; to provide for oversight of the compact by the commission; to provide for dispute resolution and enforcement of the compact; to provide for financing of the commission; to provide for effective dates of the compact; to provide for withdrawal and dissolution of the compact; to provide for legal effects of the compact; to provide for Indian tribes; to provide for rulemaking authority by the Department of Social Services; to provide certain effective dates; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JULIE QUINN  
Chairman

**Rules Suspended**

Senator N. Gautreaux asked for and obtained a suspension of the rules to revert to the order of:

**Introduction of Senate Bills  
and Joint Resolutions**

Senator N. Gautreaux asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

**SENATE BILL NO. 781—**  
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 4:145.2, relative to Louisiana State Racing Commission; to provide for judicial review of adjudication; to provide for venue; and to provide for related matters.

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

**SENATE BILL NO. 782—**  
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 27:44(15), 205(17), and 353(8) and to enact R.S. 27:21.2, 44(20.1), 205(30.1), 244(D), and 353(9.1), relative to promotional expense deductions; to provide for a promotional expense deduction from the calculation of net gaming proceeds, net slot machine proceeds, and gross revenue; to provide for definitions; to provide for exceptions; to require certain gaming licensees and the casino gaming operator report the total amount of promotional expenses; to provide for an



amendment to the casino operating contract; and to provide for related matters.

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

**SENATE BILL NO. 783—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 42:1112 and 1113(C), and to enact R.S. 42:1123(42), relative to conflicts of interest; to provide that a legislator is prohibited from participating in any transaction with the state in which he has a personal economic interest; to provide relative to exceptions to conflicts of interest law; and to provide for related matters.

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

**SENATE BILL NO. 784—**

BY SENATOR QUINN

AN ACT

To enact R.S. 13:5106(F), relative to the payment of judgments against the state, state agencies or political subdivisions of the state; to provide with respect to the payment of certain judgments for which an appropriation has been made; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 785—**

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 10:3-311(b), relative to negotiable instruments; to provide for accord and satisfaction by use of an instrument; to define the term "conspicuous statement"; and to provide for related matters.

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

**SENATE BILL NO. 786—**

BY SENATOR QUINN

AN ACT

To enact R.S. 22:1892(E), relative to payment and adjustment of claims for policies other than life and health and accident; to provide for payment of claims in which an attorney and the insured have executed a contract granting an interest to the attorney in the subject matter of the claim; to provide for such interest to be superior to that of a loss payee; to provide for penalties; and to provide for related matters.

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

**SENATE BILL NO. 787—**

BY SENATOR DORSEY

AN ACT

To amend and reenact R.S. 13:996.62(A)(1), 2151.1, 2152.2(A), 2153.1, 2154, the introductory paragraph of 2157(A), the introductory paragraph of 2158(A), (C), and (D), 2160, 2161(A), 2162(A), 2163, and 2165(A), to enact R.S. 13:1312.1 and 2152.3, and to repeal R.S. 13:1312, 2151.4, 2152, and 2153(B), relative to the First City Court and the Second City Court of the city of New Orleans; to remove the city courts from the judicial expense fund of the parish of Orleans and the consolidated judicial expense fund for the Forty-First Judicial District Court; to provide for the judicial expense fund for the First City Court of the city of New Orleans; to provide for the judicial expense fund for the Forty-First Judicial District Court; to abolish the

Second City Court of the city of New Orleans and the office of judge, clerk, and constable; to remove provisions applying to the Second City Court of the city of New Orleans; and to provide for related matters.

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

**SENATE BILL NO. 788—**

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 44:4.1(B)(21), and to enact Chapter 8-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:711.1 through 711.24, relative to the professional geoscientists; to provide for a board; to provide for meetings; to provide for powers; to provide for records and reports; to provide for requirements; to provide for exemptions; to provide for applications and fees; to provide for examinations; to provide for eligibility; to provide for types of licenses; to provide for issuance of licenses; to provide for expiration and renewal of licenses; to provide for professional development; to provide for a seal; to provide for disciplinary procedures; to provide for enforcement; and to provide for related matters.

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

**SENATE BILL NO. 789—**

BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 42:39(B), relative to elected or appointed officials; to provide for ineligibility to become a candidate for other elective office; to make technical corrections; and to provide for related matters.

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

**SENATE BILL NO. 790—**

BY SENATOR HEBERT

AN ACT

To enact R.S. 14:98(L), relative to the crime of operating a vehicle while intoxicated; to prohibit persons arrested for the offense of such crime from participation in pretrial diversion programs; and to provide for related matters.

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

### Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules to recall Senate Bill No. 103 from the Committee on Finance.

**SENATE BILL NO. 103—**

BY SENATORS N. GAUTREAUX, AMEDEE, CHABERT, GUILLORY, HEBERT, MICHOT AND MORRISH AND REPRESENTATIVE JANE SMITH

AN ACT

To enact Subpart B of Part XIII of Chapter 2 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 33:1419.5 through 1419.10, relative to financial assistance to political subdivisions; creates the Alternative Fuel Vehicle Revolving Loan Fund Program within the Department of Natural Resources to provide financial assistance to political subdivisions of the state for the costs of purchasing or converting all or a portion of the political subdivisions' fleets of motor vehicles to qualified clean fuel vehicles propelled by an alternative fuel; to provide for the forms of such financial assistance; and to provide for related matters.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 28— BY SENATOR MARIONNEAU

A RESOLUTION

To declare Tuesday, April 27, 2010, Military Family Day in the Louisiana Senate in honor of America's military personnel, and in particular, in honor of Louisiana's fallen heroes.

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

SENATE RESOLUTION NO. 29— BY SENATOR SMITH

A RESOLUTION

To commend and congratulate Rita Mann on her retirement from the Beauregard Parish school system after thirty-nine years of dedicated service.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 20, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVES KATZ, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to encourage all female veterans to advise agency officials of their specific needs and concerns so that policy solutions may be advanced to improve the quality of life of female veterans.

HOUSE CONCURRENT RESOLUTION NO. 108— BY REPRESENTATIVE AUSTIN BADON

A CONCURRENT RESOLUTION

To recognize Wednesday, April 14, 2010, as Adult Education Awareness Day at the Louisiana State Capitol.

HOUSE CONCURRENT RESOLUTION NO. 102— BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Carolyn Susan Taylor "Sue" Haley of Ruston.

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES, TALBOT, TEMPLET, THIBAUT, THIERRY, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, DUPLESSIS, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GUILLORY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To commend Mr. Charles F. Castille on thirty-five years of outstanding service and dedication to the citizens of the state of Louisiana and to congratulate him on the occasion of his retirement from the Louisiana Department of Health and Hospitals (DHH).

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVES HOFFMANN, CHANEY, KATZ, AND LITTLE AND SENATORS KOSTELKA AND WALSWORTH

A CONCURRENT RESOLUTION

To commend R-Squared Productions upon the premiere of Flag of My Father, which was filmed in northeast Louisiana in 2009.

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request each member of the Legislature of Louisiana to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day".

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

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Rules Suspended

Senator Jackson asked for and obtained a suspension of the rules to allow the Committee on Finance to meet without the required 24-hour notice.

Without objection, so ordered.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Position, and Status. Includes Mr. President, Erdey, Morrell, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Guillory, Murray, Appel, Hebert, Nevers, Broome, Heitmeier, Peterson.

Chabert	Jackson	Quinn
Cheek	Kostelka	Riser
Claitor	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Dorsey	Martiny	Walsworth
Duplessis	McPherson	
Total - 38		

ABSENT

Michot  
Total - 1**Leaves of Absence**

The following leaves of absence were asked for and granted:

Michot            1 Day

**Announcements**

The following committee meetings for April 21, 2010, were announced:

Commerce	10:00 A.M.	Room E
Finance	1:30 P.M.	Hainkel Rm
Health & Welfare	9:00 A.M.	Hainkel Rm
Insurance	1:00 P.M.	Room A
Senate & Gov't Affairs	9:30 A.M.	Room F

**Adjournment**

On motion of Senator Thompson, at 5:45 o'clock P.M. the Senate adjourned until Wednesday, April 21, 2010, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, April 21, 2010.

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