

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 11, 2011

The Senate was called to order at 3:10 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	Donahue	Mills
Adley	Dorsey	Morrish
Alario	Erdey	Murray
Amedee	Guillory	Perry
Appel	Jackson	Shaw
Broome	Kostelka	Smith
Chabert	LaFleur	Thompson
Cheek	Long	Walsworth
Claitor	Martiny	Willard-Lewis
Total - 27		

ABSENT

Crowe	McPherson	Nevers
Gautreaux	Michot	Peterson
Heitmeier	Morrell	Quinn
Marionneaux	Mount	Riser
Total - 12		

The President of the Senate announced there were 27 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Scott Bledsoe, 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 Thompson, the reading of the Journal was dispensed with and the Journal of May 10, 2011, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 11, 2011

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR DONAHUE

A CONCURRENT RESOLUTION
To commend Covington Police Lieutenant Douglas "Wade" Sharp for extraordinary heroism in sacrificing his own life to save the life of his daughter.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR BROOME

A CONCURRENT RESOLUTION
To recognize May 2011 as National Skin Cancer Awareness Month in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR BROOME

A CONCURRENT RESOLUTION
To designate May 16, 2011, as "YMCA Day in Louisiana."

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR BROOME

A CONCURRENT RESOLUTION
To express the support of the Legislature of Louisiana as the host state for the 2011 Annual Legislative Conference of the National Organization of Black Elected Legislative Women (NOBEL-Women) being held in Baton Rouge on June 23-26, 2011.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR LONG

A CONCURRENT RESOLUTION
To commend Northwestern State University College of Nursing and Allied Health upon being selected as one of the Top 100 nursing graduate programs in the nation in the latest rankings by U.S. News Media Group.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR MICHOT

A CONCURRENT RESOLUTION
To recognize May 2011 as Amyotrophic Lateral Sclerosis Awareness Month and to memorialize the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for amyotrophic lateral sclerosis.

Reported without amendments.

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 28—
BY SENATOR MORRISH

A RESOLUTION
To commend the Hackberry High School girls softball team on winning the 2011 Class C state championship.

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

Message from the House

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

May 10, 2011

To the Honorable President and Members of the Senate:

May 11, 2011

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

- HB No. 58 HB No. 77 HB No. 507
- HB No. 534 HB No. 540

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

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

HOUSE BILL NO. 58—
BY REPRESENTATIVES LIGI AND WILLMOTT AND SENATOR MARTINY

AN ACT

To authorize and provide for the lease of certain state property; to authorize the lease of certain water bottoms and reclaimed lands in Jefferson Parish; to provide for reservation of mineral rights; to provide for terms and conditions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 77—
BY REPRESENTATIVE BARRAS

AN ACT

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

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

HOUSE BILL NO. 507—
BY REPRESENTATIVES LANDRY, CORTEZ, EDWARDS, HARDY, HONORE, LEGER, NORTON, AND ST. GERMAIN

AN ACT

To amend and reenact R.S. 32:408(B)(3)(f) and 414.2(E)(1)(introductory paragraph) and (2)(introductory paragraph) and (c), relative to commercial driver's license holders; to prohibit certain persons from operating school buses; and to provide for related matters.

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

HOUSE BILL NO. 534—
BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact R.S. 22:1457(A)(2), R.S. 32:402(B)(1)(a)(ii)(bb), 402.1(A)(introductory paragraph), (1), (2)(introductory paragraph), (a), and (g), 407(A)(2)(a), (4), and (6), 408(A)(4)(a), 408.1(introductory paragraph) and (2), 416, 417(A), 422, 422.1, R.S. 40:1461(A) and (C), R.S. 47:305.26 and 479.1 and to repeal R.S. 17:270, 271, and 271.1, R.S. 32:402.1(A)(2)(h) and (3)(a) and (b), (B), and (C) and 402.2, relative to driver's education programs; to consolidate all driver's education programs and instruction under the Department of Public Safety and Corrections, public safety services; to remove all driver's education programs and instruction from the Department of Education; and to provide for related matters.

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

HOUSE BILL NO. 540—
BY REPRESENTATIVE AUBERT

AN ACT

To amend and reenact R.S. 48:292.1(C)(1)(introductory paragraph) and (a), relative to the Small Engineering Consultant Program; restricts participation in the program to certain engineering consultant firms; and to provide for related matters.

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

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 11, 2011

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 27—
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b)(i), relative to health care information; to provide for health care records; to provide for the persons who have the right to obtain a patient's medical records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 60—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 37:1218, relative to the administration of certain immunizations; to provide for a pharmacist to administer certain immunizations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 64—
BY SENATOR CHEEK

AN ACT

To repeal R.S. 40:2120.56, relative to certified nurse aides; to remove certain work requirements which must be satisfied in order to maintain state certification as a certified nurse aide; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 65—
BY SENATOR CHEEK

AN ACT

To amend and reenact R.S. 40:1300.53(C)(2), relative to nonlicensed persons and licensed ambulance personnel; to provide for an exemption to the prohibition on employing a nonlicensed person or licensed ambulance personnel when such person has been convicted of certain offenses; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 93—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:1026.1 and 1026.6(B)(10) and to enact Part XLII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.21 through 1300.22, and to repeal R.S. 37:1026.9, relative to training programs for certified nurse aides; to provide for the medication attendant certification program for certified nurse aides; to provide for a clinical preceptor nurse aide training program maintained by the Louisiana Community and Technical College System for certified nurse aides; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 156—
BY SENATOR BROOME

AN ACT

To enact R.S. 40:2022, relative to health care information; to require hospitals to provide certain health care information to certain patients; to provide for the development and dissemination of the health care information by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 175—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1041(C)(2)(e), 1042(B), 1050(B), and 1055, relative to the practice of optometry; to provide for definitions; to provide for the Louisiana State Board of Optometry Examiners; to provide for application requirements; to provide for recording of the certificate of practice; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 176—
BY SENATOR HEITMEIER

AN ACT

To enact Part LXX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.331, relative to Medicaid; to provide for an upper payment limit financing mechanism for certain health care providers; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 178—
BY SENATOR HEITMEIER

AN ACT

To enact Part XL-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.8.1 through 1300.8.2, relative to a scholarship or loan program for certain students who enroll in certain out-of-state medical education programs which are not offered in the state; to provide for the creation and uses of a medical and Allied Health Professional Education Scholarship and Loan Fund; to provide for administration of the fund; to provide for qualifications and requirements of the applicants for the scholarship or loan; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 188—
BY SENATOR BROOME

AN ACT

To enact R.S. 46:2911(B)(21), relative to the Council on the Status of Grandparents Raising Grandchildren; to provide for the membership of the council; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 189—

BY SENATORS CHEEK, DONAHUE, JACKSON, MICHOT, MOUNT AND NEVERS AND REPRESENTATIVES ARNOLD, AUSTIN, BADON, BROSSETT, HARRISON, HENRY, KATZ, LIGI, LORUSSO, MONTOUCET, SCHRODER, SIMON AND ST. GERMAIN

AN ACT

To enact Part XXXVII-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.181 through 1299.185, relative to concussions and head injuries; to provide for definitions; to provide for concussion education requirements; to provide for the removal of youth athletes from competition upon sustaining a concussion; to provide for requirements which must be satisfied for a youth athlete to return to play after sustaining a concussion or head injury; to provide for the dissemination of concussion information by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 205—
BY SENATOR GUILLORY

AN ACT

To enact R.S. 37:1226.3, relative to the prescription drugs; to provide relative to charitable pharmacies; to provide for exchanges and re-dispensing in pharmacies under the authority of the Department of Public Safety and Corrections; to provide for the authority to promulgate rules and regulations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 11, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 108—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 18:402(F), relative to the Louisiana Election Code; to provide that local tax elections can only be held at the same time as statewide and congressional primary elections; to provide a limitation on the number of emergency tax elections that can be held; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

REPORT OF COMMITTEE ON

INSURANCE

Senator Dan W. "Blade" Morrish, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 11, 2011

May 11, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 173— BY SENATOR ADLEY

AN ACT

To enact R.S. 22:978(E), relative to group, family group, blanket, and association health and accident insurance; to provide with respect to notice required for certain premium increase, cancellation, or nonrenewal; to provide for the release of claims data, and to provide for related matters.

Reported with amendments.

Respectfully submitted, DAN W. "BLADE" MORRISH Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 13— BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 47:297.10(A), relative to income tax deductions; to authorize a deduction for the amount of certain tuition and fees paid to certain elementary and secondary schools; and to provide for related matters.

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

SENATE BILL NO. 21— BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:305(D)(1)(c), relative to exemptions from the sales and use taxes of the state and political subdivisions of the state; to provide an exemption for bottled water; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 21 by Senator Riser

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:305(D)(1)(c)" insert "and (p)"

AMENDMENT NO. 2

On page 1, line 3, delete "and political subdivisions of the state"

AMENDMENT NO. 3

On page 1, line 4, change "bottled" to "certain"

AMENDMENT NO. 4

On page 1, line 6, after "R.S. 47:305(D)(1)(c)", change "is" to "and (p) are"

AMENDMENT NO. 5

On page 1, delete lines 14 through 17, and on page 2, delete line 1, and insert:

"(c) Water [not including mineral water or carbonated water or any water put in bottles, jugs, or containers, all of which are not exempted, except as provided for in R.S. 47:305(D)(1)(p)]."

(p) Solely for purposes of the state sales and use tax, soft drinks, water, mineral water, carbonated water and flavored water sold in bottles, jugs, or containers.

Section 2. This Act shall become effective on October 1, 2011."

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

SENATE BILL NO. 22— BY SENATOR MURRAY

AN ACT

To amend and reenact Code of Civil Procedure Articles 3421, 3431, 3432 and 3434, relative to successions; to provide relative to small successions; to provide certain definitions, terms, procedures, conditions, requirements, and effects; to provide for conveyance of certain ownership interest in immovable property by a small succession; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 22 by Senator Murray

AMENDMENT NO. 1

On page 3, line 18, after "duly sworn" delete the remainder of the line and insert "to and acknowledged before any"

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

SENATE BILL NO. 24— BY SENATOR ALARIO

AN ACT

To enact R.S. 9:5166, relative to mortgages and vendor's liens; to provide relative to cancellation of mortgage and vendor's lien inscriptions; to create and authorize the use of a uniform cancellation affidavit for cancellation of mortgage and vendor's lien inscriptions; to provide for the contents and effects of such affidavit; to provide relative to liability; to provide certain terms, conditions, procedures, and requirements, and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 24 by Senator Alario

AMENDMENT NO. 1

On page 2, delete line 9 and insert "of a uniform cancellation affidavit containing a request to cancel, together"

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

SENATE BILL NO. 31— BY SENATOR SMITH

AN ACT

To enact R.S. 33:448(D), relative to mayor's courts; to increase authorized court costs for municipal ordinance violations in the mayor's court of the town of New Llano; and to provide for related matters.

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

SENATE BILL NO. 36—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:512(1) and 17(b)(vi) and R.S. 37:212(A)(2)(d), relative to abstracts of title; to provide definitions; to provide relative to title insurance; to provide relative to abstracts of title and title examination and opinions; to provide relative to the practice of law; to provide definitions, terms, procedures, conditions, and requirements; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 36 by Senator Morrish

AMENDMENT NO. 1

On page 2, line 2, delete "**abstracts**" and insert "**extracts**"

AMENDMENT NO. 2

On page 3, line 12, delete "**reports**" and insert "**report or title insurance policy**"

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

SENATE BILL NO. 39—

BY SENATORS LAFLEUR AND RISER
AN ACT

To repeal Part III of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1801 through 1804, relative to the purchasing of certain weapons or ammunition; and to provide for related matters.

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

SENATE BILL NO. 40—

BY SENATORS MORRELL AND ADLEY
AN ACT

To amend and reenact R.S. 47:6021(A), (B)(1), (D)(2)(a)(i) and (b)(i), H, the introductory paragraph of (I), (I)(6), and (J) and to enact R.S. 47:6021(B)(6), relative to income tax credits; to provide income tax credits for certain brownfields investors; to clarify the applicability of such credit to remediation of public lands; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 40 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 3, after "(I)," insert "(I)(2),"

AMENDMENT NO. 2

On page 1, line 9, after "(I)," insert "(I)(2),"

AMENDMENT NO. 3

On page 3, between lines 27 and 28, insert:
"(2) Transferors and transferees shall submit **written notification** to the Department of Revenue **and the Department of Environmental Quality in writing**, a notification of any transfer or sale of tax credits within thirty days after the transfer or sale of such tax credits. The notification shall include the transferor's tax credit balance prior to transfer, a copy of ~~any~~ **the** tax credit certification letter(s) issued by the Department of Environmental Quality, the name of the state-certified site, the transferor's remaining tax credit

balance after transfer, all **names and** tax identification numbers for both transferor and transferee, the date of transfer, the amount transferred, a copy of the credit certificate, ~~price paid by the transferee to the transferor, for the tax credits~~; and any other information required by the Department of Revenue. For the purpose of reporting ~~transfer prices~~ **transfers**, the term "transfer" shall include allocations pursuant to R.S. 47:6007(C)(3) as provided by rule. **The Department of Environment Quality shall notify the transferor and the Department of Revenue if any transferee is an ineligible participant under Subsection H.**

AMENDMENT NO. 4

On page 4, line 2, delete "**July 1**" and insert "**June 30**"

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

SENATE BILL NO. 52—

BY SENATORS ALARIO AND THOMPSON
AN ACT

To amend and reenact R.S. 39:98.1(A)(3), (B), (C), and (D) and 98.3(A), all relative to the Millennium Trust, the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the allocation of interest to the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the dedication of certain proceeds from the Settlement Agreement to the TOPS Fund; to provide for the deposit, transfer, or credit of certain Settlement Agreement proceeds received by the state to the TOPS Fund; to provide for the uses of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 52 by Senator Alario

AMENDMENT NO. 1

On page 4, line 2, change "**39:98.1B and C**" to "**39:98.1(B) and (C)**"

AMENDMENT NO. 2

On page 4, line 15, change "**39:98.1D(2) and (3),**" to "**39:98.1(D)(2) and (3),**"

AMENDMENT NO. 3

On page 4, line 18, change "**39:98.1D(2)**" to "**39:98.1(D)(2)**"

AMENDMENT NO. 4

On page 4, line 23, change "**39:98.1D(2),**" to "**39:98.1(D)(2),**"

AMENDMENT NO. 5

On page 4, line 26, change "**39:98.1D(2)**" to "**39:98.1(D)(2)**"

AMENDMENT NO. 6

On page 5, line 15, change "____" to "53"

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

SENATE BILL NO. 53—

BY SENATORS ALARIO AND THOMPSON
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(A)(1)(c), (A)(2), (3), and (4), and (C)(1) of the Constitution of Louisiana, all relative to the Millennium Trust, the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the allocation of interest to the Health Excellence Fund, the Education Excellence Fund, and the TOPS Fund; to provide for the dedication of certain proceeds from the Settlement Agreement to the TOPS Fund; to provide for the deposit,

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transfer, or credit of certain Settlement Agreement proceeds received by the state to the TOPS Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 54— BY SENATOR AMEDEE

AN ACT

To enact R.S. 47:1713, relative to ad valorem property tax; to authorize the prohibition of certain property from being considered exempt in certain parishes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 54 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 3, after "exempt" insert "for the tax of certain tax authorities"

AMENDMENT NO. 2

On page 1, line 9, after "contrary" and before the comma "," insert "but subject to the provisions of Subsection C of this Section"

AMENDMENT NO. 3

On page 1, at the end of line 11, delete "private" and on line 12, after "property" insert ",whether such property is movable or immovable."

AMENDMENT NO. 4

On page 1, line 15, after "exempt from" insert "an" and change "taxes" to "tax"

AMENDMENT NO. 5

On page 1, delete line 17, and on page 2, delete lines 1 and 2, and insert: "unless the ad valorem property tax recipient body which levied the tax adopts a resolution approving the transfer."

AMENDMENT NO. 6

On page 2, line 4, delete "or bodies"

AMENDMENT NO. 7

On page 2, delete lines 12 through 16, and insert the following:

"C. The provisions of this Section shall not apply to any property, whether such property is movable or immovable, owned, leased, occupied or used by any company, or any affiliate thereof, if such company entered into a cooperative endeavor agreement with the state and parish prior to July 1, 2011, regardless of whether such property interest, whether ownership, leasehold, license or other right to occupy or use, is acquired prior or subsequent to such date. The term "affiliate" as used in this Section shall mean an entity that is related to a company, directly or indirectly, by means of the ownership, or of the common ownership, of an equity or membership interest by either party.

Section 2. This Act shall become effective on July 1, 2011; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2011, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Adley, 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 MURRAY

AN ACT

To enact R.S. 47:6019(C), relative to income and corporation franchise tax; to provide with respect to income and corporation franchise tax credits for costs associated with the rehabilitation of historic structures; to provide for certain taxable periods; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 63 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "To" insert the following: "amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature of Louisiana, as amended and reenacted by Act No. 12 of the 2004 First Extraordinary Session of the Legislature of Louisiana and Act No. 182 of the 2007 Regular Session of the Legislature of Louisiana, and to"

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

SENATE BILL NO. 81—

BY SENATORS MILLS, ALARIO, CHEEK, LAFLEUR, LONG, MICHOT AND MURRAY

AN ACT

To enact R.S. 3:266(23) and 284, relative to establishing a monetary incentive program to promote purchases of Louisiana agricultural products; to authorize the development and establishment of the Louisiana Buy Local Purchase Incentive Program Fund within the state treasury; to authorize an incentive payment for certain purchases of Louisiana agricultural products by certain restaurant establishments; to provide for the administration of the incentive payment; to provide with respect to financing; to provide for definitions; to provide for certain requirements and termination of the program and fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 81 by Senator Mills

AMENDMENT NO. 1

On page 1, line 17, after "supervise" delete the remainder of the line and insert the following: "an incentive program to promote the purchase of Louisiana agricultural products."

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

AMENDMENT NO. 3

On page 3, line 29, after "Section" delete "and" and insert a period "."

AMENDMENT NO. 4

On page 4, delete lines 1 and 2, and insert the following: "No state general fund monies shall be appropriated to the fund."

AMENDMENT NO. 5

On page 4, line 3, after "(3)(a)" and before "monies" delete "The" and insert "Subject to appropriation by the legislature,"

AMENDMENT NO. 6

On page 4, line 5, after "in this" and before "to" change "Subsection" to "Section"

AMENDMENT NO. 7

On page 4, line 6, after "**agricultural**" delete the remainder of the line and insert the following: "**products and for all ordinary and necessary operating and administrative costs and expenses associated with implementation of this Section, provided that the ordinary and necessary operating and administrative costs and expenses shall not exceed five percent of monies appropriated from the fund.**"

AMENDMENT NO. 8

On page 5, at the end of line 21, insert the following: "**Any unexpended and unencumbered monies in the fund at the end of the program shall revert to the state general fund.**"

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

SENATE BILL NO. 85—

BY SENATOR GAUTREAUX

AN ACT

To enact Part XI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:361 through 368, relative to expropriation by St. Mary Parish; to authorize the governing authority of the parish to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of expropriation; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 85 by Senator Gautreaux

AMENDMENT NO. 1

On page 3, at the end of line 25, insert "**However, the petition shall be served on the defendant as provided by law and any defendant desiring to contest the validity of the taking on the ground that the property was not expropriated for a public use may file a motion to dismiss the suit within ten days from the date the petition was served on him. He shall certify thereon that a copy thereof has been served personally or by mail on either the plaintiff or his attorney of record in the suit. This motion shall be tried contradictorily with preference to the judge alone and shall be decided prior to the court's declaring the property has been taken for public purposes.**"

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

SENATE BILL NO. 89—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:3406(A)(2), 3419(D) and 3423(D)(1), relative to the Agricultural Commodity Dealer and Warehouse Law; to provide relative to powers of the commissioner; to provide relative to records; to transfer the authority of determining the expenses of the Agricultural Commodity Dealers and Warehouse Fund from the commission to the commissioner; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original Senate Bill No. 89 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 2, after "3419(D)" and before "and 3423(D)(1)" insert ", the introductory paragraph of 3421,"

AMENDMENT NO. 2

On page 1, line 8, after "3419(D)" and before "and 3423(D)(1)" insert ", the introductory paragraph of 3421,"

AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following: "§3421. Confidentiality of records

Notwithstanding the provisions of Part II of Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, all financial statements, position reports, and any other documents required for licensure and filed by applicants for licensure under this Chapter shall be kept confidential by the commission and its agents and employees and are not subject to disclosure except as follows:

* * *

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

SENATE BILL NO. 90—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:1615(A)(3) and (B)(1) and to enact R.S. 3:1615(A)(4), relative to the Boll Weevil Eradication Fund; to provide relative to monies received from assessments; to transfer unexpended monies received from assessments to the Louisiana Agricultural Finance Authority; to provide relative to expenses of the program; and to provide for related matters.

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

SENATE BILL NO. 102—

BY SENATOR LAFLEUR

AN ACT

To enact R.S. 26:93(E) and 290(E), relative to the alcoholic beverage control law; to provide for suspension of permits; to provide for emergency procedure; and to provide for related matters.

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

SENATE BILL NO. 112—

BY SENATOR ADLEY

AN ACT

To enact R.S. 47:305.66, relative to the sales and use tax of the state; to exempt the state sale and use tax of parish councils on aging; to provide for definitions; to require the secretary of the Department of Revenue to provide rules and regulations; and to provide for related matters.

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

SENATE BILL NO. 115—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 26:80(H) and 280(H), relative to alcohol permits; to require spouses of persons submitting alcohol permit applications to submit their fingerprints in their spouses application; to require partners, stockholders and members of limited liability companies and their spouses to submit their fingerprints with the alcohol permit applicant's application; and to provide for related matters.

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

SENATE BILL NO. 123—

BY SENATORS MARTINY AND MORRELL

AN ACT

To amend and reenact R.S. 47:6022(A), (C)(4)(c)(i), (5), (10)(b), and (14), (D)(2), and (E) through (J), and to repeal R.S. 47:6022(K), relative to tax credits; to provide for the name and applicability of the digital interactive media producer tax credit; to provide

for a refundable tax credit; to provide for rebates of tax credits under certain circumstances; to provide for definitions, limitations, and program administration; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 123 by Senator Martiny

AMENDMENT NO. 1

On page 3, line 13, after "earned by" insert "a"

AMENDMENT NO. 2

On page 5, line 19, after "expended" insert "as set forth in the final tax credit certification letter"

AMENDMENT NO. 3

On page 8, line 19, delete "deduction,"

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

SENATE BILL NO. 131—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 39:75(C)(2)(b), relative to avoidance of budget deficits; to provide for an increase in the authority of the governor to reduce certain appropriations or allocations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 131 by Senator Long

AMENDMENT NO. 1

On page 2, line 9, after "mandated" and before the comma "1" insert "or described in R.S. 49:308.5(C)"

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

SENATE BILL NO. 137—

BY SENATOR LONG

AN ACT

To enact R.S. 39:75(C)(2)(f) and (F), relative to avoidance of budget deficits; to provide for the use of interest earnings from certain statutorily dedicated funds to reduce a mid-year budget deficit; to provide for additional avoidance measures relative to the occurrence of a budget deficit in the next fiscal year; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 137 by Senator Long

AMENDMENT NO. 1

On page 2, at the end of line 3, change "the" to "upon request of the governor, the"

AMENDMENT NO. 2

On page 2, line 6, after "mandated" and before the comma "1" insert "or described in R.S. 49:308.5(C)"

AMENDMENT NO. 3

On page 2, line 15, after "mandated" and before the comma "1" insert "or described in R.S. 49:308.5(C)"

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

SENATE BILL NO. 182—

BY SENATOR THOMPSON

AN ACT

To enact R.S. 15:833.3, relative to the duties of the Department of Public Safety and Corrections; to prohibit any inmate incarcerated in a correctional institution operated by the department to establish an account on any Internet-based social networking website; to prohibit any other person to establish such accounts for incarcerated inmates; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 182 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 5, after "website;" delete the remainder of the line and on line 6, delete "inmates;"

AMENDMENT NO. 2

On page 1, line 12, after "Corrections" delete the remainder of the line and delete line 13, and insert in lieu thereof "to establish or maintain an account on any Internet-based."

On motion of Senator Martiny, 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 GUILLORY

AN ACT

To amend and reenact R.S. 15:572.1(A) and (F), 572.2, 574.1, and 574.2(D)(4) and to enact R.S. 15:572.1(G) and 574.2(A)(5) and (H), relative to the Board of Pardons and the Board of Parole; to provide relative to the membership of the Board of Pardons; to provide for an ex officio, nonvoting member of the Board of Pardons; to provide relative to the duties and obligations of the Board of Parole; to require training for the members of the Board of Parole; to require annual reporting by the Board of Parole; and to provide for related matters.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 34—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 47:1923(D)(1), relative to tax assessors; to provide relative to the payment of certain insurance premiums for certain retired assessors and assessors' employees in Catahoula Parish; and to provide for related matters.

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

SENATE BILL NO. 48—

BY SENATOR LONG

AN ACT

To enact R.S. 36:359(L) and R.S. 38:3097.7 and to repeal Section 4 of Act No. 446 of the 2001 Regular Session of the Legislature and Section 5 of Act No. 49 of the 2003 Regular Session of the

Legislature, relative to the Ground Water Management Advisory Task Force; to provide for the membership of the task force; to provide powers, duties, terms and conditions; to provide for the meeting requirements of the task force; 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. 48 by Senator Long

AMENDMENT NO. 1

On page 4, between lines 18 and 19, insert
"(45) A representative of the Louisiana Association for Justice or his designee."

On motion of Senator Claitor, 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	Mount
Adley	Gautreaux	Murray
Alario	Guillory	Nevers
Amedee	Heitmeier	Perry
Appel	Jackson	Peterson
Broome	Kostelka	Shaw
Chabert	LaFleur	Smith
Cheek	Long	Thompson
Claitor	Martiny	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Crowe	Michot	Riser
Marionneaux	Morrell	
McPherson	Quinn	
Total - 7		

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. 58—

BY SENATORS ADLEY, ERDEY, HEITMEIER, MCPHERSON, MOUNT AND SHAW

AN ACT

To amend and reenact R.S. 47:490.22(C), relative to the United States Armed Forces military honor license plate; to remove the handling fee from such plate; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mount
Adley	Gautreaux	Murray
Alario	Guillory	Nevers
Amedee	Heitmeier	Perry
Appel	Jackson	Peterson
Broome	Kostelka	Shaw
Chabert	LaFleur	Smith
Cheek	Long	Thompson
Claitor	Martiny	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Crowe	Michot	Riser
Marionneaux	Morrell	
McPherson	Quinn	
Total - 7		

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

SENATE BILL NO. 78—

BY SENATORS MURRAY, PETERSON AND WILLARD-LEWIS
AN ACT

To enact R.S. 40:456.1, relative to the Housing Authority of New Orleans; to provide for the appointment, duties, and powers of its peace officers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Murray
Adley	Gautreaux	Nevers
Alario	Heitmeier	Perry
Amedee	Jackson	Peterson
Appel	Kostelka	Shaw
Broome	LaFleur	Smith
Chabert	Long	Thompson
Cheek	Martiny	Walsworth
Claitor	Mills	Willard-Lewis
Donahue	Morrish	
Dorsey	Mount	
Total - 31		

NAYS

Total - 0

ABSENT

Crowe	McPherson	Quinn
Guillory	Michot	Riser
Marionneaux	Morrell	
Total - 8		

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

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SENATE BILL NO. 91—
BY SENATOR LONG AND REPRESENTATIVE NOWLIN
AN ACT

To authorize and provide for the transfer of certain local and state property; to authorize the transfer of certain local and state property in Natchitoches 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.

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, Gautreaux, Mount, Adley, Guillory, Murray, Alario, Heitmeier, Nevers, Amedee, Jackson, Perry, Appel, Kostelka, Peterson, Broome, LaFleur, Shaw, Chabert, Long, Smith, Cheek, Martiny, Thompson, Donahue, Mills, Walsworth, Dorsey, Morrell, Willard-Lewis, Erdey, Morrish. Total - 32

NAYS

Total - 0

ABSENT

Claitor, McPherson, Riser, Crowe, Michot, Marionneaux, Quinn. Total - 7

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. 94—
BY SENATOR NEVERS
AN ACT

To enact R.S. 38:2213.1, relative to public works; to provide for a preference for materials produced, manufactured, or fabricated in Louisiana used in public works; to provide for definitions; 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. 100—
BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 38:2295(C), relative to letting of public contracts; to provide for plans and specifications; to increase the number of working days prior to the opening of bids within which a potential supplier must submit a request for approval of a product other than that specified in the contract documents for public works projects of the New Orleans Sewerage and Water Board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Gautreaux, Mount, Adley, Guillory, Murray, Alario, Heitmeier, Nevers, Amedee, Jackson, Perry, Appel, Kostelka, Peterson, Broome, LaFleur, Shaw, Chabert, Long, Smith, Cheek, Martiny, Thompson, Claitor, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrell, Erdey, Morrish. Total - 34

NAYS

Total - 0

ABSENT

Crowe, Michot, Riser, Marionneaux, Quinn. Total - 5

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

SENATE BILL NO. 104—
BY SENATOR LAFLEUR
AN ACT

To enact R.S. 17:273.2, relative to the teaching of foreign languages in elementary and secondary schools; to provide with respect to a process to certify foreign language immersion education programs; to provide for minimum criteria; to provide for rules; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Erdey, Morrish, Adley, Gautreaux, Mount, Alario, Guillory, Murray, Amedee, Heitmeier, Nevers, Appel, Jackson, Perry, Broome, LaFleur, Peterson, Chabert, Long, Smith, Cheek, Martiny, Thompson, Claitor, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrell. Total - 32

NAYS

Total - 0

ABSENT

Crowe, Michot, Shaw, Kostelka, Quinn, Marionneaux, Riser. Total - 7

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

SENATE BILL NO. 120—

BY SENATOR MURRAY

AN ACT

To amend and reenact the heading of Part V of Chapter 16 of Title 25 of the Louisiana Revised Statutes of 1950, and R.S. 25:796, 797(A)(5) and (B), 798(1) and (3), 799(A)(1), (B), (C)(1)(b), (g), (j), and (k), (D)(2)(b), (F), (I), and (K)(2) and to repeal R.S. 25:799(J)(3), relative to the French Quarter-Marigny Historic Area Management District; to provide relative to the name, boundaries, purpose, powers, governance, and funding of the district; to remove authority for special ad valorem tax and parcel fee; to provide for the creation of subdistricts; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 120 by Senator Murray

AMENDMENT NO. 1

On page 8, line 8, following "**The**" and before "**Carre**" change "**View**" to "**Vieux**"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Amedee	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Shaw
Chabert	Long	Smith
Cheek	Martiny	Thompson
Claitor	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrell	
Erdey	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Crowe	Michot	Riser
Marionneaux	Quinn	
Total - 5		

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

SENATE BILL NO. 132—

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 48:261(A)(2) and 756(A)(1) and to repeal R.S. 48:756(A)(4), to add application of the latest federal decennial census to determine population relative to contracts for maintenance work and distribution of monies in the Parish Transportation Fund; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 132 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 16, following "**is**" and before "**recent**" change "**most**" to "**more**"

AMENDMENT NO. 2

On page 2, line 12, following "**is**" and before "**recent**" change "**most**" to "**more**"

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Amedee	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Shaw
Chabert	Long	Smith
Cheek	Martiny	Thompson
Claitor	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrell	
Erdey	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Crowe	Michot	Riser
Marionneaux	Quinn	
Total - 5		

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

SENATE BILL NO. 145—

BY SENATORS CLAITOR, ADLEY, AMEDEE, CHABERT, MICHOT, MORRISH AND SMITH

AN ACT

To amend and reenact R.S. 49:1 and 2, and to enact R.S. 49:3.1, relative to the gulfward boundary and coastline of Louisiana; to provide for such gulfward boundary and coastline; to provide relative to state ownership and sovereignty; to provide certain definitions, terms, conditions, and requirements; to provide

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relative to legislative intent and purpose; 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. 145 by Senator Claitor

AMENDMENT NO. 1

On page 1, at the end of line 12, insert: "For the purposes of this Part, "three marine leagues" is equal to nine geographic miles or 10.357 statute miles."

AMENDMENT NO. 2

On page 2, at the end of line 14, insert: "Under no circumstances shall the coastline of Louisiana be nearer inland than the baseline established by such coordinates."

AMENDMENT NO. 3

On page 2, line 23, after "United States," and before "the State" insert "and the powers of the United States Coast Guard as provided by law to patrol and protect the navigable waters of the United States in the Gulf of Mexico."

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Gautreaux, Mount, Adley, Guillory, Murray, Alario, Heitmeier, Nevers, Amedee, Jackson, Perry, Appel, Kostelka, Peterson, Broome, LaFleur, Shaw, Chabert, Long, Smith, Cheek, Martiny, Thompson, Claitor, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrell, Erdey, Morrish, Total - 34

NAYS

Total - 0

ABSENT

Crowe, Michot, Riser, Marionneaux, Quinn, Total - 5

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

SENATE BILL NO. 153— BY SENATOR MURRAY

AN ACT

To enact R.S. 38:2212(A)(8), relative to the letting of public contracts by the New Orleans Sewerage and Water Board; to provide for advertisement and letting of lowest responsible bidder; to provide for inclusion of addenda containing pricing information; and to provide for related matters.

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

SENATE BILL NO. 180— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:86.1, relative to unclaimed cash bail bonds being deposited in Plaquemines Parish; to provide relative to the liability for such bonds; to provide for the return to the owner of an unclaimed cash bail bond; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Erdey, Morrish, Adley, Gautreaux, Mount, Alario, Guillory, Murray, Amedee, Heitmeier, Nevers, Appel, Jackson, Perry, Broome, Kostelka, Peterson, Chabert, LaFleur, Shaw, Cheek, Long, Smith, Claitor, Martiny, Thompson, Crowe, McPherson, Walsworth, Donahue, Mills, Willard-Lewis, Dorsey, Morrell, Total - 35

NAYS

Total - 0

ABSENT

Marionneaux, Quinn, Michot, Riser, Total - 4

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

SENATE BILL NO. 199— BY SENATOR CLAITOR AND REPRESENTATIVE GREENE

AN ACT

To enact R.S. 33:9097.12, relative to crime prevention districts; to create the Jefferson Place/Bocage Crime Prevention and Improvement District in East Baton Rouge Parish; to provide for the powers and duties of the district and its board of commissioners; to provide for a parcel fee; to provide with respect to termination of the district; 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

Mr. President, Erdey, Morrish, Adley, Gautreaux, Mount, Alario, Guillory, Murray, Amedee, Heitmeier, Nevers, Appel, Jackson, Perry, Broome, Kostelka, Peterson, Chabert, LaFleur, Shaw

Cheek	Long	Smith
Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrell	
Total - 35		

NAYS

Total - 0

ABSENT

Marionneaux	Quinn
Michot	Riser
Total - 4	

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.

SENATE BILL NO. 222—
BY SENATORS MILLS, ADLEY, ERDEY, HEITMEIER, MCPHERSON, MOUNT AND SHAW

AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(1) and (2), 402.2, and 408(A)(1) and (3); and to enact R.S. 32:402.1(A)(3)(c), relative to requiring driver education courses, training programs, and preclicensing training courses for children and adults to include teaching the economic effects of littering; to name this Act the "Louisiana Increases Tourism Through Environmental Responsibility Act of 2011" or "LITTER Act of 2011"; and to provide for related matters.

Floor Amendments

Senator Amedee sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 222 by Senator Mills

AMENDMENT NO. 1
On page 6, line 5, following "include" and before "a" delete ":

AMENDMENT NO. 2
On page 6, line 6, following "of" and before "the" insert ":

AMENDMENT NO. 3
On page 6, line 18, following "that" and before "sufficient" change "is" to "are"

On motion of Senator Amedee, the amendments were adopted.

Floor Amendments

Senator McPherson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 222 by Senator Mills

AMENDMENT NO. 1
On page 2, line 16, after "**and**" delete "**at least**"

AMENDMENT NO. 2
On page 2, line 17, at the beginning of the line delete "**thirty minutes of instruction**"

AMENDMENT NO. 3
On page 2, line 27, after "**Louisiana Beautiful, Inc.**" insert the following: "**Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver**

education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4
On page 3, line 7, after "**and**" delete "**at least thirty minutes of instruction**"

AMENDMENT NO. 5
On page 3, line 17, after "**Keep Louisiana Beautiful, Inc.**" insert the following: "**Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.**"

AMENDMENT NO. 6
On page 4, line 2, after "**and**" delete "**at least thirty**"

AMENDMENT NO. 7
On page 4, line 3, at the beginning of the line delete "**minutes of instruction**"

AMENDMENT NO. 8
On page 4, line 12, after "**and**" delete "**at least thirty minutes of**"

AMENDMENT NO. 9
On page 4, line 13, at the beginning of the line delete "**instruction**"

AMENDMENT NO. 10
On page 4, line 15, at the beginning of the line insert "**driver education course**" and"

AMENDMENT NO. 11
On page 5, line 1, after "**Keep Louisiana Beautiful, Inc.**" insert the following: "**and adopted by rule. Prior to implementation, the rule shall be submitted for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.**"

AMENDMENT NO. 12
On page 5, line 10, after "**and**" delete "**at least thirty minutes of instruction**"

AMENDMENT NO. 13
On page 5, line 20, after "**Keep Louisiana Beautiful, Inc.**" and before "The department", insert the following: "**Prior to implementation the Department of Education shall adopt a rule relating to such litter portion of the driver education and training program so developed and shall submit the rule for oversight review to the House and Senate committees on transportation, highways, and public works in accordance with the Administrative Procedure Act.**"

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Guillory	Murray
Alario	Heitmeier	Nevers
Amedee	Jackson	Perry
Appel	Kostelka	Peterson
Broome	LaFleur	Shaw

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Chabert	Long	Smith
Cheek	Martiny	Thompson
Crowe	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrell	
Erdey	Morrish	
Total - 34		

NAYS

Claitor
Total - 1

ABSENT

Marionneaux	Quinn
Michot	Riser
Total - 4	

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

Senator Broome in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 245—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 56:437 and to repeal R.S. 40:5.3.1, relative to harvest and sale of oysters for raw consumption; to require a time limit on transportation of such oysters from harvest to refrigeration; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Alario	Guillory	Murray
Amedee	Heitmeier	Nevers
Appel	Kostelka	Perry
Broome	LaFleur	Peterson
Chabert	Long	Shaw
Cheek	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Mills	Walsworth
Dorsey	Morrell	Willard-Lewis
Erdey	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Adley	Marionneaux	Riser
Claitor	Michot	
Jackson	Quinn	
Total - 7		

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION
To commend the elevation of William Raymond Manning into the College of Fellows of the American Institution of Architects.

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

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR CHAISSON

A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of renowned businessman and former Louisiana State Senator Ken Hollis and to note his life of public service and his many contributions made on behalf of the citizens of Jefferson Parish, the city of New Orleans, and the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATORS AMEDEE, NEVERS AND QUINN

A CONCURRENT RESOLUTION
To designate Thursday, May 26, 2011, as "Shaken Baby Syndrome Prevention Day" in the state of Louisiana, in honor of Rey Wayne Gatlin.

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

Rules Suspended

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

HOUSE BILL NO. 273—
BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 40:1730.23(F), relative to the state uniform construction code; to authorize the use of an affidavit to meet the requirement of windblown debris storm shutters; and to provide for related matters.

Senator Smith moved to recommit the bill from the Committee on Transportation, Highways and Public Works to the Committee on Commerce, Consumer Protection, and International Affairs.

Without objection, so ordered.

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Morrish
Adley	Gautreaux	Mount
Alario	Guillory	Murray
Amedee	Heitmeier	Nevers
Appel	Jackson	Perry
Broome	Kostelka	Peterson
Chabert	LaFleur	Shaw
Cheek	Long	Smith

Claitor	Martiny	Thompson
Crowe	McPherson	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrell	
Total - 35		

ABSENT

Marionneaux	Quinn
Michot	Riser
Total - 4	

Leaves of Absence

The following leaves of absence were asked for and granted:

Marionneaux	1 Day	Michot	1 Day
Quinn	1 Day	Riser	1 Day

Announcements

The following committee meetings for May 12, 2011, were announced:

Education	At Adj.	Hainkel Room
Labor and Ind. Rel.	At Adj.	Room C
Local and Mun. Affairs	At Adj.	Room F
Joint Natural Resources	At Adj.	Room 4

Adjournment

On motion of Senator Thompson, at 4:05 o'clock P.M. the Senate adjourned until Thursday, May 12, 2011, at 9:00 o'clock A.M.

The President Pro Tempore of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 12, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

