

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE

STATE OF LOUISIANA

FIFTEENTH 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

Thursday, May 19, 2011

The Senate was called to order at 9:10 o'clock A.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	Gautreaux	Nevers
Appel	Heitmeier	Perry
Broome	Long	Riser
Chabert	Marionneau	Shaw
Cheek	Mills	Thompson
Claitor	Morrish	Walsworth
Donahue	Mount	Willard-Lewis
Total - 24		

ABSENT

Alario	Jackson	Michot
Amedee	Kostelka	Morrell
Crowe	LaFleur	Peterson
Erdey	Martiny	Quinn
Guillory	McPherson	Smith
Total - 15		

The President of the Senate announced there were 24 Senators
present and a quorum.

Prayer

The prayer was offered by Pastor Weldon Bares, 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 Gautreaux, the reading of the Journal was
dispensed with and the Journal of May 18, 2011, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 37—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana upon the untimely death of Louisiana National
Guard Staff Sergeant Stacey Groves and honors her brave and
dedicated service to our state and nation.

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

SENATE RESOLUTION NO. 38—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana to the family and friends of Sergeant First Class
Arthur Lee Kessinger Jr., upon his death.

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

SENATE RESOLUTION NO. 39—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family Louisiana Army National
Guardsmen Private First Class Bryant Haynes upon his death in
Operation Iraqi Freedom.

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

SENATE RESOLUTION NO. 40—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of Louisiana National
Guard Staff Sergeant William Austin Daniel upon his untimely
death due to Hodgkins Lymphoma.

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

SENATE RESOLUTION NO. 41—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana to the family of United States Marine Corps Lance
Corporal Dakota Huse upon his death while serving his country
in its armed forces.

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

SENATE RESOLUTION NO. 42—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
Specialist Steven Dupont upon his death in Operation Enduring
Freedom.

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

SENATE RESOLUTION NO. 43—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
Specialist Matthew Powell upon his death in Afghanistan.

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

SENATE RESOLUTION NO. 44—
BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Marine
Corps Sergeant Joseph Bovia upon his death while conducting
a ground combat mission in Operation Enduring Freedom.

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

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SENATE RESOLUTION NO. 45—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the loved ones and family of United States Marine Corporal Joe Wrightsman upon his death while in the service of his country.

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

SENATE RESOLUTION NO. 46—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the loved ones and family of United States Army Sergeant Jordan Elias Tuttle upon his death while in the service of his country.

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

SENATE RESOLUTION NO. 47—

BY SENATOR MARIONNEAUX
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Christian Romig upon his death in Operation Enduring Freedom.

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

SENATE RESOLUTION NO. 48—

BY SENATOR MARTINY
A RESOLUTION

To commend the Louisiana Physical Therapy Association for its outstanding achievements and to designate the week of May 16, 2011, as Louisiana Physical Therapy Association Week at the Louisiana State Capitol.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATOR MARTINY
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to evaluate Louisiana law for compliance with the United States Supreme Court's ruling in the case of *Graham v. Florida*, 130 S. Ct. 2011 (2010), and to report its findings and recommendations to the Legislature of Louisiana as to whether it is necessary to amend Louisiana's juvenile sentencing laws to comply with the ruling in that case.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 35—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE THIBAUT
A RESOLUTION

To commend the Livonia High School baseball team on winning the Class 3A state championship game.

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

SENATE RESOLUTION NO. 36—

BY SENATOR WILLARD-LEWIS
A RESOLUTION

To commend and congratulate the debut performance of OperaCréole, the premier operatic ensemble in New Orleans.

On motion of Senator Willard-Lewis the resolution was read by title and adopted.

Message from the House

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

May 18, 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 passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB No. 103	HB No. 119	HB No. 216
HB No. 264	HB No. 419	HB No. 421
HB No. 472	HB No. 637	

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

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

HOUSE BILL NO. 103—

BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(a)(i), relative to the Code of Governmental Ethics; to except employment by a local school board of special education related services professionals from the nepotism prohibition of the code; to provide limitations, procedures, and penalties for certain violations; and to provide for related matters.

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

HOUSE BILL NO. 119—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact Code of Criminal Procedure Article 163.1(B) and to enact Code of Criminal Procedure Article 163.1(D), relative to search warrants for bodily samples; to provide for the execution of search warrants for certain bodily samples; to provide immunity from liability for persons executing a search warrant for bodily samples; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 216—

BY REPRESENTATIVE ROY AND SENATOR PERRY
AN ACT

To amend and reenact Code of Criminal Procedure Article 230.2(B), relative to probable cause determinations; to provide with respect to release of certain defendants in the absence of a probable cause hearing; to provide for the release of defendants in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 264—

BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 14:112.4, relative to offenses affecting law enforcement; to create the crime of unlawful production, manufacturing, distribution, or possession of unauthorized peace officer badges; to provide for definitions; to provide for criminal penalties; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 419—

BY REPRESENTATIVES PATRICIA SMITH, AUBERT, CARMODY,
CHANDLER, CHANEY, DOWNS, EDWARDS, AND RITCHIE
AN ACT

To enact R.S. 17:3140 and R.S. 36:651(G)(3), relative to remedial education; to create the Remedial Education Commission; to provide for the purpose, membership, duties, and responsibilities of the commission; to provide for reporting requirements; to provide for termination; 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. 421—

BY REPRESENTATIVE CARTER
AN ACT

To enact R.S. 17:3991.1, relative to charter schools; to provide relative to corporate donations to charter schools; to provide for enrollment preferences and membership on the governing or management board of a charter school for certain major corporate donors; and to provide for related matters.

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

HOUSE BILL NO. 472—

BY REPRESENTATIVE ROSALIND JONES
AN ACT

To amend and reenact R.S. 33:9664(C) and to enact R.S. 33:9664(G), relative to the lobbying of local government; to provide relative to the registration of certain lobbyists; to provide for fees associated with such registration; and to provide for related matters.

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

HOUSE BILL NO. 637— (Substitute for House Bill No. 252 by Representative Doerge)

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 56:1948.5(52) and (53), relative to Louisiana Byways designations; to delete the Bienville Trace I and Bienville Trace II byway designations; to designate a section of certain highways as the Boom or Bust Byway; to designate a section of certain highways as the Dixie Overland Byway; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 7—

BY REPRESENTATIVES LABRUZZO, BOBBY BADON, HENRY BURNS,
TIM BURNS, CHAMPAGNE, CHANDLER, DOERGE, DOVE, ELLINGTON,
GISCLAIR, GREENE, GUINN, HARDY, HARRISON, HAZEL, HENRY,
HILL, HOWARD, KATZ, KLECKLEY, LIGI, MCVEA, MORRIS, PEARSON,
POPE, RICHARDSON, SCHRODER, SEABAUGH, SIMON, JANE SMITH,
TALBOT, TEMPLET, THIBAUT, AND WOOTON

AN ACT

To amend and reenact R.S. 46:460.10(A), (B), (C), and (E) and to enact R.S. 46:460.10(F), relative to drug testing of adult recipients of cash assistance; to require participants to consent to possible random drug testing prior to receipt of cash benefits; to require random drug testing for twenty percent of recipients of cash assistance; to provide for the drug testing of more than twenty percent of all participants of the Family Independence Temporary Assistance Program under certain circumstances; to provide for reimbursement to the state; to provide for a determination of sufficiency of funding; to establish a cost savings program for drug testing; 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 Health and Welfare.

HOUSE BILL NO. 178—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 46:460.21(A)(2), relative to transfer of funds for representation of children and indigent parents in child protection proceedings; to authorize certain functions of the Department of Children and Family Services relating to child protection proceedings; to delete references to certain entities which provide representation of children and indigent parents; to repeal a requirement for priority in funding; 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. 323—

BY REPRESENTATIVES SEABAUGH, AUSTIN BADON, CARMODY,
DOWNS, HARDY, RICHARDSON, AND RITCHIE
AN ACT

To authorize the Caddo Parish School Board to name the football field at Youree Drive Middle AP Magnet School in honor of Coach Tom Knox; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 331—

BY REPRESENTATIVES LIGI, BILLIOT, CONNICK, HENRY, LABRUZZO,
LEGER, LOPINTO, TEMPLET, AND WILLMOTT AND SENATORS
APPEL, MARTINY, MORRELL, AND QUINN
AN ACT

To enact R.S. 33:9612.1, relative to certain local governmental subdivisions; to authorize certain local governmental subdivisions to adopt and enforce local codes of conduct or ethics ordinances; to provide limitations; 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. 365—

BY REPRESENTATIVES HOWARD AND DOWNS
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b)(ii)(aa) and (bb) and (3)(c)(ii) and to enact R.S. 38:2212(T), relative to the public bid law; to make changes to requirements for the bid form; to specify what prices are utilized for the construction of a building in conjunction with public bid; to require who shall submit other documentation in addition to a bid form and when that documentation shall be submitted; 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.

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HOUSE BILL NO. 368—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 41:905, relative to the Orleans Parish School Board; to provide for the sale of unused immovable school property to public bodies without the necessity of procedures otherwise provided by law; to provide that the sale shall be for not less than the property's appraised value; 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. 370—

BY REPRESENTATIVES JANE SMITH, BURFORD, HENRY BURNS, BURRELL, CARMODY, CHANDLER, DOERGE, MORRIS, NORTON, SEABAUGH, AND WILLIAMS AND SENATORS CHEEK, LONG, NEVERS, AND SHAW
AN ACT

To amend and reenact R.S. 9:165(C)(2)(introductory paragraph) and (a) and to enact R.S. 9:165.1, relative to issuance of bonds; to authorize the State Bond Commission to issue bonds secured by monies deposited into the Unclaimed Property Leverage Fund for completion of I-49; to provide for the use of the proceeds of the bonds; to provide for certain requirements and limitations on the issuance of bonds; to provide for a procedure to contest the validity of issuance of the bonds; to provide for the rights of bondholders; to authorize the issuance of refunding bonds; to provide for effectiveness; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 108—

BY REPRESENTATIVE HOWARD AND SENATORS ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY, GAUTREUX, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH, AND WILLARD-LEWIS
A CONCURRENT RESOLUTION

To commend the Hicks High School Pirates baseball team upon winning the 2011 Class C state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dorsey, Morrish, Adley, Gautreaux, Mount, Alario, Heitmeier, Nevers, Appel, Jackson, Perry, Broome, Kostelka, Riser, Chabert, Long, Shaw, Cheek, Marionneaux, Smith, Claitor, Martiny, Thompson, Crowe, McPherson, Walsworth, Donahue, Mills, Willard-Lewis. Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Amedee, LaFleur, Murray, Erdey, Michot, Peterson, Guillory, Morrell, Quinn. Total - 9

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

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To commend the Hahnville High School Lady Tigers softball team upon winning the 2011 Class 5A State Championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dorsey, Morrish, Adley, Gautreaux, Mount, Alario, Heitmeier, Nevers, Appel, Jackson, Perry, Broome, Kostelka, Riser, Chabert, Long, Shaw, Cheek, Marionneaux, Smith, Claitor, Martiny, Thompson, Crowe, McPherson, Walsworth, Donahue, Mills, Willard-Lewis. Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Amedee, LaFleur, Murray, Erdey, Michot, Peterson, Guillory, Morrell, Quinn. Total - 9

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 72—

BY SENATORS MICHOT, ALARIO, APPEL, CROWE, MARTINY, SMITH AND THOMPSON
AN ACT

To amend and reenact R.S. 51:2461, relative to the Louisiana Quality Jobs Program; to extend the deadline for applications to receive tax credits or rebates; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 130—

BY SENATOR DONAHUE
AN ACT

To amend and reenact R.S. 37:1798(A)(1)(a) and 1866(A)(1)(a), relative to pawnbrokers and secondhand dealers; to provide for means of reporting; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 130 by Senator Donahue

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:" delete "1798(A)(1)(a) and" and change "1866(A)(1)(a)" to "1866(A)(1)"

AMENDMENT NO. 2

On page 1, at the end of line 2 and beginning of line 3, delete "pawnbrokers and"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 37:" delete "1798(A)(1)(a) and" and change "1866(A)(1)(a) are" to "1866(A)(1) is"

AMENDMENT NO. 4

On page 1, delete lines 8 through 17, and on page 2, delete line 1

AMENDMENT NO. 5

On page 2, delete lines 8 through 10 and insert the following: "under this Section shall be ~~one of the following:~~

- (a) ~~By by electronic transmission if the secondhand dealer has the means available to make transmissions in electronic form.~~
- (b) ~~By placing in the United States mail.~~
- (c) ~~By sending a facsimile."~~

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

SENATE BILL NO. 133—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 40:1300.256(A)(5) and to repeal R.S. 40:1300.256(B)(5), (8) and (13), relative to prohibiting smoking in certain places; to provide for restrictions; to provide relative to exceptions; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 133 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, delete line 2 and insert the following:
"To amend and reenact R.S. 40:1300.256(B)(13), to enact R.S. 40:1300.256(A)(5), and to repeal R.S. 40:1300.256(B)(5), relative"

AMENDMENT NO. 2

On page 1, delete line 6 and insert the following:
"Section 1. R.S. 40:1300.256(B)(13) is hereby amended and reenacted and R.S. 40:1300.256(A)(5) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 10 and 11 and insert the following:
"**(5) Smoke in any restaurant or bar.**"

AMENDMENT NO. 4

On page 1, delete line 13 and insert the following:
"B. Nothing in this Part shall prohibit smoking in any of the following places:

- * * *
- (13) An outdoor patio, ~~whether or not~~ **only when** food is **not** served **at any time.**
- * * *

Section 2. R.S. 40:1300.256(B)(5) is hereby repealed in its entirety."

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

SENATE BILL NO. 154—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 22:1053(A), relative to the requirement for coverage of step therapy or fail first protocols; to provide with respect to any coverage plan which includes prescription benefits as part of its policy or contract; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 154 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "(A)," delete "relative to the requirement" and insert the following:

"(B), and (C), relative to health insurance; to provide"

AMENDMENT NO. 2

On page 1, line 3, delete "with respect to any" and insert " for any health care"

AMENDMENT NO. 3

On page 1, line 4, after "contract;" add the following: "to provide for the duration of step therapy or fail first protocol when treatment is deemed ineffective;"

AMENDMENT NO. 4

On page 1, line 7, change "1053(A) is" to "1053(A), (B), and (C) are"

AMENDMENT NO. 5

On page 1, line 11, after "**contract**" insert "**which utilizes step therapy or fail first protocols.**"

AMENDMENT NO. 6

On page 1, line 13, after "shall" delete the remainder of the line, delete line 14 and insert the following: ~~provide coverage for step therapy or fail first protocols as provided in~~ **comply with the provisions of** this Section."

AMENDMENT NO. 7

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

"B. When medications for the treatment of any medical condition are restricted for use by an insurer by a step therapy or fail first protocol, the prescribing physician shall have access to a clear and convenient process to expeditiously request an override of such restriction from the insurer. An override of such restriction shall be expeditiously ~~considered~~ **granted** by the insurer under any of the following circumstances:

(1) The prescribing physician can demonstrate, based on sound clinical evidence, that the preferred treatment required under step therapy or fail first protocol has been ineffective in the treatment of the insured's disease or medical condition.

(2) The prescribing physician can demonstrate, based on sound clinical evidence, that the preferred treatment required under the step therapy or fail first protocol is expected to be ineffective based on the known relevant physical or mental characteristics of the insured and known characteristics of the drug regimen.

(3) The prescribing physician can demonstrate, based on sound clinical evidence, that the preferred treatment required under the step therapy or fail first protocol will cause or will likely cause an adverse reaction or other physical harm to the insured.

C. The duration of any step therapy or fail first protocol shall not be longer than the customary period for the medication when such treatment is deemed clinically ineffective by the prescribing physician. When the ~~prescribing physician~~ **health coverage plan** can demonstrate, through sound clinical evidence, that the originally prescribed medication is likely to require more than the customary

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period for such medication to provide any relief or an amelioration to the insured, the step therapy or fail first protocol may be extended for a period of time to be determined by the physician."

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. 217—
BY SENATOR LONG

AN ACT

To amend and reenact R.S. 25:342(B)(3)(c) through (i), 352(A) and (B)(2)(b), 380.141(A), 380.142(A), (C), and (E), 380.143(B)(4) and (C)(2), 380.144, 380.145(A), (B), (C)(2)(a) and (b)(iii), 380.146, and to enact R.S. 25:380.147, R.S. 36:744(DD) and 801.21, and to repeal R.S. 25:380.143(C)(3) and R.S. 36:209(W)(2) and (Y), relative to the Louisiana Political Museum and Hall of Fame; to transfer all powers, duties, employees, and responsibilities from the jurisdiction of the office of state museums in the Department of Culture, Recreation and Tourism to the Department of State; to provide relative to the governing authority of the museum, including its composition, powers, duties, responsibilities, meetings, employees, and officers; to provide for the adoption of rules, regulations and fees; to provide for receipt and use of funds, property, and self-generated revenue; to provide relative to the authority of the museum with respect to the museum; to provide relative to personnel and budgets of the museum; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 217 by Senator Long

AMENDMENT NO. 1

On page 7, line 19, after "Hall of Fame." delete the remainder of the line and delete lines 20 and 21

AMENDMENT NO. 2

On page 7, at the beginning of line 22, delete "Section."

AMENDMENT NO. 3

On page 8, delete lines 13 through 28

AMENDMENT NO. 4

On page 8, line 29, change "Section 5.A." to "Section 4.A."

AMENDMENT NO. 5

On page 9, line 5, change "Section 6." to "Section 5." and after "shall" insert "only"

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

Rules Suspended

Senator Thompson asked for and obtained a suspension of the rules to recall House Concurrent Resolution No. 100 from the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE CONCURRENT RESOLUTION NO. 100—
BY REPRESENTATIVE THIBAUT

A CONCURRENT RESOLUTION

To urge and request the Louisiana congressional delegation to seek any and all assistance and funding available to Louisiana farmers in the recovery of uninsured losses in and out of declared areas due to crop depredation by wildlife.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Adley	Heitmeier	Murray
Alario	Jackson	Nevers
Appel	Kostelka	Perry
Broome	Long	Riser
Chabert	Marionneaux	Shaw
Cheek	Martiny	Smith
Claitor	McPherson	Thompson
Crowe	Michot	Walsworth
Donahue	Mills	Willard-Lewis
Dorsey	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Amedee	LaFleur	Quinn
Erdey	Morrell	
Guillory	Peterson	
Total - 7		

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

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

HOUSE BILL NO. 107—

BY REPRESENTATIVES TALBOT, BILLIOT, CONNICK, HENRY, LABRUZZO, LIGI, LOPINTO, TEMPLET, AND WILLMOTT AND SENATORS APPEL, MARTINY, MORRELL, AND QUINN
AN ACT

To amend and reenact R.S. 22:1923(introductory paragraph) and to enact R.S. 22:1923(1)(j), relative to fraudulent insurance acts; to define certain activity toward a self-insured governmental entity that maintains a self-insured loss fund or risk pool as such an act; and to provide for related matters.

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

HOUSE BILL NO. 137—

BY REPRESENTATIVE CORTEZ
AN ACT

To enact R.S. 22:1567, relative to producer compensation; to authorize producers and certain insurers or policyholders to negotiate any combination of commissions, fees, or fees in lieu of commissions, for certain insurance coverages; and to provide for related matters.

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

HOUSE BILL NO. 148—

BY REPRESENTATIVE AUBERT
AN ACT

To enact R.S. 22:613(A)(1)(c), relative to domestic insurers; to expand the definition of company-action level event; and to provide for related matters.

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

HOUSE BILL NO. 259—BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 32:900(B)(2)(c), relative to motor vehicle liability policies; to provide minimum liability limits for property damage under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 275—BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 22:867(C) and 873, relative to the methods of delivery of an insurance policy or evidence of insurance; to provide for methods of transmitting insurance policies and supporting documents; to provide for electronic transaction of documents; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 275 by Representative Bishop

AMENDMENT NO. 1

On page 1, line 2, after "873," insert "and to enact R.S. 22:1295(1)(a)(v),"

AMENDMENT NO. 2

On page 1, line 3, after "insurance;" insert "to provide for uninsured motorist coverage; to provide for selection or rejection of uninsured motorist coverage pursuant to the Louisiana Electronic Transactions Act;"

AMENDMENT NO. 3

On page 2, after line 18, insert the following:

"Section 2. R.S. 22:1295(1)(a)(v) is hereby enacted to read as follows:

§1295. Uninsured Motorist Coverage

* * *

(v) At the option of the insurer and the named insured, the prescribed form for the rejection, selection of lower limits, or selection of economic-only coverage may be provided by the insurer and signed by the named insured or his legal representative in accordance with the Louisiana Uniform Electronic Transactions Act, R.S. 9:2601 et seq."

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

HOUSE BILL NO. 283—BY REPRESENTATIVE AUBERT
AN ACT

To amend and reenact R.S. 22:901(A), (B), (C)(1) and (3), and (D)(1)(introductory paragraph) and (a) and (2), 902, 904, 905, 906, 907, 910, 912(A), (B)(1), (C), (D)(1)(b), (E), and (F), 913, 914, 915(B), 931, 932(B)(introductory paragraph) and (1), (D)(introductory paragraph) and (2), and (E), 934, 935, 936(A)(1)(introductory paragraph) and (2), (B), (D)(1), (2), and (4), (E), (F)(1), (G)(1), (4), and (8)(introductory paragraph) and (b) and (d) through (g), (I)(1), (J)(1), (2), (3), and (5), (K)(1)(g) and (h), 941(B)(introductory paragraph) and (6), 942(introductory paragraph) and (1), (10)(b), and (11), 943(D)(2), 944(A), 951(A), 952(A)(2), (B)(introductory paragraph) and (4), and (J), 961, 1541, 1542(1), (4), (6), (9), (11), (14), and (18), 1544(B)(5) through (8) and (D), 1545(I)(1)(introductory paragraph), 1546(A)(3), (D)(4), and (F), 1547(A)(10), (C)(2), (D), (E), (G), (H), and (I)(3), 1548(A)(1) and (3), (B)(2) and (3)(b), (D)(2), and (E), 1549(B)(4) and (5), (C), (D), (E)(introductory paragraph), (F), and (H), 1550(A)(2), (B)(1) and (d) and (2), (C), (D), (E)(introductory paragraph),

and (H), 1554(G), 1555, 1556(A), (B), and (C), 1557(B)(1) and (2), 1558(B)(3) and (4), (C), and (D), 1559(C), (D)(1), and (E)(1), 1562(C)(1)(b) and (d), (E)(2), and (H)(introductory paragraph) and (4), 1564(A)(2), (B)(1)(a), and (C), 1571, 1573(C) through (G), (I)(1)(a), (K), (L), and (M), 1574(A) through (D)(1), 1575(C)(2) and (D), 1583, the heading of R.S. 22:1584, 1585(C), 1591, 1592, 1593(A)(introductory paragraph) and (1), 1594(introductory paragraph), 1595, 1597, 1598(C), 1599(A) and (C)(introductory paragraph), 1600(B)(introductory paragraph), 1603(1) and (3), 1604(A)(2), 1605, 1622, 1623(A), (B), (D), and (F), 1624, 1625(A) and (H), 1627(A)(2), the heading of Part III of Chapter 5 of the Louisiana Revised Statutes of 1950, 1641(introductory paragraph), (1)(introductory paragraph), (c), (g), and (j), (4), and (7), 1642(A) and (C), 1644(D), 1651(B)(6), (D), (H)(1), and (I)(1), 1652, 1654(A)(introductory paragraph) and (C)(introductory paragraph), 1657, 1662(6)(a)(introductory paragraph) and (14), 1664(A) and (C)(2), 1665(A)(introductory paragraph) and (1), 1669, 1670(A)(2) and (D), 1671(A), (B)(2), and (C), 1673(C), 1693(A), 1694(A), 1696(A), 1697, 1698(A)(2) and (D), 1699(A)(3), (B), and (F), 1704(E)(1)(a) and (b), 1706(F), 1722, 1723(A)(introductory paragraph), (B)(introductory paragraph) and (2), (D), and (F), 1724(5), 1726(A) and (B), 1727(A)(1), (2), (3), (4)(introductory paragraph), (7), and (8), (B)(4), (C), and (F), 1728(6), 1729(A) and (F), 1731(A)(2), 1741, 1747, 1761, 1763(B), 1767, and 1768; to enact R.S. 22:821(B)(31), (32), and (33), 1557(C), 1641(8) and (9), and 1766(C); and to repeal R.S. 22:1546(G) and (H), 1566, 1746(E), 1751, and 1769, all relative to technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, harmonizing of inconsistent provisions, and consolidating all provisions authorizing fees; and to provide for related matters.

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

HOUSE BILL NO. 398—BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 22:905(A)(2), relative to life insurance policies; to provide with respect to written notice required before lapsing life policies; to require notice be sent to the insured and assignee; and to provide for related matters.

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

HOUSE BILL NO. 446—BY REPRESENTATIVES LITTLE AND ELLINGTON
AN ACT

To amend and reenact R.S. 22:885(D), relative to cancellation of an insurance policy by the insured; to provide for limited applicability of cancellation provisions; to exclude credit property and casualty insurance from cancellation requirements; and to provide for related matters.

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

HOUSE BILL NO. 519—BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 17:2.1 and to repeal R.S. 17:2.2, relative to redistricting; to provide for election districts for the State Board of Elementary and Secondary Education; to provide for election of members; to provide for effectiveness; and to provide for related matters.

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

May 19, 2011

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 519 by Representative Danahay

AMENDMENT NO. 1

On page 1, delete lines 13 through 20 and delete pages 2, 3 and 4 in their entirety and insert:

"(1) District 1 is composed of Precincts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 134, 136, 138, 170, 171, 172, 175, 176, 177, 178, 179A, 182, 183, 184, 185A, 189, 190, 204, 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-K, 7-K, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 14-K, 16-K, 17-K, 18-K, 19-K, 20-K, 25-K, 27-K, 28-K, 29-K, 34-K, 35-K, 1-W, 3-W, 4-W, 5-W, 6-W and 7-W of Jefferson Parish; Precincts 3-20, 4-7, 4-8, 4-9, 4-11, 4-14, 4-15, 4-17, 4-17A, 4-18, 4-20, 4-21, 4-22, 4-23, 5-15, 5-16, 5-17, 5-18, 7-41, 7-42, 13-4, 13-6, 13-7, 13-8, 13-9, 13-10, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19, 14-20, 14-21, 16-1, 16-1A, 16-2, 17-1, 17-17, 17-18, 17-18A, 17-19 and 17-20 of Orleans Parish and St. Tammany Parish.

(2) District 2 is composed of Precincts 1-1, 1-2, 2-1, 2-2, 4-1, 4-2, 5-1, 6-1, 6-2 and 7-1 of Assumption Parish; Precincts 57, 104, 107, 108, 115, 131, 133, 150, 151, 152, 153, 154, 155, 156, 157A, 157B, 173, 174, 179B, 180, 181, 185B, 187, 188, 191, 194A, 195, 196, 197A, 197B, 197C, 200, 201, 202, 205, 210, 211, 212A, 212B, 213A, 213B, 213C, 214A, 214B, 215, 216A, 216B, 217, 225, 232A, 232B, 1-G, 2-G, 4-G, 6-G, 7-G, 13-KB, 15-K, 21-K, 22-K, 23-K, 24-K, 26-K, 30-K, 31-K, 33-K and 2-W of Jefferson Parish; Precincts 1-1, 1-2, 1-5, 1-6, 2-1, 2-2, 2-3, 2-4, 2-6, 2-6A, 2-7, 3-1, 3-3, 3-5, 3-8, 3-9, 3-12, 3-14, 3-15, 3-18, 3-19, 4-2, 4-3, 4-4, 4-5, 4-6, 5-1, 5-2, 5-3, 5-4, 5-5, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 6-1, 6-2, 6-4, 6-6, 6-7, 6-8, 6-9, 7-1, 7-2, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-21, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-27, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-32, 7-33, 7-34, 7-35, 7-37, 7-37A, 7-40, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-12, 8-13, 8-14, 8-15, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-26, 8-27, 8-28, 8-30, 9-1, 9-3, 9-3A, 9-4, 9-5, 9-5A, 9-6B, 9-6C, 9-6D, 9-6E, 9-6F, 9-7, 9-8, 9-8A, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-19, 9-21, 9-23, 9-25, 9-26, 9-28, 9-28C, 9-28E, 9-29, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31D, 9-32, 9-33, 9-34A, 9-35, 9-35A, 9-36, 9-36B, 9-37, 9-38, 9-38A, 9-39, 9-39B, 9-40, 9-40A, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42C, 9-43A, 9-43B, 9-43C, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 9-45, 9-45A, 10-3, 10-6, 10-7, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14, 11-17, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-19, 13-1, 13-2, 13-3, 13-5, 13-11, 13-12, 13-13, 13-14, 13-15, 13-16, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 16-9, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15 and 17-16 of Orleans Parish; St. Charles Parish; St. James Parish and Precincts 1-2, 1-3, 1-4, 1-5, 2-1, 2-2, 2-3, 2-4, 3-1, 3-2, 3-3, 3-4, 4-1, 4-2, 4-3, 4-4, 4-8, 4-9, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 6-1, 6-3, 6-4, 7-2, 7-3, 7-4, 7-5 and 7-7 of St. John the Baptist Parish.

(3) District 3 is composed of Precincts 53 of Ascension Parish; Precincts 2-3, 3-1, 3-2, 5-2, 5-3, 5-4, 7-2, 8-1 and 9-1 of Assumption Parish; Iberia Parish; Precincts 4, 5, 6A, 25, 25A, 25B, 26, 26A, 27 and 28 of Iberville Parish; Precincts 192, 193, 194B, 198, 199, 203, 226, 227, 228, 229, 230, 231, 234, 235, 236, 237, 238, 246, 247, 248,

3-G, 5-G, 8-G, 9-G, 10-G, 11-G, 12-G, 13-G, 1-GI and 1-L of Jefferson Parish; Lafourche Parish; Plaquemines Parish; Precincts 16A, 16B, 17, 18, 20A, 20B, 21, 22A, 23 and 24 of Pointe Coupee Parish; St. Bernard Parish; Precincts 1-1 of St. John the Baptist Parish; Precincts 1-6, 1-26, 1-26A, 1-28, 3-1, 3-3, 3-4, 3-5, 3-6, 4-3, 4-5, 4-7, 4-12, 4-12A, 4-13, 5-1 and 5-6 of St. Landry Parish; Precincts 1-1, 1-2, 1-4, 1-5, 2-2, 3-5, 4-1, 4-1A, 4-2, 4-4, 4-5, 5-1, 5-2, 5-3, 5-4, 6-1, 6-2, 6-3A, 6-3B, 6-4, 7-1A, 7-2A, 7-4A, 8-1, 8-3, 8-4, 8-4A, 9-2, 9-3 and 9-4 of St. Martin Parish; St. Mary Parish; Terrebonne Parish and Precincts 49B-1, 49B-3, 53, 54, 55 and 56 of Vermilion Parish.

(4) District 4 is composed of Bienville Parish; Bossier Parish; Caddo Parish; De Soto Parish; Natchitoches Parish; Red River Parish; Sabine Parish; Vernon Parish; Webster Parish and Winn Parish.

(5) District 5 is composed of Caldwell Parish; Catahoula Parish; Claiborne Parish; Concordia Parish; East Carroll Parish; Precincts 1020, 1031, 1040, 1041, 1050, 1060, 1091, 1130, 1131, 1140, 1141, 1150, 1161, 2010, 2020, 2030, 2040, 3010, 3031, 3032, 3040, 3052, 3070, 3071, 4001, 4010, 4011, 4012, 4013, 4020, 4021, 4030, 4040, 5004, 5010, 5020, 5030, 5040, 5041 and 5050 of Evangeline Parish; Franklin Parish; Grant Parish; Jackson Parish; La Salle Parish; Lincoln Parish; Madison Parish; Morehouse Parish; Ouachita Parish; Rapides Parish; Richland Parish; Tensas Parish; Union Parish and West Carroll Parish.

(6) District 6 is composed of Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 40, 41, 43, 58, 60 and 61 of Ascension Parish; Precincts 1-7, 1-8, 1-9, 1-12, 1-33, 1-34, 1-35, 1-39, 1-40, 1-41, 1-42, 1-43, 1-44, 1-46, 1-47, 1-48, 1-49, 1-52, 1-53, 1-55, 1-56, 1-57, 1-60, 1-64, 1-65, 1-69, 1-72, 1-74, 1-75, 1-80, 1-89, 1-90, 1-98, 1-99, 1-102, 1-103, 1-105, 2-6, 2-7, 2-8, 2-18, 2-21, 2-26, 2-29, 3-1, 3-2, 3-3, 3-4, 3-6, 3-7, 3-9, 3-10, 3-11, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-22, 3-25, 3-26, 3-27, 3-28, 3-29, 3-30, 3-31, 3-32, 3-33, 3-34, 3-35, 3-36, 3-37, 3-38, 3-39, 3-40, 3-41, 3-43, 3-45, 3-46, 3-47, 3-48, 3-49, 3-51, 3-52 and 3-53 of East Baton Rouge Parish; Livingston Parish; Precincts 27, 28, 28A, 33, 40, 40A, 41, 42, 42A, 43, 44, 45, 45A, 46, 47, 48, 49, 70, 70A, 71, 72, 72A, 73, 74, 102, 104, 104A, 106, 106A, 106B, 108, 110, 112, 114, 116, 117, 118, 119, 120, 120A, 120B, 121, 121A, 121B, 122, 122A, 123, 124, 125, 127, 127A, 129, 129A, 133, 133A, 137, 137A, 137B, 137C, 137D, 139, 141, 141A, 143, 145, 149, 149A and 151 of Tangipahoa Parish and Washington Parish.

(7) District 7 is composed of Acadia Parish; Allen Parish; Beauregard Parish; Calcasieu Parish; Cameron Parish; Jefferson Davis Parish; Precincts 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 25, 26, 27, 28A, 28B, 29, 30A, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97A, 97B, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 and 111 of Lafayette Parish; Precincts 2-2, 2-3, 2-6, 2-8 and 2-9 of St. Landry Parish and Precincts 1, 2, 3, 5A, 5B, 6, 7A, 7B, 8, 9, 10A, 11, 12, 14, 15, 16, 18, 19A, 19B, 20A-1, 20A-2, 20B-1, 21, 23, 24, 25, 26, 27A-2, 28, 29, 32B, 34, 35, 36A-1, 37, 38, 39, 40, 41, 42A, 42B, 44, 45A, 46A, 46B-1, 46B-2, 46B-3, 50A, 50B, 51, 57A and 57B of Vermilion Parish.

(8) District 8 is composed of Precincts 30, 36, 37, 39, 42, 44, 45, 47, 48, 49, 50, 51, 52, 54, 55, 56 and 57 of Ascension Parish; Avoyelles Parish; Precincts 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-10, 1-13, 1-14, 1-15, 1-16, 1-17, 1-18, 1-19, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-30, 1-31, 1-32, 1-36, 1-37, 1-38, 1-45, 1-50, 1-51, 1-54, 1-58, 1-59, 1-61, 1-62, 1-63, 1-66, 1-67, 1-68, 1-70, 1-71, 1-73, 1-77, 1-78, 1-81, 1-82, 1-83, 1-84, 1-85, 1-86, 1-87, 1-88, 1-91, 1-92, 1-93, 1-94, 1-95, 1-97, 1-100, 1-101, 1-104, 1-107, 2-1, 2-2, 2-3, 2-4, 2-5, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, 2-16, 2-17, 2-19, 2-20, 2-22, 2-23, 2-24, 2-25, 2-27, 2-28, 2-30, 2-31, 2-32, 3-5, 3-8, 3-12, 3-21, 3-23, 3-24, 3-42, 3-44, 3-50, 3-54 and 3-55 of East Baton Rouge Parish; East Feliciana Parish; Precincts 1010, 1011, 1030, 1080, 1081, 1090, 1100, 1101, 1110, 1120, 1160, 1162, 1170, 1171, 3020, 3030, 3050, 3051 and 3060 of Evangeline Parish; Precincts 1, 2, 3, 6, 7, 8, 10, 11, 12, 13, 13A, 13B, 13C, 14, 14A, 14B, 15, 15A, 15B, 16, 17, 17A, 18, 19, 19A, 20, 21, 22, 23, 24, 29, 30, 31 and 32 of Iberville Parish; Precincts 5, 7, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64 and

68 of Lafayette Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10A, 10B, 11, 12, 13A, 13B, 14, 15A, 15B and 19A of Pointe Coupee Parish; St. Helena Parish; Precincts 1-1, 1-2, 1-2A, 1-3, 1-3A, 1-4, 1-4A, 1-5, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-13, 1-14, 1-15, 1-15A, 1-16, 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-28A, 1-29, 2-1, 2-4, 2-5, 2-7, 3-2, 4-2, 4-4, 4-6, 4-8, 4-9, 4-10, 4-11, 5-2, 5-3, 5-4, 5-5, 5-8, 6-1, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 6-11, 6-11A, 6-13, 6-14, 6-15, 6-16 and 6-16A of St. Landry Parish; Precincts 1-3, 1-7, 2-1, 2-3, 2-4, 3-1, 3-1A, 3-1B, 3-2, 3-3, 3-4, 3-4A, 3-6, 3-9, 4-3, 4-4A, 4-6, 6-2A, 6-3, 7-1, 7-3, 7-4, 9-1 and 9-5 of St. Martin Parish; Precincts 1, 2, 6, 11, 15, 16, 17, 18, 26, 27A, 101, 103, 105, 107, 109, 109A, 111, 111A and 115B of Tangipahoa Parish; West Baton Rouge Parish and West Feliciana Parish."

AMENDMENT NO. 2

On page 5, delete lines 1 through 13 in their entirety

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

Motion to Make Special Order

Senator Marionneaux asked for and obtained a suspension of the rules to make Senate Bill No. 259, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Wednesday, May 25, 2011.

SENATE BILL NO. 259—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 47:32(A) and (C) and to enact R.S. 47:32(D), relative to income taxes; to phase out the taxes on personal and corporate income; and to provide for related matters.

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

SENATE RESOLUTION NO. 4—

BY SENATOR CLAITOR
A RESOLUTION

To amend and readopt Senate Rule 7.6(E) and 10.9(A) of the Rules of Order of the Senate to provide relative to the procedure applicable to the adoption of resolutions.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Resolution No. 4 by Senator Claitor

AMENDMENT NO. 1

On page 1, delete lines 10 through 17 and insert the following:

"E. (1) On the day on which a bill appears on the regular calendar for final passage, a copy thereof and any supplemental digest shall be placed in the Final Passage Book on the desk of each member. ~~Such~~ **The** bills shall be arranged as listed on the regular calendar, separately for Senate and House bills.

(2) On the day on which a resolution or concurrent resolution appears on the regular calendar to be adopted, the resolutions or concurrent resolutions shall be posted on the official legislative website, and shall be arranged as listed on the regular calendar, separately for Senate and House resolutions and concurrent resolutions. Resolutions and concurrent resolutions that pertain to notifying the House of Representatives or the governor that the Senate has convened or is ready to adjourn, or to the holding of a joint session of the legislature, shall be exempt from this requirement."

AMENDMENT NO. 2

On page 2, delete line 1

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

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

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR WALSWORTH
A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to erect a Ten Commandments monument on the grounds of the State Capitol.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR CHEEK
A CONCURRENT RESOLUTION

To request the Department of Health and Hospitals to study whether to amend Louisiana's State Medicaid Plan to permit physicians to apply fluoride varnish to the teeth of children under the age of seven who are enrolled in the state Medicaid program and receive appropriate reimbursement, to determine the feasibility of providing such reimbursement, to estimate the costs of such a program, and to submit a written report of its findings and conclusions, including any recommendations for legislation and appropriations relative to the issue, to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare by February 1, 2012.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Mount
Adley	Jackson	Murray
Alario	Kostelka	Nevers
Broome	Long	Perry
Chabert	Marionneaux	Riser
Cheek	Martiny	Shaw
Donahue	McPherson	Smith
Dorsey	Michot	Thompson
Erdey	Mills	Walsworth
Gautreaux	Morrish	Willard-Lewis
Total - 30		

NAYS

Claitor
Total - 1

ABSENT

Amedee	Guillory	Peterson
Appel	LaFleur	Quinn
Crowe	Morrell	
Total - 8		

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

May 19, 2011

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Mount
Adley	Jackson	Murray
Alario	Kostelka	Nevers
Appel	Long	Perry
Broome	Marionneau	Riser
Claitor	Martiny	Shaw
Donahue	McPherson	Smith
Dorsey	Michot	Thompson
Erdey	Mills	Walsworth
Gautreaux	Morrish	Willard-Lewis
Total - 30		

NAYS

Total - 0

ABSENT

Amedee	Crowe	Morrell
Chabert	Guillory	Peterson
Cheek	LaFleur	Quinn
Total - 9		

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

Rules Suspended

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 19, 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. 28—

BY SENATORS CHAISSON, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY, GAUTREAU, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MOUNT, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH AND WILLARD-LEWIS

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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATORS MOUNT, ADLEY, ALARIO, AMEDEE, APPEL, BROOME, CHABERT, CHAISSON, CHEEK, CLAITOR, CROWE, DONAHUE, DORSEY, ERDEY, GAUTREAU, GUILLORY, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAU, MARTINY, MCPHERSON, MICHOT, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PERRY, PETERSON, QUINN, RISER, SHAW, SMITH, THOMPSON, WALSWORTH AND WILLARD-LEWIS

A CONCURRENT RESOLUTION

To express the sincere heartfelt condolences of the Legislature of Louisiana upon the death of former state Senator, Guy W. Sockrider, Jr.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 19, 2011

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 519—
BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 17:2.1 and to repeal R.S. 17:2.2, relative to redistricting; to provide for election districts for the State Board of Elementary and Secondary Education; to provide for election of members; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAU
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Marionneau, the Bills and Joint Resolutions were read by title and passed to a third reading.

Motion to Make Special Order

Senator Kostelka asked for and obtained a suspension of the rules to make House Bill No. 519, which was just advanced to a Third Reading and Final Passage, Special Order of the Day No. 1 on Monday, May 23, 2011.

HOUSE BILL NO. 519—
BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 17:2.1 and to repeal R.S. 17:2.2, relative to redistricting; to provide for election districts for the State Board of Elementary and Secondary Education; to provide for election of members; to provide for effectiveness; and to provide for related matters.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 19, 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:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of a beloved statesman, Senator Carl J. "Jack" Gordon, Jr., of Okolona, Mississippi.

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR WILLARD-LEWIS

A CONCURRENT RESOLUTION

To commend and congratulate the "Mighty" Southern Region of Zeta Phi Beta Sorority, Incorporated and to welcome the sorority to New Orleans on June 2-4, 2011, for its 82nd Southern Regional Leadership Conference and Youth Retreat.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Morrish
Adley	Gautreaux	Mount
Alario	Heitmeier	Murray
Appel	Jackson	Nevers
Broome	Kostelka	Perry
Chabert	Long	Riser
Cheek	Marionneaux	Shaw
Claitor	Martiny	Smith
Crowe	McPherson	Thompson
Donahue	Michot	Walsworth
Dorsey	Mills	Willard-Lewis
Total - 33		

ABSENT

Amedee	LaFleur	Peterson
Guillory	Morrell	Quinn
Total - 6		

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee	1 Day	Guillory	1 Day
LaFleur	1 Day	Morrell	1 Day
Peterson	1 Day	Quinn	1 Day

Announcements

The following committee meetings for May 23, 2011, were announced:

Finance 1:30 P.M. Room A

Adjournment

On motion of Senator Thompson, at 9:42 o'clock A.M. the Senate adjourned until Monday, May 23, 2011, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, May 23, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

