The Senate was called to order at 4:10 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 Guillory Morrish
Adley Jackson Murray
Alario Kostelka Nevers
Amedee LaFleur Peterson
Appel Long Riser
Broome Marionneau Shaw
Claitor Martiny Smith
Crowe Michot Thompson
Donahue Mills Walsworth
Gautreaux Morrell Willard-Lewis
Total - 30

ABSENT

Chabert Erdey Mount
Cheek Heitmeier Perry
Dorsey McPherson Quinn
Total - 9

The President of the Senate announced there were 30 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Monsignor William Bilinsky, 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 April 27, 2011, was adopted.

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 27, 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. 12—
BY SENATOR BROOME AND REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION
To declare October 1, 2011, as World Peace Day in the state of Louisiana.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 10—
BY SENATORS THOMPSON, WALSWORTH, RISER AND KOSTELKA
A RESOLUTION
To commend and congratulate Kelsi Crain on her reign as Miss Louisiana 2010, and to recognize Tuesday, May 3, 2011, as Miss Louisiana Organization Day in the Senate at the state capitol.

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

SENATE RESOLUTION NO. 11—
BY SENATOR THOMPSON
A RESOLUTION
To commend Renee Lee Ward upon receiving the Milken Family Foundation Educator Award and for her dedicated service to the students at Delhi Charter School.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR CHAISSON
A CONCURRENT RESOLUTION
To invite Chief Justice Catherine D. Kimball, of the Louisiana Supreme Court to address a joint session of the legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Jackson Nevers
Adley Jackson Murray
Alario Kostelka Nevers
Amedee LaFleur Peterson
Appel Long Riser
Broome Marionneau Shaw
Claitor Martiny Smith
Crowe Michot Thompson
Donahue Mills Walsworth
Gautreaux Morrell Willard-Lewis
Total - 31

NAYS

Total - 0
ABSENT

Broome         Guillory         McPherson
Chabert        Heitmeier       Perry
Donahue        Marionneaux
Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR MORRELL
A CONCURRENT RESOLUTION
To designate May 2-6, 2011, as “Be Kind to Animals” week at the legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  LaFleur        Peterson
Alario         Long           Quinn
Amedee        Martiny        Riser
Appel          Michot         Shaw
Cheek          Mills          Smith
Dorsey         Morrell        Thompson
Erdey          Morrish        Walsworth
Gautreaux      Mount          Willard-Lewis
Guillory       Murray
Jackson        Nevers
Total - 28

NAYS

Total - 0

ABSENT

Adley          Crowe          Marionneaux
Broome         Donahue        McPherson
Chabert        Heitmeier      Perry
Claitor        Kostelka
Total - 11

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

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR MOUNT AND REPRESENTATIVE KATZ
A CONCURRENT RESOLUTION
To designate May 2011 as Lupus Awareness Month in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Jackson        Nevers
Adley          Kostelka       Peterson
Alario         LaFleur        Quinn
Amedee        Long           Riser

NAYS

Total - 31

NAYS

Total - 0

ABSENT

Broome         Donahue        McPherson
Chabert        Heitmeier      Perry
Claitor        Marionneaux
Total - 8

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

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.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS
April 28, 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. 519

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 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.

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

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 2, 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 Concurrent Resolutions:

HCR No. 42     HCR No. 44     HCR No. 46
HCR No. 47     HCR No. 48     HCR No. 50
HCR No. 52     HCR No. 53

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 42—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to install a traffic light at the intersection of U.S. Highway 165 and Richwood Road No. 2 in Ouachita Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To commend Kelsi Crain for her outstanding accomplishments and for proudly representing the state as Miss Louisiana 2010.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President  Guillory  Murray
Adley  Jackson  Nevers
Alario  Kostelka  Peterson
Amedee  LaFleur  Quinn
Appel  Long  Riser
Cheek  Martiny  Shaw
Claitor  Michot  Smith
Crowe  Mills  Thompson
Dorsey  Morrell  Walsworth
Dorsey  Morrish  Willard-Lewis
Total - 30

NAYS
Total - 0

HOUSE CONCURRENT RESOLUTION NO. 46—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION
To urge and request the Department of Insurance to study the practice of credit scoring.

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

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVES PATRICIA SMITH, ROSALIND JONES, AND STAES
A CONCURRENT RESOLUTION
To recognize Tuesday, May 10, 2011, as AKA Day at the capitol and to commend the members of Alpha Kappa Alpha Sorority, Incorporated.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President  Guillory  Mount
Adley  Jackson  Murray
Alario  Kostelka  Nevers
Amedee  LaFleur  Peterson
Appel  Long  Quinn
Cheek  Martiny  Riser
Claitor  Michot  Shaw
Crowe  Mills  Smith
Dorsey  Morrell  Thompson
Dorsey  Morrish  Willard-Lewis
Total - 30

NAYS
Total - 0

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVE GISCLAIR
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals to study and investigate health conditions that have impacted responders to the Transocean Deepwater Horizon oil rig explosion and provide the Louisiana Legislature with direction in assisting these individuals with long-term health care.

The resolution was read by title and referred by the President to the Committee on Health and Welfare.
HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION
To authorize and request the secretaries of the Department of Health and Hospitals and the Department of Children and Family Services to study the consolidation of the two departments into one department and to present a plan for such consolidation and related information to the legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE NORTON
A CONCURRENT RESOLUTION
To commend President Barack Obama, commander-in-chief, United States Armed Forces, and United States intelligence officials upon achieving success in the mission to bring Osama bin Laden to justice, to recognize and honor those who lost their lives on September 11, 2001, and members of the armed forces killed while fighting the war on terror, and to express appreciation to those who daily carry out the military, diplomatic, and intelligence initiatives necessary to protect freedom in the world.

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

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE HARRISON
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals and the Department of Education to study jointly the feasibility and advisability of funding more school nurse positions through the Medicaid program and to report their study findings to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the beginning of the 2012 Regular Session of the Legislature.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON EDUCATION**

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

April 27, 2011

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to revise Section 2509 of Bulletin 119 - Louisiana School Transportation Specifications and Procedures - to establish uniform requirements relative to the purchase of used school buses for all school bus owners/operators.

Reported favorably.

**REPORT OF COMMITTEE ON REVENUE AND FISCAL AFFAIRS**

Senator Robert M. Marionneaux, Jr., Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 2, 2011

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 28—
BY SENATOR NEVERS
AN ACT**

To amend and reenact R.S. 47:6033(A) and (B)(1), relative to tax credits; to extend the applicability of the apprenticeship tax credit; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 134—
BY SENATOR CLAITOR
AN ACT**

To amend and reenact the title to Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, R.S. 51:2352(3) and 2353 through 2356, relative to the Technology Commercialization Credit and Jobs Program; to extend the
program; to change the program benefit from a tax credit to a rebate; to provide for a limitation on the receipt of other tax benefits and incentives; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 203—
BY SENATOR PETERSON
AN ACT
To enact Subpart BB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.96, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Food Bank Association; to provide for the disposition of such donated monies; to establish the Louisiana Food Bank Association Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for an effective date; and to provide for related matters

Reported with amendments.

SENATE BILL NO. 219—
BY SENATOR MILLS
AN ACT
To enact R.S. 47:337.11.2, relative to exemption from the sales and use taxes of political subdivisions; to create the Acadiana Cultural and Entertainment Special District and authorize certain parishes within the district to provide a certain exemption from their sales and use taxes; and to provide for related matters.

Reported with amendments.

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

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

SENATE BILL NO. 252—
BY SENATOR ERDEY
AN ACT
To enact R.S. 38:1805.1, relative to gravity drainage districts; to authorize the Livingston Parish Gravity Drainage District No. 6 to levy a sales and use tax; to require voter approval of such tax; to provide for the purposes of such tax; to authorize the issuance of bonds; and to provide for related matters.

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

SENATE BILL NO. 253—
BY SENATOR JACKSON
AN ACT
To amend and reenact R.S. 9:2347(A)(1), (H), and (M), relative to the issuance of bonds by public trusts; to provide for the publication of the notice of intention to issue bonds, notes, or other evidences of indebtedness by a public trust; to provide for the sale of bonds, notes and other evidences of indebtedness by a public trust; to provide that property owned by certain public trusts authorized to issue bonds to finance projects, is public and used for a public purpose; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 12—
BY SENATOR HEITMEIER
A RESOLUTION
To commend William Harold "Billy" Nungesser, Plaquemines Parish President, for his exemplary leadership during the BP oil disaster.

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

SENATE RESOLUTION NO. 13—
BY SENATOR WALSWORTH
A RESOLUTION
To commend Brook Hotard on her reign as Miss Louisiana Outstanding Teen for 2010, and to recognize Tuesday, May 26, 2011, as Miss Louisiana Organization Day at the Louisiana Senate.

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR MORRELL
A CONCURRENT RESOLUTION
To commend President Barack Obama, the Central Intelligence Agency, the United States military and Congress for the quick decisive steps taken in the mission culminating in the death of terrorist Osama Bin Laden.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gautreaux Murray
Adley Jackson Nevers
Alario Kostelka Peterson
Amedee LaFleur Quinn
Appel Long Riser
Broome Martiny Shaw
Cheek Michot Smith

43
The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

Reports of Committees, Resumed

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON FINANCE**

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

May 2, 2011

To the President and Members of the Senate:

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

**SENATE BILL NO. 1** — BY SENATOR ADLEY

**AN ACT**

To enact R.S. 29:26.1 and to repeal R.S. 22:941(A)(5), relative to death and disability benefits for Louisiana National Guardsmen activated by the governor or the president; to remove authority for certain lump sum payments of death and permanent disability benefits for Louisiana National Guardsmen activated by the governor or the President of the United States; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 62** — BY SENATOR MURRAY

**AN ACT**

To amend and reenact R.S. 4:165(A)(1) and (2), and (B)(1) and (2), relative to the Louisiana State Racing Commission; to provide for funds, purses and awards; and to provide for related matters.

Reported favorably.

Respectfully submitted,

MICHAEL J. "MIKE" MICHOT
Chairman

**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 2, 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. 2** — BY SENATOR LONG AND REPRESENTATIVE NOWLIN

A CONCURRENT RESOLUTION

To commend Dr. Virginia Burkett on being honored for her efforts in science by the National Wildlife Federation's Conservation Achievement Awards at its seventy-fifth Anniversary Gala.

**SENATE CONCURRENT RESOLUTION NO. 6** — BY SENATOR CLAITOR AND REPRESENTATIVES GREENE AND PONTI

A CONCURRENT RESOLUTION

To commend the Episcopal High School of Baton Rouge boys' cross country track team and Coach Claney Duplechin for sustained and continuing athletic excellence.

**SENATE CONCURRENT RESOLUTION NO. 7** — BY SENATOR CLAITOR AND REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To commend Y.A. Tittle on being selected to receive an LSU College of Education Alumni Distinction Award.

**SENATE CONCURRENT RESOLUTION NO. 11** — BY SENATOR BROOME AND REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To designate May 4, 2011, as Teen Pregnancy Prevention Day and May, 2011, as Teen Pregnancy Prevention Month.

Respectfully submitted,

ROBERT W. "BOB" KOSTELKA
Chairman

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

May 2, 2011

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 5** — BY REPRESENTATIVES LEGER, HENRY, AND LORUSSO

A CONCURRENT RESOLUTION

To commend Eric Walker Bussey of Jesuit High School in New Orleans upon being named Louisiana’s Middle School Student of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 6** — BY REPRESENTATIVES LEGER, AUSTIN BADON, BISHOP, BROSSETT, MORENO, AND STAES

A CONCURRENT RESOLUTION

To commend Dr. Doris R. Hicks for being awarded the Leo B. Marsh Award at the Forty-First National Salute to Black Achievers in Industry Gala.
HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To recognize Wednesday, May 11, 2011, as Elmer's Candy Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION
To recognize Louisiana Irish Week in March in celebration of the state's rich Irish heritage.

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION
To recognize the first weekend in June annually as the Cookin' on the Cane Barbeque Competition and Festival in Natchitoches, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVE ROBIDEAUX AND SENATOR MICHOT
A CONCURRENT RESOLUTION
To commend Lynn Sanders-Bustle of the University of Louisiana at Lafayette on being named the 2011 National Higher Education Art Educator of the Year by the National Art Education Association.

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVE ROSALIND JONES
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Orange Street and Louisiana Highway 529 (Millhaven Road) in Ouachita Parish.

HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVES CARMODY AND GARY SMITH
A CONCURRENT RESOLUTION
To express condolences upon the death of Lucille Long Reed.

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVE HARDY
A CONCURRENT RESOLUTION
To commend Louisiana State Trooper Justin Martin of Troop I in Lafayette for his dedication to serving and protecting the public trust.

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION
To commend Clyde “Rock” Gisclair for his many years of service as St. Charles Parish Assessor.

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVE DANAHAY AND SENATOR SMITH
A CONCURRENT RESOLUTION
To commend the Starks High School girls' basketball team upon winning the 2011 Class C state championship.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION
To recognize April of 2011 as Sarcoidosis Awareness Month in Louisiana and to commend the Sarcoidosis Awareness Support Group of Greater Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION
To recognize Thursday, April 28, 2011, as Workers Memorial Day in recognition of workers killed, injured, and disabled on the job.
Adjournment

On motion of Senator Thompson, at 4:35 o'clock P.M. the Senate adjourned until Tuesday, May 3, 2011, at 4:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:30 o'clock P.M. on Tuesday, May 3, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk