THE OFFICIAL JOURNAL OF THE
SENATE OF THE
STATE OF LOUISIANA

THIRTEENTH 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

Tuesday, May 17, 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 Guillory Peterson
Adley LaFleur Quinn
Alario Long Riser
Amedee Marlineaux Shaw
Broome Martiny Smith
Chabert Mills Thompson
Claitor Morrell Willard-Lewis
Donahue Murray Perry
Erdey

Total - 25

ABSENT

Appel Heitmeier Morrish
Cheek Jackson Mount
Crowe Kostelka Nevers
Dorsey McPherson Walsworth
Gautreaux Michot

Total - 14

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

Prayer

The prayer was offered by Pastor Albert White, 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 Smith, the reading of the Journal was dispensed with and the Journal of May 16, 2011, was adopted.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

STATE OF LOUISIANA
DIVISION OF ADMINISTRATION

May 10, 2011

Honorabie Joel T. Chaisson II
Senate President
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Chaisson:

Please accept this letter as a formal request for Senate Confirmation for Scott Kipper who was appointed Chief Executive Officer of the Office of Group Benefits. Should you need further Information, please don't hesitate to contact my office.

Scott Kipper
P.O. Box 44036
Baton Rouge, LA 70804

Sincerely,
PAUL W. RAINWATER
Commissioner of Administration

DEPARTMENT OF INSURANCE

May 9, 2011

The Honorable Joel Chaisson II
President of the Senate
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Chaisson:

In accordance with LSA-R.S. 36:681 et seq., I have made the following appointment:

Ms. Emma L. Fontenot
Title: Deputy Commissioner for Health Insurance
Department of Insurance

Mailing Address:
1439 Salisbury Drive
Baton Rouge, LA 70816

Appointment Effective: May 9, 2011

In that regard, I hereby acknowledge and submit the above listed appointment for Senate confirmation as required by law. For your records, the previous incumbent, Scott Kipper, resigned effective April 15, 2011. Please contact Ms. Pamela Croxton, Human Resources Director, at (225) 342-0119 to coordinate Senate confirmation.

If further information is needed, please do not hesitate to contact me.

With best wishes and kindest personal regards, I remain
Very truly yours,
JAMES J. DONÉLON
Commissioner of Insurance

BOARD OF REGENTS

May 10, 2011

The Honorable Joel T. Chaisson II
Senate President
13726 River Road
Destrehan, Louisiana 70047

Dear President Chaisson:

In accordance with Louisiana Revised Statutes 17:3123.1 and 24.14, I hereby request Senate confirmation of the appointment of Dr. James Purcell as Louisiana Commissioner of Higher Education. On February 24, 2011, the Louisiana Board of Regents voted
unanimously to accept the recommendation of the Search Committee to appoint Dr. Purcell as the next Commissioner of Higher Education for the state of Louisiana.

Dr. James Purcell
P.O. Box 3677
Baton Rouge, LA 70821

On behalf of the Board of Regents, I look forward to working with you in this confirmation process. Dr. Purcell has provided the requested paperwork to Senate staff; however, if additional information is needed, please contact me.

Thank you and your colleagues for your continued interest and support of policies that will serve to increase the knowledge and skills of our citizenry.

Sincerely,
ROBERT W. LEVY
Chairman

Message from the House
CONCURRING IN SENATE CONCURRENT RESOLUTIONS
May 17, 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. 30—
BY SENATOR LONG
A CONCURRENT RESOLUTION
To commend Joshua Phillips and Emma Norton on winning the 2010-2011 Louisiana High School Speech League Tournament of Champions in the Policy Debate category.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Theo J. Coenen III.

Reported without amendments.

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

Senate Resolutions on Second Reading
SENATE RESOLUTION NO. 29—
BY SENATOR BROOME
A RESOLUTION
To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Uyai Idara Imaabasi.

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

SENATE RESOLUTION NO. 30—
BY SENATOR BROOME
A RESOLUTION
To commend and recognize the first Zion City Elementary School Reunion on June 11, 2011, and its theme “Raising Zion Sixty Years Later”.

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

SENATE RESOLUTION NO. 31—
BY SENATOR BROOME
A RESOLUTION
To express the sincere and heartfelt condolences of the Senate upon the passing of a beloved statesman, Senator Carl J. “Jack” Gordon, Jr., of Okolona, Mississippi.

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

SENATE RESOLUTION NO. 33—
BY SENATOR DORSEY
A RESOLUTION
To express the sincere and heartfelt condolences of the Senate upon the death of Henry Louis “Dickie” Thurman, Jr., and to pay tribute to his significant contributions to the Southern University’s School of Architecture and Engineering.

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

The roll was called with the following result:

YEAS

Mr. President Guillory
Adley Heitmeier
Alario Jackson
Amedee Kostelka
Broome LaFleur
Chabert Long
Cheek Marionneaux
Claitor Martiny
Donahue Michot
Erdey Mills
Gautreaux Morrell

Total - 33

NAYS

Total - 0

ABSENT

Appel Dorsey Nevers
Crowe McPherson Perry

Total - 6

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

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Jackson Nevers
Adley Kostelka Perry
Alario LaFleur Peterson
Amedee Long Quinn
Broome Marionneaux Riser
Cheek Martiny Shaw
Claitor Michot Smith
Crowe Mills Thompson
Erdey Morrell Walsworth
Gautreaux Morrish Willard-Lewis
Guillory Mount
Heitmeier Murray
Total - 34

NAYS
Total - 0

ABSENT
Appel Donahue McPherson
Chabert Dorsey
Total - 5

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

Message from the House
ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS
May 16, 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:

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<tr>
<th>House Bill</th>
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<td>HB No. 37</td>
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<td>HB No. 426</td>
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Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 37—
BY REPRESENTATIVE NOWLIN
AN ACT
To amend and reenact R.S. 47:2060, relative to the transmission of tax collection information by local tax collectors; to change the time period within which certain tax collection information must be transmitted; and to provide for related matters.

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

HOUSE BILL NO. 166—
BY REPRESENTATIVES HOFFMANN, ANDERS, BALDONE, HENRY BURNS, CARMODY, CHANEY, CONNICK, DOWNS, GISCLAIR, HARDY, HENDERSON, HENRY, HOWARD, ROSALIND JONES, KATZ, LAFONTA, LITTLE, LOMBARD, RICHARD, RICHARDSON, SEABAUGH, GARY SMITH, JANE SMITH, STAIES, THIERRY, AND WILLMOTT
AN ACT
To designate portions of Louisiana highways to honor public service of Louisiana citizens; to designate Louisiana Highway 34 from Louisiana Highway 546 to Kings Lake Road as the "Corporal J.R. Searcy Memorial Highway"; to designate the section of United States Highway 51 from the intersection of Louisiana Highway 38 to the Mississippi state line as the "Trooper Rudolph H. Miller Memorial Highway"; to designate the section of Louisiana Highway 118 from Florien to Kisatchie as the "Louisiana Maneuvers and Purple Heart Memorial Highway"; to designate the section of Louisiana Highway 749 from the intersection of West Martin Luther King Drive to the intersection of Louisiana Highway 167 as the "Griffin Pat Miller Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 209—
BY REPRESENTATIVE ROBIDEAUX
AN ACT
To amend and reenact R.S. 47:1541(B) and to enact R.S. 47:1541(D) and 1601(A)(2)(e), relative to the Department of Revenue; to provide relative to the audit of taxpayer records by the department; to provide the purposes for which sampling audits may be utilized; to authorize the use of managed audits at the secretary's discretion under certain circumstances; to authorize agreements regarding managed audits; to provide for definitions; to authorize the discretionary waiver of interest; and to provide for related matters.

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

HOUSE BILL NO. 227—
BY REPRESENTATIVES THIBAUT, GREENE, AND HARDY
AN ACT
To enact R.S. 9:1123.113, relative to condominiums; to require condominium associations to maintain a fidelity bond; to provide for a coverage amount; to establish a minimum coverage amount; to provide for compliance through a managing agent who maintains a bond; to require proof of the bond to be maintained on the premises of the condominium; to require inspection of the proof upon request; to provide for related matters.

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

HOUSE BILL NO. 256—
BY REPRESENTATIVE RITCHIE
AN ACT
To amend and reenact R.S. 37:877(B)(1)(b)(ii) and 883(C), (D), (E), (F), and (G) and to enact R.S. 37:877(B)(1)(b)(ii) and 883(H) and (I), relative to cremation; to provide for representation of identity of deceased on cremation authorization forms; to require the coroner to identify human remains when releasing them to a funeral establishment; to exempt funeral or crematory establishments from liability when relying upon information provided by health care providers and coroners; to exempt funeral establishments and coroners from liability when permitting the viewing of human remains for the purposes of identification; and to provide for related matters.

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

**HOUSE BILL NO. 261—**
**BY REPRESENTATIVE CARMODY**
AN ACT
To amend and reenact R.S. 32:1254(A)(19) and (E)(9)(d), 1261(6)(a), and 1262(B)(1) and (4) and to enact R.S. 32:1262(B)(5) through (7), relative to the sale and distribution of motor vehicles; to exclude nonresident exhibitors from licensure by the Motor Vehicle Commission; to exempt recreational products dealers from certain licensure, franchise modification, and warranty requirements under certain circumstances; to provide for certain prohibited acts involving franchise agreements; to provide guidelines for audits of dealer records; and to provide for related matters.

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

**HOUSE BILL NO. 342—**
**BY REPRESENTATIVES EDWARDS, ARMES, BALDONE, HENRY BURNS, BURRELL, CARMODY, CHANDLER, DIXON, DOERGE, DOWNS, ELLINGTON, GICLAS, GUILLOSY, HARDY, HENRY, HILL, HINES, HOFFMANN, HOWARD, JOHNSON, SAM JONES, KATZ, LANDRY, LEVAS, LIGI, LITTLE, LORUSSO, MCVEA, MONTOUCET, POPE, RICHARD, RICHARDSON, SMILEY, GARY SMITH, JANE SMITH, TALBOT, TEMPLET, WHITE, WILLIAMS, AND WILMOTT**
AN ACT
To enact R.S. 38:2212.10, relative to public contracts; to provide for the verification of employees engaged in public contract work; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 344—**
**BY REPRESENTATIVE HUTTER**
AN ACT
To amend and reenact R.S. 9:1123.102(11), relative to condominiums; to require a ten-day grace period for paying condominium assessments; to provide for limitations on charges for later payment of assessments; to require unit owners' association to provide written or electronic notice; and to provide for related matters.

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

**HOUSE BILL NO. 417—**
**BY REPRESENTATIVES CORTEZ, ARMS, ARNOLD, BOBBY BAX, BALDONE, BARRAS, BISHOP, BURFORD, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, DIXON, DOWNS, FANNIN, GICLAS, GUINN, HARDY, HENDERSON, HOFFMANN, HOWARD, SAM JONES, KATZ, LANDRY, LEVAS, LOPEZ, MONTOUCET, NOWLIN, POPE, RICHARD, RICHARDSON, SCHRODER, SEABAUGH, GARY SMITH, JANE SMITH, THIBAULT, AND WOOTON**
AN ACT
To amend and reenact R.S. 11:710(A)(1), (B)(1)(a), (C)(2), and (D), to enact R.S. 11:710(A)(4), and to repeal R.S. 11:710(H), relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as substitute teachers to receive benefits during reemployment; to provide limitations; 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. 426—**
**BY REPRESENTATIVE KLECKLEY**
AN ACT
To amend and reenact R.S. 11:511, 822(A) and (B), 1162(A), 1164, and 1302(A), relative to certain state retirement systems; to provide relative to the membership of the boards of trustees of the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the State Police Pension and Retirement System, and the Louisiana School Employees' Retirement System; to provide for effectiveness; and to provide for related matters.

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

**HOUSE BILL NO. 481—**
**BY REPRESENTATIVE BARRAS**
AN ACT
To amend and reenact R.S. 11:1402(6)(c) and (8), 1404(A), 1411(D), 1444(C) and (D), 1451, 1457(C), 1458(B)(1), (2)(a), (b), and (d), (3)(caption), and (4) and (E)(2) and (5)(c); to enact R.S. 11:1402(6)(d), 1444(E)(3), 1445(G), 1455(C), and 1458(A)(3), and to repeal R.S. 11:1404(E), 1457(B), 1458(B)(2)(c) and (E)(5)(d) and (e), relative to the Louisiana Assessors' Retirement Fund; to provide relative to compliance with applicable federal tax qualification requirements; 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.

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

May 17, 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. 104

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

**House Concurrent Resolutions on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 104—**
**BY REPRESENTATIVES PATRICIA SMITH, AUBERT, AUSTIN BADON, BARKOW, BISHOP, BROSSETT, BURRELL, DIXON, FRANKLIN, GALLOW, HARDY, HONORE, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, NORTON, STAES, THIERRY, AND WILLIAM AND SENATORS BROOME, DORSEY, GUILLORY, JACKSON, MORRELL, MURRAY, PETESEN, AND WILLARD-LEWIS**
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the residents of the states of Alabama, Arkansas, Mississippi, Missouri, and Tennessee who have lost loved ones as a result of the devastating storms that tore through their states.

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

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

**HOUSE BILL NO. 27—**
**BY REPRESENTATIVES BROSSETT AND BISHOP**
AN ACT
To amend and reenact R.S. 47:1703.1(A), relative to registration for motor vehicles; to provide for the homestead exemption; to require the assessor in Orleans Parish to provide a form for the permanent registration of the homestead exemption for taxpayers in that parish; 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. 39—
BY REPRESENTATIVE THIBAUT
An ACT
To enact R.S. 13:2575.4, relative to ordinance violations in West Baton Rouge Parish; to provide for administrative adjudications; to provide for definitions; to provide for violations subject to administrative adjudication procedures; 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. 70—
BY REPRESENTATIVE JANE SMITH
An ACT
To repeal R.S. 33:1418(B), relative to hybrid or alternative fuel vehicles and to the use of such vehicles by agencies of political subdivisions; to repeal an exemption from the authority to use such vehicles; and to provide for related matters.

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

HOUSE BILL NO. 85—
BY REPRESENTATIVE KLECKLEY
An ACT
To enact R.S. 22:513.1, relative to title insurance; to require identifying information on acts transferring an interest in residential property; to provide immunity from liability under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 87—
BY REPRESENTATIVE BARRAS
An ACT
To rename and designate the Jefferson Street bridge on Louisiana Highway 3156 in Iberia Parish as the "Joe Daigre Memorial Bridge"; and to provide for related matters.

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

HOUSE BILL NO. 91—
BY REPRESENTATIVE ROY
An ACT
To repeal R.S. 40:1496.14, relative to fire protection districts; to abolish the Rapides Parish Tri Fire Protection District.

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

HOUSE BILL NO. 93—
BY REPRESENTATIVE MORRIS
An ACT
To amend and reenact R.S. 47:1837(G), relative to hearings of the Louisiana Tax Commission; to require certain hearings of the commission to be held at the state capitol; to provide relative to the duties of the commission; and to provide for related matters.

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

HOUSE BILL NO. 104—
BY REPRESENTATIVE DOWNS
An ACT
To amend and reenact R.S. 11:701(33)(a)(viii), relative to the Teachers' Retirement System of Louisiana; to exclude certain employees of the Louisiana High School Athletic Association from membership in such system; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 150—
BY REPRESENTATIVE DOWNS
An ACT
To enact R.S. 33:9038.65, relative to the city of Monroe; to create the Ouachita Riverfront Development Commission as a special taxing district within the city; to provide relative to the purpose, boundaries, governance, and powers and duties of the district; to provide relative to district funding, including the authority to use tax increment financing; 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. 159—
BY REPRESENTATIVE ROSALIND JONES
An ACT
To enact R.S. 33:103(C)(1)(m) and 4780.46.1, relative to the Teachers' Retirement System of Louisiana; to allow certain retirees reemployed as adjunct professors to receive benefits during reemployment; 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. 160—
BY REPRESENTATIVE SAM JONES
An ACT
To enact R.S. 33:103(C)(1)(m) and 4780.46.1, relative to the parish of St. Mary; to provide relative to the planning and zoning commission and to the board of adjustment; to authorize the parish governing authority to pay a per diem to members of the commission and the board; to provide for the rate of per diem and the number of meetings for which per diem is to be paid; to require the governing authority to pay per diem from parish funds; and to provide for related matters.

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

HOUSE BILL NO. 162—
BY REPRESENTATIVE AUSTIN BADON
An ACT
To enact R.S. 11:701(33)(a)(viii), relative to the Teachers' Retirement System of Louisiana; to exclude certain employees of the Louisiana High School Athletic Association from membership in such system; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 164—
BY REPRESENTATIVE HILL
An ACT
To designate that section of Louisiana Highway 113, between its intersection with Louisiana Highway 10, in Vernon Parish, to the Occupy II Baptist Church as the "Staff Sergeant Robert 'Pete' Sweat Memorial Highway"; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.
HOUSE BILL NO. 182—
BY REPRESENTATIVE GIROD JACKSON
AN ACT
To amend and reenact R.S. 38:2255.2(1)(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 192—
BY REPRESENTATIVE WHITE
AN ACT
To amend and reenact R.S. 38:2212(A)(1)(f)(iii) and (iv) and 2212.1(B)(4)(c) and (d) and to enact R.S. 38:2212(A)(1)(f)(vi) and (vii) and 2212.1(B)(4)(f), relative to public contracts; to provide an exception for electronic bidding in certain parishes; to authorize public entities to require electronic bidding; and to provide for related matters.

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

HOUSE BILL NO. 193—
BY REPRESENTATIVE ANDERS
AN ACT
To amend and reenact R.S. 3:1407, 1421(1)(b), (2)(a) and (b), and (3), 1430.13(A) and (D), 1655(C)(3) and (5)(a), 2311(B) and (D)(1), 3210(C)(1), and 3806(G)(2) and (4)(a), relative to certain funds within the Department of Agriculture and Forestry; to provide for the merger of the Feed Fund and the Fertilizer Fund; to provide for the merger of the Crop Pests and Diseases Fund, the Apiary Fund, and the Horticulture Fund; to provide for the Pesticide Fund; to provide for the disposition of monies; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

HOUSE BILL NO. 195—
BY REPRESENTATIVES RICHARDSON, BOBBY BADON, BISHOP, CARMODY, FOIL, HARDY, HENDERSON, PUGH, SEABEAUGH, AND THIBAUT
AN ACT
To amend and reenact R.S. 37:1861(A)(1) and (B)(2), 1862.1, 1864, 1864.2(B), 1869(A), and 1870, to enact R.S. 37:1861(A)(5), (6), and (7) and (B)(5), 1861.1, 1864.2(C) and (D), 1864.3, and 1864.4, and to repeal Part V of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:571 through 579, relative to secondhand dealers; to define "secondhand dealer"; to provide for an exemption for motor vehicle dismantlers and parts recyclers; to provide for an exemption for certain persons performing waste management and recycling; to prohibit certain purchases of secondhand property; to provide an exemption for pawnbrokers; to require a record of secondhand property purchased; to require the record to be kept for three years; to make the record to be made available for inspection by law enforcement; to prohibit the purchase of junk from minors; to require a statement of ownership from the seller; to provide that failure to obtain the statement shall be prima facie evidence of fraud; to provide for exoneration from fraudulent, willful, or criminal knowledge; to require payment by check or money order; to require daily reports; to provide for penalties; to repeal provisions regulating the purchase of junk; to repeal provisions regulating the purchase of certain metals; and to provide for related matters.

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

HOUSE BILL NO. 207—
BY REPRESENTATIVE JOHNSON
AN ACT
To enact R.S. 33:2740.18.5, relative to taxing authority of municipalities; to authorize certain municipalities, subject to voter approval, to levy and collect a hotel occupancy tax; to provide relative to collection and use of proceeds of the tax; and to provide for related matters.

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

HOUSE BILL NO. 208—
BY REPRESENTATIVE SAM JONES
AN ACT
To amend and reenact R.S. 34:321, relative to the Morgan City Harbor and Terminal District; to expand the territorial limits of the Morgan City Harbor and Terminal District; and to provide for related matters.

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

HOUSE BILL NO. 214—
BY REPRESENTATIVE DIXON
AN ACT
To enact R.S. 11:2220(B)(2)(c), relative to the Municipal Police Employees' Retirement System; to allow a member to designate a trustee for survivor benefits payable to a child; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 219—
BY REPRESENTATIVES SAM JONES, BARRAS, CHAMPAGNE, CORTEZ, GARY SMITH, ST. GERMAIN, AND WILLIAMS AND SENATOR MILLS
AN ACT
To amend and reenact R.S. 30:2000.12(C), relative to the Atchafalaya Basin Conservation Fund; to provide for funds to purchase, from willing sellers, land in the Atchafalaya Basin; and to provide for related matters.

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

HOUSE BILL NO. 229—
BY REPRESENTATIVE ST. GERMAIN
AN ACT
To amend and reenact R.S. 47:462(B)(3)(a) and (6) and (C), 475, and 508(F), relative to truck registration taxes or fees; to modify registration tax or fee schedule for trucks of certain weights; and to provide for related matters.

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

HOUSE BILL NO. 281—
BY REPRESENTATIVE ELLINGTON
AN ACT
To amend and reenact R.S. 47:1923(D)(1), relative to tax assessors; to require the payment by an assessor of premiums for group insurance for coverage of certain retirees of the office of the assessor in certain parishes; 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. 282—
BY REPRESENTATIVE ELLINGTON
AN ACT
To amend and reenact Section 3 of Act No. 345 of the 2005 Regular Session of the Legislature, relative to sales and use taxes; to provide relative to the state sales and use tax exclusion for certain alternative substances used as fuel by manufacturers; to provide relative to related matters; to enact R.S. 38:2225.2.1(A)(3), relative to public contracts; to extend the time relative to the utilization of design-build contracts under certain circumstances; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.
extend the effectiveness of the exclusion; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 296—**
BY REPRESENTATIVE GREG INBAL
AN ACT
To enact R.S. 56:639.8(E)(3), relative to the Artificial Reef Development Fund; to allow the monies in said fund to be used by the Department of Wildlife and Fisheries for inshore fisheries habitat enhancement projects; and to provide for related matters.

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

**HOUSE BILL NO. 299—**
BY REPRESENTATIVE CHAMPAIGN
AN ACT
To enact R.S. 47:463.152 and 463.153, relative to motor vehicle special prestige license plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 355—**
BY REPRESENTATIVE BROSSET
AN ACT
To amend and reenact R.S. 33:4071(B) and to enact R.S. 33:4071(A)(3), relative to the city of New Orleans; to provide relative to the sewerage and water board of the city; to provide relative to the authority of the mayor to designate a person to attend meetings of the board in his absence; to provide relative to the qualifications and powers and duties of any such person; 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. 369—**
BY REPRESENTATIVES GARY SMITH, BALDONE, BARROW, BISHOP, BURRELL, GISCLAIR, HARDY, HOFFMANN, SAM JONES, KATZ, LAFONTA, MONICA, MONTOUCET, PATRICIA SMITH, ST. GERMAIN, STAIA, AND WILLMOTT
AN ACT
To amend and reenact R.S. 11:710(D) and to enact R.S. 11:710(A)(4), relative to the Teachers' Retirement System of Louisiana; to allow certain reemployed retirees to receive benefits during reemployment; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 372—**
BY REPRESENTATIVES MCVEA AND MONICA
AN ACT
To enact R.S. 56:799, relative to revenues generated on the MC Davis Property; to create the MC Davis Conservation Fund in the state treasury as a fund within the Conservation Fund; to provide for deposits of monies in the fund; to provide for investment and uses of monies in the fund; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 393—**
BY REPRESENTATIVE GUILLORY
AN ACT
To enact R.S. 11:1151(H), 1151.1(J), 1302.1, 1315, 1945(D), 1965(C), and 1975(C) and to repeal R.S. 11:1141(D), 1141.1, 1141.2, 1141.3, 1153, 1336, 1337, and 1338, relative to the Louisiana School Employees' Retirement System, the State Police Pension and Retirement System, and the Parochial Employees' Retirement System; to provide relative to compliance with applicable federal tax qualification requirements; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 424—**
BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BALDONE, BARRAS, BISHOP, BROSSETT, CHAMPAIGN, CONNICK, CORTEZ, DORGE, DOEGE, EDWARDS, ELLINGTON, GISCLAIR, GUILLORY, GUINN, HARDY, HARRISON, HENRY, HUVAL, JONES, LANDRY, LEFAS, LEGER, LOPINTO, PONTI, RITCHIE, ROBIDEAUX, ST. GERMAIN, TEMPLET, AND TUCKER
AN ACT
To enact Chapter 14 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:671 through 674, to provide for the Louisiana French Language Services Program; to provide for identification of employees in state departments who can provide services in French or assist employees in providing services to French-speaking persons; to provide for development and implementation of the program by the Department of Culture, Recreation and Tourism in concert with the Council for the Development of French in Louisiana; 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. 466—**
BY REPRESENTATIVE DANAHAY
AN ACT
To enact R.S. 47:2212, relative to Calcasieu Parish; to provide relative to the sale of adjudicated property by the parish; to authorize the governing authority of the parish to sell such property without notification to political subdivisions created by the parish, subject to limitations; to provide relative to the cancellation of tax liens, assessments, penalties, or other charges; 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. 485—**
BY REPRESENTATIVE GREG INBAL
AN ACT
To amend and reenact R.S. 33:9097.8(D)(1) through (3), (F), (G)(1), and (H)(2) and to enact R.S. 33:9097.8(I), relative to the Broadmoor Crime Prevention and Improvement District; to provide for membership on the board of commissioners of the district; to provide for terms of the commissioners; to provide for the levy of a parcel fee; to provide relative to the taxing authority of the district; to provide relative to the district's budget; to provide for indemnity for commissioners; to provide for vacancies and subsequent appointments to the board; 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. 493—**
BY REPRESENTATIVE GUILLORY
AN ACT
To enact R.S. 38:2212.10, relative to the procurement of services; to provide for public entities that are not subject to the State Procurement Code; and to provide for related matters.
The bill was read by title and referred by the President to the Committee on Finance.

**HOUSE BILL NO. 531—**
**BY REPRESENTATIVE ROBIDEAUX**
**AN ACT**
To amend and reenact R.S. 32:861(A)(3), 863(A)(3)(a) and (B), and 863.2(A)(6), (E)(1), and (2) and to enact R.S. 22:885(E), relative to automobile liability coverage; to provide for related matters.

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

**HOUSE BILL NO. 586—**
**BY REPRESENTATIVE ROBIDEAUX**
**AN ACT**
To amend and reenact R.S. 40:1299.35.6, 1299.35.9(A)(1) and (B)(2), and 1299.35.19 and to enact R.S. 40:1299.35.1(11) and 1299.35.5.1, relative to abortion; to require certain signage in abortion facilities; to provide for certain requirements of the Department of Health and Hospitals relative to abortion; to provide for voluntary and informed consent criteria; to provide for delivery of certain information under the Woman’s Right to Know law; to provide relative to conscience in health care protection, including provisions relative to living human embryos; to provide for penalties; and to provide for related matters.

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

**HOUSE CONCURRENT RESOLUTION NO. 89—**
**BY REPRESENTATIVES LIGI, BILLIOT, GISCLAIR, HENRY, GIROD, JACKSON, LABRUZZO, LOPINTO, TALBOT, TEMPLER, TUCKER, WILLIOM, AND WOOTON AND SENATORS ALARIO, APPEL, HEITMEIER, MARTIN, MORRELL, AND QUINN**
A CONCURRENT RESOLUTION
To commend Frank Garnett upon his induction into the Grambling Legends Sports Hall of Fame in July of 2011.

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

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>35</td>
<td>0</td>
<td>4</td>
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</tbody>
</table>

SMITH, JANE SMITH, TALBOT, TEMPLER, THIBAUT, THIERRY, WHITE, WILLIAMS, AND WILLMOTT

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

**HOUSE CONCURRENT RESOLUTION NO. 95—**
**BY REPRESENTATIVE AUSTIN BADON**
A CONCURRENT RESOLUTION
To commend Manny Barocco, director of athletics for the Jefferson Parish Public School System, upon his selection as the 2011 Athletic Director of the Year by the National Association for Sport and Physical Education.

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

The roll was called with the following result:

YEAS

Mr. President  Gautreaux  Morrise
Adley  Guillory  Murray
Alario  Heitmeier  Nevers
Amedee  Jackson  Perry
Appel  Kostelka  Peterson
Broome  LaFleur  Quinn
Chabert  Long  Riser
Cheek  Marionneaux  Shaw
Claitor  Martiny  Smith
Crowe  Michot  Thompson
Donahue  Mills  Walsworth
Erdey  Morrell  Willard-Lewis
Total - 36

NAYS

Total - 0

ABSENT

Dorsey  McPherson  Mount
Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of Easton DeHart.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Guillory  Murray
Adley  Heitmeier  Nevers
Alario  Jackson  Perry
Amedee  Kostelka  Peterson
Appel  LaFleur  Quinn
Broome  Long  Riser
Chabert  Marionneaux  Shaw
Cheek  Martiny  Smith
Claitor  Michot  Thompson
Crowe  Mills  Walsworth
Donahue  Morrell  Willard-Lewis
Erdey  Morrell  Willard-Lewis
Total - 37

NAYS

Total - 0

ABSENT

Donahue  McPherson  Mount
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To express heartfelt good wishes to the Louisiana shrimping fleet as they embark on Opening Day of the 2011 brown shrimp season.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Donahue  McPherson  Mount
Total - 4

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

HOUSE CONCURRENT RESOLUTION NO. 103—

BY REPRESENTATIVE LAMBERT

A CONCURRENT RESOLUTION

To proclaim May 21 through May 27, 2011, as “Safe Boating Week” in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  Gautreaux  Morrise
Adley  Guillory  Murray
Alario  Heitmeier  Nevers
Amedee  Jackson  Perry
Appel  Kostelka  Peterson
Broome  LaFleur  Quinn
Chabert  Long  Riser
Cheek  Marionneaux  Shaw
Claitor  Martiny  Smith
Crowe  Michot  Thompson
Donahue  Mills  Walsworth
Erdey  Morrell  Willard-Lewis
Total - 36

NAYS

Total - 0

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY A

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

May 17, 2011

To the President and Members of the Senate:

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

SENATE BILL NO. 155—

BY SENATOR MARTINY

AN ACT

To amend and reenact Children's Code Articles 1187 and 1188(C) and to enact R.S. 40:73(E), relative to adoptions; to provide for accessing original birth certificates under certain circumstances; and to provide for related matters.

Reported favorably.

Respectfully submitted,

JULIE QUINN
Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 2—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2091(B) and (C), relative to the Registrars of Voters Employees' Retirement System; to provide for membership of and election to the board of trustees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 2 by Senator Guillory

AMENDMENT NO. 1
On page 2, line 4, after “Sb funds” insert “; provided, however, that one elected member whose term of office begins January 1, 2012, shall serve an initial term of two years, with subsequent terms of four years.

AMENDMENT NO. 5
On page 2, line 5 after “consecutive” and before “terms” insert “four-year”

AMENDMENT NO. 6
On page 2, line 6, delete “July 1” and insert “December 31”

AMENDMENT NO. 7
On page 2, at the beginning of line 12, delete “July 1” and insert “December 31” and after “and insert” delete “July first” and insert “December thirty-first” and at the end of line 12 delete the comma and insert a period and delete lines 13 through 16 in their entirety.

AMENDMENT NO. 8
On page 2, between lines 24 and 25 insert the following:

Section 2. The board of trustees of the retirement system shall promulgate rules in accordance with the Administrative Procedure Act and take any other action the board deems necessary and prudent for the orderly transition and implementation of the provisions of this Act.

AMENDMENT NO. 9
On page 2, at the beginning of line 25, delete “Section 2. This” and insert “Section 3. The provisions of Sections 2, 3, and 4 of this”

AMENDMENT NO. 10
On page 2, after line 27 insert the following:

Section 4. The provisions of Section 1 of this Act shall become effective on January 1, 2012.

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

SENATE BILL NO. 3—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 11:2174.2 and 2178(B)(1)(b), (C), and (I)(1), relative to the Sheriffs' Pension and Relief Fund; to provide for changes to the existing defined benefit plan; to provide for calculation of benefits and retirement eligibility requirements for new hires; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 3 by Senator Gautreaux

AMENDMENT NO. 1
On page 1, line 5 change “new hires” to "persons whose system membership begins after a certain date"

AMENDMENT NO. 2
On page 2, line 16 change “the person” to “him”

AMENDMENT NO. 3
On page 3, line 24 change “the person” to “him”

AMENDMENT NO. 4
On page 3, delete line 14 and insert “fifty-five; or.”

AMENDMENT NO. 5
On page 3, line 21 change “sixty-two; or” to “sixty-two.”

ABSENT

Dorsey McPherson Mount
Total - 3
AMENDMENT NO. 6
On page 3, line 23 change “sixty; or” to “sixty.”

AMENDMENT NO. 7
On page 4, line 17 after “2012,” delete “and”

AMENDMENT NO. 8
On page 4, at the beginning of line 24 change “In a system” to “In another system.”

AMENDMENT NO. 9
On page 4, line 29 change “under” to “pursuant to”

AMENDMENT NO. 10
On page 7, delete line 6 in its entirety and insert in lieu thereof the following: “fund of these circumstances, to present presenting satisfactory evidence of same, and to request requesting”

AMENDMENT NO. 11
On page 7, delete lines 19 and 20 in their entirety and insert in lieu thereof the following: “the pension fund of these circumstances, to present presenting satisfactory evidence of same, and to request requesting the change of the reduced benefit to the maximum benefit. Adjustment”

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

SENATE BILL NO. 16—
BY SENATOR SMITH
To amend and reenact R.S. 33:4580(B)(1), relative to the position of police chief; to provide for qualifications; and to provide for related matters.

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

SENATE BILL NO. 17—
BY SENATOR MORRISH
To amend R.S. 33:2541.1(B)(1) and (3), relative to the position of deputy chief of police for the city of Jennings; to provide for qualifications; and to provide for related matters.

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

SENATE BILL NO. 18—
BY SENATOR LAFLEUR
To enact R.S. 33:3887.5, relative to Sewerage District No. 1 of Rapides Parish; to authorize an increase in the amount of per diem paid to members of the board of supervisors; and to provide for related matters.

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

SENATE BILL NO. 19—
BY SENATOR MCPHERSON
To enact R.S. 33:423.22, relative to the town of Pearl River; to provide for related matters.

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

SENATE BILL NO. 20—
BY SENATOR CROWE
To enact R.S. 33:4580(B)(1)(b) and (3), relative to the position of deputy chief of police; to provide for qualifications; and to provide for related matters.

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

SENATE BILL NO. 21—
BY SENATOR LAFLEUR
To amend and reenact R.S. 25:1235, relative to the Battle of New Orleans Bicentennial Commission; to provide for related matters.

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

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 30 by Senator Walsworth

AMENDMENT NO. 1
On page 1, line 4, after “Commission” insert “and Battle of New Orleans Bicentennial Commission”

AMENDMENT NO. 2
On page 1, line 9, after “COMMISSION” insert “AND BATTLE OF NEW ORLEANS BICENTENNIAL COMMISSION”

AMENDMENT NO. 3
On page 1, line 10, at the end of the line insert “and Battle of New Orleans Bicentennial Commission”

AMENDMENT NO. 4
On page 1, line 16, after “et seq.),” insert “and Battle of New Orleans Bicentennial Commission, as provided for in Chapter 27: A of that Title (R.S. 25:1238.1 et seq.),”

AMENDMENT NO. 5
On page 2, line 5, after “B.(1),” delete “(a)”

AMENDMENT NO. 6
On page 2, line 6, delete “deposited upon receipt in the state” and delete lines 7 through 23 and insert the following: “remitted to Louisiana Historical Legacy Incorporated, a 501(c)(3) non-profit foundation, registered with the Louisiana Secretary of State’s office, to accept donations to assist with funding the statutory missions of the Louisiana Bicentennial Commission and the Battle of New Orleans Bicentennial Commission. (2) The donations remitted to Louisiana Historical Legacy Incorporated shall be used solely for the purposes provided for in Chapters 27 and 27-A of such Title 25. (3) The annual reports required by R.S. 25:1238.5 and R.S. 25:1235 shall include an accounting of refund donations received and a detailed explanation of expenditures, as well as a description of the Louisiana Historical Legacy Incorporated’s activities.”

Section 2. The provisions of this Act shall be applicable to taxable years beginning on or after January 1, 2011 and before January 1, 2016. Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.
If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.”

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

SENATE BILL NO. 42—
BY SENATOR WALSWORTH
AN ACT
To amend and reenact Paragraph (6) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature; Paragraph (15) of Section 5 of Act No. 253 of the 1952 Regular Session of the Legislature; and Section 6 of Act No. 253 of the 1952 Regular Session of the Legislature, as amended by Act No. 623 of the 2010 Regular Session of the Legislature, to provide for appropriate and necessary behavioral supports.

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

SENATE BILL NO. 44—
BY SENATOR SMITH
AN ACT
To reenact R.S. 2:319, relative to Beauregard Parish; to increase the number of members of the board of commissioners for the Beauregard Parish Airport Board; and to provide for related matters.

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

SENATE BILL NO. 48—
BY SENATOR SMITH
AN ACT
To enact R.S. 46:1053(EE), relative to Hospital Service District Number Two of Beauregard Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

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

SENATE BILL NO. 59—
BY SENATORS DONAHUE, APPEL, LAFLEUR, LONG, MARTINY AND NEVERS AND REPRESENTATIVES HARDY, SCHRODER AND SIMON
AN ACT
To amend and reenact R.S. 17:75(b) and to enact R.S. 17:416.21 and 3996(B)(28), relative to student behavior; to provide with respect to the appropriate use of seclusion and physical restraint in response to student behavior; to provide for definitions; to provide relative to rules, guidelines, and procedures; to provide relative to school employee training; to provide for reporting and documentation; to provide for parental notification; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Education to Original Senate Bill No. 59 by Senator Donahue

AMENDMENT NO. 1
On page 1, line 4, change “student behavior” to “the behavior of students with exceptionalities”
AMENDMENT NO. 22
On page 7, delete lines 11 through 29

AMENDMENT NO. 23
On page 8, at the beginning of line 1, change "O.(1)" to "N.(1)"

AMENDMENT NO. 24
On page 8, line 5, between "restraint of" and "and" change "a student" to "students with exceptionalities"

AMENDMENT NO. 25
On page 8, at the end of line 7, change "employee" to "employees"

AMENDMENT NO. 26
On page 8, line 19, change "students" to "students with exceptionalities"

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

SENATE BILL NO. 66—
BY SENATORS RISER AND CHEEK
AN ACT
To enact R.S. 23:998, relative to the verification of legal status of certain aliens prior to employment in public contract work; to provide for definitions; to provide for the scope of applicability; to provide for the cost of such verification; to provide relative to a de-funding of such federal program; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 66 by Senator Riser

AMENDMENT NO. 1
On page 3, between lines 7 and 8 insert the following:
"(4) Any person, contractor, or employer who complies with the provisions of this Section shall not be liable, either criminally or civilly, under state law for the hiring of an unauthorized alien, as defined in 8 U.S.C. §1324a, if the information obtained in accordance with the status verification system indicated that the individual’s federal legal status was that of an unauthorized alien, as defined in 8 U.S.C. §1324a."

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

SENATE BILL NO. 82—
BY SENATOR DORSEY
AN ACT
To enact R.S. 47:305.66, relative to sales and use taxes; to provide that the state and local sales and use taxes shall not apply to purchases of breastfeeding items; 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. 82 by Senator Dorsey

AMENDMENT NO. 1
On page 1, at the end of line 2, delete "and local"

AMENDMENT NO. 2
On page 1, line 3, change "taxes" to "tax"

AMENDMENT NO. 3
On page 1, at the end of line 8, delete "or any of its" and on line 9, delete "political subdivisions"

AMENDMENT NO. 4
On page 1, delete lines 16 and 17, and delete page 2, and insert:
"Section 2. This Act shall become effective on October 1, 2011."

On motion of Senator Marionneaux, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.
SENATE BILL NO. 99—
BY SENATORS MORRELL AND ADLEY
To amend and reenact the introductory paragraph of R.S. 47:6016(E)(2)(a), 6016(E)(2)(a)(iv), and (I) and to enact R.S. 47:6016(E)(2)(a)(v), (vi), and (7) and (8), relative to the new markets tax credit; to provide for the allocation and allowance of tax credits; to provide for an effective date; 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. 113—
BY SENATOR CROWE
Proposing to amend Article VII, Section 10(F)(2)(a) and (b) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 113 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 2, after "(b)" and before "of the" insert "and to add Article VII, Section 10(F)(4)(g)"

AMENDMENT NO. 2
On page 1, at the end of line 6, insert "to prohibit the limited redirection and transfer of certain funds;"

AMENDMENT NO. 3
On page 1, line 12, after "(b)" and before "of the" insert "and to add Article VII, Section 10(F)(4)(g)"

AMENDMENT NO. 4
On page 2, delete lines 7 and 8 and insert the following: "such allocations and appropriations for a fiscal year or when there is a decrease in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures. Such adjustments may not exceed five percent of the"

AMENDMENT NO. 5
On page 2, at the end of line 21 delete "a"

AMENDMENT NO. 6
On page 2, delete line 22

AMENDMENT NO. 7
On page 2, at the beginning of line 23, delete "year" and insert "when there is a decrease in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures"

AMENDMENT NO. 8
On page 3, between lines 10 and 11, insert the following: "(4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not be applicable to, nor affect:

(a) The Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691 et seq.*

(b) The Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691 et seq.*

(c) "§2. Definitions. As used in this Chapter, except where the context clearly requires otherwise, the words and expressions defined in this Section shall be held to have the meanings here given to them.

AMENDMENT NO. 9
On page 3, delete lines 21 and 22 and insert the following: "general fund have been made or when there is a decrease in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures; to authorize, for the purposes of the budget estimate and"

AMENDMENT NO. 10
On page 3, delete lines 25 and 26 and insert the following: "forecast for the current fiscal year or when there is a decrease in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures, an amount not to exceed five"

AMENDMENT NO. 11
On page 3, line 29, after "law or" delete the remainder of the line and insert the following: "constitution; to prohibit adjustments of allocations and appropriations from the Medicaid Trust Fund for the Elderly. (Amends Article VII, Section 10(F)(2)(a) and (b) and adds Article VII, Section 10(F)(4)(g))"

AMENDMENT NO. 12
On page 4, delete line 1

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

SENATE BILL NO. 114—
BY SENATOR CROWE
AN ACT
To amend and reenact R.S. 39:75(A)(1), (B), and the introductory paragraph of (E), relative to the expenditure of state funds; to authorize the limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; and 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. 114 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 2, after "reenact" delete the remainder of the line and insert "(Amends Article VII, Section 10(F)(2)(a) and (b) and adds Article VII, Section 10(F)(4)(g))"

AMENDMENT NO. 2
On page 1, line 6, after "circumstances;" and before "to provide" insert "to define projected deficit for certain circumstances;"

AMENDMENT NO. 3
On page 1, line 9, after "Section 1." delete the remainder of the line and insert "(4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not be applicable to, nor affect:

(a) The Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691 et seq.*

(b) The Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691 et seq.*

(c) ¶2. Definitions. As used in this Chapter, except where the context clearly requires otherwise, the words and expressions defined in this Section shall be held to have the meanings here given to them.

AMENDMENT NO. 4
On page 1, at the beginning of line 10, delete "amended and reenacted"

AMENDMENT NO. 5
On page 1 between lines 10 and 11, insert the following: "§2. Definitions. As used in this Chapter, except where the context clearly requires otherwise, the words and expressions defined in this Section shall be held to have the meanings here given to them."
(11.1) "Deficit" means the excess for any fiscal year of actual expenditures paid by warrant or transfer over the actual monies received and any monies or balances carried forward for any fund at the close of the fiscal year as such are reported by the office of statewide reporting within the division of administration. "Projected deficit" means the excess of appropriations and non-appropriated requirements over the official forecast for any fund during any fiscal year. For purposes of determining if adjustments to any constitutionally protected or mandated allocations or appropriations, and the transfer of monies associated with such adjustments, are authorized pursuant to Article VII, Section 10(F)(12)(a) of the Constitution and R.S. 39:75(C) and for purposes of determining if an amount not to exceed five percent of the total appropriations or allocations from any fund established by law or the constitution shall be available for expenditure in the next fiscal year for a purpose other than as specifically provided by law or the constitution as authorized in Article VII, Section 10(F)(23)(b) of the Constitution and R.S. 39:75(D), the decreases in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures in the next fiscal year causing an increase in state funding needed to maintain the current level of those state assistance expenditures for non-discretionary state general fund expenditures, shall be in addition to any deficit as defined in R.S. 39:75(E), "projected deficit" shall include a reduction in federal funds when such reduction requires an increase in state funding needed to maintain the current level of those state assistance expenditures for non-discretionary state general fund expenditures.

AMENDMENT NO. 6
On page 1, delete lines 12 through 17 and insert the following:

C. Upon receiving notification that a projected deficit exists or that a decrease in federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures in the current fiscal year is causing an increase in state funding needed to maintain the current level of those state assistance expenditures for non-discretionary state general fund expenditures, the governor shall have interim budget balancing powers to adjust the budget in accordance with the following provisions:

AMENDMENT NO. 7
On page 2, delete lines 1 through 8.

AMENDMENT NO. 8
On page 2, delete lines 12 and 13 and insert the following: "year or if there is a decrease in the federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures in the next fiscal year causing an increase in state funding needed to maintain the current level of those state assistance expenditures for non-discretionary state general fund expenditures, the governor shall have interim budget balancing powers to adjust the budget in accordance with the following provisions:".

AMENDMENT NO. 9
On page 2, between lines 17 and 18, insert the following:

F. The decreases in the federal financial participation in state assistance expenditures for non-discretionary state general fund expenditures shall be incorporated into the continuation and five-year base line budget projection for the next fiscal year as presented to the Joint Legislative Committee on the Budget.

AMENDMENT NO. 10
On page 2, line 20, after "No." and before "of this" change "and" to "of this".

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

SENATE BILL NO. 121—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 23:1533, relative to unemployment compensation experience rating records; to provide for an exception for unemployment caused by acts or omissions of third parties; and to provide for related matters.
(3)(a) Benefits shall not be charged to the base period employer’s account if both of the following conditions are met:
(b) Benefits are paid in a situation in which the unemployment is caused solely by an act or omission of any third party or parties, or solely by such act or omission in combination with an act of God or an act of war. The determination of the responsibility of any third party or parties shall be as determined by the Oil Pollution Act, 33 U.S.C. 2701, et seq.
(c) The amount owed by any responsible third party or parties shall equal the amount of regular and extended benefits paid to individuals as a result of the act or omission attributed to the responsible third party or parties.
(d) Paragraph (3) of Subsection E of this Section is remedial and shall be retroactive to January 1, 2010."

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

SENATE BILL NO. 122—
BY SENATOR AMEDEE
AN ACT
To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv), and (vi), relative to the powers of local governing authorities; to authorize the governing authority of Ascension Parish to require and compel property owners to remove debris, wrecked or used motor vehicles, or any other discarded or abandoned items on their property; to authorize the governing authority to adopt ordinances placing any cost incurred for removal of such debris or items on the ad valorem tax bills of the parish; to provide for the membership of the board of commissioners; to provide for residency requirements of the board of commissioners; to provide for the membership of the board of commissioners; to provide for retroactive effect; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 122 by Senator Amedee

AMENDMENT NO. 1
On page 1, after line 17, insert asterisks

"*

AMENDMENT NO. 2
On page 2, after line 28, insert asterisks

"*

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

SENATE BILL NO. 124—
BY SENATOR WALSWORTH
AN ACT
To enact R.S. 33:1236(66), relative to the Ouachita Parish Police Jury; to authorize the prohibition of certain sales; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 124 by Senator Walsworth

AMENDMENT NO. 1
On page 1, line 15, change "Shall" to "shall"

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

SENATE BILL NO. 129—
BY SENATOR DONAHER
AN ACT
To amend and reenact R.S. 49:308.5, relative to the state treasury; to change the administration of the state treasury; to authorize the prohibition of certain sales; and to provide for related matters.

Reported favorably 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. 129 by Senator L. Amedee

AMENDMENT NO. 1
On page 1, line 15, change "Shall" to "shall"

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

SENATE BILL NO. 135—
BY SENATOR ClAITOR
AN ACT
To amend and reenact R.S. 47:6015, relative to tax credits; to change the administration of state tax credits; to provide for a limitation on the receipt of other tax benefits and incentives; 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. 135 by Senator Claitor

AMENDMENT NO. 1
On page 6, line 8, after "from the" delete "original due date"

AMENDMENT NO. 2
On page 6, delete line 9, and insert "date on which the rebate was issued.

AMENDMENT NO. 3
On page 6, delete lines 15 through 17 and insert the following: "I. A taxpayer shall not receive any other incentive administered by the Department of Economic Development for any expenditures for which the taxpayer has received a rebate pursuant to this Section."

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

SENATE BILL NO. 144—
BY SENATOR WALSWORTH
AN ACT
To amend and reenact R.S. 49:308.5, relative to the state treasury; to sunset and abolish certain funds and statutory dedications; to
provide for certain exceptions; 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. 144 by Senator Walsworth

AMENDMENT NO. 1
On page 1, line 2, after "R.S." delete the remainder of the line and insert "49:308.5(B)(3)(c) and to enact R.S. 49:308.5(C)(6), relative to special funds and dedication of money; to sunset and abolish"

AMENDMENT NO. 2
On page 3, delete lines 1 through 29, on page 4, delete lines 1 through 22, and insert the following: "To enact Subpart K of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, relative to the Lamar-Dixon Expo Center in Ascension Parish; to provide relative to corporate sponsorship and revenue generation; and to provide for related matters.

SENATE BILL NO. 147—

BY SENATOR CHAISSON

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for deposits into the Budget Stabilization Fund in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Finance.
AMENDMENT NO. 1
On page 1, underline line 10

AMENDMENT NO. 2
On page 1, line 11, change "$300.7" to "$300.33:"

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

SENATE BILL NO. 165—
BY SENATORS WALSWORTH, DORSEY, LAFLEUR, LONG AND NEVERS
AN ACT
To enact 17:3351.16, relative to community and technical colleges; to provide relative to increasing the availability and use of electronic textbooks and other instructional materials; to provide relative to the purchase of electronic textbooks and other instructional materials and content; to provide for rules; to provide relative to fees; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Education to Original Senate Bill No. 165 by Senator Walsworth

AMENDMENT NO. 1
On page 1, at the beginning of line 2, after "To enact" insert "R.S.

AMENDMENT NO. 2
On page 1, line 9, change "§17:3351.16. " to "§3351.16."

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

SENATE BILL NO. 166—
BY SENATOR WALSWORTH
AN ACT
To amend and reenact R.S. 34:1401(A) and (B), and to enact R.S. 34:1402(C), relative to membership on the commission; to provide for residency requirements and removal of commissioners failing to attend the required number of regular meetings; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 166 by Senator Walsworth

AMENDMENT NO. 1
On page 1, delete lines 15 through 17, and on page 2, delete lines 1 through 7, and insert the following:

"Subsection A and B of this" to "R.S. 34:1401(A) and (B)."

AMENDMENT NO. 5
On page 3, delete line 10

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

SENATE BILL NO. 167—
BY SENATOR CHEEK
AN ACT
To enact R.S. 35:2589.1, relative to the city of Shreveport; to provide for the creation of the position of chief of fire support staff; to provide for the appointment, powers, qualifications, and responsibilities of such position; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS
Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 167 by Senator Cheek

AMENDMENT NO. 1
On page 1, line 9, change "Chief" to "Chief"

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

SENATE BILL NO. 171—
BY SENATOR CHAISSON
AN ACT
To amend and reenact R.S. 39:94(C)(4)(b), relative to the Budget Stabilization Fund; to provide for deposits into the Budget Stabilization Fund in certain circumstances; 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. 171 by Senator Chaisson

AMENDMENT NO. 1
On page 1, at the end of line 3, after "to" insert the following:

"§3351.16."

AMENDMENT NO. 2
On page 1, delete lines 15 through 17, and on page 2, delete lines 1 through 7, and insert the following:

(b)(i) Notwithstanding any provision of this Section to the contrary, except pursuant to a specific appropriation by the legislature, if at any time mineral revenues exceed the base as provided in Subparagraphs A(2)(a) and (b) of this Section, and monies in the fund are made available for appropriation or use as provided in Subsection C of this Section, no appropriation or deposit of mineral revenues as provided in Subparagraph A(2)(a) of this Section to the fund shall be made in the same fiscal year as an appropriation, use or withdrawal is made from the fund or until such time as the official forecast exceeds the actual collections of state general fund (direct) revenue for Fiscal Year 2008; in the fiscal year for which money in the fund is appropriated and for which time revenue in the fund is incorporated into the official forecast nor for the ensuing fiscal year, except by specific appropriation by the legislature. Thereafter, deposits of mineral revenues shall resume as provided in Subparagraph A(2)(a) of this Section except in an annual amount not to exceed twenty-five percent of the most recent amount made available for appropriation or use as provided in this Paragraph until either the balance in the fund equals the maximum as provided in Subparagraph C(4)(a) of this Section or an amount equal to the amount made available for appropriation or use is deposited into the fund, whichever is less.

AMENDMENT NO. 3
On page 2, line 10, after "the fund" and before "be made" change "may" to "shall"
AMENDMENT NO. 4
On page 2, line 11, after "Subsection" and before "of this" change "(A)" to "A".

AMENDMENT NO. 5
On page 2, line 14, after "No." and before "of this" change "__" to "147".

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

SENATE BILL NO. 187—
BY SENATOR LONG
AN ACT
To amend and reenact R.S. 47:6026(E)(1), relative to the Cane River Heritage Area Development Zone; to extend the tax credit provided within the zone to January 1, 2014; 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. 218—
BY SENATOR MCPHERSON
AN ACT
To enact R.S. 39:1800.4(C)(3), relative to state and local correctional facilities; to provide for pre-paid leases of certain state correctional facilities; to provide for certain terms of pre-paid leases of state correctional facilities; to provide for an effective date; 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. 237—
BY SENATOR WILLARD-LEWIS
AN ACT
To enact R.S. 33:9039(4), relative to special taxing districts; to remove sales tax authority for plaza districts; and to provide for related matters.

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

SENATE BILL NO. 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.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

Rules Suspended
Senator Claitor asked for a suspension of the rules.

Senator Marionneaux objected.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey
Alario Kostelka Mount
Appel Long Nevers
Cheek Martiny Perry
Claitor McPherson Shaw
Crowe Michot Walsworth
Donahue Mills
Total - 20

NAYS
Adley Heitmeier Murray
Amedee Jackson Peterson
Broome LaFleur Riser
Chabert Marionneaux Willard-Lewis
Gautreaux Morrell
Total - 14

ABSENT
Dorsey Martiny Thompson
Guillory Quinn
Long Smith
Total - 7

The Chair declared the Senate refused to suspend the rules to recommit the bill.

Rules Suspended
Senator Claitor asked for a suspension of the rules.

Senator Marionneaux objected.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President Erdey
Alario Kostelka Mount
Appel Long Nevers
Cheek Martiny Perry
Claitor McPherson Shaw
Crowe Michot Walsworth
Donahue Mills
Total - 20

NAYS
Adley Heitmeier Murray
Amedee Jackson Peterson
Broome LaFleur Riser
Chabert Marionneaux Willard-Lewis
Gautreaux Morrell
Total - 14

ABSENT
Dorsey Martiny Thompson
Guillory Quinn
Long Smith
Total - 7

The Chair declared the Senate refused to suspend the rules to recommit the bill.

Rules Suspended
Senator Claitor asked for a suspension of the rules.

Senator Marionneaux objected.

ROLL CALL
The roll was called with the following result:

YEAS
Adley Kostelka Peterson
Amedee LaFleur Riser
Broome Marionneaux Shaw
Chabert McPherson Thompson

The Chair declared the Senate refused to suspend the rules to recommit the bill.
On motion of Senator Marionneaux, Senate Bill No. 13 was made Special Order of the Day No. 1 on Wednesday, May 18, 2011.

SENATE BILL NO. 21—
BY SENATOR RISER
AN ACT
To amend and reenact R.S. 47:305(D)(1)(c) and (p), relative to exemptions from the sales and use taxes of the state; to provide an exemption for certain water; 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.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 40 by Senator Morrell

AMENDMENT NO. 1
On page 4, line 18, after "June 30, 2011" insert "and after December 31, 2013"

AMENDMENT NO. 2
On page 4, line 19, after "effective" delete the remainder of the line, delete line 20 and insert: "after December 31, 2009 for tax credits properly authorized on and prior to such date during the time periods provided for in this Subsection."

On motion of Senator Morrell, the amendments were adopted.

Floor Amendments

Senator Marionneaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 40 by Senator Morrell

AMENDMENT NO. 1
On page 4, line 9, after "Revenue" insert "the Department of Environmental Quality"
Floor Amendments

Senator Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed Senate Bill No. 53 by Senator Alario

AMENDMENT NO. 1
On page 1, line 7 change "the TOPS Fund" to "fund certain unfunded accrued liabilities"

AMENDMENT NO. 2
On page 1, line 8 delete "the TOPS" and at the beginning of line 9 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 3
On page 1, line 10 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 4
On page 1, line 11 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 5
On page 1, line 12 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 6
On page 1, line 13 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 7
On page 1, line 14 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 8
On page 1, line 15 delete "Fund" and insert "certain state public retirement systems"

AMENDMENT NO. 9
On page 1, line 16 delete "Fund" and insert "certain state public retirement systems"

The roll was called with the following result:

YEAS

Adley Jackson Shaw
Broome Morrell Thompson
Gautreaux Peterson
Total - 8

NAYS

Alario Guillory Murray
Amedee Heitmeier Perry
Appel Kostelka Quinn
Chabert LaFleur Riser
Cheek Long Smith
Claitor Michot Walsworth
Crowe Mills Willard-Lewis
Agreement proceeds to be appropriated for the Louisiana GO Grant Program for students with demonstrated financial need and shall not displace, replace, or supplant appropriations from the state general fund for such purposes;

AMENDMENT NO. 6
On page 6, line 1, change "(C)(1))" to "(C)(1) and (4))"

Senator Jackson moved the adoption of the amendments.

Senator Alario objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Jackson Murray
Broome LaFleur Peterson
Chabert McPherson Thompson
Gautreaux Morrell
Total - 11

NAYS

Adley Guillory Nevers
Alario Heitmeier Perry
Amedee Kostelka Quinn
Appel Long Riser
Cheek Martiny Shaw
Claitor Michot Smith
Crowe Mills Walsworth
Donahue Morrish Willard-Lewis
Erdey Mount
Total - 26

ABSENT

Dorsey Marionneaux

The Chair declared the amendments were rejected.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 53 by Senator Alario

AMENDMENT NO. 1
On page 1, line 2, change "(C)(1))" to "(C)(1) and (4))"

AMENDMENT NO. 2
On page 1, line 9, after "Fund;" and before "and to" insert "to provide for uses of the monies in the TOPS Fund;"

AMENDMENT NO. 3
On page 1, delete lines 14 and 15 and insert the following:

"(4) Appropriations from the TOPS Fund shall be restricted to support of state programs for financial assistance for students attending Louisiana institutions of postsecondary education."

(c) Notwithstanding the provisions of Subparagraph (a) of this Subparagraph, for Fiscal Year 2011-2012, thirty percent of the Settlement Agreement proceeds credited to and deposited into the TOPS Fund as provided by Subparagraphs (A)(4)(b) and (c) of this Section shall be appropriated for the Louisiana GO Grant Program to provide Louisiana students with demonstrated financial need, the financial assistance to help cover the cost of attending Louisiana institutions of postsecondary education. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subparagraph shall mean that no appropriation for any fiscal year from the TOPS Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

AMENDMENT NO. 4
On page 3, delete lines 2 through 6 and insert the following:

"(4) Appropriations from the TOPS Fund shall be restricted to support of state programs for financial assistance for students attending Louisiana institutions of postsecondary education."

Alario Heitmeier Perry
Amedee Kostelka Quinn
Appel Long Riser
Cheek Martiny Shaw
Claitor Michot Smith
Crowe Mills Walsworth
Donahue Morrish Willard-Lewis
Erdey Mount
Total - 26

The Chair declared the amendments were rejected.

Floor Amendments

Senator Peterson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 53 by Senator Alario

AMENDMENT NO. 1
On page 1, line 2, change "(C)(1))" to "(C)(1) and (4))"

AMENDMENT NO. 2
On page 1, line 9, after "Fund;" and before "and to" insert "to provide for uses of the monies in the TOPS Fund;"

AMENDMENT NO. 3
On page 1, delete lines 14 and 15 and insert the following:

"(4) Appropriations from the TOPS Fund shall be restricted to support of state programs for financial assistance for students attending Louisiana institutions of postsecondary education."

(c) Notwithstanding the provisions of Subparagraph (a) of this Subparagraph, for Fiscal Year 2011-2012, thirty percent of the Settlement Agreement proceeds credited to and deposited into the TOPS Fund as provided by Subparagraphs (A)(4)(b) and (c) of this Section shall be appropriated for the Louisiana GO Grant Program to provide Louisiana students with demonstrated financial need, the financial assistance to help cover the cost of attending Louisiana institutions of postsecondary education. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subparagraph shall mean that no appropriation for any fiscal year from the TOPS Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

AMENDMENT NO. 5
On page 5, at the beginning of line 28, change "institutions;" to "institutions, including thirty percent of the annual Settlement Agreement proceeds credited to and deposited into the TOPS Fund as provided by Subparagraphs (A)(4)(b) and (c) of this Section shall be appropriated for the Louisiana GO Grant Program to provide Louisiana students with demonstrated financial need, the financial assistance to help cover the cost of attending Louisiana institutions of postsecondary education. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subparagraph shall mean that no appropriation for any fiscal year from the TOPS Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

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amount of Millennium Trust Settlement Agreement proceeds and investment earnings credited to the Health Excellence Fund.

(c) Upon the effective date of this Subparagraph, the state treasurer shall deposit, transfer, or otherwise credit funds in an amount equal to fifty percent of such Settlement Agreement proceeds received by the state between April 1, 2011 and the effective date of this Subparagraph to the Health Excellence Fund.

AMENDMENT NO. 5
On page 3, line 27, change "one hundred" to "fifty"

AMENDMENT NO. 6
On page 4, at the end of line 5, after "equal to" and before "such" insert "fifty percent of"

AMENDMENT NO. 7
On page 5, between lines 13 and 14, insert the following:

(ii) For Fiscal Year 2012-2013 and each fiscal year thereafter, the Settlement Agreement proceeds credited to and deposited into the Health Excellence Fund as provided by Subsubparagraphs (A)(2)(b) and (c) of this Section shall be appropriated for additional funding of the Children’s Health Insurance Program, also known as LaCHIP. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for purposes specified. This Subparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

(ii) For Fiscal Year 2012-2013 and each fiscal year thereafter, the Settlement Agreement proceeds credited to and deposited into the Health Excellence Fund as provided by Subsubparagraphs (A)(2)(b) and (c) of this Section shall be appropriated for additional funding of the Children’s Health Insurance Program, also known as LaCHIP. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for purposes specified. This Subparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

AMENDMENT NO. 8
On page 5, delete lines 25 through 29 and insert the following:

“hundred eighty million dollars, fifty percent of such Settlement Agreement proceeds shall be allocated to the TOPS Fund; to provide for the uses of a portion of the monies in the Health Excellence Fund and the TOPS Fund;”

AMENDMENT NO. 9
On page 6, at the end of line 1, change “(C)(1)” to “(C)(1) and add Article VII, Section 10.8(C)(2)(d)”

Senator Peterson moved the adoption of the amendments.

Senator Alario objected.
AMENDMENT NO. 7
On page 5, between lines 13 and 14, insert the following:

"(2) Appropriations from the Health Excellence Fund shall be restricted to the following purposes:

(d)(i) For Fiscal Year 2011-2012, the Settlement Agreement proceeds credited to and deposited into the Health Excellence Fund as provided by Subsubparagraphs (A)(2)(b) and (c) of this Section shall be appropriated for reimbursements to non-state providers of health care services under Louisiana's Medicaid program pursuant to Title XIX of the Social Security Act and Title XXI of the Social Security Act. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subsubparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for any purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

(ii) For Fiscal Year 2012-2013 and each fiscal year thereafter, the Settlement Agreement proceedings credited to and deposited into the Health Excellence Fund as provided by Subsubparagraph (A)(2)(b) of this Section shall be appropriated for reimbursements to non-state providers of health care services under Louisiana's Medicaid program pursuant to Title XIX of the Social Security Act and Title XXI of the Social Security Act. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subsubparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

AMENDMENT NO. 8
On page 5, delete lines 25 through 29 and insert the following:

"hundred eighty million dollars, fifty percent of the annual Settlement Agreement proceeds shall be allocated to the TOPS Fund as provided by Subsubparagraphs (A)(2)(b) and (c) of this Section shall be appropriated for reimbursements to non-state providers of health care services under Louisiana's Medicaid program pursuant to Title XIX of the Social Security Act and Title XXI of the Social Security Act. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subsubparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year."

Senator Peterson moved the adoption of the amendments.

Senator Alario objected.

Explanation of Vote

Senator Heitmeier recused himself from voting on Amendment No. 881 to Senate Bill No. 53 since he is a Medicaid provider.

Explanation of Vote

Senator Mills recused himself from voting on Amendment No. 881 to Senate Bill No. 53 since he is a Medicaid provider.
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.

Floor Amendments
Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 52 by Senator Alario

AMENDMENT NO. 1
On page 2, line 23, change “Trust and” to “Trust and”

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments
Senator Alario proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Alario to Engrossed Senate Bill No. 52 by Senator Alario

AMENDMENT NO. 1
On page 2, line 15, after "monies" and before "received", insert "deposited in and credited to the Millennium Trust"

AMENDMENT NO. 2
On page 3, line 22, after "proceeds" and before "received", insert "deposited in and credited to the Millennium Trust"

On motion of Senator Alario, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Adley
Alario
Amedee
Appel
Chabert
Cheek
Claitor
Crowe
Donahue
Erdey
Guarreaux
Guillory

Total - 30

NAYS
Claitor
Donahue
Erdey
Guarreaux

Total - 32

ABSENT
Mr. President

Total - 4

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

Explanation of Vote
Senator Perry stated he intended to vote yea on Senate Bill No. 52, and asked that the Official Journal so state.

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 for the tax of certain tax authorities in certain parishes; and to provide for related matters.

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

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.

On motion of Senator Thompson, the bill was read by title. Senator Thompson moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Adley
Alario
Appel
Broume
Chabert
Cheek
CROWE
Donahue
Erdey
Guarreaux
Guillory

Total - 32

NAYS
Claitor

Total - 3

ABSENT
Mr. President

Total - 4

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

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 in their respective applications; to provide for the various penalties for violation of these provisions; and to provide for related matters.
fingerprints with the alcohol permit applicant's application; and
to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Jackson, Murray
Alario, Kostelka, Nevers
Appel, LaFleur, Perry
Chabert, Long, Peterson
Cheek, Martiny, Quinn
Crowe, McPherson, Riser
Donahue, Michot, Shaw
Erdey, Mills, Thompson
Guillory, Morrish, Walsworth
Heitmeier, Mount, Willard-Lewis
Total - 30

NAYS

Adley, Gautreaux
Claitor, Smith
Total - 4

ABSENT

Amedee, Dorsey, Morrell
Broome, Marionneaux
Total - 5

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

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.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill
No. 123 by Senator Martiny

AMENDMENT NO. 1
On page 2, line 12, change ";" to "subject to any of the following;"

AMENDMENT NO. 2
On page 2, line 13, change "Which has" to "Has"

AMENDMENT NO. 3
On page 2, line 14, change ";" to a period "."

AMENDMENT NO. 4
On page 2, line 15, change "Which is" to "Is"

AMENDMENT NO. 5
On page 2, line 16, change "; or" to a period "."

AMENDMENT NO. 6
On page 2, line 17, change "Who has" to "Has"

AMENDMENT NO. 7
On page 2, line 23, between "include" and ";" insert "any of the
following"

AMENDMENT NO. 8
On page 2, line 25, change ";" to a period "."

AMENDMENT NO. 9
On page 2, line 27, change ";" to a period "."

AMENDMENT NO. 10
On page 3, line 1, change ";" to a period "."

AMENDMENT NO. 11
On page 3, line 2, change ";" to a period "."

AMENDMENT NO. 12
On page 3, line 4, change "; or" to a period "."

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Gautreaux, Murray
Adley, Guillory, Nevers
Alario, Heitmeier, Perry
Appel, Kostelka, Quinn
Broome, LaFleur, Riser
Chabert, Long, Shaw
Cheek, Martiny, Smith
Claitor, Michot, Thompson
Crowe, Mills, Walsworth
Donahue, Morrish, Willard-Lewis
Erdey, Mount
Total - 32

NAYS

Total - 0
The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Martiny moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 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.

**Floor Amendments**  
Senator Adley proposed the following amendments.

| AMENDMENT NO. 1 | On page 1, line 3, change "an increase in the" to "additional"
| AMENDMENT NO. 2 | On page 2, at the end of line 12, insert the following: "Such reductions authorized by this Item shall require the prior approval of a majority of the elected members of each house of the legislature. If the legislature is in session, the approval shall be by resolution or Act. If the legislature is not in session, approval shall be obtained using the same mail ballot procedure used to obtain such approval of action of the Interim Emergency Board."

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>YEAS</th>
<th>Mr. President</th>
<th>Guillory</th>
<th>Murray</th>
</tr>
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<tr>
<td></td>
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<td>Alario</td>
<td>Jackson</td>
<td>Perry</td>
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<td>Appel</td>
<td>Kostelka</td>
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<td>Broome</td>
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<td>Chabert</td>
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<td>Cheek</td>
<td>Martiny</td>
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<td>Crowe</td>
<td>Mills</td>
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<td>Morrish</td>
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<td></td>
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<td>Mount</td>
<td>Willard-Lewis</td>
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</thead>
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<table>
<thead>
<tr>
<th>ABSENT</th>
<th>Amedee</th>
<th>Erdey</th>
<th>McPherson</th>
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<tbody>
<tr>
<td></td>
<td>Dorsey</td>
<td>Marionneaux</td>
<td>Morrell</td>
</tr>
<tr>
<td></td>
<td>Total - 6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

**SENATE BILL NO. 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.

**Floor Amendments**  
Senator Marionneaux sent up floor amendments.

| AMENDMENT NO. 1 | On page 2, line 3, change "allocation" to "allocations"
| AMENDMENT NO. 2 | On page 2, line 4, change "requests" to "request"
| AMENDMENT NO. 3 | On page 2, line 6, following "any" and before "constitutionally" change "which are" to "amounts which are"
| AMENDMENT NO. 4 | On page 2, line 15, following "any" and before "constitutionally" change "which are" to "amounts which are"

On motion of Senator Marionneaux, the amendments were adopted.
Floor Amendments
Senator Long proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Long to Engrossed Senate Bill No. 137 by Senator Long

AMENDMENT NO. 1
On page 2, line 11, delete "(F)" and insert "F."
On motion of Senator Long, the amendments were adopted.

Floor Amendments
Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Adley to Engrossed Senate Bill No. 137 by Senator Long

AMENDMENT NO. 1
On page 2, line 1, after "allocations" insert "or appropriations"
On motion of Senator Adley, the amendments were adopted.

Floor Amendments
Senator Thompson proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Thompson to Engrossed Senate Bill No. 182 by Senator Thompson

AMENDMENT NO. 1
On page 1, line 12, after "website." delete the remainder of the line and delete line 13 in its entirety
On motion of Senator Thompson, 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
Adley
Alario
Appel
Broome
Chabert
Check
Claitor
Crowe
Donahue
Erdey
Gautreaux

Guillory
Heitmeier
Jackson
Kostelka
LaFleur
Long
Martiny
Michot
Mills
Morris
Mount
Murray

Nevers
Perry
Quinn
Riser
Smith
Thompson
Walsworth
Willard-Lewis

Total - 34

NAYS

Total - 0

ABSENT
Amedee
Marionneaux
Dorsey
McPherson
Morrell

Total - 5

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. 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 provide for penalties; and to provide for related matters.

Floor Amendments
Senator Thompson proposed the following amendments.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Thompson to Engrossed Senate Bill No. 182 by Senator Thompson

AMENDMENT NO. 1
On page 1, line 12, after "website." delete the remainder of the line and delete line 13 in its entirety

B. "Social networking website" means an Internet-based website that has any of the following capabilities:
(1) Allows users to create web pages or profiles about themselves that are available to the general public or to any other users,
(2) Offers a mechanism for communication among users, such as a forum, chat room, electronic mail, or instant messaging.

AMENDMENT NO. 3
On page 1, line 14, change "B." to "C."
On motion of Senator Thompson, the amendments were adopted.

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President
Adley
Alario
Appel
Broome
Chabert
Check
Claitor
Crowe
Donahue
Erdey
Gautreaux

Guillory
Heitmeier
Jackson
Kostelka
LaFleur
Long
Martiny
Michot
Mills
Morris
Mount
Murray

Nevers
Perry
Quinn
Riser
Shaw
Smith
Thompson
Walsworth
Willard-Lewis

Total - 31
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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Guillory Murray
Adley Heitmeier Nevers
Alario Jackson Perry
Appel Kostelka Peterson
Broome LaFleur Quinn
Chabert Long Riser
Cheek Martiny Shaw
Claitor McPherson Smith
Crowe Michot Thompson
Donahue Mills Walsworth
Erdey Morrise Willard-Lewis
Gautreaux Mount

Total - 35

NAYS

Total - 0

ABSENT

Amedee Marionneaux
Dorsey Morrell

Total - 4

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

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.

Floor Amendments

Senator Marionneaux sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 60 by Senator Mills

AMENDMENT NO. 1
On page 1, line 17, following “Louisiana State” and before “participate” change “Immunization Manual” to “Immunization Policies and Procedures Manual”

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Engrossed Senate Bill No. 60 by Senator Mills

AMENDMENT NO. 1
On page 2, line 1 after “Compensation” and before “.,” delete “Act” and insert “Program”

On motion of Senator Mills, the amendments were adopted.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Engrossed Senate Bill No. 60 by Senator Mills

AMENDMENT NO. 1
On page 3, after line 16 insert “Section 2. The provisions of this Act shall only become effective upon the final adoption of rules and regulations duly promulgated in accordance with the Administrative Procedure Act by the Louisiana Board of Pharmacy pursuant to the provisions of this Act.”

On motion of Senator Mills, the amendments were adopted.

Senator Broome in the Chair

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 Donahue Michot
Adley Gautreaux Mills
Alario Guillory Murray
Appel Heitmeier Nevers
Broome Kostelka Quinn

Total - 35

NAYS

Total - 0

ABSENT

Amedee Marionneaux
Dorsey Morrell

Total - 4

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

Rules Suspended

Senator Riser asked for and obtained a suspension of the rules to advance to Senate Bill No. 108.

SENATE BILL NO. 108—
By Senator Riser

AN ACT
To amend and reenact R.S. 18:402(F) and 1352, relative to the Louisiana Election Code; to provide relative to the use of voting machines in elections; to provide for the use of paper ballots in elections; to provide relative to tax elections; 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.

On motion of Senator Riser the bill was recommitted to the Committee on Finance.

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 34—
By Senator Thompson

A RESOLUTION
To commend and congratulate the players, coaches, and managers of the Carroll High School boys basketball team on winning the Class 3-A state championship.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 36—
By Senator Mount

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.

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

May 17, 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 Concurrent Resolutions:

HCR No. 106 HCR No. 107

Respectfully submitted,

ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Message from the House

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. 106 HCR No. 107

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. 106—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals and the Department of Education to work together to develop a comprehensive program for elementary, middle, and high school students as well as students in institutions of higher education to emphasize, encourage, and teach the Heimlich maneuver.

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

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION
To commend Blane Palazzo for his exemplary service and performance at all of the veteran and memorial events at which he has been honored to blow his bugle.
The resolution was read by title and placed on the Calendar for a second reading.

**Rules Suspended**

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

**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.

Senator Nevers moved to recommit the bill from the Committee on Education to the Committee on Transportation, Highways and Public Works.

Without objection, so ordered.

**Rules Suspended**

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

**SENATE BILL NO. 83—**
BY SENATOR DONAHUE
AN ACT
To amend and reenact R.S. 39:1554(E) and to enact Part IV-A of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2271, and Subpart B-1 of Part III of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1598, 1, and R.S. 39:1661(D) and 1671(H), relative to purchasing by certain public entities; to authorize the use of reverse auctions by certain public entities for the purchase of certain materials, supplies, services, products, or equipment; to provide for public notice; to provide an effective date; and to provide for related matters.

Senator Donahue moved to recommit the bill from the Committee on Transportation, Highways and Public Works to the Committee on Finance.

Without objection, so ordered.

**Message from the House**

**SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

May 17, 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 Bills and Joint Resolutions:

**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.

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

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

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

**ATTENDANCE ROLL CALL**

**PRESENT**

Mr. President
Guillory
Mount
Adley
Heitmeier
Murray
Alario
Jackson
Nevers
Amedee
Kostelka
Perry
Appel
LaFleur
Peterson
Broome
Long
Quinn
Chabert
Marionneaux
Riser
Cheek
Martiny
Shaw
Claitor
McPherson
Smith
Crowe
Michot
Thompson
Donahue
Mills
Walsworth
Erdey
Morrell
Willard-Lewis
Gautreaux
Morris

**ABSENT**

Dorsey
Total - 1

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Dorsey 1 Day

**Announcements**

The following committee meetings for May 18, 2011, were announced:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Time</th>
<th>Room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce</td>
<td>9:30 A.M.</td>
<td>Room E</td>
</tr>
<tr>
<td>Health and Welfare</td>
<td>9:00 A.M.</td>
<td>Hainkel Room</td>
</tr>
<tr>
<td>Insurance</td>
<td>9:30 A.M.</td>
<td>Room A</td>
</tr>
<tr>
<td>Senate and Gov't Affairs</td>
<td>9:00 A.M.</td>
<td>Room F</td>
</tr>
</tbody>
</table>

**Adjournment**

On motion of Senator Thompson, at 7:00 o’clock P.M. the Senate adjourned until Wednesday, May 18, 2011, at 2:30 o’clock P.M.

The President Pro Tempore of the Senate declared the Senate adjourned until 2:30 o’clock P.M. on Wednesday, May 18, 2011.

GLENN A. KOEPP
Secretary of the Senate

DIANE O’QUIN
Journal Clerk