

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRTY-FOURTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 3, 2003

The Senate was called to order at 5:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	

Total—38

ABSENT

Bean
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Rev. Ray Werline, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

**Message from the House
CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 3, 2000

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. 115—
BY SENATOR HINES**

A CONCURRENT RESOLUTION

To commend the Tunica-Biloxi Tribe of Louisiana for its many contributions to the state, its history and culture, and its people.

Reported with amendments.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 3, 2003

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 699 by Senator Ullo:

Representatives Martiny, Cazayoux and Devillier.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 3, 2003

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1021 by Representative Devillier:

Representatives Devillier, Martiny and Hunter.

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

**Privilege Report of the
Legislative Bureau**

June 3, 2003

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 196—

BY REPRESENTATIVES ANSARDI, ALARIO, BROOME, BRUCE, BRUNEAU, CAZAYOUX, DAMICO, DIEZ, DURAND, FAUCHEUX, FRITH, GUILLORY, HILL, ILES, L. JACKSON, M. JACKSON, KATZ, LANCASTER, LANDRIEU, MARTINY, MCDONALD, MURRAY, ODINET, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, SHAW, JACK SMITH, SNEED, STRAIN, TOOMY, WALKER, AND WELCH AND SENATORS HAINKEL, HOLDEN, HOLLIS, AND THOMAS

AN ACT

To enact Part VI-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2176 through 2180, relative to alternate health care models; to provide with respect to the licensure of alternate health care models; to provide procedures and fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendment No. 8 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 19, after "after" insert "'claim" insert"

AMENDMENT NO. 2

In Senate Conforming Amendment No. 14 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 9, following "'autism, learning'" insert "and on page 4, delete lines 1 through 9 in their entirety"

HOUSE BILL NO. 1020—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1281(A), relative to fees of physicians and surgeons, and allied health care professionals; to authorize the Louisiana State Board of Medical Examiners to establish and modify the fee schedule for any license, certificate, permit, or registration that it is authorized by law to issue; to provide for the recovery of costs associated with certain administrative functions of the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and to repeal R.S. 40:40(7), relative to the fee for certified copies of vital records; to provide for an increase in fees for the issuance of an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the

prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to remove the fee for burial permits; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 60—

BY SENATOR C. JONES
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Edward Wesley Smith.

On motion of Senator C. Jones, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 118

BY SENATOR B. JONES
A CONCURRENT RESOLUTION

To create and provide for a task force to study the health care information needs of health care purchasers, employers, and consumers and to study the feasibility of creating a Louisiana Health Care Information Council to benefit consumers and employers in both the public and private sectors.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Messages from the House

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

Message from the House

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

June 3, 2003

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 2001—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 24:511, relative to the legislative auditor; to provide for qualifications, selection, term, powers, duties, and functions of the legislative auditor; and to provide for related matters.

HOUSE BILL NO. 601—
 BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE,
 SNEED, AND WALSWORTH

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII, Section 15, relative to administrative law; to authorize the legislature to provide by law for the creation, duties, and powers of a system of administrative law, for the employment, qualifications, and authority of administrative law judges, and with respect to appeals by governmental agencies seeking review of administrative decisions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 1656—
 BY REPRESENTATIVE STRAIN
 AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOMÉ, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, WRIGHT, CAZAYOUX, AND DANIEL AND SENATORS CRAVINS, BAJOIE, LENTINI, MICHOT, MOUNT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 902.3, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, R.S. 36:4(E), Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, and Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through 2757, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile placement review process; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to

create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—

BY REPRESENTATIVE POWELL
 AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

HOUSE BILL NO. 2032 (Substitute for House Bill No. 1593 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN
 AN ACT

To enact Subpart M of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.201 through 140.207, relative to physical development of parishes and municipalities; to provide with respect to the creation of a metropolitan planning commission in the parish of Calcasieu; to provide for the creation, organization, powers, and duties of a metropolitan planning commission; to provide with respect to the regulation of the subdivision and zoning of land in the metropolitan planning area; to provide for the adoption of ordinances prescribing minimum construction, health, and sanitation standards; to provide for joint or correlated action by the governing authority of any municipality within the parish and the police jury of Calcasieu Parish in the adoption of ordinances or other measures; and to provide for related matters.

HOUSE BILL NO. 1884—
 BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 601—
 BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE,
 SNEED, AND WALSWORTH

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII, Section 15, relative to administrative law; to authorize the legislature to provide by law for the creation, duties, and powers of a system of administrative law, for the employment, qualifications, and authority of administrative law judges, and with respect to appeals by governmental agencies seeking review of administrative decisions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

June 3, 2003

HOUSE BILL NO. 1656—

BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1884—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 2001—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 24:511, relative to the legislative auditor; to provide for qualifications, selection, term, powers, duties, and functions of the legislative auditor; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BROOMÉ, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, WRIGHT, CAZAYOUX, AND DANIEL AND SENATORS CRAVINS, BAJOIE, LENTINI, MICHOT, MOUNT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS
AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 902.3, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, R.S. 36:4(E), Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, and Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through 2757, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile placement review process; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice

Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—

BY REPRESENTATIVE POWELL
AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 2032 (Substitute for House Bill No. 1593 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact Subpart M of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.201 through 140.207, relative to physical development of parishes and municipalities; to provide with respect to the creation of a metropolitan planning commission in the parish of Calcasieu; to provide for the creation, organization, powers, and duties of a metropolitan planning commission; to provide with respect to the regulation of the subdivision and zoning of land in the metropolitan planning area; to provide for the adoption of ordinances prescribing minimum construction, health, and sanitation standards; to provide for joint or correlated action by the governing authority of any municipality within the parish and the police jury of Calcasieu Parish in the adoption of ordinances or other measures; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 3, 2003

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 211—
 BY REPRESENTATIVES BAUDOIN, WELCH, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, SCHWEGMANN, JANE SMITH, SNEED, WALKER, AND WINSTON
 A CONCURRENT RESOLUTION
 To commend SLEMCO for its donation to the Stay Alert and Vigilant Everywhere (SAVE) fund.

HOUSE CONCURRENT RESOLUTION NO. 212—
 BY REPRESENTATIVE LANCASTER
 A CONCURRENT RESOLUTION
 To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the exceptions to the public records laws which are applicable to private nonprofit corporations which support public higher education institutions, and to report the findings of the joint committee to the legislature prior to the convening of the 2004 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 213—
 BY REPRESENTATIVES KENNEY AND THOMPSON AND SENATOR THEUNISSEN
 A CONCURRENT RESOLUTION
 To urge and request the Board of Regents, in consultation with certain others, to study a proposal to include certain agriscience courses as a core curriculum science option for the Tuition Opportunity Program for Students and the impact, if any, that implementing such a proposal may have on the academic eligibility requirements for program awards and on postsecondary education student financial aid policy and to report in writing on study findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than December 15, 2003.

HOUSE CONCURRENT RESOLUTION NO. 214—
 BY REPRESENTATIVE DARTEZ
 A CONCURRENT RESOLUTION
 To urge and request the Department of Transportation and Development to replace signs along Louisiana Highway 90 indicating exits to Morgan City with larger signs.

HOUSE CONCURRENT RESOLUTION NO. 215—
 BY REPRESENTATIVE PERKINS
 A CONCURRENT RESOLUTION
 To proclaim June 5, 2003, as "Dr. Bryant E. Dean Day" in Louisiana and to recognize Dr. Bryant E. Dean for his invaluable contributions to the citizens of this state.

HOUSE CONCURRENT RESOLUTION NO. 56—
 BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, RICHMOND, BRUCE, AND FAUCHEUX AND SENATORS CRAVINS, BAJOIE, LENTINI, MICHOT, AND MOUNT
 A CONCURRENT RESOLUTION
 To propose a plan for juvenile justice reform in the state of Louisiana by establishing a comprehensive strategy and directing action for implementation.

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

House Bills and Joint Resolutions

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 56—
 BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, RICHMOND, BRUCE, AND FAUCHEUX AND SENATORS CRAVINS, BAJOIE, LENTINI, MICHOT, AND MOUNT

A CONCURRENT RESOLUTION
 To propose a plan for juvenile justice reform in the state of Louisiana by establishing a comprehensive strategy and directing action for implementation.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary B.

HOUSE CONCURRENT RESOLUTION NO. 211—
 BY REPRESENTATIVES BAUDOIN, WELCH, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, SCHWEGMANN, JANE SMITH, SNEED, WALKER, AND WINSTON

A CONCURRENT RESOLUTION
 To commend SLEMCO for its donation to the Stay Alert and Vigilant Everywhere (SAVE) fund.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Jones, B	Tarver
Cravins	Jones, CD	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Dupre	Malone	
Ellington	Marionneaux	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Bean	Holden	Johnson
Fields	Irons	
Total—5		

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

HOUSE CONCURRENT RESOLUTION NO. 212—
 BY REPRESENTATIVE LANCASTER
 A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the exceptions to the public records laws which are applicable to private nonprofit corporations which support public higher education institutions, and to report the findings of the joint committee to the legislature prior to the convening of the 2004 Regular Session.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

June 3, 2003

HOUSE CONCURRENT RESOLUTION NO. 213—
 BY REPRESENTATIVES KENNEY AND THOMPSON AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with certain others, to study a proposal to include certain agriscience courses as a core curriculum science option for the Tuition Opportunity Program for Students and the impact, if any, that implementing such a proposal may have on the academic eligibility requirements for program awards and on postsecondary education student financial aid policy and to report in writing on study findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than December 15, 2003.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 214—
 BY REPRESENTATIVE DARTEZ

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to replace signs along Louisiana Highway 90 indicating exits to Morgan City with larger signs.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 215—
 BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To proclaim June 5, 2003, as "Dr. Bryant E. Dean Day" in Louisiana and to recognize Dr. Bryant E. Dean for his invaluable contributions to the citizens of this state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Holden	Johnson
Total—3		

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

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 264—
 BY REPRESENTATIVES BALDONE AND DOWNER
 AN ACT

To enact R.S. 13:1904 (C), (D), and (E), relative to the destruction of certain records in the City Court of Houma; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 353—
 BY REPRESENTATIVE TOWNSEND
 AN ACT

To enact R.S. 11:103(D), relative to the Firefighters' Retirement System of Louisiana; to provide for the determination of the employer contribution rate; to provide with respect to valuation of certain outstanding amortization bases; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 501—
 BY REPRESENTATIVE SWILLING
 AN ACT

To enact R.S. 33:9076, to create the Lake Barrington Subdivision Improvement District; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; to provide relative to district plans; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1034—
 BY REPRESENTATIVE LUCAS
 AN ACT

To enact R.S. 33:9033.4, to create the Ninth Ward Tax Increment Financing District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1087—
 BY REPRESENTATIVE HUNTER
 AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1188—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:62, relative to state and statewide retirement systems; to provide with respect to employee contribution rates; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1231—

BY REPRESENTATIVES FUTRELL AND NEVERS
AN ACT

To amend and reenact R.S. 17:427.2(B), relative to the Critical Teacher Shortage Incentive Program; to provide relative to the definition of "newly certified teacher" for purposes of the program; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1420—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:1401(J)(1) and (5)(b) and (c), relative to the approval of rate increases by the Louisiana Insurance Rating Commission; to provide for the number of increases; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1555—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 22:3071(32), relative to medical necessity review organizations; to provide for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

HOUSE BILL NO. 1565—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 33:461(A)(1), relative to the assessment and collection of municipal taxes; to provide that the city of Lake Charles may prorate municipal ad valorem taxes on property annexed into the city; to provide a basis upon which the taxes shall be prorated; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1642—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 23:897(M), relative to employment; to provide that an employer may withhold employee's wages to cover cost of medical and drug testing under certain circumstances; to provide that the employee must sign a contract for such withholding; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1712—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact R.S. 23:1031.1(E), relative to workers' compensation; to repeal provisions allowing notice to constitute a claim for disability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 1720—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 33:4045.1, relative to sewerage assessments in the city of Lake Charles; to provide relative to the payment and collection of such assessments; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1724—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 15:572.2, relative to compensation of members of the Board of Pardons; increases the salaries of the chairman and the members of the Board of Pardons; provides for a separate salary and increased salary for the vice chairman; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 1744—

BY REPRESENTATIVES HUNTER AND FLAVIN
AN ACT

To enact R.S. 17:2118, relative to the Louisiana High School Athletic Association; to provide relative to budgets and audits of the association; to require the association to submit an audit to the legislative auditor; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 1846—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:95.3, relative to the crime of unlawful use of body armor; to revise the provision of law which makes the use of body armor by persons who have been convicted of certain crimes a criminal offense; to provide that the possession of body armor by persons who have been convicted of certain crimes is a criminal offense; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1913—

BY REPRESENTATIVE SWILLING
AN ACT

To enact R.S. 33:9033.4, to create the New Orleans East Tax Increment Financing District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1995—

BY REPRESENTATIVES HEBERT, ANSARDI, BAYLOR, BOWLER, CAPELLA, ERDEY, FAUCHEUX, FLAVIN, FRUGE, MCVEA, MORRISH, RICHMOND, GARY SMITH, TOOMY, TOWNSEND, AND TUCKER
AN ACT

To amend and reenact R.S. 22:1262(H)(2), 1302(C)(1) and (E)(1), and 1316(A) and to repeal R.S. 22:5(6), relative to directives; to provide for the commissioner of insurance; to provide for orders; to provide for penalties; and to provide for related matters.

June 3, 2003

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

June 3, 2003

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 38— BY REPRESENTATIVE BOWLER A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute, Marriage/Persons Committee to study Louisiana's visitation statutes and make specific recommendations on or before January 15, 2004, for revisions to state laws.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 44— BY REPRESENTATIVES WINSTON, DURAND, KATZ, SCHWEGMANN, WALKER, AND WELCH A CONCURRENT RESOLUTION

To create the Task Force on Legal Representation in Child Protection Cases to study systemic issues and concerns related to the provision of legal representation for abused and neglected children and their parents in child protection cases and to make recommendations on how these services may be more effectively and efficiently provided and funded.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 168— BY REPRESENTATIVE JACK SMITH A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study the feasibility of the introduction into evidence of transcripts stored or transferred by electronic means.

Reported favorably.

HOUSE BILL NO. 64— BY REPRESENTATIVE BALDONE AN ACT

To amend and reenact Code of Civil Procedure Article 1922, relative to money judgments; to require the inclusion of date of birth of the judgment debtors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 72— BY REPRESENTATIVE BALDONE AN ACT

To amend and reenact R.S. 9:196, relative to tutorship by nature; to authorize a natural tutor to act in matters involving not more than ten thousand dollars; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 87—

BY REPRESENTATIVES JOHNS AND ANSARDI AN ACT

To amend and reenact Civil Code Articles 395 and 1482 and Code of Civil Procedure Articles 4541(introductory paragraph), 4548, 4549(A)(1), and 4552(B) and to enact Code of Civil Procedure Article 4541(B), relative to the interdiction of persons; to provide for the capacity of an interdict; to provide for the proof of incapacity; to provide for the petition for interdiction; to provide for temporary interdiction; to provide for the recordation of judgments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 101— BY REPRESENTATIVES POWELL AND R. CARTER AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and to enact Code of Civil Procedure Article 4843(J), relative to the civil jurisdiction of the City Court of Hammond; to increase the jurisdictional amount of the court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 140— BY REPRESENTATIVES ANSARDI AND JOHNS AN ACT

To amend and reenact Children's Code Article 1131 and to enact Chapter 2-A of Title XI of the Children's Code, to be comprised of Articles 1107.1 through 1107.9, relative to voluntary surrender for adoption; to provide rules to facilitate the intent to surrender process; to provide forms to be used in intent to surrender cases; to provide procedural safeguards in intent to surrender cases; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 171— BY REPRESENTATIVES ANSARDI AND JOHNS AN ACT

To amend and reenact Children's Code Articles 412, 603(13), 615(E)(2), 616, 668(A), 675(B)(4), 897(D), 899(D), 1037, 1039, 1115(C), 1120, 1122(C) and (F), 1171, 1173(A)(introductory paragraph) and (3), 1178(B), 1192, 1218(D), 1222(B), 1269.1(A)(introductory paragraph), and 1269.3(A) and to enact Children's Code Articles 603(12.1), 612.1, 1122(B)(11), and 1130.1, relative to the continuous revision of the Children's Code; to provide for the confidentiality of records; to define "institutional abuse or neglect"; to provide for mandatory reporting of abuse; to provide for the investigation of facilities; to provide for disposition of reports; to provide for the purpose of a central registry; to provide for case plans; to provide for disposition after a delinquent act; to provide formalities in termination judgments; to provide for preplacement approval; to provide for the act of surrender form; to provide for pre-surrender counseling; to provide for the determination of parental capacity; to provide for a current certification in private adoptions; to provide requirements for home study; to provide for disclosure of information in adoptions; to provide for continued contact after adoptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 179— BY REPRESENTATIVE POWELL AN ACT

To amend and reenact R.S. 9:2715(B)(1), relative to the transfer of structured settlement rights; to provide for venue for filing the ex parte petition in the parish in which the payee resides; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 243—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Articles 424.1(A), 1015(7), 1101, and 1193(introductory paragraph); to enact Chapter 13 of Title XI of the Children's Code, to be comprised of Articles 1149 through 1160; and to repeal Children's Code Articles 1701 through 1706, relative to safe haven relinquishments of infants; to provide for CASA appointments; to provide for defenses to prosecution; to provide for emergency care facility responsibilities; to provide for medical evaluations of the infant; to provide for hearings for parents to reclaim parental rights; to provide procedures when a non-relinquishing parent cannot be identified; to provide procedural safeguards; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 340—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 13:3204(A) and 3205, relative to personal jurisdiction over nonresidents; to provide for service of process in divorce proceedings; to provide for service of process in summary proceedings; to provide for the rendering of judgments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 420—
BY REPRESENTATIVES MURRAY AND HEATON
AN ACT

To enact R.S. 13:1222, relative to the clerk of the Orleans Parish Civil District Court; to authorize the clerk to purchase or lease two motor vehicles for the use of the office and to pay the premiums on the insurance for those motor vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 520—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 9:2794(D), relative to expert witnesses; to provide for qualifications of expert witnesses in medical malpractice actions against physicians; to provide for definitions; to provide for court discretion in determining qualifications; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 682—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 40:1299.39.1(D)(2) and 1299.47(D)(2), relative to a medical review panel proceeding under the Medical Malpractice Act; to provide that the panel may consider evidence discovered by interrogatories; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 876—
BY REPRESENTATIVES JOHNS, PERKINS, BOWLER, BROOME, TRICHE,
AND WINSTON
AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 939—
BY REPRESENTATIVES BRUCE, HOPKINS, L. JACKSON, AND
MONTGOMERY AND SENATOR BEAN
AN ACT

To enact R.S. 9:2796.2, relative to civil liability; to provide for the limitation of liability for activities sponsored by a nonprofit organization which operates an animal sanctuary; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 998—
BY REPRESENTATIVES GALLOT AND L. JACKSON
AN ACT

To amend and reenact Code of Civil Procedure Article 966(B), relative to the motion for summary judgment; to provide for delays for filing; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1103—
BY REPRESENTATIVE FRUGE
AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1145—
BY REPRESENTATIVE HUTTER
AN ACT

To enact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1227—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:315.40(2) and R.S. 46:236.3(A)(1), to enact R.S. 46:236.1.1 through 236.1.10, and to repeal R.S. 46:236.1, relative to child support programs; to provide for definitions; to provide for the responsibilities of the department; to provide for the promulgation of rules; to provide for the authority of the secretary; to provide for a financial institution data match system; to provide for the disclosure of records; to provide limitations of liability; to authorize consumer reporting; to direct the Louisiana State Law Institute to place the provisions of Part II of Chapter 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:231 through 261, into new Subparts A, B, and C and to amend the headings of Subparts B and C; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1331—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:34(B)(1)(h)(vi), relative to birth certificates; to provide for the inclusion of the name of the father; to provide for certain evidence and procedures; and to provide for related matters.

Reported favorably.

June 3, 2003

HOUSE BILL NO. 1347—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:717(C), (D)(1) and (2)(e), (F)(introductory paragraph), and (H) and 718(A), (B), and (I)(2) and to repeal R.S. 13:717(E) and 718(G), relative to the offices of commissioner for the Twenty-Fourth Judicial District Court; to provide for the qualifications and salary of the commissioners; to repeal the authority of the commissioners to hear criminal trials; to repeal the termination date of the office of commissioner; to require the sheriff of Jefferson Parish to collect the premium fee from each commercial surety underwriting criminal bail bonds in Jefferson Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1549—
BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.44(C)(5), relative to the Medical Malpractice Act; to provide relative to the Patient's Compensation Fund; to provide for discovery; to provide for jury trials; to provide for the effect of certain provisions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1812—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 9:2796.2, relative to liability for damages; to provide for certain causes of action related to bonfire presentations on the Mississippi River levee; to provide for permits; to provide for certain restrictions; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1907—
BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 9:355.12 and 355.13, relative to relocating the residence of a child; to provide for the determining factors; to provide relative to the burden of proof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1934—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to provide that defense counsel and insurance companies shall have access to health care records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2008 (Substitute for House Bill No. 1676 by Representatives Kennard and Ansardi)—
BY REPRESENTATIVES ANSARDI, KENNARD, AND MURRAY
AN ACT

To amend and reenact R.S. 13:3041, 3042, 3044(C), and 3106 and R.S. 23:965(A)(1) and to enact R.S. 13:3042.1 and 3050, relative to jury service; to provide for public policy; to provide for waivers of petit jury service; to provide for postponements of petit jury service; to provide for frequency of service on juries; to provide for the Lengthy Trial Fund; to provide for applicability of certain provisions in Orleans Parish; to provide for the prohibition against dismissal of employees for jury service; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2014 (Substitute for House Bill No. 1224 by Representative Walsworth)—

BY REPRESENTATIVES WALSWORTH, DEWITT, AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(2)(c) and (I)(3) and (4) and 1299.47(A)(2)(c) and (I)(2)(b) and to enact R.S. 40:1299.47(I)(2)(c) and (d), relative to medical malpractice review panels; to provide for the failure to appoint an attorney chairman of the state and the private medical review panels within one year from the date of request; to provide for the dismissal of claims; to provide for unanimous decisions by state and private medical review panels; to provide for the payment of the costs; to provide for the posting of a cash or surety bond in certain circumstances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

**REPORT OF COMMITTEE ON
RETIREMENT**

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 2, 2003

To the President and Members of the Senate:

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

SENATE BILL NO. 281—
BY SENATOR BOISSIERE
AN ACT

To enact R.S. 11:1307(A)(3), relative to the Louisiana State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 329—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide for conversion of certain unused leave to service credit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1076—
BY SENATOR BOISSIERE
AN ACT

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension system, fund, and plan; to require asset management companies that provide services to Louisiana state public retirement or pension system, fund, or plan to have a physical place of business within this state; to authorize the investment of the assets of the system, fund, and plan in small and emerging businesses, small business investment companies, and venture capital firms located within and outside of this state; to require Louisiana state public retirement or pension system,

fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 182—
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend the provisions of Section 418(d)(6)(C) of Title 42 of the United States Code to allow every state the right to divide retirement systems established by the state or its political subdivisions into two parts, the first part being composed of members who desire to participate jointly in both the state, statewide, or local retirement system and the federal social security system and the second part of any such divided retirement system to be composed of members who desire to participate solely in the state, statewide, or local retirement system but not in the federal social security system.

Reported with amendments.

HOUSE BILL NO. 204—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:710(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to reemployment of retirees; to relieve certain retirees reemployed in part-time positions with the Louisiana High School Athletic Association from making contributions to the system; to relieve the association from making employer contributions on behalf of any such retiree; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 205—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:221(A)(2) and (C), relative to the Municipal Police Employees' Retirement System; to provide relative to modification of benefits as a result of earned income attributable to gainful employment; to provide relative to earnings statements; to relieve certain disability retirees from earnings limitations and from submitting annual income statements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 217—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:223(A) and (B)(1) and to enact R.S. 11:2214(A)(2)(d) and (e), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the system; to provide for physical examinations; to establish deadlines for submission of certain forms; to require submission of waivers for preexisting conditions; to provide eligibility criteria for disability benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 219—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(a), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the retirement system; to remove the age limitation on membership for certain elected chiefs; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 247—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2223(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to disabilities received in the performance of official duties; to include blindness and loss of a limb as service-related disabilities for which a benefit equal to a member's final average compensation is payable; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 284—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2220(B)(1)(a)(ii), relative to the Municipal Police Employees' Retirement System; to provide with respect to survivor benefits; to provide a maximum benefit for surviving spouses of active members killed as a result of injuries sustained in the line of duty; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 580—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1136(A) and to enact R.S. 11:1136(D), relative to the Louisiana School Employees' Retirement System; to provide with respect to the conversion of leave to membership credit; to prohibit the conversion of leave of less than one-tenth of one year; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 818—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:1481(1)(a), relative to the Louisiana Assessors' Retirement Fund; to provide for financing of the fund; to provide for tax deductions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 819—
BY REPRESENTATIVES PINAC AND ARNOLD
AN ACT

To amend and reenact R.S. 11:1471, relative to the Assessors' Retirement Fund; to provide relative to the board of trustees; to provide for membership thereon; to provide for election procedures; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 866—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide relative to the purchase of service credit; to provide for the purchase of service credit by a system member who was previously a teacher in a nonpublic school; to provide that such purchase shall be actuarially sufficient to offset the increased liability of the system; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 903—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1755(C), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to repayment of withdrawn employee contributions; to allow such repayment to be made by a trustee-to-trustee transfer; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for creditable service; to provide for purchase of credit for service as an employee of an out-of-state school board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 905—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of substitute service by any active, contributing member of the retirement system; to establish the procedure for such purchases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 907—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 908—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:1751.1, relative to the Municipal Employees' Retirement System of Louisiana; to exempt certain elected officials from making contributions to the system and to provide that they are ineligible for membership; to provide for employer contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 912—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:1305(D), relative to the Louisiana State Police Retirement System; to provide for the purchase of service credit for employment with certain law enforcement agencies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 913—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1312(H) and 1335, relative to the Louisiana State Police Pension and Retirement System; to provide with respect to the conversion of annual leave and sick leave upon termination of employment; to provide relative to lump sum payments for leave conversion; to allow deposit of such payments directly into the member's Deferred Retirement Option Plan account; to provide for placing Deferred Retirement Option Plan account balances in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 914—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1331(A), relative to the Louisiana State Police Retirement System; to provide for cost-of-living adjustments; to specify the circumstances under which such adjustments may be granted; to provide for the calculation of such adjustments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 986—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 11:163(B) and to enact R.S. 11:163(C), relative to the Louisiana State Employees' Retirement System; to provide for purchase of service credit for time on leave without pay; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1115—

BY REPRESENTATIVES TRICHE, CURTIS, DANIEL, DEVILLIER, FAUCHEUX, FRUGE, HUDSON, KENNARD, MCVEA, JACK SMITH, JOHN SMITH, STRAIN, DOWNER, MONTGOMERY, AND PIERRE AND SENATORS MICHOT, ADLEY, CRAVINS, HINES, HOLDEN, AND MALONE

AN ACT

To amend and reenact R.S. 11:62(5)(d), 581(B)(1), and 582(A) and (C), relative to the Louisiana State Employees' Retirement System; to provide relative to the employee contribution rate for wildlife agents; to provide for definitions; to provide relative to retirement benefits for wildlife agents; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1279—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1301, to enact R.S. 11:1336 through 1338, to designate R.S. 11:1301 through 1338 as Part I of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, and to enact Part II of said Chapter 4, to be comprised of R.S. 11:1341 through 1344, relative to the Louisiana State Police Retirement System; to provide for definitions; to create an

excess benefit plan; to provide with respect to qualification of the retirement system under Section 401(a) of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1501—

BY REPRESENTATIVES SCHNEIDER, BEARD, DANIEL, MCDONALD, MCVEA, AND SHAW

AN ACT

To amend and reenact R.S. 11:2252, 2253(A)(1)(a)(ii) and (C), 2256(A)(5) and (E)(3), 2260(A)(6) and (8), 2261(A), and 2262(D)(2), to enact R.S. 11:2253(D), 2256(B)(1)(f), and 2260.1, and to repeal R.S. 11:2260(A)(11)(f), relative to the Firefighters' Retirement System; to provide with respect to the definition of terms; to provide for determinations of eligibility for membership in the system; to terminate the authority to merge employees of certain fire protection districts into the system; to provide for application of provisions of law regarding reemployment of retirees to all employees of the system; to define the term "surviving eligible spouse" for purposes of paying survivor benefits; to authorize the payment of refunded employee contributions based on emergency circumstances; to establish quorum and voting requirements for the members of the board of trustees; to delete provisions related to the joint administration with another retirement system; to provide authority for the correction of administrative errors; to establish standards by which system funds are invested; to provide with regard to delinquent contributions; to repeal provisions relative to the merger of individuals into the system, otherwise known as "Act 89 mergers"; to provide for effective dates; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 3, 2003

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 175—

BY REPRESENTATIVE BAUDOIN

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality and the Department of Health and Hospitals to investigate the source of elevated dioxin levels in residents of Lafayette Parish and to report their findings to the House Committee on the Environment and the Senate Committee on Environmental Quality prior to the 2004 Regular Session.

Reported favorably.

HOUSE BILL NO. 545—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 30:2054(B)(2)(b)(ix), relative to air quality control; to provide for powers of the secretary of the Department of Environmental Quality; to provide for an exemption from

permitting regulations for certain sources of air emissions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 711—

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To enact R.S. 33:4548.5(A)(20) and 4548.6(N), relative to the powers of the Louisiana Local Government Environmental Facilities and Community Development Authority; to provide that the authority may make loans to political subdivisions under any loan guaranty program of any department or agency of the United States; to authorize political subdivisions to borrow from the authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1174—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(9) and to enact R.S. 36:254(A)(15) and 354(A)(18), relative to significant discharges or releases; to require the secretaries of Departments of Environmental Quality, Health and Hospitals, and Natural Resources to give public notice of certain discharges and releases; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

AGRICULTURE, FORESTRY, AQUACULTURE AND RURAL DEVELOPMENT

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture and Rural Development, submitted the following report:

June 3, 2003

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To request the commissioner of agriculture and forestry to examine agricultural commodities imported into Louisiana from the state of California to confirm their compliance with public health and safety standards.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support legislation to increase the funds available through the USDA/CSREES to support the land-grant university system of education, research, and outreach and to express legislative support for, and memorialize congress to support, implementation of recommendations of the 2003 Louisiana Agricultural Crisis Summit.

Reported favorably.

June 3, 2003

HOUSE BILL NO. 106—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 14:102.12(introductory paragraph) and to enact R.S. 14:102.18, relative to the seizure and euthanizing of dogs; to authorize law enforcement officers and animal control officers to seize dogs which cause death or inflict serious bodily injury on human beings; to provide for a hearing to determine whether such dogs shall be euthanized; to provide for owner liability for costs and expenses of keeping the dog in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 623—

BY REPRESENTATIVES THOMPSON, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 3:4278.2, relative to timber sales; to provide relative to the removal of timber without consent of certain minority ownership interests; to require publication of advertisements and other notification; to provide for the commencement of harvesting timber; to provide for the rights of nonconsenting owners; to provide for evidence of violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1427—

BY REPRESENTATIVES POWELL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN
AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1797—

BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 3:3105(B) and to enact R.S. 3:3107, relative to the importation of cervid species; to provide for entry requirements of cervid species into Louisiana; to provide for penalties; to provide for quarantines; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2013 (Substitute Bill for House Bill No. 1725 by Representative Townsend)—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13 and R.S. 36:629(Q) and 919.7 and R.S. 56:319(F), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to authority from the Department of Wildlife and Fisheries to possess certain fish; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license of permit; to establish criteria for

inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MIKE SMITH
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 3, 2003

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To recognize the Boeuf River Band of Cherokees as an Indian tribe of Louisiana.

Reported with amendments.

HOUSE BILL NO. 88—

BY REPRESENTATIVES STRAIN, NEVERS, POWELL, SCHWEGMANN, SHAW, FLAVIN, GUILLORY, JOHNS, LANCASTER, JOHN SMITH, WADDELL, WALKER, WINSTON, AND WOOTON AND SENATORS DUPRE, GAUTREAU, ADLEY, CAIN, ROMERO, AND THEUNISSEN
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of certain revenues; to make certain technical corrections; to establish the Equine Health Studies Program Fund in the state treasury; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Equine Health Studies Program Fund; to provide for the use of the monies in such fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 162—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 4:702(C)(1), 704(D), 707(C)(4) and (5), 708(B), and 724(B)(2), relative to charitable gaming; to include commercial lessors in the charitable gaming licensing system; to prohibit the secretary of the Department of Revenue or any employee of the office of charitable gaming from having a financial interest in a commercial lessor; to provide for mandatory training for members of a charitable organization seeking a charitable gaming license who are designated to hold, operate, and conduct the games of chance; to provide for the maximum payout on electronic bingo machines; to repeal provision of law allowing only one parent-teacher association or booster club for each school; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 169—

BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 4:740, relative to the Charitable Raffles, Bingo and Keno Licensing Law; to define a session for charitable gaming purposes; to provide for the length of a charitable gaming session; to provide for the number of sessions which may be conducted per day; to provide with respect to the activities which are considered part of the session; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 270—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 4:715(A)(3) and 727(A) and to enact R.S. 4:724(H), relative to charitable gaming; to provide for the presence of certain persons while machines are in use; to specify the persons authorized to pay out cash prizes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 409—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:25.1, relative to the Video Draw Poker Devices Control Law; to prohibit the assessment of costs on the prevailing party in an administrative proceeding or an appeal; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 462—

BY REPRESENTATIVES MARTINY AND WELCH
AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners in parish prisons; to provide for participation in work activities on the property of, or in the buildings or other improvements of, certain tax-exempt organizations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 464—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:311.1, relative to the Video Draw Poker Devices Control Law; to provide relative to requirements for submitting certain information when filing an application for an additional license; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 504—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:1111(I), relative to the work release program; to provide that a person convicted of distribution or possession with intent to distribute certain amounts of cocaine or marijuana may be eligible to participate in the work release program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 505—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:893.1, relative to assignment of inmates to Work Training Facility North; to provide that persons convicted of certain violations of the Uniform Controlled Dangerous Substances Law are eligible for assignment; to repeal obsolete provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 508—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:571.3(D), relative to diminution of sentence for good behavior; to delete provisions which prohibit certain inmates from being eligible to receive a diminution of sentence for good behavior; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 706—

BY REPRESENTATIVES MARTINY AND SCHNEIDER
AN ACT

To enact R.S. 15:574.4(H)(4)(r), relative to conditions of parole; to provide that the Board of Parole may require additional conditions of parole; to provide for agreements to searches of the person, personal effects, property, place of residence, or vehicle of that person; to provide relative to the conducting of the searches; to provide that the searches may be conducted with or without a warrant of arrest or with or without a search warrant under certain conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 707—

BY REPRESENTATIVES MARTINY AND SCHNEIDER
AN ACT

To enact Code of Criminal Procedure Article 895(A)(13), relative to conditions of parole; to provide that the court may require certain additional conditions of probation; to provide for agreements to searches of the person, personal effects, property, place of residence, or vehicle of that person; to provide relative to conducting of the searches; to provide that the searches may be conducted with or without a warrant of arrest or with or without a search warrant under certain conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 733—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:2496.3(H) and to enact R.S. 13:2496.3(G)(6) and (7), relative to the first appearance hearing officer of the Municipal Court of New Orleans; to provide for additional duties of the office; to provide for the provisions terminating the office and evaluation by the Judicial Council on continuing the office; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 845—

BY REPRESENTATIVES MARTINY, ANSARDI, CAPELLA, DAMICO,
LANCASTER, SCALISE, AND TOOMY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 15:703, relative to prisoners in parish jails; to provide with respect to the duties, obligations, and liability of parish governing authorities for medical care required to be provided for prisoners in parish jails; to provide with respect to procedures for prisoners for damages which occur as a result of the medical care which is provided for those prisoners; and to provide for related matters.

June 3, 2003

Reported favorably.

HOUSE BILL NO. 945—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 13:2583.3, relative to justice of the peace courts in Caddo Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1062—
BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, AND LANCASTER
AN ACT

To amend and reenact R.S. 4:707(A)(introductory paragraph) and (B) through (G), 709(A)(introductory paragraph) and (B), 710, 711, and 713(A) and to enact R.S. 4:706(C) and 707(H) and (I), relative to the conducting and regulation of charitable gaming; to provide for the licensing and regulation of charitable gaming by the governing authority of a municipality or parish; to provide for the authority of the governing authority of the municipality or parish with respect to the regulation of charitable gaming; to provide for the regulatory authority of the office of charitable gaming, Department of Revenue, in relationship to the regulatory authority of the governing authority of the municipality or parish with regard to charitable gaming; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1126—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 13:2081.3, relative to the City Court of Monroe; to authorize the court to transfer certain funds into the court's general operational account; to provide for expenditure of the funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1153—
BY REPRESENTATIVES DOWNER, R. CARTER, FAUCHEUX, TOOMY, AND WELCH
AN ACT

To enact R.S. 33:2012, to enact the Louisiana Fire Service Bill of Rights; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1492—
BY REPRESENTATIVES MONTGOMERY AND MURRAY
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to authorize appropriations of such revenues to certain entities serving the blind; to establish the Equine Health Studies Program Fund in the state treasury and to provide for the deposit of monies into the fund and for the uses of such monies; to provide for certain dedications; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1774—
BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and

one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1789 (Substitute for House Bill No. 465 by Representative Martiny)—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:301(B)(16) and 311.1 through 311.6, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of video draw poker employee permits; to provide for definitions; to require a video draw poker employee permit to work as a video draw poker employee; to provide definitions; to provide for classes of permits; to provide for suitability determinations; to provide for the term of a video draw poker employee permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1806—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 15:598 and to enact R.S. 15:587.4, relative to criminal history records checks; to provide with respect to the authority of a municipal or parish fire department, a fire protection district, or a volunteer fire department to require such background checks; to provide for fees for processing such records checks; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1849—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 4:714(B) and to enact R.S. 4:725.1, relative to charitable gaming; to authorize the conducting of progressive pull-tabs; to create an exception to the total amount of prizes which can be awarded in any one charitable gaming session; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1940—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Law; to provide that civil penalties imposed by the Louisiana Gaming Control Board are applicable to the land-based casino and live horse racing facilities conducting slot machine gaming; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

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

June 3, 2003

To the President and Members of the Senate:

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

SENATE BILL NO. 761—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 21—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:220(A), relative to the crime of failure to return rented or leased motor vehicles; to authorize commercial couriers to send notices of return or surrender; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 232—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph), (1)(introductory paragraph), and (2)(a), relative to sex offender registration and notification; to require sex offenders to provide a description of their physical characteristics; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 234—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 14:95(H), relative to illegal carrying of weapons; to include coroners in the list of officials who may carry a concealed handgun when certified by the Council on Peace Officer Standards and Training; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 248—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 13:3886(A) and (B)(1) and R.S. 33:1428(A)(1), (6), (12)(a) and (d), and (13)(c) and (e), relative to fees of office for services and duties of sheriffs in civil matters; to provide for fees of office for service in certain civil matters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 260—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 15:571.11(C)(5), relative to the disposition of the Criminal Court Fund for the Twenty-First Judicial District; to provide that the accounts comprising the Criminal Court Fund be operated as a single fund; to provide for the yearly transfer of certain surpluses remaining in the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 273—

BY REPRESENTATIVE TOOMY AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 294—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 15:529.1(C), relative to the habitual offender law; to provide for applicability based upon the period of time between each conviction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 376—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(5), relative to responsive verdicts; to provide that "guilty of negligent homicide" may be rendered as a responsive verdict to an indictment which charges the offense of manslaughter; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 455—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 26:80(F) and 280(F), relative to permits to sell alcoholic beverages of high and low alcoholic content; to provide that a person is not necessarily disqualified from receiving a permit for certain felony convictions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 481—

BY REPRESENTATIVE MARTINY

AN ACT

To enact Part XIII of Chapter 2 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:521 through 523, and R.S. 44:3(G), relative to evidence; to provide for proof of an official driving record by certificate of the assistant secretary of the Department of Public Safety and Corrections, office of motor vehicles, or his designee; to provide for the admissibility of official driving records; to provide for notice of opposing parties and opportunity to cross-examine experts; to provide that certificates of official driving records are not public records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 509—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:2(13)(gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), and (oo), relative to crimes of violence; to add certain crimes to the listing of crimes designated as crimes of violence; and to provide for related matters.

Reported favorably.

June 3, 2003

HOUSE BILL NO. 577—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 46:1844(M)(3), relative to the right of victims of crime to seek restitution; to provide that if the court or the parole board requires a convicted criminal defendant to pay restitution to a victim, and if the victim records the restitution order, the victim shall not be required to pay the fee which the clerk of court collects for recording documents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 590—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:851, relative to fees in criminal matters in the Fortieth Judicial District Court; to require an additional fee in criminal matters, including traffic cases; to provide for use of the fee by the office of the clerk of court; to provide for an annual audit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 752—

BY REPRESENTATIVES CAZAYOUX AND BRUCE
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(A)(introductory paragraph) and to enact Code of Criminal Procedure Article 202(D), relative to arrest warrants; to provide for issuance of the warrant by facsimile transmission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:231, relative to offenses against property; to create the crime of air bag fraud; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 815—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:64.3, relative to attempted armed robbery; to provide for enhanced penalties when a firearm is used in the commission of the crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 849—

BY REPRESENTATIVES MARTINY AND BRUCE
AN ACT

To enact R.S. 14:35.3, relative to offenses against the person; to create the crime of domestic abuse battery; to provide for definitions; to provide for criminal penalties; to provide for additional penalties when a minor child twelve years or younger is present during the commission of a domestic abuse battery; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 924—

BY REPRESENTATIVES HUNTER AND BRUCE
AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283(E), relative to sex offender registration; to require a person convicted of video voyeurism to register as a sex offender; to add the crime of video voyeurism to the definition of a sex

offense for the purposes of sex offender registration; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 997—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 14:34.6(A)(2), relative to the crime of disarming a peace officer; to provide for applicability to park wardens; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1009—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 14:34.5.1, relative to offenses against the person; to create the crime of battery of a bus operator; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1015—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 40:967(B)(1), (3), and (5), relative to Schedule II controlled dangerous substances; to provide increased penalties for the distribution, dispensing, or possession with intent to produce, manufacture, distribute, or dispense amphetamines or methamphetamines; to clarify the penalty provision for Schedule II non-narcotic controlled dangerous substances not otherwise provided for by law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1143—

BY REPRESENTATIVES RICHMOND, LUCAS, MURRAY, AND ODINET
AND SENATOR BAJOIE
AN ACT

To amend and reenact R.S. 16:11(A), relative to the annual salary of assistant district attorneys payable by the state; to authorize the district attorney of Orleans Parish to reallocate the total amount fixed for the annual salary of his assistant district attorneys; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1144—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 16:16(A) and 16.1 and to enact R.S. 16:16.3, relative to court costs in criminal matters; to provide for fees for the office of the district attorney in the parish of Orleans; to provide for an additional nonrefundable fee in criminal matters; to require the judicial administrator of the Criminal District Court for the parish of Orleans to remit the money monthly to the district attorney's office; to provide for expenditure of the money collected; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1178—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 14:20(4), relative to justifiable homicide; to provide that a homicide committed by a person engaged in the acquisition, distribution, or possession with intent to distribute a controlled dangerous substance is not justifiable in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1266—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 914(B), relative to appeals; to provide for the time in which a motion for an appeal must be made; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1281—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1352—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 14:40.2(B)(3), relative to the crime of stalking; to provide that orders issued by a magistrate prohibiting contact with the victim of the crime of stalking can serve as the basis for increased penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1528—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(26) and (27), relative to responsive verdicts; to provide for responsive verdicts for theft and attempted theft; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1839—
BY REPRESENTATIVES BAYLOR AND L. JACKSON
AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1855—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 14:95.1(A), relative to possession or concealment of a firearm; to provide that it is unlawful for any person who has been convicted of a crime which is defined as a sex offense in R.S. 15:541(14.1) to possess a firearm or to carry a concealed weapon; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1856—
BY REPRESENTATIVE LAFLEUR
AN ACT

To enact R.S. 14:71(H) and (I), relative to the crime of issuing worthless checks; to provide for the evidence which may be introduced to prove violations of that crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1891—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:542.1(H)(1), relative to registration of sex offenders; to provide relative to exceptions of registration requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1956—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 40:2405.4, relative to peace officers; to require applicants for jobs as peace officers to provide a DNA sample and fingerprint prior to commencing the discharge of duties as a peace officer; to require law enforcement agencies to conduct criminal background checks of applicants for the job of peace officers; to provide for voluntary testing of currently employed peace officers; to provide for the adoption of rules; to provide for storage of DNA material and procedures prior to testing; to provide for purposes for which the DNA may be tested; to provide for alternative samples; to provide for definitions; to provide for penalties for unauthorized use of DNA samples; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1959—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 26:85.1, relative to the Alcoholic Beverage Control Law; to authorize a person to engage in business as a manufacturer and as a retailer at the same time under specified circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1981—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 14:106.2, relative to offenses affecting the general peace and order; to prohibit the engaging of certain sexual acts in public; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2009 (Substitute for House Bill No. 1012 by Representative Devillier)—
BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 40:962.1.1, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of possession of twelve grams or more of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts; to provide for penalties; to provide for applicability; and to provide for related matters.

Reported with amendments.

June 3, 2003

HOUSE BILL NO. 2017 (Substitute for House Bill No. 641 by Representative Winston)

BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 15:587.1(H), relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the duty to provide information; to provide that licensed child placement agencies and persons authorized to conduct preplacement home studies shall have access to criminal history information on certain persons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2028 (Substitute for House Bill No. 1240 by Representative Townsend) (Duplicate of SB 1040)

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph) and (1), 80(B) and (C)(2), 85, 271(A)(introductory paragraph) and (5), 273(A)(2) through (5) and (B), and 280(B) and to enact R.S. 26:2(20), relative to alcoholic beverages; to require certain persons to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

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

Senator Lentini asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 281—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1307(A)(3), relative to the Louisiana State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; 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. 281 by Senator Boissiere

AMENDMENT NO. 1
On page 1, line 2, delete "Louisiana"

AMENDMENT NO. 2
On page 1, after line 15, add the following: "A. Upon application to the board as provided in R.S. 11:1306, members of this system shall be retired by the board at salaries fixed as follows:"

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

SENATE BILL NO. 329—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide for conversion of certain unused leave to service credit; 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. 329 by Senator Hainkel

AMENDMENT NO. 1
On page 1, remove line 8 and insert it between lines 9 and 10

AMENDMENT NO. 2
On page 2, lines 2 and 3, change ", sick, and compensatory" to "and sick"

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

SENATE BILL NO. 761—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments propose by Senate Committee on Judiciary C to Original Senate Bill No. 761 by Senator Cain

AMENDMENT NO. 1
On page 2, line 18, after "children;" change "the" to "any" and after "evidence" insert "prepared by the American Psychiatric Association"

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

SENATE BILL NO. 1076—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension system, fund, and plan; to require asset management companies that provide services to Louisiana state public retirement or pension system, fund, or plan to have a physical place of business within this state; to authorize the investment of the assets of the system, fund, and plan in small and emerging businesses, small business investment companies, and venture capital firms located within and outside of this state; to require Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; 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 Engrossed Senate Bill No. 1076 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 3, change "system, fund, and plan" to "systems, funds, and plans" and delete "to require asset"

AMENDMENT NO. 2

On page 1, delete lines 4 through 8

AMENDMENT NO. 3

On page 1, line 9, delete "within and outside of this state;" and insert "to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to use in or out-of-state emerging businesses, money managers, and venture capital firms;"

AMENDMENT NO. 4

On page 1, line 9, between "require" and "Louisiana" insert "each"

AMENDMENT NO. 5

On page 2, line 15, change "all" to "every"

AMENDMENT NO. 6

On page 2, lines 16 and 17, delete "Louisiana"

AMENDMENT NO. 7

On page 3, line 7, change the third "the" to "each"

AMENDMENT NO. 8

On page 3, line 8, between "retirement" and "system" insert "or pension" and change "and" to "or"

AMENDMENT NO. 9

On page 3, delete lines 12 through 18

AMENDMENT NO. 10

On page 3, line 19, change "C" to "B" and change "authorities of the" to "authority of each state"

AMENDMENT NO. 11

On page 3, line 20, change "and plan are authorized to" to "or plan may"

AMENDMENT NO. 12

On page 3, line 22, insert a period "." after "firms" and delete the remainder of the line, and delete lines 23 through 24 in their entirety.

AMENDMENT NO. 13

On page 3, line 25, change "D" to "C"

AMENDMENT NO. 14

On page 4, line 1, change "the system, fund and plan" to "a state public retirement or pension system, fund, or plan"

AMENDMENT NO. 15

On page 4, line 3, change "E" to "D"

AMENDMENT NO. 16

On page 4, line 25, change "F" to "E", change "(C)" to "(B)" and at the end of the line insert "Subparagraph"

AMENDMENT NO. 17

On page 4, line 26, change "(E)(2)(c)" to "(D)" and change "authorities of the systems" to "authority of the system"

AMENDMENT NO. 18

On page 5, line 1, change "funds, and plans are authorized to" to "fund, or plan may"

AMENDMENT NO. 19

On page 5, line 3, delete ", as defined in this Section," and, at the end of the line, the word "of" and on line 4, delete Louisiana"

AMENDMENT NO. 20

On page 5, line 4, after "Louisiana." delete the remainder of the line and delete lines 5 and 6 in their entirety.

AMENDMENT NO. 21

On page 5, line 8, change "authorities of the" to "authority of each" and change "systems, funds, and plans" to "system, fund, or plan"

AMENDMENT NO. 22

On page 5, line 9, change "are directed to" to "shall"

AMENDMENT NO. 23

On page 5, line 10, between "fund" and "or" insert a comma ","

AMENDMENT NO. 24

On page 5, line 13, after "incorporated" delete "in the state" and insert "and domiciled in this state for at least two years".

AMENDMENT NO. 25

On page 5, line 14, after "state" insert a period "." and delete the remainder of the line.

AMENDMENT NO. 26

On page 5, delete line 15 and on line 16, delete "employed in the state of Louisiana."

AMENDMENT NO. 27

On page 5, line 17, change "and" to ", or", and "intend" to "intends", and after "intend to use" insert "in or" and after "businesses" delete "money" and insert a period "."

AMENDMENT NO. 28

On page 5, delete line 18 in its entirety.

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 86— BY SENATOR HINES

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to

provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 358—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2116(G), relative to intermediate care facilities for the mentally retarded; to provide with respect to the facility need review provisions for facilities of a particular number of beds; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 403—
BY SENATOR FONTENOT (By Request)

AN ACT

To enact Subpart I of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:150.21, relative to public buildings; to authorize the board of commissioners of the Louisiana Stadium and Exposition District to contract with a private entity to paint the flag of the United States of America and "God Bless America" on the roof of the Louisiana Superdome; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 425—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:447, 448, 449, 450 and 451, and to enact R.S. 11:451.1, 451.2, 451.3 and 451.4, relative to the Louisiana State Employees' Retirement System; to provide for self-directed investment funds in the Deferred Retirement Option Plan and to alter other provisions of the plan to be compatible with the changes in the plan; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 539—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), (C), (F)(2) and (G), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A) and (B), 436, 453, 467(2), 468(A), 552(A)(introductory paragraph), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.23, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for

congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 785—
BY SENATOR HOYT

AN ACT

To enact R.S. 37:2150.1(12) and (13), and 2157(9) and Part I of Chapter 24 of Title 37 of the Revised Statutes of 1950, to be comprised of R.S. 37:2175.1 through 2175.6, relative to home improvement contracting; to provide for the registration of home improvement contractors; to provide for requirements for certain home improvement contracts; to provide fees for registration and renewal; to provide for administrative and criminal penalties; to provide for exemptions from registration; 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 Engrossed Senate Bill No. 785 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 4, change "2175.6" to 2175.5"

AMENDMENT NO. 2

On page 1, line 8, delete "and criminal"

AMENDMENT NO. 3

On page 1, line 13, change "2175.6" to 2175.5"

AMENDMENT NO. 4

On page 2, at the end of line 9, insert: ""Home improvement contracting" shall not include services rendered gratuitously."

AMENDMENT NO. 5

On page 3, line 3, change "twenty-five" to "seventy-five"

AMENDMENT NO. 6

On page 3, line 13, after "(4)" insert "(a)"

AMENDMENT NO. 7

On page 3, between lines 15 and 16, insert: "(b) An approximation of the cost expected to be borne by the owner under a cost-plus contract or a time-and-materials contract."

AMENDMENT NO. 8

On page 4, line 19, delete "general liability" and on line 20, delete "and"

AMENDMENT NO. 9

On page 4, line 22, change "two hundred" to "fifty"

AMENDMENT NO. 10

On page 6, between line 14 and 15, insert: "(8) Making a false representation that the person is a state licensed general contractor."

AMENDMENT NO. 11

On page 6, line 16, delete "and criminal sanctions"

AMENDMENT NO. 12

On page 6, delete lines 18 through 20

AMENDMENT NO. 13

On page 7, delete lines 14 through 26

AMENDMENT NO. 14

On page 8, line 1, change "\$2175.6." to "\$2175.5."

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

SENATE BILL NO. 1036—

BY SENATOR C. JONES

AN ACT

To enact R.S. 17:1383 through 1385, relative to school districts; to establish a Priority Education Zone; to provide for enrollment of school systems and enlistment of resource providers; to provide for the administration and operation of the Priority Education Zone; to provide relative to the Minimum Foundation Program; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES, FIELDS, BAJIOIE, HOLDEN, B. JONES, MOUNT AND SCHEDLER

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Elderly Medication Program; to provide definitions; to create the Louisiana Elderly Medication Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

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

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 139—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the civil jurisdiction of the City Court of Lake Charles; to increase the jurisdictional amount of the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 543—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 31:149 and to repeal R.S. 31:149.1 through 149.3, relative to prescription of mineral rights; to provide relative to prescription of nonuse when property is acquired by certain governmental agencies or other specified entities; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 693—

BY REPRESENTATIVES FARRAR AND CURTIS

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(I), relative to the civil jurisdiction of the City Court of Alexandria; to increase the jurisdictional amount of the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:15(C) and (F), relative to fees a district attorney may charge for collection on worthless or forged checks, drafts, or orders; to increase the fees based on the amount of the worthless or forged check, draft, or order; to increase the fee the district attorney is required to charge on behalf of the person or entity that honored the worthless or forged check, draft, or order; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 886—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 965—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 47:1922(E), relative to the Insurance Committee of the Assessors' Insurance Fund; to change the membership of the committee; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1089—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 13:966.1(B), relative to court reporters for the Twentieth Judicial District Court, comprised of the parishes of East and West Feliciana; to provide for the annual salary of court reporters; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

June 3, 2003

HOUSE BILL NO. 1091—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:982(G)(1)(a) and (I)(2)(b), to enact R.S. 13:501(B)(3)(d) and (e), and to repeal R.S. 13:982(E), relative to judges in the Fortieth Judicial District; to set the per page court reporter fees for transcribed and copied testimony in civil and criminal matters; to authorize the judges to provide for additional matters to be held on the east bank of the Mississippi River with the consent of all of the judges after a certain date; to authorize a defendant to waive the requirement that certain criminal matters be held on the west bank of the river; to repeal certain duties of the court reporters; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1091 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 3, after "(e)" insert "and 587.3"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" insert "certain district court"

AMENDMENT NO. 3

On page 1, line 4, delete "in the Fortieth Judicial District"

AMENDMENT NO. 4

On page 1, line 8, after "date;" insert "to authorize the judges in the Nineteenth Judicial District by court rule to assign matters to be heard by specified divisions;"

AMENDMENT NO. 5

On page 2, line 2, after "(e)" insert "and 587.3"

AMENDMENT NO. 6

On page 2, after line 26, insert the following:

"§587.3. Nineteenth Judicial District; divisions; subject matter

A. Respecting seniority and the requirement that all cases be assigned randomly within multi-judge groupings, the judges of the Nineteenth Judicial District Court, by rule adopted by a majority vote of the judges sitting en banc, with the consent of the judge of a division, may assign to that division criminal matters or civil matters or drug court matters or any or all types of matters of which the court has jurisdiction.

B. Notwithstanding any principal assignments to divisions, all divisions of the court shall retain general jurisdiction to hear all matters.

* * *

AMENDMENT NO. 7

On page 3, line 18, delete "criminal court cost fund" and insert "St. John Parish Council General Fund"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining

which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 32:432(A) and to enact R.S. 32:414(P) and 432(C) and R.S. 47:296.2, relative to individual income tax; to suspend drivers' licenses for failure to pay individual income tax; to deny the renewal of drivers' licenses for failure to pay individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1333—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 35:409, relative to ex officio notaries; to provide for the appointment of ex officio notaries for university police departments; to provide for the exercise of authority; to provide for compensation; to provide for the authority of the chief of police of the university to suspend or terminate the appointment; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1373—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact Civil Code Article 493, relative to ownership of improvements permanently attached to the ground; provides for ownership when the owner of the improvements no longer has the right to keep them on the land; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1374—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:2791(A), relative to property not used for commercial recreational activities; provides relative to responsibility by the owner; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1543—
BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 9:2729, relative to immovable property; to provide for presumptions regarding the acquisition of an undivided interest; to provide presumptions regarding co-ownership; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1544—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:2971, relative to the transfer of lands; to provide for a presumption regarding the transfer of land fronting or bounded by certain things; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1582—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:1992(C), relative to the assessment of property for ad valorem tax purposes; to provide that complaints filed with local boards of review by certified mail shall be received at the board office no later than seven days prior to the public hearing; to provide that complaints may be filed by facsimile transmission to the board office and shall be received at the board office no later than seven days prior to the public hearing; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1582 by Representative Daniel

AMENDMENT NO. 1
On page 1, line 2, after "1992(C)" insert "and to enact R.S. 47:1979"

AMENDMENT NO. 2
On page 1, line 3, after "purposes;" insert "to provide for the ownership of certain property by tax assessors;"

AMENDMENT NO. 3
On page 1, line 11, after "reenacted" insert "and R.S. 47:1979 is hereby enacted"

AMENDMENT NO. 4
On page 1, between lines 12 and 13, insert the following:
"§1979. Listing and assessment of certain property in which assessor or his immediate family has an interest
Notwithstanding any other law to the contrary, a tax assessor and members of his immediate family as defined in R.S. 42:1102 may own property within the parish or district in the jurisdiction of the assessor. If a tax assessor or a member of his immediate family owns property within his jurisdiction, such assessor shall assess the property in accordance with all applicable provisions of law. For the purposes of this Section, "own" shall include a direct ownership, or ownership in part or through any legal entity. The tax assessor shall submit all such assessments to the Louisiana Tax Commission and the commission shall review those assessments for compliance with all applicable laws, rules, and regulations.

* * *

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1592—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:2800, relative to ownership of improvements on state land; provides for ownership when the owner of the improvements no longer has the right to keep them on state land; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1614—
BY REPRESENTATIVES TUCKER AND ARNOLD
AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, and R.S. 47:820.5.1 and 820.5.2 and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to facilitate collection of tolls by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1634—
BY REPRESENTATIVE CAPELLA
AN ACT

To amend and reenact Code of Civil Procedure Article 4134(A) and (C), relative to natural tutors; to provide that a certificate filed for recordation shall include the total value of the minor's property; to provide for exceptions when the minor has no assets or only has a contested claim; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1637—
BY REPRESENTATIVE CAPELLA
AN ACT

To amend and reenact R.S. 9:4808(C), 4820(A)(2), and 4822(F) and to enact R.S. 9:4811(E), relative to contractors; to provide for the demolition of existing structures; to provide for the release of a notice of contract; to provide for the effective date of privileges; to provide the termination of privileges; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1640—
BY REPRESENTATIVES TOOMY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of the

June 3, 2003

prosecuting authority for certain expenses relative to the suspended driver's license; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1667—
BY REPRESENTATIVE CAPELLA
AN ACT

To amend and reenact R.S. 9:2092(B)(1)(introductory paragraph) and (c), relative to recordation of trust instruments; to provide for the execution of an extract of the trust instrument; to provide for the inclusion of certain information in the extract; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 561—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 561 by Senator McPherson

AMENDMENT NO. 1
On page 1, line 5, change "799.4" to "799.6"

AMENDMENT NO. 2
On page 1, at the end of line 11, add "to provide for the use of the White Lake Property, the adoption of a management plan, and the establishment and maintenance of a biodiversity wetlands center;"

AMENDMENT NO. 3
On page 3, line 16, change "799.4" to "799.6"

AMENDMENT NO. 4
On page 3, line 22, on page 4, line 5 first occurrence only, and on page 5, lines 2, 3, 5, 8, 16, 18, change "properties" to "Property"

AMENDMENT NO. 5
On page 4, line 20, delete "from", delete line 21, and on line 22, delete "payments, and"

AMENDMENT NO. 6

On page 8, delete lines 3 through 6, and insert the following:
"K. The board shall establish and maintain a biodiversity wetlands center on the White Lake Property to be named the "BP Wetlands Center."

§799.5. White Lake properties; use
R.S. 56:799.5 is all proposed new law.

The White Lake Property shall be used exclusively for Conservation Purposes, as defined in Section 170(h)(4) of the federal Internal Revenue Code, which Conservation Purposes shall be protected in perpetuity. There shall be no use of the White Lake properties that is inconsistent with the Conservation Purposes.

§799.6. Management plan; development and implementation
R.S. 56:799.6 is all proposed new law.

Upon recommendation of the board, the department shall develop and implement a conservation management plan for the White Lake Property that is consistent with the "Conservation Purposes" as provided in R.S. 56:799.5."

Section 3.(A) Sections 1 and 2 of this Act shall become effective when either (1) the documents are amended to conform to the provisions of this Act, or (2) the documents, particularly the provisions concerning the management of, or the distribution of funds derived from, the White Lake Property, are declared invalid in a final judgment of a competent court, whichever first occurs.

(B) "Documents" for the purpose of this Section, means:

(1) The memorandum of understanding between the state, represented by the commissioner of administration, and BP America Production Company ("BP") dated July 8, 2002, which provides that under certain circumstances, BP would donate real estate to the state, known as "White Lake Property", subject to certain terms and conditions. The memorandum was further conditioned upon the creation of a cooperative endeavor agreement.

(2) The donation agreement between White Lake Preservation, Inc. and BP dated July 8, 2002 wherein BP donated to White Lake Preservation, Inc. certain movable property which was connected to and involved with the White Lake Property.

(3) The transition agreement between BP and White Lake Preservation, Inc. dated July 8, 2002.

(4) The cooperative endeavor agreement between the state, represented by the commission of administration, and BP, dated July 8, 2002.

(5) The "Act of Donation by BP America Production Company to State of Louisiana" entered into by the state, represented by the commissioner of administration, and BP, dated July 8, 2002.

Section 4. Section 3 of this Act and this Section 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."

Senator McPherson moved adoption of the amendments.

Senator Hoyt objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Bajois, Cain, Chaisson, Dardenne, Dean, Dupre, Ellington, Gautreaux, Heitmeier, Hines, Holden, Hollis, Irons, Johnson, Jones, B, Malone, Marionneaux, McPherson, Schedler, Smith, Theunissen, Thomas, Ullo

Fields	Jones, CD	
Total—26	NAYS	
Mr. President	Lambert	Romero
Boissiere	Lentini	Tarver
Fontenot	Michot	
Hoyt	Mount	
Total—10	ABSENT	
Barham	Bean	Cravins
Total—3		

The Chair declared the amendments were adopted.

Motion

Senator Chaisson moved the previous question on the entire subject matter.

Senator Malone objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fontenot	Michot
Bajoie	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Smith
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Ellington	Johnson	Thomas
Fields	Jones, CD	Ullo
Total—24	NAYS	
Adley	Gautreaux	Marionneaux
Dardenne	Jones, B	McPherson
Dean	Lentini	Schedler
Dupre	Malone	
Total—11	ABSENT	
Barham	Irons	
Bean	Lambert	
Total—4		

The Chair declared the previous question was called on the entire subject matter.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Gautreaux	Malone
Adley	Hines	Marionneaux
Bajoie	Holden	McPherson
Chaisson	Hollis	Smith
Cravins	Irons	Ullo
Fields	Johnson	
Total—17		

NAYS		
Boissiere	Heitmeier	Romero
Cain	Hoyt	Schedler
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	
Fontenot	Mount	
Total—19	ABSENT	
Barham	Bean	Michot
Total—3		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator McPherson, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 342—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide for a one-time cost-of-living adjustment; to provide for retroactive application; and to provide for related matters.

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

SENATE BILL NO. 800—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 33:4720.27, 4720.29(A), 4720.30(A), and 4720.32, relative to post-adjudication donation of abandoned or blighted property; to provide for the redemptive period for post-adjudicated donations of abandoned or blighted property; to provide that after a post-adjudication donation of abandoned or blighted property the tax debtor shall not have a right of redemption; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative L. Jackson to Reengrossed Senate Bill No. 800 by Senator Bajoie

AMENDMENT NO. 1

On page 2, at the end of line 7, delete "Such" and delete lines 8 through 15 in their entirety

AMENDMENT NO. 2

On page 2, line 16, delete "conveyance of the property by such organization."

June 3, 2003

Senator Bajoie moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS. YEAS list includes Mr. President, Adley, Bajoie, Boissiere, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Total—34. NAYS list includes Barham, Bean, Total—5. Includes names like Gautreaux, Heitmeier, Marionneaux, etc.

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of advancing to the order of

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

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 424 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 424— BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with columns for YEAS and NAYS. YEAS list includes Adley, Bajoie, Boissiere, Cain, Cravins, Dean, Dupre, Fontenot, Gautreaux, Total—25. Includes names like Heitmeier, Marionneaux, Mount, etc.

NAYS

Table with columns for NAYS and ABSENT. NAYS list includes Mr. President, Dardenne, Ellington, Total—9. Includes names like Fields, Jones, B, Malone, McPherson, Smith, Thomas.

ABSENT

Table with columns for ABSENT. ABSENT list includes Barham, Bean, Total—5. Includes names like Chaisson, Lambert, Michot.

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 477 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 477— BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with columns for YEAS and NAYS. YEAS list includes Adley, Bajoie, Boissiere, Cain, Chaisson, Cravins, Dean, Dupre, Fontenot, Total—25. Includes names like Gautreaux, Heitmeier, Hines, etc.

NAYS

Table with columns for NAYS. NAYS list includes Mr. President, Dardenne, Ellington. Includes names like Fields, Jones, B, Malone, Schedler, Smith, Thomas.

June 3, 2003

On page 14, line 23, change "526" to "523"

AMENDMENT NO. 12

On page 15, line 3, between "community" and the period "." insert "and organized in conformity with this Article"

AMENDMENT NO. 13

On page 15, line 4, delete "component of a"

AMENDMENT NO. 14

On page 15, at the end of line 7, insert the following: "All other Child Advocacy Centers under an umbrella of nonprofit corporations shall organize advisory councils or other groups that are broadly representative of the community and organized as nearly practicable in accordance with this Article to advise the corporation."

AMENDMENT NO. 15

On page 15, line 11, change "527" to "524"

AMENDMENT NO. 16

On page 15, line 12, change "528" to "525"

AMENDMENT NO. 17

On page 16, line 16, change "527" to "524"

AMENDMENT NO. 18

On page 16, at the end of line 21, insert the following: "The cost of application for membership, accreditation and reaccreditation by the National Children's Alliance will be the sole responsibility of the Child Advocacy Center seeking such membership, accreditation and/or reaccreditation."

AMENDMENT NO. 19

On page 17, line 7, change "525" to "522"

AMENDMENT NO. 20

On page 17, line 10, change "525" to "522"

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts for various amendments.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 582 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 582—

BY SENATOR MARIONNEAUX AN ACT

To enact R.S. 30:2006, relative to environmental quality; to provide for the mandatory notification of residents by certain state agencies for environmental contamination; to provide for a definition of "notice"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts for Senate Bill No. 582.

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Cain asked that Senate Bill No. 909 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 909—

BY SENATOR CAIN AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	Ullo
Total—33		

NAYS

Total—0

ABSENT

Barham	Cravins	Lambert
Bean	Jones, B	Michot
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator McPherson asked that Senate Bill No. 1008 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1008—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Bean	Michot
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions
Just Advanced to a Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions just advanced to a third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES, FIELDS, BAJOIE, HOLDEN, B. JONES, MOUNT AND SCHEDLER

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Elderly Medication Program; to provide definitions; to create the Louisiana Elderly Medication Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 1132 by Senator Hines

AMENDMENT NO. 1

On page 1, line 4, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 2

On page 1, line 5, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 3

On page 1, lines 13 and 14, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 4

On page 2, line 4, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 5

On page 2, line 15, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 6

On page 2, line 17, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 7

On page 2, line 26, delete "Office of Elderly Affairs" and insert "office of elderly affairs"

AMENDMENT NO. 8

On page 3, line 2, delete "Elderly Medication" and insert "Senior Rx"

AMENDMENT NO. 9

On page 3, line 9, delete "-five"

AMENDMENT NO. 10

On page 4, line 1, after "receive" and before "monies" insert "voluntary"

AMENDMENT NO. 11

On page 4, at the end of the line 6, insert "independent community pharmacists,"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Barham	Bean	Michot
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Appointment of Conference Committee on Senate Bill No. 577

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 577: Senators Cain, Hainkel and Fontenot.

Appointment of Conference Committee on Senate Bill No. 568

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of

considering the disagreement on Senate Bill No. 568: Senators Dupre, Hainkel and Dardenne.

Appointment of Conference Committee on Senate Bill No. 214

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 214: Senators Dupre, Hainkel and Dardenne.

Appointment of Conference Committee on Senate Bill No. 33

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 33: Senators Dupre, Heitmeier and Chaisson.

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

June 3, 2003

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1342 by Representative DeWitt:

Representatives Salter, Crane and Kenney.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 3, 2003

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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 116—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 40:2155(B)(8) and (9), relative to adult residential care homes; to provide for resident support during times of emergency and natural disasters; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 788—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 23:1221(4)(s)(v), relative to workers' compensation, to provide for the extension of the catastrophic injury sunset provision; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 38—

BY SENATORS IRONS, BARHAM, BOISSIERE, CAIN, CRAVINS, DARDENNE, DUPRE, GAUTREAU, HOLDEN, HOLLIS, MICHOT, MOUNT, THEUNISSEN, ULLO AND HOYT AND REPRESENTATIVES E. ALEXANDER, BALDONE, BRUCE, K. CARTER, CRANE, CROWE, ERDEY, FAUCHEUX, FLAVIN, GALLOT, HUDSON, HUTTER, L. JACKSON, KATZ, LEBLANC, MURRAY, ODINET, PEYCHAUD, POWELL, QUEZAIRE, SCHNEIDER, JACK SMITH, TOOMY, TOWNSEND, WELCH, BAUDOIN AND M. JACKSON

AN ACT

To amend and reenact R.S. 17:274(B), relative to required courses of study; to require the free enterprise curriculum to include instruction in personal finance beginning with the 2004-2005 school year; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 83—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(c), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 388—

BY SENATORS SCHEDLER, BAJOE, C. JONES AND HOLDEN

AN ACT

To enact R.S. 46:153.3(C), relative to medical vendor reimbursements; to prohibit restrictions on the prescribing of atypical antipsychotic drugs for Louisiana Medicaid recipients; to prohibit restrictions of prescription drugs for those Medicaid recipients who are diagnosed with HIV/AIDS; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 330—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:153(L), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to purchase of military service credit for years of active duty military service in the Vietnam Conflict; to provide with respect to employee contributions; to provide with respect to employer contributions; to provide for severability; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 296—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:786, relative to the practice of dentistry; to provide for judicial review of decisions made by the board of dentistry; to provide for procedures; to provide for the furnishing of security; to provide for the filing of additional evidence; to provide for reversal or modification of board decisions under certain specified circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 378—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2009, relative to facilities participating in the Medicaid Residential Treatment Option; to provide for mandatory accreditation of facilities providing residential supports and services by either Joint Commission on the Accreditation of Health Care Organizations or the Council on the Accreditation of Rehabilitation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 50—

BY SENATORS THEUNISSEN, HOYT AND MOUNT

AN ACT

To amend and reenact R.S. 17:432(A)(1), (B), (C), (D), and (E) and 432.1(A), (B)(1), (C), (D), and (E), relative to awards for various school employees; to eliminate the limit on the amount of money that may be provided for such awards; to require school board approval of the amount of money provided for such awards; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 55—

BY SENATOR FIELDS

AN ACT

To enact R.S. 22:636.1(L), relative to automobile insurance; to prohibit insurers from canceling automobile insurance under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 112—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:10.4(D)(1), relative to school and district accountability; to allow distinguished educators who are active employees of a public postsecondary institution or any city or parish or other local school system to be granted a leave of absence from such employment up to six years; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 126—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:31(A)(1), the introductory paragraph of (2)(a), (2)(a)(iv), the introductory paragraph of (2)(b), (2)(b)(iv) and (v), and (c), 32(B), the introductory paragraph of 33(A), and 33(A)(2) and (B), and to enact R.S. 17:31(A)(2)(d) and (e), relative to the State Advisory Commission on Teacher Education and Certification; to revise and increase the membership; to provide for the transaction of business; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 294—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:751(A)(6), 752(2), 780(B)(1), 791(B), 1744(A)(1) and (2), and 1745(A)(1) and (2) and to enact R.S. 37:794(C) and (D) and 795(B)(1)(l) relative to the dental practice act; to provide definitions; to provide with respect to the burden of proof and decisions for certain hearings; to provide for inventory requirements; and to provide for related matters.

June 3, 2003

Reported with amendments.

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

June 3, 2003

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. 79—
BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of adding an additional lane in each direction along the portion of Interstate 10 in New Orleans East.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place signs at the junction of Interstate 10 West and Interstate 110 North in the city of Baton Rouge that indicate "I-10 West - Texas - Houston".

Reported without amendments.

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

Introduction of Resolutions,
Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 61—
BY SENATOR BOISSIERE

A RESOLUTION

To provide that Macedonia was Greek for 3,000 years and continues to be Greek, as well as the ancient Macedonians and the inhabitants of the Norther Province of Greece, Macedonia are their Greek descendants.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of adding an additional lane in each direction on a portion of Interstate 12 in St. Tammany Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenet Malone
Adley Gautreaux Marionneaux
Bajoie Hines McPherson
Boissiere Holden Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dean Johnson Theunissen
Dupre Jones, CD Thomas
Ellington Lambert Ullo
Fields Lentini
Total—32

NAYS

Total—0

ABSENT

Barham Heitmeier Tarver
Bean Jones, B
Dardenne Michot
Total—7

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

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To commend and congratulate Mike Graham upon the occasion of his retirement and for his many years of service as a television weatherman on WAFB-TV Channel 9.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Lentini
Adley Fontenet Malone
Bajoie Gautreaux Marionneaux
Boissiere Hines McPherson
Cain Holden Mount
Chaisson Hollis Schedler
Cravins Hoyt Smith
Dardenne Irons Theunissen
Dean Johnson Thomas
Dupre Jones, CD
Ellington Lambert Ullo
Total—32

NAYS

Total—0

ABSENT

Barham Jones, B Tarver
Bean Michot
Heitmeier Romero
Total—7

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

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Dr. Donald J. Palmisano, MD, JD for being elected president of the American Medical Association.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Boissiere	Hines	Marionneau
Cain	Holden	McPherson
Chaisson	Hollis	Mount
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—33		

NAYS

Total—0

ABSENT

Barham	Heitmeier	Romero
Bean	Michot	Tarver
Total—6		

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

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To recognize the Louisiana Choctaw Turtle Tribe as an Indian tribe of Louisiana.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate and Concurrent Resolutions to be Adopted, Subject to Call

The following Senate and Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Schedler asked that Senate Concurrent Resolution No. 99 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to establish a special committee to study and provide recommendations on the implementation of criminal background checks for employees at institutions of postsecondary education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneau
Bajoie	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Barham	Jones, B	Tarver
Bean	Michot	
Total—5		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 3, 2003

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVES THOMPSON, WALSWORTH, HAMMETT, KENNEY, AND KATZ AND SENATORS BARHAM AND C.D. JONES

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge, the Theodore Roosevelt-Tensas River National Wildlife Refuge.

June 3, 2003

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To proclaim April 7 annually as Honor the Elderly Day.

HOUSE CONCURRENT RESOLUTION NO. 218—

BY REPRESENTATIVES MORRELL, WELCH, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, AND SWILLING AND SENATORS BAJOE, BOISSIERE, CRAVINS, FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To urge and request the National Institute to Combat Health Disparities to study health disparities and develop a new research agenda designed in collaboration with racial and ethnic minority communities.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVES THOMPSON, WALSWORTH, HAMMETT, KENNEY, AND KATZ AND SENATORS BARHAM AND C.D. JONES
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge, the Theodore Roosevelt-Tensas River National Wildlife Refuge.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To proclaim April 7 annually as Honor the Elderly Day.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Bajoie, Boissiere, Cain, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, Total—34; Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Johnson, Jones, CD, Lambert, Lentini; Malone, Marionneaux, McPherson, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Barham, Bean, Total—5; Jones, B, Michot; Tarver

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

HOUSE CONCURRENT RESOLUTION NO. 218—

BY REPRESENTATIVES MORRELL, WELCH, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, AND SWILLING AND SENATORS BAJOE, BOISSIERE, CRAVINS, FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To urge and request the National Institute to Combat Health Disparities to study health disparities and develop a new research agenda designed in collaboration with racial and ethnic minority communities.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 70 from the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 70—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 29, was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator B. Jones asked for and obtained a suspension of the rules and recommitted House Bill No. 1840 from the Committee on Commerce, Consumer Protection and International Affairs to the Committee on Health and Welfare.

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted House Bill No. 121 from the Committee on Transportation, Highways, and Public Works to the Committee on Judiciary C.

Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

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

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator C. Jones asked that Senate Bill No. 182 be called from the Calendar at this time.

SENATE BILL NO. 182—

BY SENATORS C. JONES, BAJOEI, BOISSIERE, CRAVINS, FIELDS, HOLDEN, IRONS, JOHNSON AND TARVER AND REPRESENTATIVES BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD, QUEZAIRE, RICHMOND, SWILLING AND WELCH

A JOINT RESOLUTION

Proposing to amend Article IV, Section 8 of the Constitution of Louisiana, relative to the powers and duties of the attorney general; to provide that the attorney general may investigate, in cooperation with the district attorney, sheriff, and municipal police with jurisdiction and the state police, and prosecute any homicide involving a state elected official; to provide for definitions; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

Motion

On motion of Senator C. Jones, Senate Bill No. 182 was made Special Order of the Day No. 1 on Wednesday, June 4, 2003 immediately following the Morning Hour.

Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Resolutions to be Adopted, Subject to Call

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator C. Jones asked that Senate Resolution No. 40 be called from the Calendar at this time.

SENATE RESOLUTION NO. 40—

BY SENATOR C. JONES

A RESOLUTION

To urge and request the Senate Committee on Judiciary B to study the financial impact on the state of participating in the New Communities Program.

On motion of Senator C. Jones, the resolution was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of taking up at this time.

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

Senator Smith asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 1427—

BY REPRESENTATIVES POWELL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

Senator Smith moved that House Bill No. 1427 be recommitted to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 3, 2003

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. 83—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:9055.1, relative to the DeSoto Parish Ambulance Service District; to provide for an increase in the membership of the board of commissioners of the district; and to provide for related matters.

HOUSE BILL NO. 271—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 56:649.3, relative to hunting and fishing licenses; to expand the privileges accorded under the combination lifetime hunting and sports fishing license; to provide for recreational fishing gear licenses; and to provide for related matters.

HOUSE BILL NO. 282—

BY REPRESENTATIVES DEWITT AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(C)(1)(f) and (g) of the Constitution of Louisiana and to repeal Article XII, Section 8.1(C)(1)(h), relative to the Louisiana Workers' Compensation Corporation; to provide for appointment of members to the board of directors; to remove provision for the appointment of a representative from the state office of risk management; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 366—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 25:217.1, relative to certain DeSoto Parish library funds; to prohibit diversion of such funds; and to provide for related matters.

June 3, 2003

HOUSE BILL NO. 379—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2582(A), relative to justices of the peace; to require a high school diploma or equivalent as a qualification for office; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 405—

BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact Sections 4 and 5 of Act No. 573 of the 1975 Regular Session of the Legislature, as amended by Act No. 554 of the 1978 Regular Session of the Legislature, Act No. 411 of the 1980 Regular Session of the Legislature, and Act No. 163 of the 1984 Regular Session of the Legislature, relative to the Downtown Development District of the city of Shreveport; to provide with respect to the responsibility of the Downtown Development Authority to encourage and aid in the preservation, revitalization, and beautification of property within the Downtown Development District; to provide with respect to the authority to provide financial assistance for such preservation, revitalization, and beautification; and to provide for related matters.

HOUSE BILL NO. 422—

BY REPRESENTATIVES PEYCHAUD AND MURRAY
AN ACT

To amend and reenact Section 8.1(D)(2) of Act No. 170 of the 1968 Regular Session, as enacted by Act No. 155 of the 1984 Regular Session and amended by Act No. 101 of the 1997 Regular Session, relative to the New Orleans Redevelopment Authority; to provide relative to the proper address for notifying the property owner prior to a determination that the property is blighted and subject to acquisition by the authority; and to provide for related matters.

HOUSE BILL NO. 555—

BY REPRESENTATIVES KENNEY AND PIERRE
AN ACT

To amend and reenact R.S. 56:327(A)(1)(b)(i), relative to the sale of bass fingerlings; to authorize the sale of longer fingerlings of certain bass species; and to provide for related matters.

HOUSE BILL NO. 556—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:499(C), relative to fishing nets; to prohibit the use of certain devices with skimmer nets; and to provide for related matters.

HOUSE BILL NO. 901—

BY REPRESENTATIVES DEVILLIER AND PIERRE
AN ACT

To amend and reenact R.S. 56:8(116), 305(B)(16), and 322(E)(2) and to enact R.S. 56:305(B)(17) and 322.1, relative to commercial fishing; to provide for the commercial harvest of shad and skipjack herring with a shad seine; to provide for restrictions and penalties; and to provide for related matters.

HOUSE BILL NO. 1128—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(D) and (E)(2), relative to the civil jurisdiction of the City Court of Monroe; to increase the jurisdictional amount of the court; and to provide for related matters.

HOUSE BILL NO. 1146—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 9:2772(A)(introductory paragraph) and (2), (B)(1)(a), and (G), R.S. 12:23(E)(2), 304(C)(2), 1171(A), 1173, 1178(C), and 1179(A) and (C), R.S. 14:63(G)(1), 63.9(B)(2), and 63.12(D), R.S. 36:509(C), R.S. 37:681, 682, 688, 689, 690, 691(B), 692, 693, 694, 696, 697, 697.1, 698, 700, 701, 702, 1736(A)(4) and (5) and (B), and 2950(D)(1)(a)(x), R.S. 41:642(B) and 1702(C), R.S. 44:41, and R.S. 56:438, to enact R.S. 12:204(F) and 1306(E), and to repeal R.S. 37:699, relative to professional engineers and professional land surveyors; to revise various statutes to reflect the proper designation of the Louisiana Professional Engineering and Land Surveying Board; to revise certain operating procedures of the board; to provide rules for regulation of business entities other than corporations; to provide for disciplinary and enforcement actions and a procedure for such actions; to provide for misdemeanors; to provide for fines for certain acts and offenses; and to provide for related matters.

HOUSE BILL NO. 1207—

BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 33:31, relative to local governmental subdivisions; to provide for state preemption relative to regulation of cellular telephone or other electronic communications device usage in motor vehicles; to prohibit local governmental subdivisions from enacting ordinances or other provisions regulating the use of cellular telephones or other electronic communications devices in motor vehicles; and to provide for related matters.

HOUSE BILL NO. 1209—

BY REPRESENTATIVE CAPELLA
AN ACT

To enact R.S. 22:2034, relative to insurance; to provide for dental referral plans; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1230—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:570(E) and (F), relative to execution; to provide that the identities of certain persons who participate in executions of the death sentence shall be confidential; and to provide for related matters.

HOUSE BILL NO. 1346—

BY REPRESENTATIVE ALARIO AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 33:461(A)(4), relative to the assessment and collection of municipal taxes; to provide that municipal property taxes in the city of Westwego shall be due and payable on March thirty-first of each year; to provide for their collection; and to provide for related matters.

HOUSE BILL NO. 1353—

BY REPRESENTATIVES DOWNER, FAUCHEUX, MCDONALD, FUTRELL, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DIEZ, DOERGE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FLAVIN, FRITH, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, MARTINY, MURRAY, NEVERS, ODINET, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOWNSEND, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, AND WRIGHT AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 29:253(A)(2) and (3), relative to the Veterans' Affairs Commission; to provide for the nomination,

appointment, and terms of office of the members; and to provide for related matters.

HOUSE BILL NO. 1594—

BY REPRESENTATIVES K. CARTER, BAYLOR, BROOME, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH
AN ACT

To enact R.S. 18:18(A)(8), relative to the duties and powers of the secretary of state; to provide for the secretary of state to be responsible for the implementation of voter registration week; and to provide for related matters.

HOUSE BILL NO. 1728—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 56:1948.5(20), to enact R.S. 56:1948.5(58) through (62), and to repeal R.S. 56:1948.5(36), (39), (40), (42), (43), and (45), relative to Louisiana Byways designations; to provide for the inclusion of certain highways and section of highways in statutory provisions of the Louisiana Byways; and to provide for related matters.

HOUSE BILL NO. 1747—

BY REPRESENTATIVES BROOME, M. JACKSON, WELCH, AND DANIEL
AN ACT

To enact R.S. 33:1236(21)(h), relative to the cutting of grass and obnoxious weeds in the parish of East Baton Rouge; to require the governing authority of the parish to provide additional notice to property owners who fail to cut such grass and weeds; and to provide for related matters.

HOUSE BILL NO. 1769 (Substitute for House Bill No. 698 by Representative Pinac)—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1568.1, relative to orders of the fire marshal; to provide that the fire marshal shall order an investigation of any fire resulting in any human death; and to provide for related matters.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 47:463.2(A), relative to special personalized prestige license plates for motor vehicles; to increase the fee for issuance of certain special personalized prestige license plates; and to provide for related matters.

HOUSE BILL NO. 1796—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 12:954 (introductory paragraph) and (3), 959, 965, and 969 and to enact R.S. 12:954(4), relative to corporations; to make technical corrections to the Industrial or Economic Development Corporations law; and to provide for related matters.

HOUSE BILL NO. 1833—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1142(A)(introductory paragraph) and (4) and R.S. 40:1428(A)(3), relative to insurance fraud; to provide for licensing; to provide for funding; and to provide for related matters.

HOUSE BILL NO. 2005 (Substitute for House Bill No. 1082 by Representative Hebert)—

BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:1513.1, relative to review of dental claims; to provide relative to appeals of denied dental claims; and to provide for related matters.

HOUSE BILL NO. 147—

BY REPRESENTATIVE LUCAS
AN ACT

To enact R.S. 47:463.111, 463.112, 463.113, and 463.114, relative to motor vehicle prestige license plates; to provide for the creation of the Greater New Orleans Jurisdiction of the Church of God in Christ prestige license plate; to provide for the creation of the Progressive Baptist Church license plate; to provide for the creation of the Sigma Gamma Rho Sorority license plate; to provide for the creation of the Zeta Phi Beta Sorority license plate; to provide for the issuance of such plates; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 214—

BY REPRESENTATIVES JACK SMITH, HEBERT, AND THOMPSON
AN ACT

To amend and reenact R.S. 17:3995(A)(2)(b), relative to charter school funding; to exempt certain Type 2 charter schools from provisions relative to a funding allocation adjustment pursuant to an additional pupil membership count provided for by the State Board of Elementary and Secondary Education; and to provide for related matters.

HOUSE BILL NO. 280 (Duplicate of Senate Bill No. 79)—

BY REPRESENTATIVE DEWITT AND SENATOR HOYT AND COAUTHORED BY REPRESENTATIVE DANIEL AND SENATOR MCPHERSON
AN ACT

To enact Part II of Chapter 4 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:151, relative to receipt of donation of immovable property by the state; to provide for procedures by which the state may accept donation of immovable property; and to provide for related matters.

HOUSE BILL NO. 456—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:3141.2(5)(introductory paragraph) and 3141.3(A)(introductory paragraph) and (2), relative to proprietary schools; to provide that the definition of proprietary school includes schools which operate over the internet and which meet the other elements of that definition; to increase the membership of the Advisory Commission on Proprietary Schools; and to provide for related matters.

HOUSE BILL NO. 610 (Duplicate of Senate Bill No. 657)—

BY REPRESENTATIVE DIEZ AND SENATOR HEITMEIER
AN ACT

To authorize and provide for the transfer of certain state property in Winn Parish to the Department of Social Services, office of family support, from the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 749—

BY REPRESENTATIVES CAZAYOUX, ARNOLD, BAUDOIN, BEARD, DOWNS, FANNIN, FRITH, HILL, ODINET, SCHNEIDER, AND JACK SMITH AND SENATORS HINES AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard are eligible for a resident active military license; and to provide for related matters.

June 3, 2003

HOUSE BILL NO. 755—

BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 40:1472.10(A)(9), relative to the regulation of explosives; to provide for additional grounds for denial, revocation, or suspension of certain explosives licenses; and to provide for related matters.

HOUSE BILL NO. 778—

BY REPRESENTATIVES TRICHE, DOWNER, AND NEVERS
AN ACT

To amend and reenact R.S. 17:443, 523, and 533 and to enact R.S. 17: 462(C) and 493(E), relative to procedures for removal of certain school employees; to add a charge of immorality as a cause for removal of a teacher; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 959—

BY REPRESENTATIVES THOMPSON AND DOWNS
AN ACT

To amend and reenact R.S. 40:1842(12), 1846(B)(3)(f), (5)(introductory paragraph), (a), (b), and (c), and (6), (C), (E), and (G)(2) and (3), and 1846.1(C)(2)(b) and to enact R.S. 40:1847.1(D), relative to liquefied petroleum gas; to require verification of odorization under certain circumstances; to provide relative to the sale of such gas for use as a refrigerant in automobile air conditioning units; to exempt certain dealers in small quantities of liquefied petroleum gas from permitting requirements; and to provide for related matters.

HOUSE BILL NO. 1129—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Children's Code Article 791.1, relative to the truancy and assessment and service center pilot program; to authorize the creation of a truancy and assessment and service center in the parishes of Bienville, Claiborne, and Jackson; and to provide for related matters.

HOUSE BILL NO. 1136—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:421(B)(introductory paragraph) and (D) and to enact R.S. 56:421(B)(12), relative to the Louisiana Oyster Task Force; to provide for an additional member; and to provide for related matters.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

HOUSE BILL NO. 1732 (Duplicate of Senate Bill No. 820)—

BY REPRESENTATIVE DEVILLIER AND SENATOR DARDENNE
AN ACT

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g) and (C), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

HOUSE BILL NO. 2011 (Substitute for House Bill No. 1382 by Representative Lancaster)—

BY REPRESENTATIVES LANCASTER, DEWITT, BRUNEAU, ANSARDI, BALDONE, BOWLER, CAPELLA, MARTINY, SCALISE, SNEED, AND STRAIN
AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (52), (53), (74), (75), (79), (80), (81), and (82), (B), and (C), to provide for the composition of House of Representative Districts Nos. 11, 12, 52, 53, 74, 75, 79, 80, 81, and 82; to provide for the precincts used to compose such districts; to provide for severability; to provide for effectiveness; 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.

Message to the Governor

SIGNED SENATE BILLS

June 3, 2003

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 2—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 40:940.52, relative to the transportation and sale of a commercial fisherman's catch; to provide that a commercial fisherman is exempt from having to possess a "mobile food vendor's permit" under certain circumstances; and to provide for related matters.

SENATE BILL NO. 31—

BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 34:1651(F), relative to the Greater Lafourche Port Commission; to provide for compensation of the members of the commission; and to provide for related matters.

SENATE BILL NO. 49—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 56:306.3(C) and 307.1(D), relative to license and transport fees; to authorize a wholesale/retail dealer to purchase a four-year dealer's license and a four-year transport license; and to provide for related matters.

SENATE BILL NO. 63—

BY SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 3:3391.5(A), R.S. 36:4.1(F), 104(A)(14), R.S. 37:3524, R.S. 42:1123(10)(a), R.S. 45:1180(C)(3), R.S. 48:2063(C)(10), R.S. 49:968(B)(1), (3)(introductory paragraph), (3)(c), and (20), R.S. 51:911.26(E), 935(D), 1037(B) and (C), 1041(E), 1260(E), 1261(E), 1287, 1367(A), 2312(F), 2319, 2337(D), 2341(D)(2), 2381(A), 2382(B)(4) and (5), and 2391(A)(introductory paragraph), relative to the Senate Commerce, Consumer Protection, and International Affairs Committee; and to provide for related matters.

SENATE BILL NO. 122—

BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:499.3(A), relative to butterfly and bottom nets; to authorize such nets in Grand Pass from a fishing

boat or vessel whether or not it is motor propelled or underway; and to provide for related matters.

SENATE BILL NO. 140—

BY SENATOR ELLINGTON AND REPRESENTATIVE CROWE
AN ACT

To enact R.S. 26:306, relative to the sale of certain alcoholic beverages; to provide for tracking the retail sale of malt beverages in a keg; to provide for procedures; to provide for forms; to provide for adoption of rules and regulations; to provide for preemption of local ordinances; and to provide for related matters.

SENATE BILL NO. 191—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:783(A)(3)(a) and to repeal R.S. 11:783(A)(3)(f), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the Initial Lump-Sum Benefit; to provide with respect to creditable service; to provide with respect to reemployment after termination; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 192—

BY SENATOR BOISSIERE
AN ACT

To enact Part VIII of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:2025 through 2029, relative to the Parochial Employees' Retirement System of Louisiana; to create and provide relative to an excess benefit plan for members of the fund; to provide for definitions, benefits, and contributions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 193—

BY SENATOR BOISSIERE AND REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:471(B)(1), relative to the Louisiana State Employees' Retirement System; to provide for survivor's benefit for a surviving handicapped child; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 195—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:537(F), relative to the Louisiana State Employees' Retirement System; to remove the sunset provision for the partial repayment of refunds; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 196—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:531(A), relative to the Louisiana State Employees' Retirement System; to provide for the payment of employee and employer contributions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 198—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:513(F)(2), relative to Louisiana State Employees Retirement System; to provide for per diem for attendance at meetings of the board; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 201—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:728(A)(4), relative to the Teachers' Retirement System of Louisiana; to provide with respect to rollover provisions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 237—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH
AN ACT

To repeal Chapter 28 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2721 through 2736, relative to Certification of Private Review Agents Performing Utilization Review; to abrogate certification by the Department of Health and Hospitals of such private review agents performing utilization review; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 253—

BY SENATOR DARDENNE AND REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to court costs and fees; to provide that any new court cost or fee or increase in an existing court cost or fee first be submitted to the Judicial Council for review and recommendation; and to provide for related matters.

SENATE BILL NO. 263—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(e), relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 292—

BY SENATOR MOUNT
AN ACT

To amend and reenact Code of Criminal Procedure Art. 553(C), relative to method of pleading; authorizes a court to require a defendant to appear in open court for good cause shown; and to provide for related matters.

SENATE BILL NO. 305—

BY SENATORS SCHEDLER, B. JONES AND BAJOE AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH
AN ACT

To enact Part XXVI-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.78 through 1299.78.5, relative to the Medicaid Buy-In Program for Persons with Disabilities; to provide for coverage for those receiving Social Security Disability Insurance benefits, but who desire to return to the workforce; to provide definitions; to provide for basic guidelines; and to provide for related matters.

SENATE BILL NO. 306—

BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 40:1232.6 and 1232.7(B), and to enact R.S. 40:1231(22) and (23) and R.S. 40:1232.3(8), relative to emergency medical personnel; to provide for imposition of fines and payment of costs of disciplinary matters; and to provide for more explicit language regarding criminal offenses by those regulated by the Emergency Medical Services Certification Commission; to provide for subpoenas for hearings before the commission; to provide for particular definitions; and to provide for related matters.

June 3, 2003

SENATE BILL NO. 310—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH

AN ACT

To amend and reenact R.S. 37:1267 and to enact R.S. 37:1285.1, relative to the Louisiana State Board of Medical Examiners; to provide for hearing panels; to provide for a written report to the board; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 311—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, WALKER AND WELCH

AN ACT

To amend and reenact R.S. 37:2510(A), (B), and (C), relative to disciplinary procedures for nursing facility administrators; to provide for disciplinary criteria; to establish that the board has the authority to initiate an investigation; to provide for disciplinary hearings; and to provide for related matters.

SENATE BILL NO. 376—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 15:542.1(I)(4), relative to sex offenders; to provide relative to registration of sexually violent predators and child predators; to provide relative to required verification of address by such offenders; to provide relative to penalties for failure to provide such verification; and to provide for related matters.

SENATE BILL NO. 428—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:892, relative to the Teachers' Retirement System of Louisiana; to provide with respect to contribution limits; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 440—

BY SENATOR MOUNT AND REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 49:1115(A)(4), (9), (10), (14), and (15), and 1119, and to repeal R.S. 49:1115(A)(16), relative to the office of the lieutenant governor; to provide for changes to the SERVE Commission; and to provide for related matters.

SENATE BILL NO. 513—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 317, relative to unsecured personal surety; to permit personal surety bond to be posted by a qualified state resident; and to provide for related matters.

SENATE BILL NO. 592—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH

AN ACT

To amend and reenact R.S. 40:1299.82(3), relative to the operations of the statewide cancer registry; to provide with respect to the powers and duties of the president; to provide for cooperation with additional cancer surveillance organizations in reporting data; and to provide for related matters.

SENATE BILL NO. 634—

BY SENATOR CAIN AND REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 27:353(2) and to enact R.S. 27:353(4.1), relative to Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with

respect to definitions; to define an emergency evacuation route; and to provide for related matters.

SENATE BILL NO. 686—

BY SENATOR ULLO

AN ACT

To enact R.S. 47:9011.1, relative to broadcasting the "Amber Alert" signal by the Louisiana Lottery Corporation; to require the Louisiana Lottery Corporation to distribute information received from the state police relative to child abductions; to provide that lottery ticket terminals statewide shall be utilized to assist the "Amber Alert" system; to provide for the Lottery Corporation and the state police to enter into an agreement to receive and generate abduction and other emergency information; and to provide for related matters.

SENATE BILL NO. 707 (Duplicate of House Bill No. 1413)—

BY SENATOR SMITH AND REPRESENTATIVE THOMPSON AND COAUTHORED BY REPRESENTATIVES BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, LAFLEUR, MORRISH AND STRAIN

AN ACT

To amend and reenact R.S. 3:262(C), 264(H), 266(20), 270(A), 1317(3), 1907(C), and 3210(C)(4), relative to the Louisiana Agricultural Finance Authority; to provide for its meeting requirements and its authority; to provide for authority to acquire, construct, renovate, and equip certain buildings; and to provide for related matters.

SENATE BILL NO. 711—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 14:67.22, relative to crimes of misappropriation without violence; to provide relative to fraud; to create the crime of fraudulent acquisition of a credit card; to provide for definitions; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 238—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN, SHAW, STRAIN, WALKER AND WELCH

AN ACT

To amend and reenact R.S. 40:2199(A)(1) and to enact R.S. 40:2199(A)(4) and (5), relative to health care facilities; to provide for violations, penalties, fines, and appeal process for health care facilities; to provide for extending those powers to certain health care providers licensed or certified by the Department of Health and Hospitals; and to provide for related matters.

SENATE BILL NO. 312—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1322(A)(3) and (B), and to enact R.S. 11:1322(E), relative to the State Police Pension and Retirement System; to provide with respect to survivor benefits and the criteria used for determining eligibility for such benefits; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 375—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:542(B) and 542.1(D) and to enact R.S. 15:541(18), (19), and (20), 542(B)(5), 542.1(C)(6) and (G)(3), and 542.2, and R.S. 17:3135, relative to sex offenders; to require certain sex offenders to notify the Louisiana Bureau of Criminal Identification and Information when enrolled or employed at any institution of postsecondary education; to require such bureau to notify the institution of postsecondary education where such offender is enrolled or employed; to provide for definitions; to require institutions of postsecondary education to inform students, faculty, and staff where information on sex offenders

can be obtained; to require the Board of Regents to develop a policy for such notification; to require school superintendents to notify law enforcement agencies of allegations of the commission of a sex offense within a certain period of time; and to provide for related matters.

SENATE BILL NO. 482—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(j) and 311(K)(3) and to enact R.S. 27:311(L) and (M), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specification of devices; to provide for use of thermal printers in video gaming devices and other alternate means of capturing duplicate information of a ticket voucher; to provide for the expiration of certain licenses to operate video draw poker devices; to provide for the adoption of rules; to provide for the application process for the renewal of licenses to operate video draw poker devices; to provide for the assessment of a penalty for late submission of renewal applications; to provide for a thirty-day period for renewal of a license to operate video draw poker devices after expiration of the license; and to provide for related matters.

SENATE BILL NO. 612—
BY SENATOR B. JONES AND REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 46:153.4 and to repeal R. S. 46:153(G), relative to the Department of Health and Hospitals; to provide for the Medicaid Estate Recovery program in the department; and to provide for related matters.

SENATE BILL NO. 721—
BY SENATORS HAINKEL AND CRAVINS

AN ACT

To amend and reenact R.S. 22:1401(J)(1), (2), (3), (4), and (5)(b) and (c) and to enact R.S. 22:1401(J)(6), relative to property and casualty insurance rates; to provide for the Louisiana Insurance Rating Commission; to provide for flexible rating; to provide for file and use; to provide for limitations; to provide for procedures; to provide for reports; and to provide for related matters.

SENATE BILL NO. 830—
BY SENATOR BAJOIE AND REPRESENTATIVE PEYCHAUD

AN ACT

To enact Chapter 13-C of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:4720.41 through R.S. 33:4720.49, relative to municipalities and parishes; to authorize municipalities and parishes to sell an adjudicated vacant lot, by private sale, to an adjoining landowner who has maintained the lot for a minimum of one year; and to provide for related matters.

SENATE BILL NO. 847—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Winnsboro; to provide for the creation of a downtown development district; to provide for a ten member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

SENATE BILL NO. 902—
BY SENATOR BAJOIE AND REPRESENTATIVE PEYCHAUD

AN ACT

To amend and reenact R.S. 33:4720.15, 4720.16(A), 4720.17(A), and 4720.18, relative to post-adjudication sales of abandoned or blighted property; to provide for public or private sale of abandoned property; to provide that the redemptive period stated

in the statutes conforms with constitutional provisions; to provide that after a post-adjudication sale of abandoned or blighted property the tax debtor shall not have a right of redemption; and to provide for related matters.

SENATE BILL NO. 966—
BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE,
DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN,
SHAW, STRAIN, WALKER AND WELCH

AN ACT

To amend and reenact R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E), 2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C) and (E), and 2607, and to enact R.S. 46:2602(B)(12), 2604(E), and 2605(B)(39) and (40), relative to the Children's Cabinet; to provide for its duties; to provide for the membership of the cabinet; to revise membership on the advisory board; to extend the termination date of the cabinet; and to provide for related matters.

SENATE BILL NO. 756—
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 14:43(A) and the introductory paragraph of R.S. 14:43.1(A), relative to rape and sexual battery; to provide relative to the crime of simple rape; to provide relative to the crime of sexual battery; to provide relative to the spouse of the offender; to repeal the exception that such relationship precludes the occurrence of such crimes; and to provide for related matters.

SENATE BILL NO. 828—
BY SENATOR BOISSIERE AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 27:353(4), 361(C), and 392(B)(2)(b), (3)(a), (b), and (c)(i), and (4), and (6) and to enact R.S. 27:363(C), 372.1 and 392(B)(3)(d) and (7), relative to Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide with respect to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to create the Bossier Parish Truancy Program Fund; to provide with respect to the allocation of revenue from facilities in certain parishes; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

SENATE BILL NO. 863—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:106(A)(2)(a), (3), (4), (6), and (F)(1), and to enact R.S. 14:106(A)(7), relative to obscenity; to include electronic communication of sexually explicit advertisements over the Internet in the crime of obscenity under certain conditions; to require indication of sexually explicit material in unsolicited electronic advertisements; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 875—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 14:37.2(C) and 37.4(C), relative to crimes of assault; to provide relative to the crime of aggravated assault upon a peace officer with a firearm; to provide relative to the crime of aggravated assault with a firearm; to increase the penalties for such crimes; and to provide for related matters.

June 3, 2003

SENATE BILL NO. 889—
BY SENATOR HAINKEL AND REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 42:1414, relative to public employees; to provide for the removal of a state, district, parish, ward, or municipal employee, whether classified or unclassified, for the conviction of a felony; and to provide for related matters.

SENATE BILL NO. 930—
BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE,
DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN,
SHAW, WALKER AND WELCH
AN ACT

To amend and reenact R.S. 40:1058.3(C) and R.S. 40:1058.6(B), relative to the licensing of substance abuse/addiction treatment facilities; to provide with respect to the current moratorium upon the certification of additional methadone maintenance programs; to extend the moratorium; to provide with respect to license revocation and review; and to provide for related matters.

SENATE BILL NO. 964—
BY SENATOR B. JONES
AN ACT

To amend and reenact R.S. 14:403.2(E)(6) through (8), the introductory paragraph of (F)(1) and (F)(1)(e), (G), (I)(2), and (N)(1) through (4) and to enact R.S. 14:403.2(D)(5) and (E)(9), relative to abuse and neglect of adults; to provide for reports to law enforcement; to provide access to information necessary for abuse and neglect investigations; to provide relative to hearings on abuse and neglect; to provide for both verbal and emergency protective orders; and to provide for related matters.

SENATE BILL NO. 974—
BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE,
DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN,
SHAW, STRAIN, WALKER AND WELCH
AN ACT

To enact R.S. 46:153.5, relative to Mental Health Rehabilitation Program providers; to provide for mandatory accreditation of providers of mental health rehabilitation services by an accreditation body; to provide authorization for rulemaking; and to provide for related matters.

SENATE BILL NO. 1067—
BY SENATORS DUPRE AND GAUTREUX AND REPRESENTATIVE
BALDONE
AN ACT

To enact R.S. 47:1508(B)(19) and R.S. 56:303(E), relative to commercial fishermen; to provide for endorsement of a commercial fisherman's license as certified; to authorize the release of certain information by the Department of Revenue; and to provide for related matters.

SENATE BILL NO. 1073 (Duplicate of House Bill No. 1910)—
BY SENATOR DARDENNE AND REPRESENTATIVE FUTRELL AND
COAUTHORED BY SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 32:1254(N)(6)(b) and (c), and (U)(1), relative to motor vehicle dealers; to prohibit cancellation of franchises under certain circumstances; to provide for notice of cancellation or nonrenewal of a franchise agreement; and to provide for related matters.

SENATE BILL NO. 1131 (Substitute for Senate Bill No. 679)—
BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE,
DURAND, GUILLORY, ILES, L. JACKSON, M. JACKSON, SCHWEGMANN,
SHAW, WALKER AND WELCH
AN ACT

To enact R.S. 28:382.1, relative to regionalization of human services delivery; to provide a statewide framework to govern the delivery of mental health, developmental disabilities and addictive disorders services funded by appropriations from the state; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

June 3, 2003

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR HINES
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR THEUNISSEN AND REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing, within the Louisiana State University System, a resource for agricultural education materials and information to enhance agricultural literacy, awareness, and career exploration in public schools and institutions of postsecondary education.

SENATE CONCURRENT RESOLUTION NO. 111—
BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to overlay the South Traffic Circle in Rapides Parish.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Bean 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, June 4, 2003, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Wednesday, June 4, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk