

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FORTY-SEVENTH 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

Saturday, June 21, 2003

The Senate was called to order at 9:00 o'clock A.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	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

ABSENT

Lambert
Total—1

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

Prayer

The prayer was offered by Brother Tim Norris, 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 Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Appointment of Conference Committee
on Senate Bill No. 663**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to Senate Bill No. 663: Senator Romero, vice Senator Smith.

**Appointment of Conference Committee
on Senate Bill No. 908**

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. 908: Senators Hainkel, Schedler and Mount.

**Appointment of Conference Committee
on Senate Bill No. 262**

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. 262: Senators Mount, Bajoie and B. Jones.

**Appointment of Conference Committee
on Senate Bill No. 792**

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. 792: Senators Barham, Ullo and Holden.

**Appointment of Conference Committee
on Senate Bill No. 963**

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. 963: Senators Cravins, C. Jones and Hainkel.

**Appointment of Conference Committee
on Senate Bill No. 1101**

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. 1101: Senators Holden, Schedler and Dardenne.

**Appointment of Conference Committee
on Senate Bill No. 476**

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. 476: Senators Bajoie, Lentini and Irons.

**Appointment of Conference Committee
on Senate Bill No. 1064**

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. 1064: Senators Marionneaux, Bajoie and Chaisson.

Motion

On motion of Senator Heitmeier the Senate took up Election of Officers for the purpose of filling the vacancy in the position of President Pro Tempore.

ELECTION OF OFFICERS

The President of the Senate declared the election of a President Pro Tempore was now in order.

PRESIDENT PRO TEMPORE

Senator Heitmeier placed in nomination the name of Senator Ron Bean.

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Senator Irons seconded the nomination.

Senator Irons moved the nomination be closed and Senator Bean be elected by acclamation.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields McPherson
Adley Fontenot Michot
Barham Gautreaux Mount
Bean Heitmeier Romero
Boissiere Hollis Schedler
Cain Hoyt Smith
Chaisson Irons Tarver
Dardenne Jones, CD Theunissen
Dean Lentini Thomas
Dupre Malone Ulló
Ellington Marionneaux
Total—32

NAYS

Total—0

ABSENT

Bajoie Holden Lambert
Cravins Johnson
Hines Jones, B
Total—7

Which motion was agreed to, and Senator Bean was elected by acclamation.

The oath of office was administered by Mr. Michael S. Baer III, Secretary of the Senate.

Rules Suspended

Senator Romero asked for a suspension of the rules for the purpose of invoking 3 minute cloture.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Michot
Adley Gautreaux Mount
Barham Hines Romero
Bean Hollis Schedler
Boissiere Johnson Smith
Chaisson Jones, B Tarver
Dardenne Malone Theunissen
Dupre Marionneaux Thomas
Ellington McPherson Ulló
Total—27

NAYS

Dean Irons
Fields Jones, CD
Total—4

ABSENT

Bajoie Heitmeier Lambert

Cain Holden Lentini
Cravins Hoyt
Total—8

The Chair declared the rules were suspended and the speaker was granted an additional 3 minutes.

Introduction of Resolutions, Senate and Concurrent

Senator Bean 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. 106—

BY SENATOR MARIONNEAUX
A RESOLUTION

To direct the Louisiana State Law Institute to study the feasibility of raising the minimum monetary amount in controversy required for a trial by jury and to report its findings and recommendations to the legislature prior to the convening of the 2004 Regular Session.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Original Senate Bill No. 106 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, change "direct" to urge and request"

AMENDMENT NO. 2

On page 2, line 5, change "direct" to "urge and request"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Original Senate Bill No. 106 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "raising" insert ", lowering or maintaining"

AMENDMENT NO. 2

On page 2, line 6, after "raising" insert ", lowering or maintaining"

AMENDMENT NO. 3

On page 2, line 7, after "increase" insert ", lower or maintain"

On motion of Senator Hainkel, the amendments were adopted.

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

SENATE RESOLUTION NO. 107—

BY SENATOR MOUNT

A RESOLUTION

To commend Candy Buxton upon being crowned Mrs. Louisiana America 2003.

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

SENATE RESOLUTION NO. 108—

BY SENATOR MOUNT

A RESOLUTION

To commend Gayle Fisher upon her retirement from Starks High School.

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

SENATE CONCURRENT RESOLUTION NO. 151—

BY SENATORS DUPRE AND CAIN

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function jointly to study, review, and develop recommendations to revise the Joint Rules of Order of the Senate and the House of Representatives to provide procedures regarding conference committees and conference committee reports.

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

SENATE CONCURRENT RESOLUTION NO. 152—

BY SENATORS HEITMEIER AND IRONS

A CONCURRENT RESOLUTION

To recognize and commend Murphy Oil Corporation on the fiftieth anniversary of its Exploration and Production Headquarters being located in the city of New Orleans and on being a vital part of the New Orleans Central Business District and the overall economy of the city of New Orleans and the state of Louisiana.

The resolution was read by title; lies over under the rules.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of advancing to the order of House Bills on Third Reading and Final Passage and taking up final judgment bills out of their regular order.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 61—

BY REPRESENTATIVE LANCASTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Wayne B. Posey v. Department of Transportation and Development for the State of Louisiana, and Aluminum Company of America, Inc."; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 62—

BY REPRESENTATIVE GALLOT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula Jo Odom v. State of Louisiana, through the Louisiana Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	

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Total—5

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

HOUSE BILL NO. 73—
BY REPRESENTATIVE BRUCE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Thomas Adams, et ux v. The State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Holden Lentini
Heitmeier Lambert
Total—5

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

HOUSE BILL NO. 74—
BY REPRESENTATIVE ROMERO
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Dora Salazar, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Marionneaux
Adley Fontenot McPherson

Barham Gautreaux Michot
Boissiere Hines Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dardenne Johnson Tarver
Dean Jones, B Theunissen
Dupre Jones, CD Thomas
Ellington Malone Ullo
Total—33

NAYS

Total—0

ABSENT

Bajoie Heitmeier Lambert
Bean Holden Lentini
Total—6

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE BRUNEAU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Ralph Buras v. Darryl M. Schultz, Judges of Orleans Parish Criminal District Court and the State of Louisiana"; to provide for interest; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Holden Lentini
Heitmeier Lambert
Total—5

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

HOUSE BILL NO. 159—

BY REPRESENTATIVE ERDEY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Mary E. Shackelford, et al v. Cheryl A. Harris, et al c/w Cheryl A. Harris v. State of Louisiana, Department of Transportation and Development"; to provide for interest and court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Barham	Gautreaux	Mount
Bean	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Malone	
Ellington	Marionneau	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 202—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in favor of J. Calderera & Co., Inc. in the suit entitled "Sizeler Architects, et al v. State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Barham	Gautreaux	Mount
Bean	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith

Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Malone	
Ellington	Marionneau	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 237—

BY REPRESENTATIVE CROWE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gladys Breland and Kenneth Breland v. David A. McKenzie, Aleman's Auto Sales, Inc., Herbert McKenzie Auto Sales, Canal Indemnity Insurance Company, First Oak Brook Syndicate, and Louisiana Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	Tarver
Total—6		

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

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HOUSE BILL NO. 274—

BY REPRESENTATIVE WALKER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgments rendered in "Mary A. Brouillette v. Gilchrist Construction Company and the state of Louisiana through the Department of Transportation and Development" c/w Billy Hendrix, et al v. Gilchrist Construction Company, et al; to pay the consent judgments in "Janice Marie Miller, et ux and Amanda Heather Belgard, et ux v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 275—

BY REPRESENTATIVE ALARIO
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Sizeler Architects, A Professional Corporation, and J. Calderera Company, Inc. v. The State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 289—

BY REPRESENTATIVE TUCKER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Cassandra Fontenette v. State of Louisiana through the Department of Transportation and Development and ABC Insurance Company"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lentini
Heitmeier	Lambert	
Total—5		

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

HOUSE BILL NO. 371—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Rhonda Johnson, on behalf of her minor daughter, Renata Johnson v. Melvin Dumas, Sr., his employer, St. James Catholic Church, and their liability insurance company, Virginia Surety Company, Randy Folse, and the Louisiana Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneau
Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Holden
Heitmeier	Lambert
Total—4	

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

HOUSE BILL NO. 643—

BY REPRESENTATIVE BRUNEAU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Nellie L. Smith, Mother of Tron E. Smith, Deceased v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Barham	Hines	Mount
Bean	Hollis	Romero

Boissiere	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneau	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Lambert
Cain	Holden	
Total—5		

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

HOUSE BILL NO. 798—

BY REPRESENTATIVE PERKINS
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Linda Berthelot v. Linda F. Jones, and State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lambert
Total—3		

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

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HOUSE BILL NO. 831—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Christine Vallien, Individually, on behalf of the estate of her husband, Leonard C. Vallien, and on behalf of her minor children, Joy Renee Vallien, Tiffany Rochelle Vallien, and Leonard C. Vallien, Jr. v. State of Louisiana through the Department of Transportation and Development"; to pay the consent judgment in "Kim Fitch, et al. v. Eddie Lewis, et al."; and to pay the consent judgment in "Kim Sonnier, et ux. v. Allstate Insurance Co., et al." to provide for interest; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Holden
Cravins	Lambert
Total—4	

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

HOUSE BILL NO. 838—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Virgil Joffrion, Sr. v. The State of Louisiana, through the Department of Transportation and Development, consolidated with Joan Grissafe v. The State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Holden	Lambert
Total—3		

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

HOUSE BILL NO. 843—

BY REPRESENTATIVE FARRAR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments against the state in the suits entitled "Ann Hickman, Douglas L. Hickman, and Emily Hickman v. State of Louisiana, through the Department of Transportation and Development"; "Terry L. Westbrook, et al. v. State of Louisiana, Department of Transportation and Development"; "Vickie Gayle Evans v. State of Louisiana, Department of Transportation and Development, et al."; "Bobby Allison v. Highlands Insurance Company, et al."; "Billy Hendrix, et al. v. Gilchrist Construction Company, et al."; "Joseph Wiltz v. City of Alexandria Public Works Division and Charlsie Contracting"; and "Melvin Smith and Lenora Smith v. State of Louisiana Department of Transportation and Development, et al."; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Holden Lambert
 Total—3

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

HOUSE BILL NO. 863—
 BY REPRESENTATIVE DURAND
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Alison Bond and Dennis W. Bond v. Blake E. Ewen, Kelley P. Ewen, State of Louisiana through the Department of Transportation and Development, City of Baton Rouge/Parish of East Baton Rouge, Boston Old Colony Insurance Co., and ABC Insurance Company"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Holden Lambert
 Total—3

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

HOUSE BILL NO. 881—
 BY REPRESENTATIVE ALARIO
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Louis Merhige v. Board of Commissioners for the East Jefferson Levee District, C. "Bud" Taulli Construction Company, Inc., Manual Anaya, The Transportation Insurance Company, Parish of Jefferson, and the Department of Transportation and Development, State of Louisiana"; to pay the judgment in "Yvonne Updegraff v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Holden Lambert
 Total—3

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

HOUSE BILL NO. 882—
 BY REPRESENTATIVE ALARIO
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis Bravo, individually, and for and on behalf of the community of acquets and gains, and Betty Bravo v. Parish of Jefferson, Board of Commissioners for the East Jefferson Levee District, C."Bud" Taulli Construction Company, Inc., Manual Anaya, and the XYZ Insurance Company"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneau
Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Total—0

ABSENT

Bajoie Holden

June 21, 2003

Ellington Lambert
Total—4

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

Senator Ellington in the Chair

HOUSE BILL NO. 891—
BY REPRESENTATIVE GALLOT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Regan Taylor, et al v. Rhett B. Price, et al"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Malone
Adley Fontenot Marionneaux
Barham Gautreaux McPherson
Bean Heitmeier Michot
Boissiere Hines Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dardenne Johnson Theunissen
Dean Jones, B Thomas
Dupre Jones, CD Ullo
Ellington Lentini
Total—35

NAYS

Total—0

ABSENT

Bajoie Lambert
Holden Tarver
Total—4

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

HOUSE BILL NO. 902—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "David P. Lanasa, Clare P. Lanasa, for/on behalf of the Estate of Debra Ann Lanasa, and her minor child, Tommy Jonathan Lanasa v. Michele A. Harrison, Allstate Insurance Company, and the State of Louisiana through the Department of Transportation and Development, c/w Michele A. Harrison v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Marionneaux
Adley Gautreaux McPherson
Barham Heitmeier Michot
Bean Hines Mount
Boissiere Holden Romero
Cain Hollis Schedler
Chaisson Hoyt Smith
Cravins Irons Tarver
Dardenne Johnson Theunissen
Dean Jones, B Thomas
Dupre Jones, CD Ullo
Ellington Lentini
Fields Malone
Total—37

NAYS

Total—0

ABSENT

Bajoie Lambert
Total—2

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

HOUSE BILL NO. 934—
BY REPRESENTATIVE BROOME
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Latasha Butler, Individually and as Administratrix of the Estate of Her Minor Children, Tamara Butler and Lexie Butler v. State of Louisiana, through the Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Lambert Tarver

Total—3

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

HOUSE BILL NO. 984—
BY REPRESENTATIVE SALTER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Lashondria Howard, et al. v. State of Louisiana, et al. consolidated with Julia Faye Hamilton Guice, et al. v. Zurich American Insurance Company, et al., Lyndon Property Insurance Co., et al. v. Union Parish Police Jury, et al., consolidated with Darrell Foster, et al. v. State of Louisiana, et al."; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1095—
BY REPRESENTATIVE WRIGHT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis D. Cockerham, Sr. v. State of Louisiana, Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1139—
BY REPRESENTATIVE ERDEY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "James E. Leonard, et al. v. State of Louisiana through the Dept. of Transportation and Development"; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Schedler
Lambert	Tarver
Total—4	

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

June 21, 2003

HOUSE BILL NO. 1176—

BY REPRESENTATIVE DOWNER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Troy A. Rouse, et al. v. State of Louisiana, through the Department of Transportation and Development, et al."; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneau
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Lambert
Cravins	Tarver
Total—4	

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

HOUSE BILL NO. 1239—

BY REPRESENTATIVE FRITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gwendolyn Derouen, Brad Lee Derouen, Wendy Lynn Guidry and Kurt Lee Derouen v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneau
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler

Dardenne
Dean
Dupre
Ellington
Total—36

Irons
Johnson
Jones, B
Jones, CD

Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie
Total—3

Lambert

Tarver

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

HOUSE BILL NO. 1247—

BY REPRESENTATIVE MURRAY
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Thelonious Dukes v. The State of Louisiana Department of Transportation and Development"; "Virginia Serpas v. the State of Louisiana, through the Department of Transportation and Development"; and "Anna Landry v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie
Total—3

Lambert

Tarver

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

HOUSE BILL NO. 1248—

BY REPRESENTATIVES HUTTER AND ODINET
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Evelyn Deffes v. State of Louisiana through the

Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1249—

BY REPRESENTATIVE ROMERO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Julaine C. LeBlanc, et al. v. State Farm Insurance Company, et al."; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1261—

BY REPRESENTATIVE DANIEL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in "Kasey J. Kidder v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Louisiana United Businesses Self Insured Fund v. the State of Louisiana, Department of Transportation consolidated with David L. Blount v. the State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Patrick Outlaw v. State of Louisiana, through the Department of Transportation and Development, et al"; to pay the consent judgments in "Don Gross, individually and as natural tutor of his minor children, Don Terrell Spears and Adarian Dante Spears, and Mitchell Dominic v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1285—

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the amended judgment in the claim against the state entitled "National Beverage Company v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

June 21, 2003

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1290—
BY REPRESENTATIVE TOWNSEND
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development, Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al"; to provide for interest; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		
NAYS		
Total—0		
ABSENT		
Bajoie	Lambert	
Heitmeier	Tarver	
Total—4		

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

HOUSE BILL NO. 1314—
BY REPRESENTATIVE DEVILLIER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay certain judgments against the state; to pay the consent judgment in the suit entitled "McKinley Thompson v. State of Louisiana through the Department of Transportation and Development and East Feliciana Parish Sheriff's Office"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

Ellington	Jones, CD	Ullo
Total—36	NAYS	
Total—0	ABSENT	
Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1335—
BY REPRESENTATIVE R. CARTER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Keith E. Ridgel and Tara Ridgel v. Emile G. Hardin, ABC Insurance Company, Illinois Central Railroad Company d/b/a Canadian National/Illinois Central Railroad, DEF Insurance Company, and the State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1369—
BY REPRESENTATIVE M. JACKSON
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Nakisha Rogers v. Kenyatta Thomas, Allstate Insurance Company and the State of Louisiana through the Department of Transportation and Development"; "Kenyatta Thomas v. the State of Louisiana, through the Department of Transportation and Development"; and "Wiley Boyett, Elaine Boyett Rachal, Roger Van Boyett and

Debra Boyett Allen v. Kemper Insurance Group, et al."; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Lentini
Lambert	Tarver
Total—4	

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

HOUSE BILL NO. 1461—
BY REPRESENTATIVE GARY SMITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Levar Green, et al. v. Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "John Kolwe and Sheila Kolwe v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in "Mathilda Curry v. Mutual Services Casualty Insurance Co., Hung Vu, and Department of Transportation and Development, State of Louisiana"; to provide for interest; to provide for costs; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne 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
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith

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Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Lambert	
Chaisson	Tarver	
Total—4		

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

HOUSE BILL NO. 1481—
BY REPRESENTATIVE LANCASTER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Carl Walther, et al. v. Department of Labor and Department of State Civil Service"; to pay the consent judgment in the suit entitled "Justin Phillips, et al. v. Elwood Matherne, Jr., et al."; to pay the consent judgment in the suit entitled "Gramercy Insurance Company v. Louisiana Department of Economic Development, Louisiana Small Business Bonding Assistance Program and Hibernia National Bank"; to pay certain judgments of the Board of Tax Appeals in the claims of "Newpark Environmental Services, Inc. v. State of Louisiana"; to provide for interest; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Bajoie	Lambert
Dean	Tarver
Total—4	

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

HOUSE BILL NO. 1518—
BY REPRESENTATIVE LANDRIEU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state for fees and costs associated with legal representation of certain juveniles; to provide for interest; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1622—
BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Derrick Shane Miller v. State of Louisiana through the Department of Transportation and Development and Prairie Construction Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler

Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1651—
BY REPRESENTATIVE LANDRIEU AND SENATOR JOHNSON
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the final judgment in the suit entitled "Darlene Rogers and Carol Barnes v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in the suit entitled "William W. Rosen v. State of Louisiana through the Department of Transportation and Development, ABC Construction Company, and ABC Insurance Company"; to pay the consent judgment in the suit entitled "Michael Perry v. the State of Louisiana, through the Department of Transportation and Development and Parish of St. Bernard;" to pay the consent judgment in the suit entitled "William Serigne v. State of Louisiana, through the Department of Transportation and Development, et al.;" to pay the consent judgment in the suit entitled "Jerry L. Fox v. Alton B. Honeycutt, et al.;" to pay the consent judgment in "Tina Marie Hebert v. Robert Metzler, Barriere Construction Co., Inc., St. Paul Fire & Marine Insurance Company and Atlanta Casualty Companies"; to provide for interest; to provide for costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

HOUSE BILL NO. 1654—
BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the consent judgments in the suits entitled "Kerry Kathryn Gordon Benoit and Breanna Hope Benoit v. The Hartford Casualty Insurance, et al.;" "Betty Frady Huddleston v. State of Louisiana, Department of Transportation and Development;" "Dorothy Calico and Kelly Calico v. Angelo Iafrate, Louisiana Department of Transportation and Development, ABC Contracting Company, DEF Insurance Company and XYZ Insurance Company;" "Dale Rice, individually and on behalf of Jonathan T. Rice v. Zulema VA. Miller, Johnny C. Miller, the Parish of East Feliciana, the State of Louisiana through the Department of Transportation and Development, Transcontinental Pipeline Gas Company and XYZ Insurance Company"; "Linda Rainey, as the tutor of Kody Michel v. State of Louisiana, Department of Transportation and Development and Department of Public Works; the Parish of St. Tammany; Town of Abita Springs; Wal-Mart, Inc., and XYZ Engineering Company"; and "Pique-Weinstein-Pique-Architects, Inc. v. Louisiana Stadium and Exposition District"; to provide for interest; to provide for court costs; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1673—
BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Natalie Ortego v. Crowell Lumber Company and St.

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Paul Fire and Marine Insurance Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne 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
Barham Heitmeier Michot
Bean Hines Mount
Boissiere Holden Romero
Cain Hollis Schedler
Chaisson Hoyt Smith
Cravins Irons Theunissen
Dardenne Johnson Thomas
Dupre Jones, B Ullo
Ellington Jones, CD
Fields Lentini
Total—34

NAYS

Total—0

ABSENT

Bajoie Lambert Tarver
Dean McPherson
Total—5

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

HOUSE BILL NO. 1742—

BY REPRESENTATIVE HUTTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Walter Diggs, Jr., husband of and Mary Diggs v. Louisiana Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Lambert Tarver
Total—3

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

HOUSE BILL NO. 1792—

BY REPRESENTATIVE HUDSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain consent judgments against the state; to pay the consent judgment in the suit entitled "Joseph Powell v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Nelda Powell v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Marionneaux
Adley Gautreaux McPherson
Barham Heitmeier Michot
Bean Holden Mount
Boissiere Hollis Romero
Cain Hoyt Schedler
Chaisson Irons Smith
Cravins Johnson Tarver
Dean Jones, B Theunissen
Dupre Jones, CD Thomas
Ellington Lentini Ullo
Fields Malone
Total—35

NAYS

Total—0

ABSENT

Bajoie Hines
Dardenne Lambert
Total—4

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

HOUSE BILL NO. 1873—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Albert J. Rohlfs and Helen M. Rohlfs v. Great West Casualty Co., et al" and "James Luther, et ux. v. Janie Audra Mason, et al."; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneau
Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Lambert
Total—2	

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

HOUSE BILL NO. 1953—
BY REPRESENTATIVE ARNOLD
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Leora Gernados, et al v. Toby E. Vallian and the Department of Transportation and Development" and "Terri C. Gernados v. Toby E. Vallian, et al."; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1983—
BY REPRESENTATIVE MCDONALD
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgment in the suit entitled "Stuart Hughes Smith, et ux. v. State of Louisiana, Department of Transportation and Development et al"; to pay the judgment in the suit entitled "Marcus Ray Bennett v. Ford Motor Company and State of Louisiana, Department of Transportation and Development"; to pay the judgment in the suit entitled "The Estate of Gabriel Taylor Murray, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneau
Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Lambert
Heitmeier	Malone
Total—4	

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

HOUSE BILL NO. 305—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

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

ROLL CALL

The roll was called with the following result:

YEAS

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Mr. President	Fields	Marionneau
Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Malone	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Lambert	Schedler
Heitmeier	Lentini	
Total—5		

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

HOUSE BILL NO. 938—
BY REPRESENTATIVE GARY SMITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneau
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Cravins	Lambert	
Total—2		

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

Regular Order of the Day Resumed

**Senate Resolutions
on Second Reading to be Referred**

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 99—
BY SENATORS FONTENOT, BARHAM, BEAN, CAIN, CHAISSON, CRAVINS, DEAN, ELLINGTON, HINES, HOLDEN, HOYT, B. JONES, LAMBERT, SMITH AND THOMAS
A RESOLUTION

To urge and request the newly elected governor taking office in January 2004 to honor a commitment on the part of the state to certain local school systems and include in the executive budget proposal for FY 04-05 funding in the amount of three million seven hundred thousand dollars for the third and final payment by the state to such school systems to restore a one-time only reduction in funding for the pay raise for certificated personnel provided for in the minimum foundation program formula adopted by the State Board of Elementary and Secondary Education and approved by the legislature for the 2001-2002 school year.

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

**Senate Concurrent Resolutions
on Second Reading to be Referred**

The following Senate Concurrent Resolutions were acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 149—
BY SENATORS HINES, BAJOIE, BOISSIERE, IRONS, AND TARVER
A CONCURRENT RESOLUTION

To urge and request the United States Department of Agriculture (USDA) to include Louisiana in the USDA Farm-to-School Program.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Original Senate Concurrent Resolution No. 149 by Senator Hines

AMENDMENT NO. 1
On page 2, line 22, after "Louisiana Schools," insert "community based farmers' markets,"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneau
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith

Dupre
Ellington
Fields
Fontenot
Total—32

Jones, B
Jones, CD
Lentini
Malone

Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Boissiere
Cravins
Total—6

Dardenne
Johnson

Lambert
Tarver

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

Rules Suspended

Senator Heitmeier 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

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

SENATE CONCURRENT RESOLUTION NO. 152—
BY SENATORS HEITMEIER AND IRONS
A CONCURRENT RESOLUTION

To recognize and commend Murphy Oil Corporation on the fiftieth anniversary of its Exploration and Production Headquarters being located in the city of New Orleans and on being a vital part of the New Orleans Central Business District and the overall economy of the city of New Orleans and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Total—34

Fields
Fontenot
Gautreaux
Heitmeier
Holden
Hollis
Hoyt
Irons
Jones, B
Jones, CD
Lentini
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Cravins
Hines
Total—5

Johnson
Lambert

Malone

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

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 500 be called from the Calendar at this time.

SENATE BILL NO. 500—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C), 2116(D), and 2116.32(F)(2), and to enact R.S. 40:1300.143(3)(a)(viii) and (c), relative to moratoria on the licensing of mental health clinics and centers, long-term care hospital facilities, nursing facilities, and home health agencies; to extend the moratorium through July 1, 2008; to provide for a moratorium on the designation of rural hospitals for the purpose of the Rural Hospital Preservation Act; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 500 by Senator Schedler

AMENDMENT NO. 1

On page 4, line 22, change "April 15" to "May 16"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 500 by Senator Schedler

AMENDMENT NO. 1

On page 3, line 2, after "facilities." and before "Further" insert "Without limiting the generality of the foregoing, the legislature specifically intends that this moratorium shall not apply to the facility in Orleans Parish formerly known as New Orleans General Hospital."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie

Fields
Fontenot
Gautreaux

Malone
Marionneaux
McPherson

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Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	

Total—38

NAYS

Total—0

ABSENT

Lambert
Total—1

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

Regular Order of the Day Resumed

Reconsideration

On motion of Senator Ullo, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 20, 2003 was reconsidered.

HOUSE BILL NO. 576—
BY REPRESENTATIVES LEBLANC, DEWITT, HAMMETT, AND MURRAY
A JOINT RESOLUTION

Proposing to amend Article III, Section 11 of the Constitution of Louisiana, relative to the legislative auditor; to prohibit certain political activities by the legislative auditor and his employees; to prohibit any former legislative auditor from qualifying for elected public office for a certain time period; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Jones, CD
Bajoie	Fontenot	Lentini
Barham	Heitmeier	McPherson
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo

Total—27

NAYS

Mr. President	Gautreaux	Mount
Cain	Malone	Theunissen
Dean	Marionneaux	
Fields	Michot	

Total—10

ABSENT

Hines
Lambert
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo 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 Concurrent Resolutions
on Second Reading
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR HOYT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide for adequate and immediate protection, stabilization, and maintenance of the Intracoastal Waterway canal banks in Southwest Louisiana.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR ULLO

A CONCURRENT RESOLUTION

To urge and request the president of the Senate, the speaker of the House of Representatives and certain members of the Legislative Audit Advisory Council fill the vacancy in the office of legislative auditor.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR HOYT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide for the adequate and immediate protection, stabilization, and maintenance of the Gulf Intracoastal Waterway canal banks in southwest Louisiana.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to continue funding of AmeriCorps programs in Louisiana.

Reported favorably by the Committee on Finance.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Lambert	Tarver
Total—3		

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

Rules Suspended

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

House Concurrent Resolutions on Third Reading and Final Passage

The following House Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

The resolution was read by title. Senator Mount moved the final passage of the 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
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hoyt	Schedler

Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hollis	Lambert
Total—3		

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

Mr. President in the Chair

HOUSE CONCURRENT RESOLUTION NO. 235—
BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

The resolution was read by title. Senator Theunissen moved the final passage of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Dean	Marionneaux
Total—2	

ABSENT

Lambert	Tarver
Total—2	

The Chair declared the resolution was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the resolution 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 taking up at this time.

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House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 138— BY REPRESENTATIVE TRICHE AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; 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.

HOUSE BILL NO. 410— BY REPRESENTATIVES MCVEA AND STRAIN AN ACT

To amend and reenact R.S. 11:144, relative to the Louisiana State Employees' Retirement System; to provide with respect to the repayment of refunded contributions from state, parochial, or municipal retirement systems; to provide for members of the Louisiana State Employees' Retirement System to purchase service credit earned in another system directly rather than repaying the refunded contributions to reestablish membership in such system; to provide for the actuarial sufficiency of such purchase; 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.

HOUSE BILL NO. 1084— BY REPRESENTATIVE POWELL AN ACT

To amend and reenact R.S. 11:1732(12)(b) and to enact R.S. 11:1732(27.1), 1782(3), and 1802(3), relative to the Municipal Employees' Retirement System; to provide for definitions; to authorize marshals to include certain supplements, fees, and commissions in their earnings for purposes of the retirement system; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS, including Mr. President, Fontenot, Malone, Adley, Gautreaux, Marionneaux, Bajoue, Heitmeier, McPherson, Barham, Hines, Michot, Bean, Holden, Romero, Boissiere, Hollis, Schedler, Cain, Hoyt, Smith, Chaisson, Irons, Theunissen, Dardenne, Johnson, Thomas, Dupre, Jones, B, Ulló, Ellington, Jones, CD, Fields, Lentini.

NAYS

Table listing names of members voting NAYS, including Dean (Total—1, ABSENT), Cravins, Mount, Lambert, Tarver (Total—4).

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

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on House Bill No. 1084. She had intended to vote yea on the bill. She asked that the Official Journal so state.

HOUSE BILL NO. 1442— BY REPRESENTATIVE SWILLING AN ACT

To amend and reenact R.S. 11:3689(A) and to enact R.S. 11:262(14), relative to the Harbor Police Retirement System; to provide with respect to the investment of funds; to provide for fiduciary and investment responsibilities and standards; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1442 by Representative Swilling

AMENDMENT NO. 1

On page 1, line 2, change "To amend and reenact R.S. 11:3689(A)" to "To amend and reenact R.S. 11:3683(2) and 3(b), 3685(C) (introductory paragraph) and (4), and 3689(A)"

AMENDMENT NO. 2

On page 1, line 3, after "System;" insert "to provide for membership in the system; to allow membership by those retired from other public retirement systems; to provide with respect to the Deferred Retirement Option Plan; to add additional eligibility requirement for participation in the plan;"

AMENDMENT NO. 3

On page 1, line 12, change "R.S. 11:3689(A) is" to "R.S. 11:3683(2) and 3(b), 3685(C) (introductory paragraph) and (4), and 3689(A) are"

AMENDMENT NO. 4

On page 2, between lines 2 and 3 insert the following: "§3683. Membership

The membership of the retirement system shall be composed as follows:

* * *

(2) All persons who are employees as the term is defined in R.S. 11:3682(9) on August 1, 1971, except those specifically excluded under Paragraph (3)(b) of this Section shall become members as of that date unless within a period of thirty days next following, any such employee shall file with the Board of Trustees on a form prescribed by such Board a notice of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system.

(3)

* * *

(b) ~~No person~~ Any employee who is employed on the effective date of the Act which originated as House Bill No. 1441 of the 2003 Regular Session of the Legislature who has retired from service under any retirement system of this state partly or wholly financed by public funds, ~~and who is receiving retirement benefits therefrom, and who was prohibited from becoming a member of this system upon his initial employment solely on this basis~~ shall be eligible to become a member of this system ~~after retirement~~ prospectively only, beginning on the effective date of the Act which originated as House Bill No. 1441 of the 2003 Regular Session of the Legislature and provided he meets all other eligibility requirements; however, any such employee may purchase credit for previous service only in compliance with R.S. 11:158 provisions relating to actuarial calculation of purchase price.

* * *
"§3685. Benefits * * *

C. The provisions of this Subsection shall apply to those persons enrolled in the ~~deferred retirement option plan~~ Deferred Retirement Option Plan on or after July 1, 1995.

(4)(a) Participation in the DROP is an option available to any member of this retirement system who ~~meets all of the following requirements:~~

(a) ~~Is~~ is eligible to ~~immediately~~ retire immediately with a service retirement allowance from this retirement system:

(b) ~~Has and has:~~

(i) ~~Twelve years of creditable service, excluding unused sick and annual leave, and has attained the age of fifty-five; or~~

(ii) ~~not less than~~ At least twenty ~~but not more~~ more than thirty years of creditable service, including unused sick ~~leave and unused annual leave,~~ credit, in this retirement system.

(b) For purposes of this Subsection, creditable service shall not include service in another retirement system which is reciprocally recognized by this retirement system under authority of R.S. 11:142.

* * *

Senator Boissiere moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Lambert
Cravins	Tarver
Total—4	

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Dean
Total—1

ABSENT

Cravins	Lambert	Tarver
Total—3		

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

Bagneris Rule

Senator Mount moved to suspend the rules to pass over controversial Senate and House Bills on Third Reading and Final Passage temporarily with the intention of taking them up later, in their regular order, until 4:00 o'clock p.m.

Without objection, so ordered.

Senator Fields in the Chair

HOUSE BILL NO. 1475—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3363(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide that the six percent salary deductions from a member's salary shall cease when a member has twenty years of service; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler

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Dupre	Johnson	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	Ullo
Fontenot	Malone	
Total—29		

NAYS

Barham	Jones, B
Dean	Smith
Total—4	

ABSENT

Boissiere	Dardenne	Lambert
Cravins	Irons	Tarver
Total—6		

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

HOUSE BILL NO. 1490—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3378(A)(1)(a) and (2)(a), relative to the Firefighters' Pension and Relief Fund for the city of New Orleans; to provide with respect to benefits to surviving spouses of members killed or who died from injury received while engaged in the discharge of their duties; to provide with respect to benefits to surviving spouses of other members and former members; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Romero
Chaisson	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, CD	Ullo
Total—30		

NAYS

Dean	Mount	Schedler
Total—3		

ABSENT

Boissiere	Irons	Lambert
Cravins	Jones, B	Tarver
Total—6		

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

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on

House Bill No. 1490. She voted nay on the bill and had intended to vote yea. She asked that the Official Journal so state.

HOUSE BILL NO. 1531—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3385.1(K)(5), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for payment of the balance of a member's Deferred Retirement Option Plan account to the beneficiary; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Barham	Dean
Total—2	

ABSENT

Cravins	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1557—

BY REPRESENTATIVES LANDRIEU AND MURRAY
AN ACT

To amend and reenact R.S. 11:3385.2(A) and to enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize Deferred Retirement Option Plan participant to exercise an initial lump sum benefit option; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler

Cain
Chaisson
Dardenne
Dupre
Ellington
Fields
Total—34

Irons
Johnson
Jones, B
Jones, CD
Lentini
Malone

Smith
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Cravins
Heitmeier
Total—4

Lambert
Tarver

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

HOUSE BILL NO. 401—
BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 17:1501.2, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending Louisiana State University at Alexandria; to provide for effectiveness; 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

Adley
Bajoie
Barham
Bean
Boissiere
Chaisson
Cravins
Dardenne
Dupre
Fontenot
Gautreaux
Total—31

Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Malone
Marionneaux

McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Cain
Dean
Total—4

Fields
Lentini

ABSENT

Mr. President
Ellington
Total—4

Lambert
Tarver

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.

HOUSE BILL NO. 461—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:753, 771(22)(a)(i), 772(A)(1) and (F)(8), 774(1), and 775(A)(7)(c) and (d) and to enact R.S. 32:774(K), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for licensing requirements and educational hours; to provide for definitions; to provide for the membership of the commission and the change of its name; to provide for the powers and duties of the commission; to provide for insurance requirements; to provide relative to grounds for denial, suspension, or revocation of licenses; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 461 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "and (d)" insert "and 778(B),"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 32:774(K)" insert "and 32:1254(N)(1)(d)"

AMENDMENT NO. 3

On page 1, line 9, after "licenses;" insert "to provide for warranty and repair services for school buses;"

AMENDMENT NO. 4

On page 1, line 13, after "and (d)" insert "and 778(B),"

AMENDMENT NO. 5

On page 1, line 13, after "R.S. 32:774(K)" insert "and 32:1254(N)(1)(d)"

AMENDMENT NO. 6

On page 6, between lines 9 and 10, insert the following:

"§778. Louisiana Motor Vehicle Commission licensees; exemptions
* * *

B. Notwithstanding the provisions of Subsection A of this Section, any licensee of the Louisiana Motor Vehicle Commission engaged in any additional business not licensed by the Louisiana Motor Vehicle Commission shall be subject to licensure by the appropriate licensing authority for such additional business. However, nothing herein shall be construed to prohibit a motor vehicle dealer licensed by the Louisiana Motor Vehicle Commission or licensed pursuant to this Chapter from dispensing any property at retail he has taken in trade for the sale of a motor vehicle. Further, nothing in this Title shall be construed to prohibit a manufacturer of school buses licensed by the Louisiana Motor Vehicle Commission or licensed pursuant to this Chapter from authorizing warranty and other repair or maintenance services to be performed at any location of a motor vehicle dealer licensed under this Title which holds a franchise from any affiliate or subsidiary of the school bus manufacturer.

§1254. Application for license; contents; notices of intent; fees; license; boards; unauthorized acts; auto shows; successions; sale or transfer of dealership
* * *

N. It shall be a violation of this Chapter:

(1)

(d) However, notwithstanding any other provision of law to the contrary, a manufacturer licensed under this Chapter may authorize

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warranty and other repair or maintenance services to be performed at any location of a motor vehicle dealer licensed under this Chapter which holds a franchise from any affiliate or subsidiary of the school bus manufacturer.

* * *

Senator Heitmeier moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Fontenot Malone
Bajoie Gautreaux Marionneaux
Barham Heitmeier McPherson
Bean Hines Michot
Boissiere Holden Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dardenne Johnson Theunissen
Dupre Jones, B Thomas
Ellington Jones, CD Ullio
Fields Lentini
Total—35

NAYS

Dean
Total—1

ABSENT

Mr. President Lambert Tarver
Total—3

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Lambert Tarver
Total—2

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

HOUSE BILL NO. 573—
BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 39:75(C)(2) and to enact R.S. 39:75(E)(4), relative to state funds; to provide with respect to budgetary actions executed to cure a budget deficit or to avoid a projected budget deficit; to provide with respect to a reduction in an appropriation or the transfer of funds from the Louisiana Quality Education Support Fund; to require equal apportionment between the Board of Regents and the State Board of Elementary and Secondary Education of any reductions to appropriations resulting from a transfer of funds from the Louisiana Quality Education Support Fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Malone
Adley Fontenot Marionneaux
Bajoie Gautreaux McPherson
Barham Heitmeier Michot
Bean Hines Mount
Boissiere Holden Romero
Cain Hollis Schedler
Chaisson Hoyt Smith
Cravins Irons Theunissen
Dardenne Johnson Thomas
Dean Jones, B Ullio
Dupre Jones, CD
Ellington Lentini
Total—37

NAYS

Total—0

ABSENT

Lambert Tarver
Total—2

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

HOUSE BILL NO. 593—
BY REPRESENTATIVE LEBLANC
AN ACT

To repeal R.S. 39:51(B), relative to budgetary procedure; to delete the requirement that the governor explain certain differences between the executive budget and certain bills for the ordinary and ancillary expenses of state government.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Lentini
Lambert	Tarver
Total—4	

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

HOUSE BILL NO. 625—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 6:1096(G) and R.S. 9:3572.6(C), relative to loan brokers; to allow collection of certain fees by mortgage brokers and consumer loan brokers as part of an advance expense deposit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cain	Dean	Marionneau
Total—3		

ABSENT

Lambert	Tarver
Total—2	

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

HOUSE BILL NO. 637—
BY REPRESENTATIVE LEBLANC
A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.3(A)(2)(a)(introductory paragraph) and 10.5(B) of the Constitution of Louisiana, to provide for the deposit of certain mineral revenues in the Budget Stabilization Fund; to correct an incorrect reference to the Budget Stabilization Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneau
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Lambert
Cravins	Tarver
Total—4	

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

Mr. President in the Chair

HOUSE BILL NO. 1068—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:87.2, relative to performance-based budgeting; to provide for a process by which an agency's performance data may be adjusted after the budget has been enacted; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone

June 21, 2003

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo

NAYS

Total—0

ABSENT

Heitmeier	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1105—

BY REPRESENTATIVE LANDRIEU
AN ACT

To enact Children's Code Article 896(G), relative to deferred disposition agreements in juvenile delinquency proceedings; to authorize the court to utilize or initiate a teen or youth court program; to authorize assessment of fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hoyt	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTEZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Lambert	Tarver
Total—2	

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

HOUSE BILL NO. 1236—

BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3351.5(A)(7), relative to increases in tuition amounts for students at certain schools under the management of the Louisiana State University Board of Supervisors; to provide for specified tuition increases for students attending the Louisiana State University School of Veterinary Medicine; to provide limitations; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneau
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Bean	Hines	Schedler
Boissiere	Holden	Smith
Chaisson	Hoyt	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones, B	Ullo
Dupre	Jones, CD	
Total—29		

NAYS

Cain	Hollis	Malone
Dean	Irons	Michot
Fields	Lentini	
Total—8		

ABSENT

Lambert	Tarver
Total—2	

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

HOUSE BILL NO. 1270—

BY REPRESENTATIVES WINSTON, HUDSON, LAFLEUR, LEBLANC, MCDONALD, MURRAY, NEVERS, SALTER, JOHN SMITH, STELLY, THOMPSON, AND WELCH AND SENATOR IRONS
AN ACT

To amend and reenact R.S. 39:31(F)(2) and to enact R.S. 39:31(C)(9), relative to budgetary procedure; to require inclusion of certain information in agency operational and strategic plans; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Lambert	Tarver
Total—2	

The Chair declared the 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.

HOUSE BILL NO. 1299—

BY REPRESENTATIVES DANIEL, JOHN SMITH, AND WELCH
AN ACT

To amend and reenact R.S. 30:2484(A)(5) and 2486(A), (B), (C)(1), and (D), and 2487(A), relative to the Oil Spill Contingency Fund; to provide for grants from the fund for research, testing, and development of discharge and blowout prevention and training using full scale well service training; to provide with respect to the fund balance as it relates to the collection of fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneau
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Dean
Total—1

ABSENT

Bajoie	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (1)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (1)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (1)(6) and 1299.47(A)(3)(c) and (4) and (1)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

June 21, 2003

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1408 by Representative DeWitt

AMENDMENT NO. 1

On page 13, after line 6, insert the following:

"Section 3. The provisions of this Act shall not effect claims filed before the effective date of this Act."

On motion of Senator Lentini, 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

Table with 3 columns: Mr. President, Fontenot, Lentini, Adley, Gautreaux, Malone, Bajoie, Heitmeier, McPherson, Bean, Hines, Michot, Boissiere, Holden, Mount, Cain, Hollis, Romero, Cravins, Hoyt, Schedler, Dupre, Irons, Smith, Ellington, Jones, B, Theunissen, Fields, Jones, CD, Thomas, Total—30

NAYS

Dean Total—1

ABSENT

Table with 3 columns: Barham, Johnson, Tarver, Chaisson, Lambert, Ullio, Dardenne, Marionneau, Total—8

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.

Personal Privilege

Senator Ullio asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 1408. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1556—

BY REPRESENTATIVES SCHWEGMANN AND PEYCHAUD AN ACT

To enact R.S. 17:3351.7, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified fee increase for students attending the University of New Orleans; to provide relative to waivers for certain students; to provide limitations; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux, McPherson, Adley, Heitmeier, Michot, Bajoie, Hines, Mount, Bean, Holden, Romero, Boissiere, Hollis, Schedler, Cain, Hoyt, Smith, Chaisson, Irons, Tarver, Cravins, Johnson, Theunissen, Dardenne, Jones, B, Thomas, Dupre, Jones, CD, Ullio, Ellington, Malone, Fontenot, Marionneau, Total—34

NAYS

Table with 3 columns: Dean, Fields, Lentini, Total—3

ABSENT

Table with 2 columns: Barham, Lambert, Total—2

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

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1556. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 1758—

BY REPRESENTATIVE WINSTON AN ACT

To amend and reenact R.S. 25:900.1(D)(introductory paragraph) and to enact R.S. 25:900.1(D)(5), relative to the Percent for the Arts Program; to provide authorization to the assistant secretary of the office of cultural development of the Department of Culture, Recreation and Tourism for certain purposes; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Malone, Adley, Fontenot, Marionneau, Bajoie, Gautreaux, McPherson, Barham, Heitmeier, Michot, Bean, Hines, Mount, Boissiere, Holden, Romero, Cain, Hollis, Schedler, Chaisson, Hoyt, Smith, Cravins, Irons, Tarver, Dardenne, Johnson, Theunissen, Dean, Jones, B, Thomas, Dupre, Jones, CD, Ullio

Ellington Lentini
 Total—38 NAYS

Total—0 ABSENT

Lambert
 Total—1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		
NAYS		
Dean		
Total—1		
ABSENT		
Lambert	Tarver	
Total—2		

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

HOUSE BILL NO. 1802—
 BY REPRESENTATIVES HUNTER, HONEY, AND PEYCHAUD
 AN ACT

To enact R.S. 17:1855(D), to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose specific increases in tuition amounts for students enrolled at the law center; to provide limitations; to provide for effectiveness; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Malone	
Total—32		
NAYS		
Cain	Fields	Schedler
Dean	Lentini	
Total—5		
ABSENT		
Heitmeier	Lambert	
Total—2		

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

HOUSE BILL NO. 1819—
 BY REPRESENTATIVE WALSWORTH
 AN ACT

To amend and reenact R.S. 39:98.6, relative to tobacco settlement proceeds; to provide relative to the amount of security to be furnished for appeal of certain matters relating to the tobacco settlement proceeds to be received by the state pursuant to the Master Settlement Agreement; to provide that affiliates of a signatory of the agreement and all other defendants are included in the maximum amount of security required for appeals; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1819 by Representative Walsworth

AMENDMENT NO. 1
 Delete Senate Committee Amendment Nos. 5 and 6 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 2
 On page 1, line 2, after "39:98.6" insert "and 99.12(A)"

AMENDMENT NO. 3
 On page 1, line 8, after "date;" insert "to provide for the sale of certain assets;"

AMENDMENT NO. 4
 On page 2, between lines 18 and 19, insert the following:

June 21, 2003

"Section 2. R.S. 39:99.12(A) is hereby amended and reenacted to read as follows:

§99.12. Sale of tobacco assets

A. (1) Subject to the conditions and declarations set forth in Subsection B hereof, the State Bond Commission subject to approval of the Joint Legislative Committee on the Budget **and subject to approval by a majority vote of the legislature if the legislature is in session and by mail ballot during the interim**, is authorized to sell and convey, from time to time, a portion of the state allocation to the corporation, up to sixty percent thereof from and after such date, and, in particular, to execute and deliver an agreement on the closing date. The agreement shall provide, among other matters, that the purchase price payable by the corporation to the state for the tobacco assets sold, up to sixty percent of the state allocation from and after such date, shall consist of the net proceeds, after financing costs, of the first issue of tobacco bonds and the residual interests to be paid and transferred semiannually pursuant to the provisions of this Subpart.

R.S. 39:99.12(A)(2) is all new law.

(2)(a) After June 30, 2003, subject to the conditions and declarations set forth in Subsections B(1) and (2) hereof, the State Bond Commission shall declare its intent by granting preliminary approval and authorization to sell or convey up to one hundred percent of the state allocation to the corporation, in one or more series. Said declaration shall first be approved by the Joint Legislative Committee on the Budget and, if approved by the legislative committee, shall then be approved by a majority of the legislature if the legislature is in session. However, if the legislature is not in session, approval shall be granted by mail ballot. Upon approval of the legislature, the State Bond Commission shall commence with the sale as determined by the rules of the State Bond Commission. Net proceeds, after financing costs, of one or more issues of tobacco bonds and the residual interest to be paid shall be transferred pursuant to the provisions of this Subpart. Immediately upon closing of the sale or sales, the state treasurer shall report to the legislature the final terms and conditions of said sale or sales.

(b) In the event a sale or sales authorized in this Paragraph is made during any fiscal year commencing on or after July 1, 2003, the state treasurer, in consultation with the commissioner of administration, shall provide for the deposit into the Louisiana Fund an amount of the net proceeds of any sale or sales that, together with other deposits, will ensure that a sufficient amount is deposited into the Louisiana Fund to fund the appropriations from that fund for that fiscal year. The remainder of such proceeds after deposit into the Louisiana Fund and any residuals received in such state fiscal year shall be deposited into the Millennium Trust.

Section 3. Section 1 of this Act shall apply to all cases pending on or filed on or after the effective date of this Act."

AMENDMENT NO. 5

On page 2, line 19, change "Section 2" to "Section 4"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler

Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Lambert
Total—1

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

HOUSE BILL NO. 1909—

BY REPRESENTATIVE BAYLOR

AN ACT

To authorize the state of Louisiana to redirect certain payments due to the state from the city of Shreveport for the purposes of the further economic development of the Shreveport Regional Airport under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Lambert
Total—1

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

HOUSE BILL NO. 1949—

BY REPRESENTATIVE PEYCHAUD

AN ACT

To amend and reenact R.S. 40:600.4(A)(1) and (3)(introductory paragraph) and (D) and 600.5(B) and (F), to enact R.S. 40:600.6(A)(4)(b)(vi), (vii), (viii), and (ix), and to repeal R.S. 40:600.4(A)(3)(c), relative to the Louisiana Housing Finance Agency, to provide relative to the board of commissioners; to

change the composition of the board of commissioners; to provide for the quorum of the board; to provide relative to participation in certain actions by commissioners and employees; to provide relative to the applicability of the Administrative Procedure Act to certain rules and regulations of the agency; and to provide for related matters.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 1949 by Representative Peychaud

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 4 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Lambert
Total—1

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

HOUSE BILL NO. 43—

BY REPRESENTATIVE STRAIN
AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneau
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Cravins
Lambert
Total—2

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

HOUSE BILL NO. 65—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Civil Code Article 2628, relative to immovable property; to provide for the reduction of terms for options and rights of first refusal exceeding ten years; and to provide for related matters.

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

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver

June 21, 2003

Dardenne
Dean
Dupre
Ellington
Total—38

Johnson
Jones, B
Jones, CD
Lentini

Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Lambert
Total—1

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

HOUSE BILL NO. 360—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Dardenne
Dupre
Ellington
Fields
Total—35

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini

Malone
Marionneau
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Cravins
Total—3

Lambert

Tarver

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

HOUSE BILL NO. 443—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public

trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons; to provide limitations; to provide for recusal; 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

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Fields
Total—36

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lentini

Malone
Marionneau
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3

Cravins

Lambert

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.

HOUSE BILL NO. 540—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

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

HOUSE BILL NO. 558—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Barham
Bean

Fontenot
Gautreaux
Heitmeier
Hines

Marionneau
McPherson
Michot
Mount

Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Malone	
Total—34		

NAYS

Dean	Schedler
Total—2	

ABSENT

Bajoie	Lambert	Lentini
Total—3		

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

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 Adley, the bill was read by title and returned to the Calendar, subject to call.

Recess

On motion of Senator Ellington, the Senate took a recess until 1:30 o'clock P.M.

After Recess

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

ABSENT

Lambert
 Total—1

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

Senate Business Resumed

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 664—
 BY REPRESENTATIVE CAZAYOUX
 AN ACT

To amend and reenact R.S. 13:3049(B)(1)(b) and (2)(a) and to enact R.S. 13:3049(B)(1)(e), relative to jury service in criminal and civil trials; to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases to the clerk of court; to increase the amount deposited into the registry of the court; to provide for an additional fee in criminal cases; and to provide for related matters.

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

HOUSE BILL NO. 783—
 BY REPRESENTATIVE DANIEL
 AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 787—
 BY REPRESENTATIVE DANIEL
 AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to certain boards, commissions, and entities; and to provide for related matters.

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

HOUSE BILL NO. 1052—
 BY REPRESENTATIVE LEBLANC
 AN ACT

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

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

June 21, 2003

HOUSE BILL NO. 1157—
BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullio
Fields	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Tarver
Barham	Lambert	
Total—5		

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

HOUSE BILL NO. 1173—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:326.5, relative to taking of bowfin; to provide for a minimum size for taking of bowfin; and to provide for related matters.

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

HOUSE BILL NO. 1287—
BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

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

HOUSE BILL NO. 1387—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:964.1 and 992(H), relative to judicial review of adjudications; to provide for the payment of attorney fees and court costs; to provide for a report of such payments; and to provide for related matters.

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

HOUSE BILL NO. 1416—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1416 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, after "42:1123(22)" insert "and to enact R.S. 42:1123(32)"

AMENDMENT NO. 2

On page 1, line 8, after "plan;" insert "to permit public officials of certain governing authorities and their immediate families and legal entities to perform certain transactions; to require written notice to the Board of Ethics and recusal from voting;"

AMENDMENT NO. 3

On page 4, between lines 8 and 9, insert the following:
"(32) A member of a planning or zoning commission or municipal or parish governing authority in a parish with a population not in excess of thirty-five thousand or in a municipality with a population not in excess of twenty-five thousand, according to the latest federal decennial census, or member of his immediate family, or legal entity in which he has a controlling interest from making application to a planning or zoning commission or governing authority for approval of the subdivision, resubdivision or zoning classification of property, provided that (a) the zoning of such subdivided property shall not be less restrictive than the zoning of the original parcel, (b) no variance from any planning or zoning regulation or requirement or any building code or permit shall be requested or granted, (c) the elected official shall file written notice with his governing authority and with the Board of Ethics no later than ten days prior to any hearing pertaining to any such application, and (d) any such member of a governing authority shall recuse himself from any vote related to such application."

Senator Marionneaux moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Smith
Chaisson	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, B	Ullo
Fields	Jones, CD	
Total—26		

NAYS

Cravins	Hoyt	Romero
Dean	Lentini	Schedler
Fontenot	Malone	
Total—8		

ABSENT

Mr. President	Dardenne	Tarver
Barham	Lambert	
Total—5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Schedler
Dupre	Irons	Smith
Ellington	Johnson	Theunissen
Fields	Jones, B	Thomas
Fontenot	Jones, CD	Ullo
Total—30		

NAYS

Cravins	Lentini
Dean	Romero
Total—4	

ABSENT

Mr. President	Dardenne	Tarver
Barham	Lambert	
Total—5		

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

HOUSE BILL NO. 1568—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to

provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Jones, CD	Ullo
Fontenot	Malone	
Total—32		

NAYS

Dean	Lentini
Total—2	

ABSENT

Mr. President	Dardenne	Tarver
Barham	Lambert	
Total—5		

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

HOUSE BILL NO. 1657—

BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL AND SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Jones, CD	Ullo
Fontenot	Lentini	
Gautreaux	Marionneaux	

June 21, 2003

Total—31

NAYS

Bajoie Dean Malone

Total—3

ABSENT

Mr. President Dardenne Tarver
Barham Lambert

Total—5

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

HOUSE BILL NO. 1679— BY REPRESENTATIVE BROOME AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Heitmeier Marionneaux
Boissiere Hines McPherson
Cain Holden Michot
Chaisson Hollis Mount
Cravins Hoyt Romero
Dupre Johnson Schedler
Ellington Jones, B Smith
Fields Jones, CD Theunissen
Fontenot Lentini Thomas
Gautreaux Malone Ullo
Total—30

NAYS

Bajoie Dean Irons

Total—3

ABSENT

Mr. President Bean Lambert
Barham Dardenne Tarver

Total—6

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

HOUSE BILL NO. 1804— BY REPRESENTATIVE TOOMY AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux Marionneaux
Bajoie Heitmeier McPherson
Bean Hines Michot
Boissiere Holden Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dean Johnson Theunissen
Dupre Jones, B Thomas
Ellington Jones, CD
Fields Lentini
Fontenot Malone
Total—34

NAYS

Total—0

ABSENT

Mr. President Dardenne Tarver
Barham Lambert

Total—5

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

HOUSE BILL NO. 1815— BY REPRESENTATIVE BRUCE AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux Marionneaux
Bajoie Heitmeier McPherson
Bean Hines Michot
Boissiere Holden Mount
Cain Hollis Romero
Chaisson Hoyt Schedler
Cravins Irons Smith
Dean Johnson Theunissen
Dupre Jones, B Thomas
Ellington Jones, CD
Fields Lentini
Fontenot Malone
Total—34

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Tarver
Barham	Lambert	
Total—5		

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

HOUSE BILL NO. 1931—
 BY REPRESENTATIVES CAZAYOUX, JOHNS, AND WALSWORTH
 AN ACT

To enact R.S. 9:5605.1, relative to attorneys; to provide for the theft of client funds; to provide for the recovery of client funds; to provide for prescription; to provide for the admissibility of certain evidence; to provide for the award of attorney fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Barham	Lambert
Total—3		

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

HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—
 BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of spotted sea trout; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Lambert
Barham	Tarver
Total—4	

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

HOUSE BILL NO. 458—
 BY REPRESENTATIVES CAZAYOUX AND BROOME
 AN ACT

To amend and reenact R.S. 38:301(A)(3) as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature, relative to the authority of levee boards and levee and drainage boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in West Baton Rouge Parish; 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:

YEAS

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

Total—34

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Tarver
Cravins	Lambert	
Total—5		

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.

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HOUSE BILL NO. 611—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; 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

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Cravins	Tarver
Total—4	

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.

HOUSE BILL NO. 867—
BY REPRESENTATIVES MORRELL AND PEYCHAUD
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson

Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	

Total—35

NAYS

Total—0

ABSENT

Mr. President	Lambert
Cravins	Tarver
Total—4	

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

HOUSE BILL NO. 1075—
BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY
AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Mr. President	Dean
Total—2	

ABSENT

Lambert	Tarver
Total—2	

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

HOUSE BILL NO. 1235—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 33:4574.1-A(I), relative to the occupancy taxes levied by certain tourist commissions; to authorize certain tourist commissions to increase such taxes; to provide for an effective date; and to provide for related matters.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneau
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 1286—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Cravins	Lambert	
Total—5		

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

HOUSE BILL NO. 1304—
BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneau
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

June 21, 2003

Mr. President Lambert
Boissiere Tarver
Total—4

The Chair declared the 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.

HOUSE BILL NO. 1317—
BY REPRESENTATIVE BROOME
AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux Marionneaux
Bajoie Heitmeier McPherson
Barham Hines Michot
Bean Holden Mount
Boissiere Hollis Romero
Cain Hoyt Schedler
Chaisson Irons Smith
Dardenne Johnson Theunissen
Dupre Jones, B Thomas
Ellington Jones, CD Ullo
Fields Lentini
Fontenot Malone
Total—34

NAYS

Dean
Total—1

ABSENT

Mr. President Lambert
Cravins Tarver
Total—4

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

HOUSE BILL NO. 1757—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ellington and B. Jones to Engrossed House Bill No. 1757 by Representative Walsworth

AMENDMENT NO. 1

On page 2, at the beginning of line 14, change "Two" to "One"

AMENDMENT NO. 2

On page 2, between lines 21 and 22, insert the following:

"(e) One member shall be nominated by the Ouachita Economic Development Corporation."

AMENDMENT NO. 3

On page 4, at the end of line 11, delete the colon ":" and at the beginning of line 12, delete "(a) An" and insert "an"

AMENDMENT NO. 4

On page 4, delete lines 15 through 24

Senator B. Jones moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux Malone
Bajoie Heitmeier Marionneaux
Barham Hines McPherson
Bean Holden Michot
Boissiere Hollis Mount
Cain Hoyt Romero
Chaisson Irons Schedler
Dupre Johnson Smith
Ellington Jones, B Theunissen
Fields Jones, CD Thomas
Fontenot Lentini Ullo
Total—33

NAYS

Dean
Total—1

ABSENT

Mr. President Dardenne Tarver
Cravins Lambert
Total—5

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux Malone
Bajoie Heitmeier Marionneaux
Barham Hines McPherson
Bean Holden Michot
Boissiere Hollis Mount
Cain Hoyt Romero
Chaisson Irons Schedler
Dean Johnson Smith

Dupre	Jones, B	Theunissen
Fields	Jones, CD	Thomas
Fontenot	Lentini	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Dardenne	Lambert
Cravins	Ellington	Tarver
Total—6		

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

HOUSE BILL NO. 1781—
BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1875—
BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO
AN ACT

To appropriate the sum of Fifty-two Million Nine Hundred Forty Thousand One Hundred Twenty-Nine and No/100 (\$52,940,129.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Eight Million Nine Hundred Thirteen Thousand Nine Hundred Eighty-eight and No/100 (\$8,913,988.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

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

HOUSE BILL NO. 1892—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
-------	----------	--------

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Lambert	Theunissen
Dardenne	Tarver	
Total—5		

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

HOUSE BILL NO. 1918—
BY REPRESENTATIVE DOWNS
AN ACT

To amend and reenact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for use of certain monies in the fund; and to provide for related matters.

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

HOUSE BILL NO. 1919—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

June 21, 2003

Mr. President	Irons	Tarver
Dardenne	Lambert	
Total—5		

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

HOUSE BILL NO. 1996—
BY REPRESENTATIVE HONEY
AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adeley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		
NAYS		
Total—0		
ABSENT		
Mr. President	Lambert	
Dardenne	Tarver	
Total—4		

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

HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adeley	Fields	Lentini
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		
NAYS		
Malone		
Total—1		
ABSENT		

Mr. President	Lambert	Tarver
Total—3		

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

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend)—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 37:1041, 1042(A) and (C), 1046(B) and (C), 1048(3) and (4), 1050, 1051(A) and (C)(1), 1057, 1058, 1063(introductory paragraph), (1), and (2), and 1064(B) and (C), to enact R.S. 37:1041(A) and (B), 1042(D) and (E), 1048(5) and (6), 1049(6), 1063(B), (C), and (D), and 1064(F) and R.S. 44:4(37), and to repeal R.S. 37:1063(9), (10), and (11), relative to optometry; to provide for the public purpose; to provide for a limitation from liability; to provide for travel, hearings, and subpoena authority; to provide for licensure fees, violations, and civil penalties; to provide for exception to the public records law; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adeley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		
NAYS		

Dean
Total—1

ABSENT

Mr. President Schedler
Lambert Tarver
Total—4

The Chair declared the 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 taking up at this time.

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

The following House 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 Boissiere asked that House Bill No. 138 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 138—
BY REPRESENTATIVE TRICHE
AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed House Bill No. 138 by Representative Triche

AMENDMENT NO. 1
On page 1, line 2, change "To provide" to "To enact R.S. 11:553(18) and to provide" and change "Act; to" to "Act; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to"

AMENDMENT NO. 2
On page 1, line 7, after "and funding;" insert "to provide for an effective date;"

AMENDMENT NO. 3
On page 1, between lines 12 and 13, insert the following:
"Section 1. R.S. 11:553(18) is hereby enacted to read as follows:
§553. Eligible judges and court officers
This Subpart shall apply to all present and future judges and court officers hereinafter enumerated:
* * *

(18) The judicial administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputy or deputies."

AMENDMENT NO. 4
On page 1, line 13, change "Section 1." to "Section 2."

AMENDMENT NO. 5
On page 2, line 4, change "Section 2." to "Section 3." and on line 7, change "Section 3" to "Section 4"

AMENDMENT NO. 6
On page 2, line 13, change "Section 3." to "Section 4."

AMENDMENT NO. 7
On page 2, line 23, change "Section 4." to "Section 5." and on line 27, change "Section 5" to "Section 6"

AMENDMENT NO. 8
On page 3, line 6, change "Section 5." to "Section 6."

AMENDMENT NO. 9
On page 5, line 11, change "Section 6." to "Section 7." and on line 14, change "Section 5" to "Section 6"

AMENDMENT NO. 10
On page 5, line 15, change "Section 7." to "Section 8." and on lines 16 and 18, change "Section 5" to "Section 6"

AMENDMENT NO. 11
On page 5, line 21, change "Section 8." to "Section 9."

Senator C. Jones moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President Schedler
Lambert Tarver
Total—4

The Chair declared the amendments were adopted.

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

June 21, 2003

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President
Lambert
Total—4
Schedler
Tarver

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

Called from the Calendar

Senator Boissiere asked that House Bill No. 410 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 410—
BY REPRESENTATIVES MCVEA AND STRAIN
AN ACT

To amend and reenact R.S. 11:144, relative to the Louisiana State Employees' Retirement System; to provide with respect to the repayment of refunded contributions from state, parochial, or municipal retirement systems; to provide for members of the Louisiana State Employees' Retirement System to purchase service credit earned in another system directly rather than repaying the refunded contributions to reestablish membership in such system; to provide for the actuarial sufficiency of such purchase; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 410 by Representative McVea

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 11:144" insert "and to enact R.S. 11:448(B)(1) and (2)"

AMENDMENT NO. 2
On page 1, line 9, after "such purchase;" insert "to authorize the actuarial purchase of emoluments of office provided in lieu of salary; to authorize the recalculation of retirement benefits in limited circumstances;"

AMENDMENT NO. 3
On page 1, line 14, after "reenacted" insert "and R.S. 11:144" insert "and R.S. 11: 448(B)(1) and (2) are enacted"

AMENDMENT NO. 4
On page 2, after line 19, insert the following:

"§448. Plan participation * * *

B. For purposes of this Section, final average compensation and creditable service shall remain fixed as they existed on the date of commencement of participation in the plan. Creditable service shall not include conversion of sick and annual leave.

(1) Any person who has completed participation in the Deferred Retirement Option Plan and continued employment such that he was employed by a member agency of the Louisiana State Employees' Retirement System on or after July 1, 2003, and is still a contributing member of the Louisiana State Employees' Retirement System, may upgrade all or a portion of service credit earned prior to entry into Deferred Retirement Option Plan by purchase made pursuant to R.S. 11:158. The balance in the employee's Deferred Retirement Option Plan account and any contribution made to the Deferred Retirement Option Plan account shall be unaffected by the recalculation of the retirement benefit.

(2) Final average compensation for service credit earned prior to entry into the Deferred Retirement Option Plan shall include the cash value of any emolument of office granted in lieu of salary, provided the member pays, at the time of the application for service credit, the total actuarial cost as provided in R.S. 11:158 and which cost shall completely offset the liability to the system for benefits attributed to the retirement credit for the emolument received.

§606. Deferred Retirement Option Plan participation * * *

B. (1) * * *
(2) If a member has completed his participation in the Deferred Retirement Option Plan prior to January 1, 2002, then that member will have the same option that a member has under R.S. 11:605, but only as to the service credited to his account after his participation in the Deferred Retirement Option Plan. No service that was credited to a member's account prior to the commencement of his participation in the Deferred Retirement Option Plan can be upgraded under the provisions of this Subpart. A member of the secondary component has the option of upgrading all or a portion of any service that was credited to the member's account prior to entering into the Deferred Retirement Option Plan by purchase made pursuant to R.S. 11:158, to upgrade any such service credit to the accrual rate established in the secondary component anytime prior to retirement. The payment shall completely offset any liability to the system for benefits attributed to the upgrade of the service credit. The balance in the Deferred Retirement Plan account and any contribution being made to the Deferred Retirement Option Plan account shall be unaffected by the recalculation of the retirement benefit."

On motion of Senator Boissiere, the amendments were adopted.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed House Bill No. 410 by Representative McVea

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 11:144" insert "and 416(A)(3)"

AMENDMENT NO. 2

On page 1, line 9, after "such purchase;" insert "to provide for the reemployment of retirees; to provide for the benefit paid to such retirees;"

AMENDMENT NO. 3

On page 1, line 14, after "R.S. 11:144" delete "is" and insert "and 416(A)(3) are"

AMENDMENT NO. 4

On page 2, after line 19, insert the following:

"§416. Employment of retirees

A. Regardless of age, if a retiree of the system is engaged or hereafter engages in employment which otherwise would render him eligible for membership in the system, he shall choose one of the following irrevocable options:

* * *

(3)(a) Option 3. The retiree may request immediate suspension of his benefit and become a member of this system, effective on the first day of reemployment. Upon such regaining of membership, he shall contribute thereafter at the current contribution rate as applicable to his position. Upon subsequent retirement, his suspended retirement allowance shall be restored to full force and effect. In addition, if he has worked and contributed for at least thirty-six months, his retirement allowance shall be increased by an amount attributable to his service and average compensation since reemployment based on the computation formula in effect at the time of subsequent retirement. If he has been reemployed for a period less than thirty-six months, upon termination of reemployment the contributions paid by the retiree since his reemployment shall, upon application, be refunded to the retiree. In no event shall the member receive duplicate credit for unused sick and annual leave that had been included in the computation of his original retirement allowance. Any supplemental benefit shall be based on reemployment service credit only and shall not include any other specific amount which may otherwise be provided in the regular retirement benefit computation formula. In the event of the member's death prior to subsequent retirement, payment of benefits to the designated beneficiary or survivor shall be in accordance with the option selected by the member at the time of his original retirement. No change in the option originally selected by the member shall be permitted except as provided in R.S. 11:446(C). In no event shall the supplemental benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average compensation figure used to compute the supplemental benefit. Under no circumstances shall any person who has regained membership pursuant to the provisions of this Paragraph be allowed to purchase service credit for any period employed in the state service during which he continued to draw his retirement allowance.

(b) Notwithstanding the provisions of this Section or any other provision of law to the contrary, any retiree of the system who has at least thirty years of service credited to his account, has been retired for at least one year, is eligible to receive his full retirement benefits, and has been appointed by the governor to fill an unclassified civil service position shall be exempt from any increase, suspension or reduction of benefits received from this system as the result of reemployment.

* * *

Senator Hoyt moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones, CD
Bajoie	Heitmeier	Malone

Boissiere	Holden	Marionneau
Cain	Hollis	McPherson
Chaisson	Hoyt	Michot
Cravins	Johnson	Thomas
Ellington	Jones, B	
Total—20		

NAYS

Barham	Irons	Schedler
Dardenne	Lentini	Smith
Dean	Mount	Theunissen
Dupre	Romero	Ullo
Total—12		

ABSENT

Adley	Gautreaux	Tarver
Bean	Hines	
Fontenot	Lambert	
Total—7		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed House Bill No. 410 by Representatives McVea and Strain

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:144" insert "and to enact R.S. 11:553(18)"

AMENDMENT NO. 2

On page 1, line 9, after "such purchase;" insert "to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 14, after "reenacted" insert "and R.S. 11:553(18) is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 19, insert the following:

"Section 1. R.S. 11:553(18) is hereby enacted to read as follows:

§553. Eligible judges and court officers

This Subpart shall apply to all present and future judges and court officers hereinafter enumerated:

* * *

(18) The judicial administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputy or deputies."

Senator C. Jones moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones, CD
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June 21, 2003

Barham	Fontenot	Lentini
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Chaisson	Holden	Smith
Cravins	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, B	Ullo
Total—24		

NAYS

Mr. President	Hollis	Mount
Cain	Hoyt	Schedler
Dardenne	Malone	
Dean	Michot	
Total—10		

ABSENT

Adley	Lambert	Tarver
Hines	Romero	
Total—5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones, B
Bean	Fontenot	Jones, CD
Boissiere	Gautreaux	Lentini
Cain	Heitmeier	Marionneaux
Chaisson	Holden	McPherson
Cravins	Hollis	Michot
Dupre	Hoyt	
Ellington	Johnson	
Total—22		

NAYS

Mr. President	Irons	Schedler
Barham	Malone	Smith
Dardenne	Mount	Theunissen
Dean	Romero	Ullo
Total—12		

ABSENT

Adley	Lambert	Thomas
Hines	Tarver	
Total—5		

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Senator Ellington in the Chair

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.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed House Bill No. 273 by Senator Cain

AMENDMENT NO. 1
On page 1, line 3, after "(26)" insert "(30)"

AMENDMENT NO. 2
On page 1, line 8, after "(26)" insert "(30)"

AMENDMENT NO. 3
On page 3, between lines 3 and 4, insert the following:
"(30)(2) Except as provided in Subparagraph (b) of this Paragraph, in the parish of Vernon, four assistant district attorneys. (b) Upon approval by the Governor's Commission on Additional Assistant District Attorneys and appropriation of state funding for each additional assistant district attorney over four as provided in Subparagraph (a) of this Paragraph, up to five assistant district attorneys.

* * *

Senator Cain moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Holden	Michot
Chaisson	Hoyt	Theunissen
Cravins	Irons	Thomas
Dupre	Johnson	Ullo
Fields	Jones, CD	
Total—23		

NAYS

Bajoie	Hollis	Romero
Barham	Jones, B	Schedler
Dardenne	Malone	Smith
Dean	Mount	
Total—11		

ABSENT

Mr. President	Hines	Tarver
Ellington	Lambert	
Total—5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Thomas
Dupre	Jones, CD	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—28		

NAYS

Barham	Ellington	Theunissen
Dardenne	Jones, B	
Dean	Smith	
Total—7		

ABSENT

Mr. President	Lambert
Hines	Tarver
Total—4	

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

HOUSE BILL NO. 583—

BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, AND THOMPSON

A JOINT RESOLUTION

Proposing to amend Article XII, Section 6(A) of the Constitution of Louisiana, relative to the Lottery Proceeds Fund; to require annual appropriation of certain monies in the Lottery Proceeds Fund for the minimum foundation program and services for compulsive and problem gaming; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CD Jones to Reengrossed House Bill No. 583 by Representative Farrar, et al.

AMENDMENT NO. 1

On page 2, delete lines 6 through 8 and insert the following:

“fund for any purpose: as follows:

(a) The first five hundred thousand dollars for services related to compulsive and problem gaming, as may be provided by law.

(b) The next one hundred million dollars for the purposes of the minimum foundation program.

(c) The next five million dollars for educational enhancements for the poorest performing schools, as may be provided by law.

(d) After satisfying the provisions of Subparagraphs (a) through (c) of this Paragraph, for the purposes of the minimum foundation program.”

AMENDMENT NO. 2

On page 3, delete lines 16 through 20 and insert the following: “appropriated by the legislature as follows: five hundred thousand dollars for services related to compulsive and problem gaming, one hundred million dollars for the minimum foundation program for public elementary and secondary schools, five million dollars for educational enhancement programs for the poorest performing schools, and after satisfying the previous allocations, the minimum foundation formula program. (Effective July 1, 2004) (Amends Article XII, Section”

Senator C. Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Jones, CD
Bajoie	Fields	Marionneaux
Bean	Gautreaux	Tarver
Boissiere	Heitmeier	Thomas
Cain	Holden	Ullo
Cravins	Irons	
Dupre	Johnson	
Total—19		

NAYS

Barham	Jones, B	Romero
Chaisson	Lentini	Schedler
Dardenne	Malone	Smith
Dean	McPherson	Theunissen
Hollis	Michot	
Hoyt	Mount	
Total—16		

ABSENT

Mr. President	Hines
Fontenot	Lambert
Total—4	

The Chair declared the amendments were adopted.

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

Adley	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Smith
Boissiere	Heitmeier	Tarver
Cain	Holden	Thomas
Chaisson	Irons	Ullo
Cravins	Johnson	
Dupre	Jones, CD	
Total—25		

NAYS

Dardenne	Jones, B	Romero
Dean	Lentini	Schedler
Hollis	Michot	Theunissen
Hoyt	Mount	

June 21, 2003

Total—11

ABSENT

Mr. President Hines Lambert
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.

HOUSE BILL NO. 731—

BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 13:5063(C)(2)(b), relative to the Master Settlement Agreement; to provide for escrow payments by tobacco product manufacturers; to provide for the state's allocable share; to provide for the release of funds from escrow; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Fontenot Marionneaux
Bajoie Gautreaux McPherson
Barham Heitmeier Michot
Bean Hines Mount
Boissiere Holden Romero
Cain Hollis Schedler
Chaisson Hoyt Smith
Cravins Irons Tarver
Dardenne Johnson Theunissen
Dean Jones, B Thomas
Dupre Jones, CD Ullo
Ellington Lentini
Fields Malone
Total—37

NAYS

Mr. President
Total—1

ABSENT

Lambert
Total—1

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

HOUSE BILL NO. 844—

BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, AND THOMPSON AN ACT

To amend and reenact R.S. 28:842 and R.S. 47:9029(B), relative to special treasury funds; to provide for annual appropriation of certain monies in the Lottery Proceeds Fund for the minimum foundation program and services for compulsive and problem gaming; to provide for sources of monies in the Compulsive and Problem Gaming Fund; and to provide for related matters.

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

HOUSE BILL NO. 862—

BY REPRESENTATIVES ALARIO AND DANIEL AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to authorize an increase in the annual compensation; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 862 by Representative Alario

AMENDMENT NO. 1

Delete Senate committee amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003

Senator Lentini moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Heitmeier Lentini
Bean Holden McPherson
Chaisson Hollis Tarver
Fields Jones, CD Ullo
Total—12

NAYS

Mr. President Fontenot Mount
Adley Gautreaux Romero
Barham Hoyt Schedler
Cain Jones, B Smith
Dardenne Malone Theunissen
Dean Marionneaux
Ellington Michot
Total—19

ABSENT

Boissiere Hines Lambert
Cravins Irons Thomas
Dupre Johnson
Total—8

The Chair declared the amendments were rejected.

Personal Privilege

Senator Schedler asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Lentini to House Bill No. 862. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Holden	McPherson
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Ellington	Johnson	Tarver
Fields	Jones, CD	Ullo
Total—27		
NAYS		
Barham	Jones, B	Theunissen
Dardenne	Michot	
Dean	Mount	
Total—7		
ABSENT		
Mr. President	Hines	Thomas
Dupre	Lambert	
Total—5		

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

Mr. President in the Chair

HOUSE BILL NO. 1093—
BY REPRESENTATIVES TOOMY AND WELCH
AN ACT

To amend and reenact R.S. 33:1421(A)(1), relative to the compensation of sheriffs in parishes with a population of four hundred thousand or less; to provide for certain salary increases; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B Jones to Engrossed House Bill No. 1093 by Representative Toomy

AMENDMENT NO. 1
On page 1, line 2 change "amend and reenact R.S. 33:1421(A)(1)," to "enact R.S. 33:1421(F)."

AMENDMENT NO. 2
On page 1, line 13 after "Section 1." delete the remainder of the line and insert "R.S. 33:1441(F) is hereby enacted to read"

AMENDMENT NO. 3
On page 1, delete lines 16 through 18 and insert the following:

" * * *

F. In addition to all other forms of compensation which are authorized for sheriffs under the provisions of this Section, at any time between June 30, 2003 and August 1, 2003, any sheriff may increase his annual compensation by an amount not to exceed twenty thousand dollars less than the salary of sheriffs with populations greater than four hundred thousand, according to the latest federal

decennial census. No sheriff may increase his salary pursuant to this Subsection after August 1, 2003."

AMENDMENT NO. 4
On page 2, delete lines 1 through 18 in their entirety.

Senator B. Jones moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dean	Jones, B
Adley	Dupre	Jones, CD
Barham	Fontenot	Malone
Bean	Hollis	Mount
Cain	Hoyt	Theunissen
Dardenne	Irons	
Total—17		
NAYS		
Bajoie	Heitmeier	Romero
Boissiere	Holden	Schedler
Chaisson	Johnson	Smith
Cravins	Lentini	Tarver
Ellington	Marionneaux	Ullo
Fields	McPherson	
Gautreaux	Michot	
Total—19		
ABSENT		
Hines	Lambert	Thomas
Total—3		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Bean	Heitmeier	Romero
Boissiere	Holden	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dupre	Johnson	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—26		
NAYS		
Mr. President	Dean	Michot
Barham	Hollis	Mount
Cain	Jones, B	Theunissen
Dardenne	Malone	
Total—11		
ABSENT		
Hines	Lambert	
Total—2		

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

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1093. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 1403— BY REPRESENTATIVE ALARIO AN ACT

To enact R.S. 39:128(B)(4), relative to the state capital construction budget; to provide for exemptions from inclusion in the budget for certain projects undertaken by or on the campus of a state college, university, or higher education facility; 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 House Bill No. 1403 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 12, insert the following:

"The exemption authorized by this Paragraph shall apply only to those projects that otherwise could not be accomplished in the normal capital outlay process due to timing or funding constraints."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Bajoue, Barham, Bean, Boissiere, Cain, Chaisson, Cravins, Dardenne, Dupre, Ellington, Total—35; Fields, Gautreaux, Heitmeier, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, CD, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo, Total—37

NAYS

Dean, Total—1

ABSENT

Fontenot, Total—3; Hines, Lambert

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

HOUSE BILL NO. 1633— BY REPRESENTATIVES MURRAY, DIEZ, PEYCHAUD, AND STRAIN AN ACT

To amend and reenact R.S. 27:247, relative to the casino support services contract; to provide for the execution of such contract; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Bajoue, Barham, Bean, Boissiere, Cain, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—37; Fields, Fontenot, Gautreaux, Heitmeier, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, CD, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo, Total—37

NAYS

Total—0

ABSENT

Hines, Total—2; Lambert

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

HOUSE BILL NO. 1779— BY REPRESENTATIVE LEBLANC AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

HOUSE BILL NO. 1803— BY REPRESENTATIVE LEBLANC AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2003-2004; and to provide for related matters.

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

HOUSE BILL NO. 1876—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(1), (ee), (ii)(aa), (cc), (dd)(1), and (ee) and to enact R.S. 30:2511(D), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the office of environmental education; to provide relative to the use of such funds; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	McPherson
Barham	Heitmeier	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lentini	
Total—29		

NAYS

Dean	Marionneaux
Malone	Ullo
Total—4	

ABSENT

Mr. President	Cravins	Hines
Adley	Gautreaux	Lambert
Total—6		

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

HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH
A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Holden	Romero
Cain	Hoyt	Smith

Chaisson	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lentini	Thomas
Total—24		

NAYS

Mr. President	Gautreaux	Michot
Dardenne	Hollis	Mount
Dean	Jones, B	Ullo
Total—9		

ABSENT

Adley	Hines	Lambert
Cravins	Irons	Schedler
Total—6		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Hoyt, 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.

Mr. President in the Chair

HOUSE BILL NO. 662—

BY REPRESENTATIVES BRUNEAU AND HUNTER
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges of the supreme court, courts of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Reengrossed House Bill No. 662 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, delete "parish court"

AMENDMENT NO. 2

On page 1, line 15, delete "parish court"

AMENDMENT NO. 3

On page 2, line 16, delete "parish court"

On motion of Senator Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Reengrossed House Bill No. 662 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 18, change "two" to "one"

June 21, 2003

On motion of Senator Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Michot
Adley Ellington Mount
Barham Heitmeier Romero
Bean Hollis Schedler
Chaisson Jones, B Smith
Dardenne Lentini Theunissen
Dean Malone
Total—20

NAYS

Bajoie Fontenot Jones, CD
Boissiere Gautreaux Marionneaux
Cain Holden McPherson
Cravins Irons Tarver
Fields Johnson Thomas
Total—15

ABSENT

Hines Lambert
Hoyt Ullo
Total—4

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Ellington, 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.

HOUSE BILL NO. 1116—
BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1116 by Representative Landrieu

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 through 6 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 18, 2003.

Senator Ellington moved adoption of the amendments.

Senator Gautreaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Dean Romero
Bajoie Ellington Smith
Barham Johnson Tarver
Bean McPherson Theunissen
Cravins Mount
Total—14

NAYS

Boissiere Holden Malone
Cain Hollis Michot
Chaisson Hoyt Schedler
Fields Irons Thomas
Fontenot Jones, B Ullo
Gautreaux Jones, CD
Heitmeier Lentini
Total—19

ABSENT

Mr. President Dupre Lambert
Dardenne Hines Marionneaux
Total—6

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Fontenot McPherson
Bajoie Gautreaux Michot
Barham Heitmeier Mount
Bean Holden Romero
Boissiere Hollis Schedler
Cain Hoyt Smith
Cravins Irons Tarver
Dardenne Johnson Theunissen
Dean Jones, B Thomas
Dupre Jones, CD Ullo
Ellington Lentini
Fields Malone
Total—34

NAYS

Total—0

ABSENT

Mr. President Hines Marionneaux
Chaisson Lambert
Total—5

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

HOUSE BILL NO. 1733—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for

hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Hines	Lambert
Fontenot	Hoyt	Marionneau
Total—6		

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

HOUSE BILL NO. 1810—

BY REPRESENTATIVES BEARD AND SHAW AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

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

Senator Ellington in the Chair

HOUSE BILL NO. 1837—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Marionneau
Bajoie	Fields	McPherson
Barham	Heitmeier	Smith
Bean	Holden	Tarver
Boissiere	Johnson	Theunissen
Cain	Jones, B	Thomas
Chaisson	Jones, CD	
Total—20		

NAYS

Cravins	Gautreaux	Mount
Dardenne	Hollis	Romero
Dean	Lentini	Schedler
Dupre	Malone	Ullo
Fontenot	Michot	
Total—14		

ABSENT

Mr. President	Hoyt	Lambert
Hines	Irons	
Total—5		

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

Mr. President in the Chair

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.

Motion

On motion of Senator Cravins, House Bill No. 88 was made Special Order of the Day No. 1 on Sunday, June 22, 2003 immediately following the Morning Hour.

HOUSE BILL NO. 1685—

BY REPRESENTATIVES PEYCHAUD AND MURRAY
AN ACT

To amend and reenact Sections 7(c), 9(b), (d), and (e), and 20(l) of Act No. 170 of the 1968 Regular Session as amended by Act No. 299 of the 1972 Regular Session and Act No. 135 of the 1994 Third Extraordinary Session, relative to the New Orleans Community Improvement Act; to provide relative to electorate approval of community improvement plans undertaken by the New Orleans Redevelopment Authority; to provide with respect to disposition of property by the authority; and to provide for related matters.

June 21, 2003

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Reengrossed House Bill No. 1685 by Representative Peychaud

AMENDMENT NO. 1

On page 2, line 17, after "district." insert the following:

"However, an affirmative vote of the majority in number of the qualified electors voting in an election to authorize the issuance of any bonds the proceeds of which will be used to provide any part or all of the municipality's share of project costs shall constitute electorate approval of the redevelopment plan or project and the municipality and the authority may proceed as herein authorized to carry it out."

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Bajoie, Barham, Bean, Boissiere, Cain, Chaisson, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Heitmeier, Holden, Hollis, Johnson, Jones, B, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Lentini, Malone

ABSENT

Mr. President, Cravins, Gautreaux, Hines, Irons, Jones, CD, Lambert

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

HOUSE BILL NO. 1817—

BY REPRESENTATIVES ODINET, RICHMOND, AND SWILLING AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1858—

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Bajoie, Barham, Bean, Boissiere, Cain, Chaisson, Dardenne, Dupre, Ellington, Fields, Fontenot, Heitmeier, Holden, Hollis, Johnson, Jones, B, Jones, CD, Lentini, Malone, Marionneaux, McPherson, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Dean, Total—1

ABSENT

Cravins, Gautreaux, Hines, Hoyt, Irons, Lambert, Michot, Total—7

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

HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Ellington, McPherson

Bajoie	Fields	Mount
Barham	Fontenot	Romero
Bean	Heitmeier	Schedler
Boissiere	Holden	Smith
Cain	Hollis	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, CD	Ullo
Dean	Lentini	
Dupre	Malone	
Total—31		

NAYS

Marionneaux
Total—1

ABSENT

Mr. President	Hoyt	Michot
Gautreaux	Irons	
Hines	Lambert	
Total—7		

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 21, 2003

To the President and Members of the Senate:

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

HOUSE BILL NO. 1783—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 21, 2003

To the President and Members of the Senate:

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

HOUSE BILL NO. 1404—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1773—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1852—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

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

Senator Romero 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. 1404—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the

proceeds derived from such tax; 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. 1404 by Representative Townsend

AMENDMENT NO. 1

On page 2, at the bottom of the page, insert:

"(3) Notwithstanding any other provision of law to the contrary, the governing authority of a parish having a population in excess of four hundred and seventy thousand persons, as determined by the most recent federal decennial census, may levy and collect an additional one percent sales and use tax within the parish under the provisions of Article VI, Section 29(B) of the Constitution of Louisiana, which additional sales and use tax shall not be subject to the combined rate limitations established in Article VI, Section 29(A) of the Constitution of Louisiana, nor any other provision of law to the contrary."

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. 1773—

BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; 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 House Bill No. 1773 by Representative Murray

AMENDMENT NO. 1

On page 1, line 5, after "utilize" change "the" to "certain"

AMENDMENT NO. 2

On page 1, delete lines 6 through 9, and on line 10, delete "cost;" and insert: "for designing and planning a new courthouse; to delete certain requirements; to provide for certain approvals;"

AMENDMENT NO. 3

On page 2, line 1, after "utilize the" change "monies" to "monies surplus"

AMENDMENT NO. 4

On page 2, line 2, after "fund" insert "as of July 1, 2003" and change "planning, designing," to "planning; and designing; the construction of"

AMENDMENT NO. 5

On page 2, line 3, delete "and constructing" and, after "Orleans" insert: "in an amount which shall not exceed three percent of the projected project cost"

AMENDMENT NO. 6

On page 2, line 9, insert:

"(2) No additional fees or costs shall be imposed to fund any portion of the planning, designing or construction of a new courthouse."

AMENDMENT NO. 7

On page 2, line 15, change "(2)" to "(4) (3)"

AMENDMENT NO. 8

On page 2, delete lines 16 and 17, and insert: "the design, plans, and costs for, and proposed plans for financing the new courthouse, including any proposed increase in fees and costs shall be approved by:

- (a) First, the Judicial Council of the Louisiana Supreme Court.
(b) Then, the legislature."

AMENDMENT NO. 9

On page 2, line 15, change "(3)" to "(4)"

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. 1783—

BY REPRESENTATIVE WRIGHT AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. 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. 1852—

BY REPRESENTATIVE R. CARTER AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; 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 passed to a third reading.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 1852, which was just advanced to House Bills on Third Reading and Final Passage.

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

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

HOUSE BILL NO. 1852—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Johnson	Smith
Chaisson	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—30		

NAYS

Dean
Total—1

ABSENT

Mr. President	Hines	Lambert
Cravins	Hoyt	Michot
Gautreaux	Irons	
Total—8		

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

Rules Suspended

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

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments,
Subject to Call**

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 867 be called from the Calendar at this time.

HOUSE BILL NO. 867—
BY REPRESENTATIVES MORRELL AND PEYCHAUD
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1
On page 1, line 4, change "1519.13" to "1519.14" and after R.S. 46.6 insert "(A)"

AMENDMENT NO. 2
On page 1, line 15, change "1519.13" to "1519.14"

AMENDMENT NO. 3
On page 14, after line 26, insert "(d) University Medical Center in Lafayette."

AMENDMENT NO. 4
On page 15, line 1, change "(d)" to "(e)"

AMENDMENT NO. 5
On page 15, line 2, change "(e)" to "(f)"

AMENDMENT NO. 6
On page 15, line 3, change "(f)" to "(g)"

AMENDMENT NO. 7
On page 15, line 4, change "(g)" to "(h)"

AMENDMENT NO. 8
On page 15, delete line 12 in its entirety

AMENDMENT NO. 9
On page 33, line 2, after "level." and before "Funding" insert the following:

"If any services are reduced by greater than fifteen percent in any one year, legislative approval must be obtained before reducing such services greater than fifteen percent in any year for the next three years."

AMENDMENT NO. 10

June 21, 2003

On page 39, line 18, after "uninsured" and before "medical" delete "or those with emergency" and insert "and who present with non-emergency"

AMENDMENT NO. 11

On page 65, at the end of line 12, after "shall" insert "each"

AMENDMENT NO. 12

On page 66, delete lines 9 through 13 in their entirety, and insert the following:

"(1) Inquire into the needs of the population and health care providers in the catchment area, the matter of the policies thereof, and make such recommendations with respect thereto as may be deemed important and necessary for the welfare of the catchment area, the health of the public in this area, and the welfare and progress of the hospitals in the catchment area."

AMENDMENT NO. 13

On page 66, line 14, after "advise" and before "the" delete "with" and after "the" and before "as" change "secretary" to "hospital administrator"

AMENDMENT NO. 14

On page 68, between lines 13 and 14, insert the following: "§1519.14. Southern University Planning Council

A. There is hereby established the Southern University Planning Council within the LSU Health Sciences Center New Orleans-Health Care Services Division.

B. The Southern University Planning Council shall be composed of three representatives from Southern University appointed by the chancellor of Southern University's Baton Rouge Campus, and three representatives from LSU Health Sciences Center New Orleans appointed by its chancellor.

C. The Southern University Planning Council shall meet as often as necessary for the purpose of coordinating nursing and other health training programs at the Earl K. Long Medical Center in Baton Rouge."

AMENDMENT NO. 15

On page 68, line 14, after "R.S. 46.6" insert "(A)"

AMENDMENT NO. 16

On page 68, at the beginning of line 18, insert "A."

AMENDMENT NO. 17

On page 69, at the end of line 1, after the comma ", " delete "or"

AMENDMENT NO. 18

On page 69, line 3, after "patient's" and before "physician" insert "treating"

AMENDMENT NO. 19

On page 69, line 3, after "or" and before "has" insert "if the person"

AMENDMENT NO. 20

On page 69, line 6, after "payments" delete "; or" and insert a comma ", "

AMENDMENT NO. 21

On page 69, line 8, change "treating physician" to "patient's treating physician"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Welch to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 4, change "1519.13" to "1519.14"

AMENDMENT NO. 2

On page 1, line 15, change "1519.13" to "1519.14"

AMENDMENT NO. 3

On page 65, line 9, after "of" and before "members" change "thirteen" to "fourteen"

AMENDMENT NO. 4

On page 65, line 18, after "years." delete the remainder of the line

AMENDMENT NO. 5

On page 65, delete line 19 in its entirety, and at the beginning of line 20, delete "duty."

AMENDMENT NO. 6

On page 68, between lines 13 and 14, insert the following:

"§1519.14. Lallie Kemp Regional Medical Center Advisory Council

A.(1) Lallie Kemp Regional Medical Center Advisory Council is hereby established. The council shall consist of eleven members who shall serve without compensation. Legislators representing the parishes of St. Helena and Tangipahoa shall appoint nine members to serve on the advisory council. Each legislator representing portions of St. Helena And Tangipahoa parish shall appoint one member. One member shall be appointed by the hospital administrator. One member shall be appointed by the hospital employee union.

(2) Each member of the council shall hold office until the appointment and qualification of his successor. Members shall be appointed for a term of four years. Legislators may remove any member of the council for misconduct, incompetency, or neglect of duty. Members may serve two successive terms only.

(3) The council shall meet at least once in each quarter of each calendar year or upon call of the secretary or the chairman. Six members shall constitute a quorum. The council shall elect from its members a chairman, a vice chairman and secretary, and such committees as it deems necessary to carry out its duties, each for a term of one year. All meetings of the council shall be public, and except as otherwise provided by law, all records of the council shall be open to inspection.

(4) Within thirty days after their appointment, the members of the council shall take an oath, before any person authorized to administer oaths, to faithfully and impartially perform their duties. Such oaths shall be filed with the secretary of state.

(5) The domicile of the council shall be in the city of Independence.

B. The council shall:

(1) Inquire into the needs of the population and health care providers in the catchment area, the matter of the policies thereof, and make such recommendations with respect thereto as may be deemed important and necessary for the welfare of the catchment area, the health of the public in this area, and the welfare and progress of the hospitals in the catchment area.

(2) Confer and advise the hospital administrator as to how the council may best serve the Lallie Kemp Regional Medical Center."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landrieu to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 49, between lines 11 and 12, insert the following:

"E. The board shall allow all Louisiana licensed insurance companies currently providing voluntary benefits through the division of administration as an approved insurer, the authority to service existing LSU HSC hospital employees and to solicit and enroll LSU HSC hospital employees for voluntary benefits on a payroll deduction basis."

AMENDMENT NO. 2

On page 49, at the beginning of line 12, change "E." to "F."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 33, line 6, after "owned" delete the remainder of the line and delete line 7 and insert "or operated by the board."

AMENDMENT NO. 2

On page 39, at the end of line 14, delete the period "." and insert "with the revenue it reasonably expects to collect, as reflected in the operating budget approved by the board."

AMENDMENT NO. 3

On page 52, line 5, change "these schedules" to "this schedule"

AMENDMENT NO. 4

On page 52, delete lines 21 and 22 and insert "such revenues which is budgeted and allocated for such purpose in the Medicaid budget until implementation by the Department of"

AMENDMENT NO. 5

On page 52, line 24, after "hospitals." and before "The" insert "If the amount of such revenues budgeted and allocated for such purpose in the Medicaid budget is revised during a fiscal year, the Department of Health and Hospitals shall notify the board of such revision. Upon receipt of the notification, the board shall adjust the operating budget for these hospitals which adjustment shall be in conformity with the revision."

AMENDMENT NO. 6

On page 59, at the end of line 18, insert "The reports shall include, for each hospital and the executive administration and general support program, a complete and detailed accounting on a cash basis of all revenues by source, including but not limited to, state general fund, Medicaid, Medicaid-Uncompensated Care, Medicare, self-pay and commercial insurance, federal grants, and receipts from any other public or private entity, and all expenditures for the prior quarter in a form and manner approved by the Joint Legislative Committee on the Budget. The reports shall also include, for each hospital and the executive administration and general support program for the current quarter and the next three quarters, projections of the costs that will be eligible for reimbursement from Medicaid payments or uncompensated care payments to be made by the Department of Health and Hospitals."

AMENDMENT NO. 7

On page 68, line 22, change "state of Louisiana" to "board"

AMENDMENT NO. 8

On page 68, at the beginning of line 24, change "above" to "with an income greater than"

AMENDMENT NO. 9

On page 69, line 16, change "state of Louisiana" to "board"

AMENDMENT NO. 10

On page 69, line 23, change "state of Louisiana" to "board"

AMENDMENT NO. 11

On page 70, line 14, after "required" and before the period "." insert "by rule and as allocated in appropriations to the Medical Vendor Payments Program."

AMENDMENT NO. 12

On page 71, at the end of line 13, change "year" to "years" and at the beginning of line 14, change "2003-2004" to "2003-2004 and 2004-2005"

AMENDMENT NO. 13

On page 71, at the end of line 16, delete the period "." and insert "and as reflected in appropriations to the Medical Vendor Payments Program for each year."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

In House Floor Amendment No. 6 proposed by Representative Welch and adopted by the House on June 19, 2003, on page 2, line 3, after "years." delete the remainder of the line and delete line 4 in its entirety and at the beginning of line 5 delete "duty."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Landrieu and adopted by the House on June 19, 2003.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneau
Adley	Fields	Mount
Bajoie	Fontenot	Romero
Barham	Heitmeier	Schedler
Boissiere	Holden	Smith
Cain	Hollis	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, CD	Ullo
Dean	Lentini	
Dupre	Malone	
Total—31		

NAYS

Total—0

ABSENT

Bean	Hoyt	McPherson
Gautreaux	Irons	Michot
Hines	Lambert	
Total—8		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in 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.

**Privilege Report of the
Legislative Bureau**
June 21, 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.

HOUSE BILL NO. 1404—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1773—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1783—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
RON BEAN
Chairman

Adoption of Legislative Bureau Report

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

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 21, 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. 114—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to continue funding of AmeriCorps programs in Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 145—
BY SENATORS SMITH, ELLINGTON, B. JONES, AND
REPRESENTATIVES KENNEY, TOWNSEND, WRIGHT, HUNTER,
GALLOT, AND FANNIN

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to support federal motor fuels tax credits for diesel and gasoline refined from wood bio-mass.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 152—
BY SENATORS HEITMEIER AND IRONS

A CONCURRENT RESOLUTION
To recognize and commend Murphy Oil Corporation on the fiftieth anniversary of its Exploration and Production Headquarters being located in the city of New Orleans and on being a vital part of the New Orleans Central Business District and the overall economy of the city of New Orleans and the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 147—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION
To invite the Honorable M. J. "Mike" Foster, Governor of Louisiana to address a joint session of the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 142—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION
To urge and request the Board of Regents, in collaboration with the boards of supervisors of the Louisiana State University System, the Southern University System, and the University of Louisiana System, to study the feasibility of requiring students who pursue a degree in political science to participate in the electoral process as a poll commissioner as part of the degree requirement.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 148—
BY SENATORS IRONS, BOISSIERE AND HAINKEL AND
REPRESENTATIVE SCHWEGMANN

A CONCURRENT RESOLUTION
To urge and request the University of New Orleans to develop a plan to establish and operate a university laboratory middle school.

Reported without amendments.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 21, 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. 223—
 BY SENATOR BARHAM AND REPRESENTATIVE DIEZ
 A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana; to provide for certain TIMED project descriptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without amendments.

SENATE BILL NO. 78—
 BY SENATOR DARDENNE
 AN ACT

To amend and reenact R.S. 2:135.1 (E), relative to airports and landing fields; to redefine the term "fixed base operator"; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 297—
 BY SENATOR DARDENNE
 AN ACT

To amend and reenact R.S. 37:788(B)(3) and 789(A) and (B) and to enact R.S. 37:789(C) and (D), relative to the practice of dentistry and dental hygiene without a license; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 331—
 BY SENATOR BAJOEI
 AN ACT

To amend and reenact R.S. 37:1861(A)(1), 1864, 1871(1), 1874(A) and (B)(13)(a) and (c), 1877, 1879, and 1880, and to enact R.S. 37:1861(A)(3) and (4), 1871(3) and (4), 1874(B)(13)(f), relative to secondhand dealers; to provide for the definition of the term "used building component"; to require reporting of transactions involving "used building components"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 174—
 BY SENATOR HAINKEL
 AN ACT

To amend and reenact R.S. 30:2157(A) and to enact R.S. 30:2157.1, relative to environmental quality; to provide for changes in emergency response standards for permits for a type 2 and a type 3 solid disposal facility; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 27—
 BY SENATOR HAINKEL
 AN ACT

To amend and reenact R.S. 56:116.1(B)(1), relative to the use of aircraft in the taking of wild turkey and white-tailed deer; to prohibit the use of aircraft for the taking, or spotting of either species; and to provide for related matters.

Reported with amendments.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2027 by Representative Martiny, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1812 by Representative Fauchaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2002 by Representative Pitre, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2004 by Representative Crowe, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 439 by Representative Martiny, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 892 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 914 by Representative Schneider,

and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1137 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1188 by Representative Schneider, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1204 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1432 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 774 by Representative Perkins, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 892 by Representative Hammett:

Representatives Hammett, Scalise and Bruneau.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 1046 by Senator B. Jones:

Representatives Gallot, Johns and Montgomery.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 236 by Representative Townsend:

Representatives Townsend, Pierre and Cazayoux.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 398 by Representative Baldone:

Representatives Baldone, Johns and Cazayoux.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 409 by Representative Martiny:

Representatives Martiny, Damico and Wooton.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 795 by Representative Martiny:

Representatives Martiny, Wooton and Montgomery.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 812 by Representative Townsend:

Representatives Townsend, Pierre and Jack Smith.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 1935 by Representative Katz:

Representatives Katz, Powell and Diez.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 133 by Senator Hoyt:

Representatives Cazayoux, Wright and Salter.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 1812 by Representative Fauchaux:

Representatives Fauchaux, Johns and Bowler.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 914 by Representative Bruneau:

Representatives Bruneau, Triche and Schneider.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 663 by Senator Heitmeier:

Representatives Montgomery, Martiny and Downs.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 795 by Representative Martiny:

Representative LaFleur, vice Representative Montgomery.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 439 by Representative Martiny:

Representatives Martiny, Crane and Winston.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 604 by Representative Devillier:

Representatives Devillier, Johns and Murray.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 2004 by Representative Crowe:

Representatives Crowe, Hebert and Townsend.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 21, 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. 774 by Representative Perkins:

Representatives Perkins, Diez and Alario.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 174.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1448.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1009.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1154.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 21, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1468.

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

**Appointment of Conference Committee
on House Bill No. 795**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 795: Senator Hollis, vice Senator Chaisson.

**Appointment of Conference Committee
on House Bill No. 795**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 795: Senator Hainkel, vice Senator Malone.

**Appointment of Conference Committee
on House Bill No. 1**

The President of the Senate appointed on the Conference Committee on House Bill No. 1 the following members of the Senate: Senators Dardenne, Tarver and Hainkel.

**Appointment of Conference Committee
on House Bill No. 2**

The President of the Senate appointed on the Conference Committee on House Bill No. 2 the following members of the Senate: Senators Barham, Dardenne and Hainkel.

**Appointment of Conference Committee
on Senate Bill No. 30**

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. 30: Senators Cain, Ullo and Dardenne.

**Appointment of Conference Committee
on Senate Bill No. 909**

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. 909: Senators Cain, Hollis and Smith.

**Appointment of Conference Committee
on House Bill No. 892**

The President of the Senate appointed on the Conference Committee on House Bill No. 892 the following members of the Senate: Senators Hollis, Adley and Irons.

**Appointment of Conference Committee
on Senate Bill No. 4**

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. 4: Senators McPherson, Ullo and Marionneaux.

**Appointment of Conference Committee
on House Bill No. 1935**

The President of the Senate appointed on the Conference Committee on House Bill No. 1935 the following members of the Senate: Senators Heitmeier, Fields and Lentini.

**Appointment of Conference Committee
on House Bill No. 876**

The President of the Senate appointed on the Conference Committee on House Bill No. 876 the following members of the Senate: Senators Schedler, Ellington and Irons.

**Appointment of Conference Committee
on House Bill No. 2004**

The President of the Senate appointed on the Conference Committee on House Bill No. 2004 the following members of the Senate: Senators Schedler, Tarver and Thomas.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bean 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. 109—
BY SENATOR HEITMEIER**

A RESOLUTION

To commend Joseph LeBlanc for his selection to represent south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

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

SENATE RESOLUTION NO. 110—
BY SENATOR MOUNT

A RESOLUTION

To express the condolences of the Senate of Louisiana upon the death of William Grunewald III.

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

SENATE RESOLUTION NO. 111—
BY SENATOR HOLDEN

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Rodessa Spann Chapman.

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

SENATE RESOLUTION NO. 112—
BY SENATOR C. JONES

A RESOLUTION

To recognize the 40th anniversary of *Gideon v. Wainwright*, 372 U.S. 335, 83 S. Ct. 792, 9 L. Ed. 2d 799 (1963), and to rededicate the state of Louisiana to the promise of equal justice for all, regardless of income, in accordance with the American Bar Association's (ABA) *Ten Principles of a Public Defense Delivery System*, by creating the Louisiana Task Force on Indigent Defense Services.

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

SENATE RESOLUTION NO. 113—
BY SENATOR HAINKEL

A RESOLUTION

To recognize the Greater Mandeville Seafood Festival, on the occasion of the twenty-fifth anniversary of its initiation, as a premier Louisiana cultural event and, in doing so, to acknowledge the extraordinary value of this festival in attracting tourists, educating citizens, promoting Louisiana products, highlighting music and arts, preserving heritage and customs, and entertaining families.

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

SENATE CONCURRENT RESOLUTION NO. 153—
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to undertake a comprehensive study of the prevention and treatment of obesity and to create the Louisiana Obesity Prevention Task Force to study obesity prevention and treatment.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Heitmeier	Mount

Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Dupre	Lentini	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Hoyt	Tarver
Bean	Irons	Thomas
Gautreaux	Lambert	
Hines	Michot	
Total—10		

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

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 21, 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 Bills have been properly enrolled:

SENATE BILL NO. 128—
BY SENATORS THEUNISSEN AND HOLLIS AND REPRESENTATIVES CRANE AND SCHNEIDER

AN ACT

To amend and reenact R.S. 17:433(C) and R.S. 42:1123(2)(b), and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal awards; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

SENATE BILL NO. 257—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), relative to the Medical Malpractice Act; to include perfusionist in the definition of a "health care provider"; and to provide for related matters.

SENATE BILL NO. 307—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and 1235.2(A), relative to qualifications to operate ambulances and ambulance providers and licensure; to provide an exception regarding heliports; and to provide for related matters.

SENATE BILL NO. 320—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:98(A)(1)(d) and (e), relative to the offense of driving while intoxicated; to provide relative to driving under the influence of a drug which is not a controlled dangerous substance; to provide an affirmative defense for such

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charge under certain conditions; to provide relative to driving under the influence of a combination of alcohol and a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; and to provide for related matters.

SENATE BILL NO. 326—
BY SENATOR BAJIOIE AND REPRESENTATIVE WELCH
AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

SENATE BILL NO. 358—
BY SENATOR MCPHERSON
AN ACT

To enact 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.

SENATE BILL NO. 406—
BY SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

SENATE BILL NO. 437—
BY SENATORS CAIN AND CRAVINS
AN ACT

To amend and reenact R.S. 4:144(A); to provide for the membership of the State Racing Commission; and to provide for related matters.

SENATE BILL NO. 421—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

SENATE BILL NO. 578—
BY SENATOR FONTENOT AND REPRESENTATIVES ERDEY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 17:22(2)(d) and to enact R.S. 39:33.2, relative to the minimum foundation program; to provide relative to returning the formula to the State Board of Elementary and Secondary Education; and to provide for related matters.

SENATE BILL NO. 177—
BY SENATOR HEITMEIER
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize public funds to be loaned or pledged by a state infrastructure bank to fund eligible infrastructure projects; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

SENATE BILL NO. 684—
BY SENATOR ULLO
AN ACT

To enact R.S. 28:53.2(F), relative to civil immunity; to exempt a coroner, his support staff and law enforcement officers from civil liability for forceful entry to secure protective custody; to provide for forcible entry to secure protective custody; to provide procedures for obtaining a court order allowing forcible entry; and to provide for related matters.

SENATE BILL NO. 685—
BY SENATOR ULLO
AN ACT

To enact R.S. 33:1563(L), relative to civil immunity; to provide for civil immunity for coroner and supporting staff while in the performance of their duties; to provide for exceptions; to provide for legislative intent; and to provide for related matters.

SENATE BILL NO. 761—
BY SENATORS CAIN AND MOUNT AND REPRESENTATIVE JOHNS
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.

SENATE BILL NO. 801—
BY SENATOR MARIONNEAUX
AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 882—
BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 18:491, relative to elections; to authorize certain elected officials to bring an action objecting to the candidacy of a person who qualifies in a primary election; to require creditable evidence; and to provide for related matters.

SENATE BILL NO. 900—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 33:2218.4(A) and (B) and to enact R.S. 33:2218.4(E), relative to extra compensation paid by the state to police and deputy sheriffs; to grant authority to certain local officials to sign warrants to disburse such funds; and to provide for related matters.

SENATE BILL NO. 931—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact Children's Code Art. 1263, relative to the action to annul a final decree of adoption; to provide for the preemptive period in all cases; and to provide for related matters.

SENATE BILL NO. 942—
BY SENATOR THOMAS AND REPRESENTATIVE NEVERS
AN ACT

To authorize the secretary for the Department of Health and Hospitals and the commissioner of administration, for and on behalf of the state, to enter into an agreement with respect to the exchange of certain properties in Washington Parish; to authorize and provide for the transfer or lease of certain state property in a parish with a population between eighteen thousand five

hundred and nineteen thousand according to the latest federal decennial census from the Department of Health and Hospitals to a fire protection district within such parish, through the governing authority of the district; to authorize the secretary of the Department of Social Services and the commissioner of administration to enter into a cooperative agreement with the parish governing authority of Tangipahoa Parish for the purpose of utilization of certain real property; and to provide for related matters.

SENATE BILL NO. 986—

BY SENATOR IRONS

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 1008—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:2451, relative to the civil service system and personnel administration in Rapides Parish; to authorize the civil service board, by rule, to exempt positions from provisions of law regarding appointment, promotion, and dismissal; to provide limitations; and to provide for related matters.

SENATE BILL NO. 781—

BY SENATOR BOISSIERE AND REPRESENTATIVE MURRAY

AN ACT

To enact Part IV of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4159.10, relative to sewage and water disposal; to establish procedures for privatization of public sewage and water drainage or water disposal or treatment facilities in municipalities having a population in excess of four hundred and seventy-five thousand, according to the most recent federal decennial census; and to provide for related matters.

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 systems, funds, and plans; 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-state or out-of-state emerging businesses, money managers, and venture capital firms; to provide for a two-year pilot program, requiring each Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through broker-dealers who maintains an office in Louisiana and ten percent through broker-dealers who have been incorporated and domiciled in Louisiana for at least two years; to provide for interim cost analyses on the results of the pilot program; to provide a sunset date for the pilot program; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 1080—

BY SENATOR ELLINGTON AND REPRESENTATIVES LEBLANC AND MURRAY

AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7) and to enact R.S. 36:104(B)(8), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to prohibit incentives for tires processed outside of Louisiana; to provide for agreements between the Departments of Environmental Quality and Economic Development; and to provide for related matters.

SENATE BILL NO. 1094—

BY SENATOR THOMAS AND REPRESENTATIVE NEVERS

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

SENATE BILL NO. 1110—

BY SENATOR BOISSIERE AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 22:658(A)(4) and (B)(1) and to enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to provide for penalties for failure to make a written offer to settle to third-party claimants; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108) (Duplicate of House Bill No. 2024)—

BY SENATOR HINES AND REPRESENTATIVE FUTRELL AND COAUTHORED BY SENATORS FIELDS, BAJOIE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN AND REPRESENTATIVES DURAND, ILES, KATZ, MCDONALD, SCHWEGMANN, STRAIN, WALKER, WELCH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, BRUNEAU, CAPELLA, R. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DIEZ, DOWNER, DOWNS, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, L. JACKSON, M. JACKSON, JOHNS, KENNEY, LAFLEUR, LANDRIEU, LEBLANC, LUCAS, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, THOMPSON, TOOMY, TRICHE, TUCKER, WADDELL, WALSWORTH, WOOTON AND WRIGHT

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 Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx 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.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Adjournment

Senator Hollis moved that the Senate adjourn until Sunday, June 22, 2003, at 12:00 o'clock Noon.

The President of the Senate declared the Senate adjourned until 12:00 o'clock Noon on Sunday, June 22, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk