

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

FOURTEENTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, April 26, 2004

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

ROLL CALL

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

PRESENT

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

ABSENT

Bajoie	Irons
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Rev. Len Malone, 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 Adley, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Petitions, Memorials and
Communications**

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

TREASURER OF THE STATE OF LOUISIANA

April 15, 2004

The Honorable Donald E. Hines, M.D.
President of the Senate
P. O. Box 94183
Baton Rouge, LA 70804-9183

Dear President Hines:

The purpose of this letter is to request Senate confirmations for appointees in the Department of Treasury.

In that regard, I hereby acknowledge the following appointments to the Department of Treasury and submit to you their names for consideration of Senate confirmation as required by law.

Ron J. Henson	First Assistant State Treasurer
Jason R. Redmond	Deputy State Treasurer
Sharon B. Perez	State Bond Commission Director
John J. Broussard	Assistant State Treasurer

Thank you in advance for your attention to this important matter and please contact me should you have any questions or need additional information.

Sincerely,
JOHN KENNEDY
State Treasurer

Messages from the House

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

Message from the House

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

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 570—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(introductory paragraph) and (1) and (2)(introductory paragraph), 402.2, 407(A)(2)(a), and 408(A)(1), relative to driver education, training, and testing; to require instruction relative to sharing the road with motorcycles and tractor/trailer trucks during driver education, training,

improvement, and remediation programs; and to provide for related matters.

HOUSE BILL NO. 108—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

HOUSE BILL NO. 246—
BY REPRESENTATIVES DANIEL, JACKSON, DORSEY, AND SCALISE
AN ACT

To enact R.S. 47:463.126 and 463.127, relative to motor vehicles; to provide relative to license plates; to create the Louisiana State University National Champions and the Southern University Black College National Champions prestige license plates; to provide for the issuance of such plates; to provide for the design and color of such plates; to provide relative to the fees for such plates, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; and to provide for related matters.

HOUSE BILL NO. 428—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285.3, relative to the Louisiana State Board of Medical Examiners; to require that security accompany any judicial review of a final decision of the board; and to provide for related matters.

HOUSE BILL NO. 626—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 32:666(C), relative to refusal to submit to chemical tests; to provide with respect to law enforcement officers who are appointed as ex officio notaries public; and to provide for related matters.

HOUSE BILL NO. 853—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(5), relative to the second injury fund; to allow the second injury fund to intervene in third-party actions; and to provide for related matters.

HOUSE BILL NO. 868—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:510(A), relative to vehicle registration; to provide relative to the requirement that vehicle manufacturers and dealers give notice regarding vehicle transfers; to provide relative to certain exemptions; and to provide for related matters.

HOUSE BILL NO. 885—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

HOUSE BILL NO. 426—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1290, relative to the Louisiana State Board of Medical Examiners; to provide for penalties for the unauthorized practice of medicine; and to provide for related matters.

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

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

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 108—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

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

HOUSE BILL NO. 246—
BY REPRESENTATIVES DANIEL, JACKSON, DORSEY, AND SCALISE
AN ACT

To enact R.S. 47:463.126 and 463.127, relative to motor vehicles; to provide relative to license plates; to create the Louisiana State University National Champions and the Southern University Black College National Champions prestige license plates; to provide for the issuance of such plates; to provide for the design and color of such plates; to provide relative to the fees for such plates, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; and to provide for related matters.

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

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BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285.3, relative to the Louisiana State Board of Medical Examiners; to require that security accompany any judicial review of a final decision of the board; and to provide for related matters.

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

HOUSE BILL NO. 570—
BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(introductory paragraph) and (1) and (2)(introductory paragraph), 402.2, 407(A)(2)(a), and 408(A)(1), relative to driver education, training, and testing; to require instruction relative to sharing the road with motorcycles and tractor/trailer trucks during driver education, training, improvement, and remediation programs; and to provide for related matters.

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

HOUSE BILL NO. 626—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 32:666(C), relative to refusal to submit to chemical tests; to provide with respect to law enforcement officers who are appointed as ex officio notaries public; and to provide for related matters.

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

HOUSE BILL NO. 853—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(5), relative to the second injury fund; to allow the second injury fund to intervene in third-party actions; and to provide for related matters.

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

HOUSE BILL NO. 868—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:510(A), relative to vehicle registration; to provide relative to the requirement that vehicle manufacturers and dealers give notice regarding vehicle transfers; to provide relative to certain exemptions; and to provide for related matters.

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

HOUSE BILL NO. 885—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVES ODINET AND HUTTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan and to memorialize the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVE MCDONALD
A CONCURRENT RESOLUTION

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install traffic warning devices at certain locations in St. Mary Parish.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles and the state Board of Elementary and Secondary Education to include in their training and testing of drivers' information relative to sharing the road with motorcycles and tractor/trailer trucks.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVE MCDONALD
A CONCURRENT RESOLUTION

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles and the state Board of Elementary and Secondary Education to include in their training and testing of drivers' information relative to sharing the road with motorcycles and tractor/trailer trucks.

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

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVES ODINET AND HUTTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan and to memorialize the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project.

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

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install traffic warning devices at certain locations in St. Mary Parish.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To commend Mr. Pat Swilling upon his induction into the Georgia Sports Hall of Fame.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of United States Army Staff Sergeant Toby Wayne Mallet of Kaplan.

HOUSE CONCURRENT RESOLUTION NO. 111—
BY REPRESENTATIVES BAUDOIN, ALEXANDER, BROOME, K. CARTER, DURAND, FRITH, LAFLEUR, PINAC, ROMERO, ST. GERMAIN, TRAHAN, AND TRICHE
A CONCURRENT RESOLUTION

To recognize the third week of September as Acadian Heritage Week in celebration of the valuable contributions Acadian people have made to the culture of the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE HONEY AND SENATORS FIELDS AND HOLDEN
A CONCURRENT RESOLUTION

To commend the Southern University Lady Jaguars bowling team upon the completion of their remarkable season and placing fifth in the 2004 National Collegiate Athletic Association Women's National Bowling Championship.

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Karen George Milazzo of Litcher.

HOUSE CONCURRENT RESOLUTION NO. 116—
BY REPRESENTATIVE MCVEA AND SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To commend Duke Energy's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to Fire Protection District No. 1 of West Feliciana Parish.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION

To commend Mr. Pat Swilling upon his induction into the Georgia Sports Hall of Fame.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Ullo
Cravins	Irons	
Hankel	Jones	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of United States Army Staff Sergeant Toby Wayne Mallet of Kaplan.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hankel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Jones
Irons	Ullo
Total—4	

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

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVES BAUDOIN, ALEXANDER, BROOME, K. CARTER, DURAND, FRITH, LAFLEUR, PINAC, ROMERO, ST. GERMAIN, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To recognize the third week of September as Acadian Heritage Week in celebration of the valuable contributions Acadian people have made to the culture of the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hankel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Irons
Heitmeier	Jones
Total—4	

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

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE HONEY AND SENATORS FIELDS AND HOLDEN

A CONCURRENT RESOLUTION

To commend the Southern University Lady Jaguars bowling team upon the completion of their remarkable season and placing fifth in the 2004 National Collegiate Athletic Association Women's National Bowling Championship.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Amedee	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Dupre	Malone	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Jones
Boasso	Irons	
Total—5		

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

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Karen George Milazzo of Lutchter.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, B	Nevers
Boissiere	Gautreaux, N	Romero
Cain	Hainkel	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Lentini	
Duplessis	Malone	

Total—34

NAYS

Total—0

ABSENT

Bajoie	Irons	Kostelka
Heitmeier	Jones	
Total—5		

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

HOUSE CONCURRENT RESOLUTION NO. 116—
BY REPRESENTATIVE MCVEA AND SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To commend Duke Energy's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to Fire Protection District No. 1 of West Feliciana Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Irons
Heitmeier	Jones
Total—4	

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

House Bills and Joint Resolutions
on Second Reading to be Referred

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

HOUSE BILL NO. 142—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 32:217(B), relative to pedestrians' rights and duties on public streets or highways; to provide that traffic shall yield to a person who requires a wheelchair for transportation and who is crossing a street; and to provide for related matters.

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

HOUSE BILL NO. 276—
BY REPRESENTATIVE JACK SMITH
AN ACT

To repeal R.S. 6:1010, relative to the Louisiana Check-Cashing Law; to repeal the requirement of posting a surety bond.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 285—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 32:1720.1, relative to towing and storage of motor vehicles; to provide relative to stored motor vehicles; to remove certain requirements applicable to surrender of such vehicles to a secured party; and to provide for related matters.

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

HOUSE BILL NO. 332—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:1087(B)(1) and (C), relative to the residential mortgage lenders; to provide for an exemption from licensure and continuing education requirements for employees and exclusive agents of direct or indirect subsidiaries of holding companies; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 333—
BY REPRESENTATIVES SMILEY AND THOMPSON
AN ACT

To amend and reenact R.S. 48:274.1(B), relative to specific information logo signs; to require the Department of Transportation and Development to include "RV friendly" markers within the logo sign program; to authorize certain business establishments to include "RV friendly" markers on their logo signs; to provide relative to the design and issuance criteria for "RV friendly" markers; to authorize the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 384—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 32:80(B), relative to school buses; to provide relative to the use of visual stop-indicator signals on school buses; and to provide for related matters.

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

HOUSE BILL NO. 447—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:969.18(A), relative to documentation fees authorized under the Motor Vehicle Sales Finance Act; to clarify the types of persons who can properly charge documentation fees; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 473—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285(G), (H), and (I), relative to the Louisiana State Board of Medical Examiners; to provide for strict limitations and conditions on staying or continuing an adjudication proceeding, decision, or order of the board prior to the issuance of a final decision; and to provide for related matters.

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

HOUSE BILL NO. 573—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Code of Civil Procedure Article 3601 and to enact Code of Civil Procedure Article 3603(C), relative to civil procedure; to prohibit the issuance of injunctions or restraining orders which prevent the enforcement of child support orders; and to provide for related matters.

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

HOUSE BILL NO. 576—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact Civil Code Articles 571 and 573 and to repeal Code of Civil Procedure Article 3154.1, relative to usufructuaries; to provide for the giving of security; to provide for the type of security; to prohibit dispensing with security for certain testamentary usufructs; and to provide for related matters.

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

HOUSE BILL NO. 585—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 27:325 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of video draw poker establishments; and to provide for related matters.

On motion of Senator Ullo, the bill, which is a duplicate of Senate Bill No. 357, was read by title and lies over under the rules.

HOUSE BILL NO. 667—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 38:2212(C)(2)(b), relative to advertisement and letting public contracts to the lowest bidder; to provide relative to addenda to plans and specifications prior to opening of bids; and to provide for related matters.

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

HOUSE BILL NO. 672—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:820.5.3(C), relative to the Crescent City Connection Oversight Authority; to provide relative to membership thereon; and to provide for related matters.

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

HOUSE BILL NO. 689—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 51:1967, relative to computer operating software; to prohibit software license codes from being used to prevent legitimate purchasers and users from accessing their own electronic information; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 970—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1908(A)(26) and (C), to increase the expense allowance of the assessor of Jefferson Parish; and to provide for related matters.

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

HOUSE BILL NO. 1115—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1606, relative to the Department of Revenue; to authorize the Department of Revenue to assess a distraint cost penalty; to provide for an effective date; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1178—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 25:1251(2), 1252(A), and 1253(A)(1)(introductory paragraph) and (a), (l), (m), (n), (o), (p), (q) and (3) and to enact R.S. 25:1253(A)(1)(r), relative to the Mississippi River Road Commission; to provide for geographical boundaries; to provide for membership; and to provide for related matters.

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

HOUSE BILL NO. 1192—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 36:802.6 and R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13, and R.S. 36:629(Q), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to the Louisiana Wildlife and Fisheries Commission; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 1220—
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX,
DOWNS, FANNIN, FRITH, M. GUILLORY, HILL, MORRISH, ST.
GERMAIN, AND STRAIN AND SENATOR SMITH
AN ACT

To enact Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 333, relative to rural development; to create the Louisiana Center for Rural Initiatives; to provide for the powers, duties, and functions of the center; to provide relative to implementation; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 1227—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 47:1903.4, relative to the imposition of fees to derive funds for the operation and maintenance of the office of the assessor for the parish of Allen; to authorize the assessor of Allen Parish to impose a conveyance fee; to provide for the

collection of the fee; to provide for the use of the monies collected; and to provide for related matters.

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

HOUSE BILL NO. 1387—
BY REPRESENTATIVES JOHNS AND SCHNEIDER
AN ACT

To amend and reenact R.S. 47:2101(A)(3), relative to the payment of ad valorem taxes; to provide that interest shall not be assessed if the payment was timely made; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1408—
BY REPRESENTATIVES DANIEL, KENNARD, BRUCE, CROWE, DOERGE, FRITH, MARCHAND, PINAC, T. POWELL, RITCHIE, GARY SMITH, TRAHAN, WALSWORTH, AND WHITE
AN ACT

To amend and reenact R.S. 4:420, 421(A)(2) through (9), 422, 423(B), (G)(3), (H), and (I), 424, 426, 432, and 433 and to enact R.S. 4:421(A)(10) through (14), 422.1(A)(5), 423(G)(4), 425(D), 427(A)(6) and (7) and (D), and 430(C), relative to athlete agents; to provide for legislative purpose; to provide for definitions; to provide for registration; to provide for denial or revocation of registration; to provide for notice to head coach instead of president of institution; to provide for notice to athlete; to provide for contract relationship between athlete and institution or school; to provide for duties and obligations; to provide relative to contact with athletes; to provide for prohibited activities; to provide for recordkeeping; to provide for attorney athlete agents; to provide remedies and penalties; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1420—
BY REPRESENTATIVES PINAC, BRUCE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, T. POWELL, RITCHIE, WHITE, AND WINSTON
AN ACT

To enact R.S. 37:2156(C)(3), relative to contractors; to require the license renewal form to include a donation portion; to provide for collection and remittance of such donations; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSEBILL NO. 1477 (Substitute for House Bill No. 1383 by Representative Townsend)—
BY REPRESENTATIVES RICHMOND, TOWNSEND, DORSEY, MURRAY, AND SHEPHERD
AN ACT

To enact R.S. 13:1568.3, relative to special divisions of juvenile courts; to provide for divisions of court to have special jurisdiction over child in need of care proceedings; to provide for divisions of court to have special jurisdiction over delinquency

proceedings; to provide for applicability to juvenile courts in certain parishes; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 26, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 322—
BY SENATOR NEVERS
A JOINT RESOLUTION

Proposing to amend Article VII, Section 20 of the Constitution of Louisiana, relative to homestead exemption; to provide for an exemption for homesteads owned by certain persons; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 810—
BY SENATOR FONTENOT
AN ACT

To enact R.S. 33:2721.14, relative to sales and use taxes; to authorize certain parishes to increase sales and use taxes; to provide for voter approval; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE MOUNT
Chairperson

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

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

SENATE BILL NO. 47—
BY SENATOR ULLO

AN ACT

To enact R.S. 56:578.14, relative to shrimp; to provide for the sale of shrimp by restaurants; to require identification as to the origin of shrimp; to provide notice to customers; to provide for display of information; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 47 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, after "to provide" delete the remainder of the line and delete lines 3 and 4 and insert "relative to the sale of shrimp by restaurants; to authorize the display of certain information; and to provide for related"

AMENDMENT NO. 2

On page 1, delete lines 10 through 12 and insert in lieu thereof "A restaurant in the state that sells or serves, for human consumption, any shrimp or shrimp product may display to its customers information as to the country or state of origin of the shrimp."

AMENDMENT NO. 3

On page 1, delete lines 13 through 17

AMENDMENT NO. 4

On page 2, delete lines 1 through 15

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

SENATE BILL NO. 114—
BY SENATOR JONES

A JOINT RESOLUTION

Proposing to repeal Article III, Section 4(E) of the Constitution of Louisiana, relative to the terms of office of legislators; to eliminate provisions which limit the number of consecutive terms a member of the Senate may serve in the Senate; to eliminate provisions which limit the number of consecutive terms a member of the House of Representatives may serve in the House of Representatives; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 121—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 121 by Senator Jones

AMENDMENT NO. 1

On page 1, line 17, change "**two hundred**" to "fifty"

AMENDMENT NO. 2

On page 2, line 2, after "hundred" insert "and fifty"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 145—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to limitation of liability; to provide relative to motorized off-road vehicle activities; to increase the weight limitation on vehicles involved in such activities; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 209—
BY SENATOR ADLEY AND REPRESENTATIVE DOERGE

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(C)(4) and (C)(4)(b) and (c), relative to the alternative means for determining residency for Tuition Opportunity Program for Students purposes for certain dependent students who graduate from eligible Louisiana high schools and have a parent or court-ordered custodian who resides in an adjoining state; to increase the length of time such a student must be enrolled in a Louisiana secondary school prior to high school graduation; to require that a student's parent or court-ordered custodian who is a resident of a state adjoining Louisiana reside in a county that adjoins Louisiana; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 209 by Senator Adley

AMENDMENT NO. 1

On page 1, at the end of line 2, change "(C)(4)(b) and" to "(C)(4)(a) and (c),"

AMENDMENT NO. 2

On page 1, line 3, delete "(c),"

AMENDMENT NO. 3

On page 1, line 6, after "state;" delete the remainder of the line and delete line 7 in its entirety and on line 8, delete "graduation;"

AMENDMENT NO. 4

On page 1, at the end of line 9, after "adjoining Louisiana" delete the remainder of the line and insert the following: "and resides in a county that adjoins a parish with a certain population; to"

AMENDMENT NO. 5

On page 1, line 12, change "(b) and" to "(a) and"

AMENDMENT NO. 6

On page 1, delete line 17 and insert the following: "(a) The student graduates during the 2001-2002 ~~or 2002-2003~~ school year ~~or thereafter~~ from a Louisiana public high school or from a nonpublic high school that is approved by the State Board of Elementary and Secondary Education and that meets other applicable requirements of this Section."

AMENDMENT NO. 7

On page 2, delete lines 5 through 8

AMENDMENT NO. 8

On page 2, line 12, after "**adjoins**" delete "Louisiana" and insert the following: "**a parish with a population greater than forty-one thousand six hundred and less than forty-two thousand four hundred according to the latest federal decennial census**"

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

SENATE BILL NO. 258—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:1483(7)(e), relative to campaign finance; to classify as "district office" the office of marshal or constable of a city court; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 258 by Senator Jones

AMENDMENT NO. 1

On page 2, after line 2, insert "*" * *

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

SENATE BILL NO. 259—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to limit certain beverages and food in vending machines; to limit accessibility to students; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 259 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "food" delete "in" and on line 3, delete "vending machines" and insert "sold at schools during a certain time period"

AMENDMENT NO. 2

On page 2, line 4, after "sold" insert "and only in single-serving portions to students"

AMENDMENT NO. 3

On page 2, line 6, after "end of the" insert "last lunch period of the"

AMENDMENT NO. 4

On page 2, line 8, change "100" to "one hundred"

AMENDMENT NO. 5

On page 2, delete lines 14 and 15

AMENDMENT NO. 6

On page 2, line 18, change "on school campuses" to "to students on public elementary and secondary schools or on the grounds of such schools"

AMENDMENT NO. 7

On page 2, line 19, after "end of the" insert "last lunch period of the of the"

AMENDMENT NO. 8

On page 2, line 23, after "Not" delete the remainder of the line and insert "more than thirty grams per serving shall be composed of sugar"

AMENDMENT NO. 9

On page 2, line 26, after "Subsections" change "A and B" to "B and C"

AMENDMENT NO. 10

On page 2, delete lines 28 and 29 and on page 3, delete lines 1 through 4 and insert the following: "E. The provisions of this Section shall not limit the beverages and food items which may be sold in

grades seven through twelve during the last ten minutes of each lunch period."

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

SENATE BILL NO. 283—

BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 347—

BY SENATOR SMITH

AN ACT

To enact R.S. 48:282, relative to the sale of timber by the Department of Transportation and Development; to authorize the department to sell timber which has been cut or felled on state highway right-of-ways; to provide for the use of the proceeds; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 347 by Senator Smith

AMENDMENT NO. 1

On page 1, lines 4 and 11, change "right-of-ways" to "rights-of-way"

AMENDMENT NO. 2

On page 1, line 11, after "be" delete the remainder of the line, and delete line 12, and insert: "dedicated to the Transportation Trust Fund to be used for maintenance and repair of roads not eligible for federal matching funds provided by the federal highway program."

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

SENATE BILL NO. 435—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 435 by Senator Theunissen

AMENDMENT NO. 1

On page 2, delete lines 4 through 14 and insert the following: "(e) Except as otherwise provided by this Section and through the 2006-2007 school year, has successfully completed at least sixteen and one-half units of high school course work, which constitutes a core curriculum, and meets standards for admission to the desired college or university. Except as otherwise provided by this Section and beginning with the 2007-2008 school year and thereafter, meets standards for admission to the desired college or university and has successfully completed at least seventeen and one-half units of high school course work as permitted by this Subparagraph which constitutes a core curriculum. For students qualifying under Subparagraph (A)(1)(c), the core curriculum requirements of this Subparagraph shall become effective beginning with the high school graduating class of the year 1998, except that the core curriculum requirement for a Performance Award shall be waived for any student graduating during the 1997-1998 school year who is certified as having graduated within the top five percent of his graduating class at a Louisiana public high school or nonpublic high school which is approved by the State Board of Elementary and Secondary Education. Except as otherwise provided by this Section, the core curriculum shall be defined as follows:"

AMENDMENT NO. 2

On page 4, delete lines 5 through 9 and, insert the following: "Section 3. The provisions of this Act shall be effective if and when House Bill No. 1498 of the 2004 Regular Session by Representative Crane is enacted and becomes effective."

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

SENATE BILL NO. 709—

BY SENATOR MICHOT

AN ACT

To enact R.S. 44:137(D), (E), and (F), relative to public records; to provide for the disposition of original records filed by the clerks of court; to provide for evidentiary status of reproductions of such records; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 709 by Senator Michot

AMENDMENT NO. 1

On page 1, line 11, after "records" insert "**and preservation of records of a graphical nature including, but not limited to, plats, maps and photographs**"

AMENDMENT NO. 2

On page 1, line 16, after "2005," delete "a" and insert "with the exception of records of a graphical nature, including but not limited to plats, maps and photographs as related to the work of a Professional Land Surveyor engaged in the "Practice of Land Surveying," as defined in R.S. 37:682. A"

AMENDMENT NO. 3

On page 2, between lines 8 and 9, insert "(c) The original of the record is not of a graphical nature, including but not limited to plats, maps and photographs as related to the work of a Professional Land Surveyor engaged in the "Practice of Land Surveying," as defined in R.S. 37:682."

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

SENATE BILL NO. 713—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 23:1032.1, relative to workers' compensation; to provide with respect to liability of employers; to exempt employers who fail to secure workers' compensation insurance or proper certification of self-insurance status from statutory immunity; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No.713 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, delete lines 10 through 14 in their entirety and insert in lieu thereof the following:

"A. When a direct employer, not the statutory employer or special employer, knowingly fails to secure workers' compensation insurance or proper certification of self-insured status pursuant to R.S. 23:1168, and fails to pay a final judgment for sixty days after the parties have exhausted their rights of appeal and no other insurance or self-insurance policy or contract of workers' compensation coverage has paid the benefits due under this Chapter, then the employee may elect to sue the direct employer for all legal damages. Should the direct employer pay the judgment for workers' compensation benefits, such payment shall also discharge and satisfy the direct employer's obligation for legal damages under this Section, if the direct employer also reimburses the employee for all costs and expenses, including attorney fees, incurred by the employee in connection with his claim for legal damages to the date of the payment of the workers' compensation judgment. Should the employee obtain a judgment on the cause of action for legal damages, he may elect to recover from the direct employer the greater of the judgment for legal damages or the judgment for workers' compensation benefits, but the employee shall be limited to recovery of only one such judgment, and the payment of the judgment elected shall discharge both judgments.

B. A statutory employer or special employer who has secured workers' compensation insurance or proper certification of self-insured status pursuant to R.S. 23:1168, as well as any public body or municipality, shall not be subject to the remedy provided in

Subsection A of this Section, and shall not be required to pay an increased weekly compensation penalty established in R.S. 23:1171.2 due to the failure of the direct employer to secure workers' compensation insurance or self-insured certification."

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

SENATE BILL NO. 736—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1652(A), R.S. 25:380.11(A) and 651(A), R.S. 34:942(A), 1072(A), 1101(A), 2303 and 3151(A),(B) and (C) R.S. 37:1104(2)(a) and 2102(A), R. S. 38:3098.6(A),(B) and (C), R.S. 42:1481(A) R.S. 46:2501(A),(1) and (2), (B),(1) and (2) and (C), R.S. 48:108.1(A), 1092.1(A), R.S. 51:1010(A) and 2233(A), and R.S. 56:74(A); and to enact R.S. 2:341(D) and 654(D), R.S. 3:264(J), 401(C), 453(F), 473(G), 551.3(K), 551.32(E), 551.63(G), 551.73(F), 551.82(D), 556.3(J), 557.4(P), 558.3(J), 732(I), 1312(K), 1432(C), 1604(J), 1892(I), 2091(M), 2364(F), 3211(K), 3363(I), 3403(L), 3801(J), 4106(C), 4272(D) and 4603(K), R.S. 4:61(F) and 144(D), R.S. 8:61(C) and 675(N), R.S. 9:2341(G), R.S. 11:122(9), 181(F), 511(6), 1302(D), 1821(J) and 2225(E), R.S. 13:42(C) R.S. 15:151(C), 323(G), 572.1(G), 574.2(G), 574.22(J), 1155(K), 1202(D), 1228.3(14) and 1094.1(C), R.S. 16:51(C), R.S. 17:2(E), 24.4(K), 407.3(D), 1453(J), 1871(C), 1911(K), 1964(G), 1970.24(G), 1979(F), 2503(I), 3022(F), 3053(H), 3093(E) and 3212(F), R.S. 22:9(E), 15(E), 1192(D), 1194.2(D), 1381(D), 1395.6(E), 1401(K), 1417(E) and 1922(F), R.S. 23:76(D), 103(C), 1398(D), 1652(B), 1658(C) and 2043(D), R.S. 24:38(E), 81(C), 202(F), 551(C), 661(E), 802(F) and 933(D), R.S. 25:2(C), 315(G), 341(H), 373(E), 379.1(F), 380.11(B), 380.22(F), 651(B), 822(I), 891(E), 902(G), 1001(E), 1005.1(E), 1223(G) and 1232(G), R.S. 27:11(H), R.S. 28:753(C), 826(J), 831(K) and 1402(E), R.S. 29:253(D), R.S. 30:83(I), 121(E), 2062(H) and 2503(I), R.S. 32:772(J) and 1253(I), R.S. 33:2006(F), 2342(H), 4064.2(H), 4574.12(G), 4579.1(E), 8062(D), 9551(G) and 9571(F), R.S. 34:1(N), 202(E), 322(C), 942(B), 962(D), 991(D), 991.1(D), 1042(C), 1072(B), 1101(B), 1121(D), 1221(D), 1401(E), 1451(D), 1702(D), 1951(E), 2471(C), 2555(D), 3104(F), 3151(D), 3166(D), 3251(D), 3263(E) and 3474(E), R.S. 36:801.7(F), R.S. 37:142(E), 341(F), 683(E), 753(K), 832(E), 914(F), 962(D), 1007(D), 1042(F), 1104(G), 1172(C), 1263(D), 1270.1(I), 1314(K), 1361(F), 1432(F), 1515(F), 2102(B), 2151(D), 2165(G), 2303(D), 2401.1(K), 2455(C), 2503(F), 2551(F), 2654(I), 2704(H), 2802(H), 2835(E), 3061(D), 3084(L), 3111(G), 3152(I), 3173(G), 3201(G), 3242(G), 3253(C), 3273(I), 3356(H), 3373(I), 3394(J), 3444(F), 3463(I), 3504(H) and 3554(H), R.S. 38:20(C), 291(V), 304(D), 1798.4(C), 1921(H), 2322(D), 2704(D), 3074(F), 3087.4(E), 3087.134(J), 3087.194(F), 3097.4(E), 3098.6(D) and 3303(E) and R.S. 39:5(D), 22(3), 99.5(F), 301(F) and 1784(C), R.S. 40:511.(H), 600.4(E), 1232.2(M), 1299.40(G), 1299.44(E), 1299.88(F), 1299.181(J), 1299.185(E), 1300.61(D), 1300.105(E), 1351(C), 1578.1(G), 1662.13(H), 1841(E), 2018(J), 2019(H), 2191(E), 2403(I), 2451(H) and 2491(H), R.S. 41:1602(G), R.S. 42:456.2(D), 882(F), 1132(E) and 1481(B), R.S. 46:153.(E), 933(H), 1081(D), 1406(G), 1803(G), 2265(G), 2351(F), 2355(14), 2404(H), 2501(D), 2525(I), 2605(G), 2613(G),

2624(J), 2634(I), 2662(E), 2675(F) and 2751(D), R.S. 47:463.60(I), 820.5.3(E), 1402(D), 1832(C) and 9004(H), R.S. 48:101(D), 108.1(B), 1092.1(B), 1352(C), 1604(K), 1671(G), 2063(F) and 2074(M), R.S. 49:214.12(D), 219.2(D), 1053(J), 1112(I), 149.61(E) and 213.3(D), R.S. 51:911.26(K), 923(D), 943(D), 1010(B), 1256(L), 1284(D), 1304(E), 1318(K), 1364(J), 2233(B), 2311(H) and 2402(H), R.S. 56:1(I), 74(B), 331(F), 421(G), 578.2(F), 700.13(F) and 1681(D), relative to appointed officials to boards and commissions; to require every board and commission of the state of Louisiana to reflect the state's population by race and gender to ensure diversity as practicable as possible, except as required by federal court order; and provide for related matters.

Reported by substitute by the Committee on Senate and Governmental Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill No. 736 by Senator Jones)
 BY SENATOR JONES

AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364(B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753(A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C),

9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to racial and gender diversity; to provide with regard to geographic distribution; to provide with regard to expertise, experience and other qualifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B) (introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364(B)(3), 3211(C), 3403(B), 3801(C), and 4603(C) are hereby amended and reenacted and R.S. 3:3363(I), 4106(C) and 4272(D) are hereby enacted to read as follows:

§264. Louisiana Agricultural Finance Authority

* * *

C.(1) The appointed members shall serve for terms concurrent with the terms of the governor making the appointment. Each appointment by the governor shall be submitted to the Senate for confirmation. The appointed members shall take and subscribe to the oath of office required of public officials. Appointed members shall serve until their successors are appointed and sworn into office.

R.S. 3:264(C)(2) is all proposed new law.

(2) The authority shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§401. State Market Commission; creation; members; employment of necessary personnel

A. The State Market Commission, referred to in this Part as the commission, is created and shall be composed of twelve members as follows: the commissioner of agriculture, the commissioner of financial institutions, and ten members to be appointed by the governor. At least one appointive member shall be from each congressional district. Five of the appointive members shall be farmers, one shall be engaged in commerce and industry, one shall represent produce dealers or shippers, and three shall be from the banking or financial community which practices making loans to farmers. Each appointment by the governor shall be submitted to the Senate for confirmation. **The members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.** The commissioner of financial institutions and the commissioner of agriculture shall serve as ex officio members with voting rights.

* * *

§453. Louisiana Sweet Potato Advertising and Development Commission; creation and organization

A.(1) The Louisiana Sweet Potato Advertising and Development Commission is created with its domicile at Baton Rouge, Louisiana, to be composed of twelve members, eleven of whom shall be appointed by the commissioner of agriculture and forestry. The commissioner shall be an ex officio member of the commission. Four of the eleven members to be appointed shall be practical sweet potato growers, four shall be handlers or shippers of sweet potatoes,

two shall be commercial canners, and one shall be a banker with knowledge of the sweet potato industry.

R.S. 3:453(A)(2) is all proposed new law.

(2) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

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§551.3. Louisiana Egg Commission; creation, organization

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B. The commission shall consist of nine members appointed by the commissioner and confirmed by the Senate. **The commissioners shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.**

* * *

§551.32. Louisiana Soybean and Grain Research and Promotion Board; creation and organization

A. The Louisiana Soybean and Grain Research and Promotion Board is created with its domicile at Baton Rouge, Louisiana. The board shall be composed of ten producer members to be appointed by the governor to serve terms concurrent with the governor. Each appointment by the governor shall be submitted to the Senate for confirmation. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Eight members of the board shall be practical producers of soybeans in the state of Louisiana and two members shall be practical producers of wheat, corn, or grain sorghum. The Louisiana Farm Bureau Federation, Inc. shall submit the names of eight practical soybean producers to the governor, and he shall appoint five persons from the nominees to serve on the board. The Louisiana Soybean Association shall submit the names of five practical soybean producers to the governor, and he shall appoint three members from the nominees to serve on the board. The Louisiana Farm Bureau Federation, Inc. shall submit the names of three persons who produce wheat, corn, or grain sorghum to the governor and he shall appoint two persons from these nominees to serve on the board. Every fourth year the forenamed organizations shall submit the names of nominees to the governor and succeeding boards shall be appointed by the governor in the same manner, giving equal representation to each organization in the appointment of the eight members who are practical soybean producers.

* * *

§551.63. Creation and organization

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B. The board shall be composed of nine members appointed by the governor, subject to Senate confirmation. Members shall serve for four-year terms which shall begin on the first day of July of 1988 and each four years thereafter. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Members shall be appointed in accordance with the following provisions:

* * *

§551.73. Louisiana Rice Research Board; creation and organization

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B. The board shall be composed of thirteen members appointed by the governor, subject to Senate confirmation. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each member shall be a rice producer. Members shall serve for four-year terms which shall begin on the first day of July in 1988 and each four years thereafter. Members shall be appointed in accordance with the following provisions:

* * *

§551.82. Louisiana Pork Promotion Board; creation and organization

A.(1) The Louisiana Pork Promotion Board is created with its domicile at Baton Rouge, Louisiana, to be composed of nine producer members to be appointed by the governor every two years to serve terms of two years each. All of the nine producer members of the board shall be practical producers of swine in the state of Louisiana. Within ten days following the effective date of this act each of the following organizations, namely, Louisiana Farm Bureau Federation, Inc. and the Louisiana Swine Producers Association, shall submit the names of practical swine producers to the governor, and he shall appoint members from the nominees of each organization to serve on the board. The Louisiana Farm Bureau Federation, Inc. shall submit the names of five practical swine producers and the governor shall appoint three of these to serve on the board, and the Louisiana Swine Producers Association shall submit the names of ten practical swine producers, six of whom shall be appointed by the governor to serve on the board. Every two years thereafter, not less than thirty days prior to the expiration of the terms of the current board members, the forenamed organizations shall submit the names of nominees to the governor and succeeding boards shall be appointed by the governor in the same manner.

R.S. 3:551.82(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

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§556.3. Louisiana Crawfish Promotion and Research Board

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C. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the commissioner shall be submitted to the Senate for confirmation.

* * *

§558.3. Louisiana Catfish Promotion and Research Board

* * *

C. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the commissioner shall be submitted to the Senate for confirmation.

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§732. Livestock Brand Commission

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B.

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(3) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the commissioner shall be submitted to the Senate for confirmation.

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§1604. Boll Weevil Eradication Commission

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D. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the commissioner shall be submitted to the Senate for confirmation.

* * *

§1892. Creation of feed commission; powers and authority

A.(1) There is hereby created within the Department of Agriculture the Louisiana Feed Commission to be composed of the commissioner of agriculture, the director of the Louisiana Agricultural Experiment Station, the director of the Louisiana Cooperative Extension Service, the president of the Louisiana Farm Bureau Federation, Inc., the chairmen of the Livestock Advisory Committee and the Dairy Advisory Committee of the Louisiana Farm Bureau Federation, Inc., the president of the Louisiana Thoroughbred Breeder's Association, the president of the Louisiana Cattlemen's Association, the president of the Louisiana Grain and Feed Dealer's Association, and a person who owns or operates a feed business which is not a member of the Louisiana Grain and Feed Dealer's Association and an independent feed manufacturer domiciled in Louisiana each of whom shall be appointed by and who shall serve at the pleasure of the governor, or their duly authorized representatives. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. Each appointment by the governor shall be submitted to the Senate for confirmation.

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§2091. Louisiana State Livestock Sanitary Board

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F. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the commissioner shall be submitted to the Senate for confirmation

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§2364. Louisiana Animal Welfare Commission

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B.

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(3) The executive director of the governor's Office of Community Programs or his designee shall be a member of the commission. Other members of the commission shall be appointed by

the governor, The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Members shall be appointed in accordance with the following provisions:

* * *

§3211. Louisiana Advisory Commission on Pesticides

* * *

C. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the commissioner shall be submitted to the Senate for confirmation.

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§3363. Structural Pest Control Commission

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R.S. 3:3363(D) is all proposed new law.

I. The commissioner shall appoint members representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§3403. Louisiana Agricultural Commodities Commission; creation; membership; terms; panels of nominees; filling of vacancies; oaths of office; per diem; quorum; domicile; meetings; successor to State Warehouse Commission

* * *

B. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the commissioner shall be submitted to the Senate for confirmation

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§3801. Horticulture Commission

* * *

C. The commissioner shall appoint members representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. The following members shall serve terms of four years and shall be appointed by the commissioner, subject to confirmation of the Senate, in accordance with the following provisions:

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§4106. Dairy Stabilization Board

* * *

R.S. 3:4106(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§4272. Members; appointment; qualifications; terms of office

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R.S. 3:4272(D) is all proposed new law.

D. Those appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

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§4603. Commission of Weights and Measures
* * *

C. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the commissioner shall be submitted to the Senate for confirmation.

* * *
Section 2. R.S. 4:61(A) and 144(A) are hereby amended and reenacted to read as follows:

§61. State Boxing and Wrestling Commission; domicile; authority

A. There is hereby created a State Boxing and Wrestling Commission within the office of the governor. It shall consist of seven members, all of whom shall be appointed by the governor to serve at the pleasure of the governor making the appointment. Five members appointed by the governor shall be appointed, one from each Public Service Commission district and two from the state at large. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the governor shall be submitted to the Senate for confirmation. The governor shall designate one member as chairman, one member as secretary, and one member as vice chairman. The secretary shall execute a bond of five thousand dollars, in favor of the state treasurer, for the faithful performance of the duties of his office. The premium of this bond shall be paid out of the commission funds.

* * *
§144. State Racing Commission; creation; membership; tenure; powers and duties; quorum; qualification of members; per diem; expenses and disbursements; bond

A. There is hereby created within the office of the governor a racing commission, to be known as the "Louisiana State Racing Commission". The commission shall have the powers and duties specified in this Part and all other powers necessary and proper to enable it to execute fully and effectually all of the objects, purposes, duties, and policies of this Part. It shall be composed of one person from each congressional district and two persons at large, all appointed by the governor. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the governor shall be submitted to the Senate for confirmation. The governor shall select one member of the commission to serve as chairman. The commission shall select from among its membership a

vice chairman and a second vice chairman for two-year terms. Each member shall serve at the pleasure of the governor. A majority of the members shall constitute a quorum for the transaction of any business or the exercise of any power.

* * *
Section 3. R.S. 8:675(F) is hereby amended and reenacted and R.S. 8:61(C) is hereby enacted to read as follows:

§61. Cemetery board created; appointments; terms
* * *

R.S. 8:61(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *
§675. The Louisiana Unmarked Burial Sites Board
* * *

F. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *
Section 4. R.S. 9:2341(F) is hereby amended and reenacted to read as follows:

§2341. Public trusts authorized; purposes
* * *

F. **The trustees shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the governor shall be submitted to the Senate for confirmation.

Section 5. R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C) are hereby amended and reenacted to read as follows:

§323. Composition of commission
* * *

E. **The members appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be subject to Senate confirmation.

* * *
§572.1. Board of Pardons; membership; domicile; session; quorum

A. The Board of Pardons shall consist of five electors, who shall be appointed by the governor to serve terms concurrent with the governor making the appointments, or until their successors are appointed and take office. At least one of the members may be appointed from a list of three names submitted by the membership of Victims and Citizens Against Crime, Inc. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the**

state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. All appointments shall be subject to confirmation by the Senate. The governor shall designate the chairman of the board.

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§574.2. Board of Parole; membership; qualifications; vacancies; compensation; domicile; venue; meetings; quorum; panels; powers and duties; transfer of property to board; representation of applicants before the board; prohibitions

A.(1) A board of parole, hereinafter referred to as "the board", is hereby created in the Department of Public Safety and Corrections. It shall consist of seven members appointed by the governor, one of whom shall be the chairman of the board, and all of whom shall serve at the pleasure of the governor. One of the seven members shall be appointed from a list of at least three names submitted by Victims and Citizens Against Crime, Inc. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation.

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§1155. Prison Enterprises Board

* * *

D. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the governor shall be submitted to the Senate for confirmation.

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§1202. Composition of commission

* * *

C. Those appointed shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation. Members shall serve without compensation, per diem, or travel reimbursement; however, legislator-members may receive per diem or travel expense reimbursement.

Section 6. R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D) are hereby amended and reenacted and R.S. 17: 407.3(D) and 3022(A)(3) are hereby enacted to read as follows:

§407.3. Louisiana HIPPA Advisory Board; responsibilities; membership; appointment

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R.S. 17:407.3(D) is all proposed new law.

D. Those appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

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§1964. Board of directors; creation; membership; terms; powers, duties, and functions; voting; compensation

A. There is hereby created a board of directors for the school, sometimes hereinafter referred to as the "board". The board shall be composed of twenty-four members as follows:

* * *

(12) Eight persons ~~who~~ shall be appointed by the governor; representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the governor shall be submitted to the Senate for confirmation.

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§1979. Louisiana State Interagency Coordinating Council for ChildNet: Louisiana's Early Intervention Program for Infants and Toddlers with Special Needs and Their Families

A. The Louisiana State Interagency Coordinating Council for ChildNet: Louisiana's Early Intervention Program for Infants and Toddlers with Special Needs and Their Families is hereby created. All council members shall be appointed by the governor who shall also appoint the chairperson, with the understanding that any member of the council who is a representative of the Lead Agency may not serve as the chairperson of the council. The members shall ~~represent the population of Louisiana~~ be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state and shall include the following:

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§2503. Louisiana Educational Television Authority; creation; domicile; membership; term; vacancies; quorum; staff

* * *

D. Those appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. No person appointed directly by the governor (except that person appointed under Subsection (C)(6) of this section) or nominated by any of the nominating groups or individuals shall hold any other office of profit or trust under the United States, the state of Louisiana, or any political subdivision thereof, nor shall any member of the authority have any financial interest in any facilities with which the authority is authorized to deal.

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§3022. Membership and organization

A. * * *

R.S. 17:3022(A)(3) is all proposed new law.

(3) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

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§3053. Health Education Authority of Louisiana; creation; domicile; membership; terms; vacancies; quorum; staff

* * *

D. The authority shall be representative of the state's population by race and gender to ensure diversity as nearly as

practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation.

Section 7. R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2) are hereby amended and reenacted and 1194.2(D) and 1381(A)(3) are hereby enacted to read as follows:

§9. Louisiana Health Care Commission; creation

A. * * *

(3) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the commissioner shall be confirmed by the Senate.

* * *

§1192. Insurance Education Advisory Council

A. The Insurance Education Advisory Council is hereby created within the Department of Insurance. The council shall be comprised of the commissioner of insurance and eleven other members, ~~with experience or training in the field of insurance appointed by the commissioner.~~ The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered subject to confirmation by the Senate, as follows:

* * *

§1194.2. Board of directors

* * *

R.S. 22:1194.2(D) is all proposed new law.

D. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1381. Board of directors

A. * * *

R.S. 22:1381(A)(3) is all proposed new law.

(3) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1395.6. Board of directors

* * *

~~C. In approving selections or in appointing members to the board, the commissioner shall consider, among other things, whether all member insurers are fairly represented. The commissioner shall insure that the commission is representative of the state's~~

population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1401. Louisiana Insurance Rating Commission; creation, membership, selection, compensation, powers, duties, and functions; budgetary control; use of funds; flexible rating

* * *

A. The Louisiana Insurance Rating Commission is hereby created. The commission shall be composed of seven members, six of whom shall be appointed by the governor and the seventh member shall be the commissioner of insurance. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation. Each appointed member shall serve a term concurrent with that of the governor making the appointment. The members appointed by the governor shall be resident citizens and qualified voters of this state. The commissioner of insurance shall serve as ex officio chairman of the commission.

* * *

§1417. Assigned risks; governing committee

* * *

B. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Effective on August 15, 1993, the governing committee of the assigned risks, or "Louisiana Automobile Insurance Plan," shall consist of the following nine members:

* * *

§1922. Advisory Committee on Equal Opportunity

A. * * *

(2) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

Section 8. R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B) are hereby amended and reenacted to read as follows:

§76. Forecasting

* * *

C.1)(a) For the purpose of projecting job growth and demand, the Occupational Forecasting Conference is hereby established in the office of the governor. The Occupational Forecasting Conference shall develop such official information with respect to statewide and regional workforce development needs as the conference determines

is necessary for state planning and budgeting. The official information of the conference shall include projections for the state as a whole and projections for specific geographic regions of the state. The forecasts shall be for the fifth year into the future and shall be revised biennially.

R.S. 23:76(C)(1)(b) is all proposed new law.

(b) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§103. Louisiana Private Employment Service Advisory Council

* * *

A.(1) The Louisiana Private Employment Service Advisory Council is hereby established within the Department of Labor. The council shall consist of five members who shall serve without compensation. Four members shall be appointed by the governor, **representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** The fifth member shall be the president of the Louisiana Association of Personnel Consultants. Each member of the council shall have been a citizen and a resident of the state for at least two years immediately preceding his appointment and shall be of good moral character. One member shall be selected by the governor from three nominees proposed by the assistant secretary of the office of regulatory services, which nominees shall hold a current valid license for the operation of a private employment service. One member shall be selected from three nominees proposed by the Louisiana AFL/CIO. One member shall be selected from three nominees proposed by and representing the Louisiana attorney general's consumer protection division. One member shall be selected from three nominees proposed by and representing the Better Business Bureaus of the state of Louisiana.

* * *

§1398. Board of directors

* * *

B. The initial members of the board may serve staggered terms of up to six years. The terms of the initial board members shall be assigned to achieve a staggered rotation, spread as fairly as possible across all the representative groups of the board. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Except for the legislative members and the insurance commissioner, the initial board shall be appointed by the governor with the advice and consent of the Senate. Except for the insurance commissioner, no board member shall serve more than three consecutive terms. Upon extinguishment of the full faith and credit guarantee, the gubernatorial appointees will no longer be subject to term limits and a seventy percent majority of the voting policyholders may elect their representative directors for a fourth and any successive term.

* * *

§1652. Board of review; appointment and qualification of members; per diem compensation

A. The board of review shall consist of five members appointed by the governor, with the consent of the Senate. The governor shall, immediately after the effective date of this Section, appoint the initial five members for overlapping terms of two, three, four, five and six years each. Their successors shall be appointed for six years each. The board shall elect a chairman; the election is to be held within thirty days after July one of each odd-number year. The board of review shall be composed of a representative from the public generally, two representatives from labor, and two representatives from management, each of whom shall be regarded as fairly representative because of his vocation, employment, or affiliation. Three members shall constitute a quorum. Each member shall be paid from the Employment Security Administration Fund sixty dollars per day of active service plus necessary travel expenses subject to the approval of the secretary, in conformity with agency travel regulations. The governor may at any time, after notice and hearing, and by and with the consent of the Senate, remove any member for cause. Vacancies shall be immediately filled for the unexpired terms by appointment by the governor, by and with the consent of the Senate.

B. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

§2043. Members

* * *

B. In making the appointments, the governor shall, as nearly as practicable, appoint members in a manner that is representative of the ~~population of the state.~~ **state's population by race and gender to ensure diversity, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

* * *

Section 9. R.S. 24:802(B)(introductory paragraph) is hereby amended and reenacted and 933(D) is hereby enacted to read as follows:

§802. Creation; composition

* * *

B. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** The commission shall be composed of nineteen members as follows:

* * *

§933. Interagency Council on the Prevention of Sex Offenses created; membership; officers; quorum

* * *

R.S. 24:933(D) is all proposed new law.

D. The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the

residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

Section 10. R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a) are hereby amended and reenacted and R.S. 25:651(B) is hereby enacted to read as follows:

§2. Board of commissioners; appointment, terms, and qualification of members; removal of members

A(1) There is created a board of commissioners of the State Library of Louisiana, to be composed of seven members appointed by the governor by and with the advice and consent of the Senate, commissioned with overlapping terms. Members of the board shall be appointed as herein provided for five-year terms, each member to serve until his successor is commissioned and qualified.

R.S. 25:2(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§315. Louisiana Music Commission; creation; membership; vacancies; terms; meeting; quorum

A. The Louisiana Music Commission is hereby created within the Department of Economic Development and shall be domiciled in the greater New Orleans area. The commission shall be composed of fifteen persons, each of whom shall be appointed by the governor, at least one of whom shall be a member of a minority, for a term concurrent with that of the governor making the appointment. Each appointment by the governor shall be submitted to the Senate for confirmation. **The appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** The governor shall designate one of the members to serve as chairman. The members shall elect such other officers as they deem necessary for the efficient operation of the business of the commission. A majority of the commission shall constitute a quorum for the transaction of business of the commission.

* * *

§341. Establishment and location; purpose; board of directors; appointment; compensation of members; terms; oaths

* * *

D. The Board of Directors of the Louisiana State Museum shall be composed of the following members, all of whom shall have a knowledge of and interest in art, history, and cultural restoration. The members of the board shall be appointed by the governor as follows:

* * *

(7) Eleven members shall be appointed from the state at large in such manner as to provide that membership on the board will reflect the ethnic, **gender, racial,** and cultural diversity of the population of the state and encourage statewide representation on the board. Three of these members shall be appointed from a list of five names recommended by the lieutenant governor.

* * *

§373. Advisory board; appointment; compensation of members; terms

* * *

C. Each appointed member shall be confirmed by the Senate and shall serve a term concurrent with that of the secretary of state. **The appointed members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** The state archivist shall serve during his tenure in that office. Each member shall serve until his successor is appointed and takes office.

* * *

§379.1. Regional museum governing board; creation; domicile; appointment and compensation of members

* * *

D. **The appointed board members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointed member shall be confirmed by the Senate and those members serving four-year terms shall serve terms concurrent with the governor. Each member shall serve until his successor is appointed and takes office.

* * *

§380.22. Governing board; creation; domicile; appointment and compensation of members

* * *

D. **The appointed board members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointed member shall be confirmed by the Senate and those members serving four-year terms shall serve terms concurrent with the governor. Each member shall serve until his successor is appointed and takes office.

* * *

§651. Council authorized; membership; powers

A. The governor is hereby authorized to establish the Council for the Development of French in Louisiana, said agency to consist of no more than fifty members and including a chairman appointed by the governor from names recommended to him by legislators. Said council is empowered to do any and all things necessary to accomplish the development, utilization and preservation of the French language as found in the state of Louisiana for the cultural, economic and tourist benefit of the state.

R.S. 25:651(B) is all proposed new law.

B. The council members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§822. Louisiana Folklife Commission; creation; membership; confirmation and reconfirmation; terms; officers; vacancies; compensation; meetings; quorum; domicile

* * *

A. Creation; membership. The Louisiana Folklife Commission is hereby created within the office of cultural development of the Department of Culture, Recreation and Tourism. The commission

shall be composed of twenty-one voting members, eighteen of whom shall be appointed by the governor and three of whom shall be ex officio members. Each appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment shall be submitted to the Senate for confirmation. The commission shall be composed as follows:

* * *

§891. Louisiana State Arts Council created; appointment of members; qualifications; terms; officers; domicile

A. * * *

(2) * * *

(f) Fifteen members shall be appointed from lists of names of civic, business, and cultural leaders submitted by organizations representing artists and arts organizations including but not limited to the Partnership for the Arts. These fifteen appointed members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§902. Composition; qualifications; terms; vacancies; officers; meetings; expenses; reports

A. (1) The committee shall be composed of at least nine but no more than thirteen members. The state historic preservation officer shall appoint, subject to confirmation by the senate, the members of the committee, each member to serve a term of three years; however, the first members appointed under the provisions of this Chapter shall serve staggered terms as follows: at least three members shall serve for a term of three years; at least three members shall serve for two years; and at least three members shall serve for one year. If the membership of the committee exceeds nine members, the terms of the additional members also shall be staggered three year terms and the initial terms shall be determined by the state historic preservation officer. The committee shall include one professional in each of the following disciplines: history, archaeology, architectural history, historical architecture and architecture, provided that the professional in archaeology shall be qualified in both prehistoric and historic archaeology, or an additional professional shall be appointed to the committee so that expertise in both prehistoric and historic archaeology will be represented. The state historic preservation officer shall determine what other professional disciplines or additional members are needed and appoint nonprofessional members with demonstrative interests or competence in historic preservation, provided that the majority of membership shall consist of professionals.

R.S. 25:902(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1001. Commission

A. There is hereby created in the Department of Culture, Recreation, and Tourism, Office of Tourism, the Louisiana Naval War Memorial Commission. The commission shall be composed of seventeen members, one of whom shall be the secretary of the

Department of Culture, Recreation, and Tourism, or his designee, one of whom shall be the director of veterans affairs and fifteen of whom shall be appointed by the governor. At least four of the members shall be residents of East Baton Rouge Parish, and the remaining appointive members shall be representative of the state's population by race and gender to ensure diversity appointed from throughout the state in such a manner as to provide general statewide representation on the commission. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1232. Louisiana Purchase Bicentennial Commission; creation; appointments of members; officers; meetings; domicile

* * *

B.(1) The commission shall consist of twelve members appointed as follows:

(a) Three members appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order and subject to confirmation by the Senate.

* * *

Section 11. R.S. 27:11(A) is hereby amended and reenacted to read as follows:

§11. Louisiana Gaming Control Board; creation; members; terms; meetings

A. The Louisiana Gaming Control Board is hereby created. The board shall consist of nine members who shall be appointed by the governor and two ex officio members. In making the appointments, the governor shall appoint at least one member from each congressional district and such appointments shall be representative of the state's population by race and gender to ensure diversity, as nearly as practicable, except as required to comply with a federal court order ~~be made in a manner that is representative of the population of the state.~~ In addition, the residences of the members shall be geographically distributed across the state. All such appointments are subject to confirmation by the Senate. Members shall serve staggered terms of six years. No person shall serve more than two terms whether consecutive or not. No person shall be appointed to serve on the board who had previously been confirmed by the Senate and served on any gaming regulatory board or commission in this state prior to the establishment of the Louisiana Gaming Control Board.

* * *

Section 12. R.S. 28:753(A) is hereby amended and reenacted and R.S. 28:826(C)(29) is hereby enacted to read as follows:

§753. Membership

A. (1) Council members shall be appointed by the governor. Membership of the council shall not exceed twenty-eight persons. At least sixty percent of the membership of the council shall consist of individuals with developmental disabilities, parents or guardians of children with developmental disabilities, or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves. Of this sixty percent of the council, one-third shall be persons with developmental disabilities, one-third shall be parents or guardians of children with developmental disabilities or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves, and one-third shall be a combination of those described above. At least one of these individuals shall be an immediate relative or guardian of an individual with a developmental

disability who resides or previously resided in an institution or shall be an individual with a developmental disability who resides or previously resided in an institution.

R.S. 28:753(A)(2) is all proposed new law.

(2) The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§826. Disability Services and Supports System Planning Group; membership; duties and functions

* * *

C. * * *

R.S. 28:826(C)(29) is all proposed new law.

(29) The individuals with a disability or chronic illness who is recommended by the Consumer Task Force shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

Section 13. R.S. 29:253(D) is hereby enacted to read as follows:

§253. Veterans' Affairs Commission

* * *

R.S. 29:253(D) is all proposed new law.

(D) The appointments for the board by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

Section 14. R.S. 30:83(C), 121(A), 2062(D), and 2503(B) are hereby amended and reenacted to read as follows:

§83. Oilfield Site Restoration Commission; Department of Natural Resources

* * *

(C) The persons appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

Each person appointed by the governor shall be subject to confirmation by the Louisiana Senate. After the initial term, each successor shall be appointed in the same manner as the initial appointments and shall serve terms of four years.

* * *

§121. State Mineral Board created; composition and powers

A. The State Mineral Board, as created by Act No. 93 of the 1936 Regular Session, is hereby continued. The board shall be composed of the governor and the secretary of the Department of Natural Resources, ex officio, and nine members appointed by the governor. **The appointed members by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be**

considered. Each appointment by the governor shall be submitted to the Senate for confirmation. Six members shall constitute a quorum.

* * *

§2062. Louisiana Small Business Compliance Advisory Panel

* * *

(D) The appointed members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

Each appointment shall be submitted to the Senate for confirmation and shall serve for a term of no more than four years, to run concurrently with that of the governor.

* * *

§2503. Louisiana Environmental Education Commission; creation; membership; duties

* * *

B.(1) The initial term of the members of the commission shall be staggered in one, two, or three-year increments. After the initial term, all future terms shall be for three years. Annually, in December of each year, the commission shall elect a chairman and vice chairman whose terms shall commence on the following January first and end on December thirty-first.

R.S. 30:2503(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

Section 15. R.S. 32:772(A)(4) is hereby enacted to read as follows:

§772. Used Motor Vehicle and Parts Commission

* * *

R.S. 32:772(A)(4) is all proposed new law.

(4) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

Section 16. R.S. 33:2006(A) and 2342(F) are hereby amended and reenacted to read as follows:

§2006. Fireman's Supplemental Pay Board

A.(1) There is hereby created a Fireman's Supplemental Pay Board, hereinafter referred to as the board, which shall consist of five persons appointed by the governor. Each appointment by the governor shall be submitted to the Senate for confirmation. In making his appointments the governor shall select two persons who are members in good standing of the Professional Firefighters Association of Louisiana, two persons who are members in good standing of the Louisiana State Fireman's Association, and one at-large member who has at least twenty-five years of firefighter experience. The board shall elect a chairman from its membership to serve a two-year term.

R.S. 33:2006(A)(2) is all proposed new law.

(2) The appointed members by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with

a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2342. Law Enforcement Executive Management Institute; creation; board; membership

* * *

(F) The appointed members by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. The appointments by the governor shall be subject to confirmation by the Senate.

* * *

Section 17. R.S. 34:962(A) is hereby amended and reenacted to read as follows:

§962. Board of Review of the Associated Branch Pilots for the Port of New Orleans; members; appointments; oath of office

A.(1) The governor shall appoint, by and with the advice and consent of the Senate, two electors of the state of Louisiana who, together with the three members of the Board of Examiners of Bar Pilots for the Port of New Orleans as provided by R.S. 34:942, shall form the Board of Review of the Associated Branch Pilots for the Port of New Orleans (hereinafter referred to as "the board"). The members so appointed shall serve for a term concurrent with that of the appointing governor, and their successors shall be appointed by the governor and for terms concurrent with the governor. Members shall continue in office until their successors are appointed and qualified. The two members, who shall not be Louisiana state commissioned pilots, who shall not be members of the nominating agency and who shall not hold nor shall ever have held a license issued by the United States Coast Guard, shall be nominated in the following manner: one member to be nominated by the Board of Commissioners of the Port of New Orleans and one member to be nominated by the board of directors of the Board of Trade of New Orleans. The members of the board shall, by majority vote, elect its president. Members shall be removable by the governor for cause, and shall qualify by taking an oath of office.

R.S. 34:962(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

Section 18. R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042 (A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361 (C), 1379 (A), 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B) and 3554(A)(2) are hereby amended and reenacted and R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6) and 3356(B)(3) are hereby enacted to read as follows:

§74. State Board of Certified Public Accountants of Louisiana; powers and duties

* * *

C.(1) The appointment by the governor be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered. Each appointment by the governor shall be submitted to the Senate for confirmation and each member of the board shall serve at the pleasure of the governor. Vacancies occurring on the board shall be filled in the same manner as the original appointment was made.

* * *

§341. Board of Barber Examiners

A. * * *

(2) * * *

R.S. 37:341(A)(2)(d) is all proposed new law.

(d) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§571. Louisiana Board of Cosmetology; creation; domicile; membership

* * *

B.(1) The board shall be composed of eight members appointed by the governor, who shall serve at the pleasure of the governor. At least one member shall be appointed from each congressional district.

R.S. 37:571(B)(2) is all proposed new law.

(B)(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§683. Board; appointments; terms

A.(1)(a) The Louisiana Professional Engineering and Land Surveying Board is hereby created, whose duty it shall be to administer the provisions of this Chapter. The board shall consist of eleven members, nine of whom shall be licensed professional engineers, and two of whom shall be licensed professional land surveyors.

R.S. 37:683(A)(1)(b) is all proposed new law.

(b) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§914. Louisiana State Board of Nursing; appointment of members; term of office; vacancy; officers; compensation

* * *

B.(1)(a) The board shall be composed of nine registered nurses appointed by the governor from a list of names submitted by the Louisiana State Nurses Association and two physicians, appointed by the governor from a list of names submitted by the Louisiana State Medical Society, who shall serve as ex officio members of the board and shall serve only as advisors to the board and shall not vote.

R.S. 37:914(B)(1)(b) is hereby proposed new law.

(b) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§962. Louisiana State Board of Practical Nurse Examiners; method of appointment

A. The Louisiana State Board of Practical Nurse Examiners is hereby created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. The board shall consist of thirteen members appointed by the governor. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

§1007. Nursing Supply and Demand Commission; creation; membership; vacancies; compensation; staff and facilities; powers and duties

A. * * *
(2) * * *

R.S. 37:1007(A)(2)(d) is hereby proposed new law.

(d) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1042. Louisiana State Board of Optometry Examiners; appointment; terms of members; protected action and communication

A. **(1)** The Louisiana State Board of Optometry Examiners is created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. This board shall consist of five members who shall be licensed optometrists and shall have practiced optometry in this state for seven years.

R.S. 37:1042(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1104. Louisiana Licensed Professional Counselors Board of Examiners

A. There is hereby created in the Department of Health and Hospitals the Louisiana Licensed Professional Counselors Board of Examiners, hereafter referred to as the "board," consisting of ten members who shall be residents of the state of Louisiana. Each term shall be for four years. Seven appointments to the board shall be made by the governor from a list of qualified candidates submitted by the executive board of the Louisiana Counseling Association. Three appointments to the board shall be made by the governor from a list of qualified candidates submitted by the executive board of the Louisiana Association for Marriage and Family Therapy. **The appointments by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a**

federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the governor shall be submitted to the Senate for confirmation.

B. * * *

(2)(a) The board shall establish a Marriage and Family Therapy Advisory Committee, which shall consist of the three board members appointed by the governor from a list of names submitted by the executive board of the Louisiana Association for Marriage and Family Therapy. **The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.**

* * *

§1263. Louisiana State Board of Medical Examiners; appointment

* * *

B.(2) * * *

R.S. 37:1263(B)(2)(d) is all proposed new law.

(d) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1270.1. Physician assistants advisory committee

* * *

B. * * *

R.S. 37:1270.1(B)(5) is all proposed new law.

(5) The advisory committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1285.2 Advisory Committee on Pain

A. * * *

R.S. 37:1285.2(A)(13) is all proposed new law.

(13) The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§1314. Clinical Laboratory Personnel Committee; creation; membership; qualification; appointment; term; vacancy; officers; meetings; reimbursement

* * *

B. The committee shall consist of twelve members. The board shall appoint four members of the committee **that shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each board member shall be** subject to Senate confirmation, as follows:

* * *

§1339. Advisory Committee on Perfusion; creation

A. **(1)** The Advisory Committee on Perfusion is hereby created and shall be composed of seven members appointed by the governor to assist the Louisiana State Board of Medical Examiners in the administration of the provisions of this Part.

R.S. 37:1339(A)(2) is hereby proposed new law.

(2) The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§1361. State Plumbing Board, appointments; qualifications; legislative intent

* * *

C.(1) The board shall be a corporate body, may sue and be sued, and shall possess in addition to the powers herein granted, all the usual powers incident to corporation.

R.S. 37:1361(C)(2) is hereby proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1379. Advisory committee

A. There shall be an advisory committee appointed by the Louisiana Pipe Trades Association and the Louisiana Association of Plumbing, Heating and Cooling Contractors, Inc., with each organization appointing five members to the committee. The committee shall have access to all meetings and records of the board and shall have the privilege of discussing board business at any and all meetings, and advise the board upon the board's activities. They shall receive no pay or expenses and shall not be qualified to vote.

R.S. 37:1379(B) is all proposed new law.

(B) The advisory committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§1432. Louisiana Real Estate Commission; qualifications; terms of office

A. The Louisiana Real Estate Commission is hereby created within the office of the governor. The commission shall consist of nine members appointed by the governor. Two members shall be appointed from the First Supreme Court District and one member shall be appointed from each of the remaining five districts. Two members shall be appointed at large by the governor. **The governor's appointments shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

§1474. Louisiana State Board of Home Inspectors; creation; qualifications; domicile; terms of office; confirmation; oath of office; compensation

* * *

C. **The appointed members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members**

shall be geographically distributed across the state. Each member appointed by the governor shall be confirmed by the Senate.

* * *

§1515. Board of Veterinary Medicine; terms; compensation; removal

* * *

A.

(2)(a) The board shall be composed of five members appointed by the governor, each appointed for a term of five years or until his successor is appointed, except that, as provided by rule, the terms of the initial and subsequent members shall be staggered terms of five years. Terms shall begin on August first and terminate on July thirtieth of the fifth year of the term. Should the signing of an appointment by the governor be delayed for any reason, the term itself shall not be changed but shall begin on August first and end on July thirtieth. The outgoing member shall remain on the board until such time as the incoming member's appointment has been effected.

R.S. 37:1515(A)(2)(b) is all proposed new law.

(b) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2102. Board of Examiners; creation, domicile; membership; terms of office

A. The Louisiana State Board of Examiners for Sanitarians is hereby created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. Its domicile shall be in the city of New Orleans, Louisiana. The board shall consist of seven members, three of whom shall be respectively the dean of the College of Arts and Sciences of Louisiana State University and Agricultural and Mechanical College; the dean of the College of Arts and Sciences of Tulane University of Louisiana; and the assistant secretary, Office of Health Services and Environmental Quality of the Department of Health and Hospitals; and four of whom shall be duly recognized practicing sanitarians appointed by the governor.

R.S. 37:2102(B) is all proposed new law.

B. The appointments by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

C. The four sanitarians of the original board shall be appointed to terms beginning with the effective date of this Chapter, as follows: one member for one year, one member for two years, one member for three years, and one member for four years. Thereafter each sanitarian appointed to the board shall be appointed and serve for a term of four years.

* * *

§2151. State licensing board for contractors; membership; qualifications; tenure; vacancies

A. There is hereby created the State Licensing Board for Contractors within the office of the governor that shall consist of fifteen members appointed by the governor ~~as hereinafter set forth~~ **who shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order** and who shall serve without compensation and shall possess the following qualifications:

* * *

§2165. Residential Building Contractors Subcommittee; membership; terms

A.(1) There is hereby established within the State Licensing Board for Contractors the Residential Building Contractors Subcommittee, consisting of five members who shall be residents of the state of Louisiana and who have been actively engaged in residential contracting for at least five years prior to appointment by the governor. Three members of the subcommittee shall be appointed by the governor from a list of not less than ten names submitted by the Louisiana Homebuilders Association as certified by its president and secretary. One member of the subcommittee shall be appointed to represent congressional districts one and six, one member to represent congressional districts four and five, one member to represent congressional district three, one member to represent congressional district two, and one member to represent congressional district seven.

R.S. 37:2165(2) is all proposed new law.

(2) The subcommittee members shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2303. Qualifications and terms of board

A.

* * *

(2) The board and the boards thereafter shall consist of such members appointed by the governor as are provided in this Section **and shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

* * *

§2353. State board of examiners; organization; duties; meetings; fees

A.(1) There is hereby created within the Department of Health and Hospitals a Louisiana State Board of Examiners of Psychologists which shall be subject to the provisions of R.S. 36:803. The board shall consist of five members who are citizens of the United States, residents of the state of Louisiana, and appointed by the governor. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.**

* * *

§2401.1. Board of examiners; composition; meetings; officers; compensation

* * *

C. **The appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. Each appointment by the governor shall be submitted to the Senator for confirmation.**

* * *

§2503. Board of Examiners for Nursing Facility Administrators

A.

* * *

(3)

* * *

R.S. 37:2503(A)(3)(d) is all proposed new law.

(d) The additional board members appointed by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§2551. Creation of board of examiners; purposes; membership; expenses

* * *

B.(1) Within thirty days from the effective date of this Section, the governor shall appoint nine persons to membership on the board of examiners. Each appointment by the governor shall be submitted to the Senate for confirmation.

R.S. 37:2551(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§2654. Board of examiners; creation; membership; appointment; terms; chair; quorum

* * *

C.(1) Appointment to the board shall be ~~made without regard to race, creed, sex, religion, or national origin of the appointee~~ **representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** The Louisiana Speech-Language-Hearing Association, shall within not less than thirty days prior to the expiration of each term of office, submit to the governor a list of at least three names for each respective professional service category of board member, except the physician member and the public member, selected by all licensed speech-language pathologists and audiologists in this state, from which the governor shall make his appointment to fill the office for the next succeeding term.

* * *

§2704. Board of Social Work Examiners

* * *

B.(1) Each board member, with the exception of the public member, shall be a person who holds a current, valid license, certification, or registration issued pursuant to this Chapter. At all times the board shall consist of at least three members who are engaged primarily in rendering direct services in social work and at least one member who is engaged primarily in social work education or a practice specialty other than clinical.

R.S. 37:2704(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2802. Board of chiropractic examiners

A.(1) The Louisiana Board of Chiropractic Examiners is hereby created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. The board shall be composed of seven members who shall be appointed by the governor **and shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** All seven members shall be chiropractors licensed under the

provisions of this Chapter, who have been continuously engaged in the practice of chiropractic in this state for at least five years; however, the initial members required to be chiropractors shall be persons who are eligible to be licensed under the provisions of this Chapter.

* * *
§2835. Creation of the board, membership, term

A. * * *
(2) * * *

(b) **The appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *
§3061. Board of Electrolysis Examiners

A. * * *
(2) * * *

(c) **The appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *
§3084. Louisiana State Board of Examiners in Dietetics and Nutrition; membership, terms, and vacancies; domicile; officers; meetings; quorum; compensation

* * *
B.(1) * * *

R.S. 37:3084(B)(1)(e) is all proposed new law.

(e) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *
§3111. Board creation; qualification; domicile; term of office; confirmation; oath of office; compensation

* * *
B.(1) The board shall be composed of seven persons, five of whom shall be auctioneers; one selected from each public service commission district, and two of whom shall be consumers from the public at large, all appointed by the governor. Each appointee shall be a citizen of the United States of America, a resident of Louisiana, and at least thirty years of age. The governor shall designate one member of the board to serve as chairman. The board shall elect a vice chairman annually by majority vote of the total membership of the board.

R.S. 37:3111(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *
§3152. Board of Certification and Training; membership; meetings; compensation

* * *
B. * * *

R.S. 37:3152(B)(6) is all proposed new law.

(6) The secretary's appointment shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *
§3173. State Board of Examiners of Interior Designers; creation; qualifications; appointment

* * *
A.(1) There is hereby created the State Board of Examiners of Interior Designers within the office of the governor consisting of seven members appointed by the governor. **The members shall appoint board members that are representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

* * *
§3201. Radiologic Technology Board of Examiners; method of appointment; qualifications of members

* * *
B. * * *

(2) **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *
§3242. Louisiana Advisory Committee on Midwifery; vacancy; creation; membership; appointment; compensation

* * *
C. **The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *
§3273. Louisiana State Board of Private Security Examiners; creation; qualification; domicile; term of office; confirmation; oath of office; compensation

* * *
B.(1) The board shall consist of nine members appointed by the governor. One member shall be appointed from and shall reside in each of the five public service commission districts established by law. Four members shall be appointed from the state at large. Each member shall be a citizen of the United States of America, a resident of Louisiana, at least thirty years of age, and shall have been actively engaged in the private security business for at least five years. One of the members appointed at large shall be a representative of a nationally operated security company. Each member shall be licensed or registered with the board or a corporate officer of a licensed company.

R.S. 37:3273(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§3356. Advisory Committee on Respiratory Care; creation

* * *

B.

* * *

R.S. 37:3356(B)(3) is all proposed new law.

(3) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§3373. Louisiana State Board of Certification for Substance Abuse Counselors; creation; appointments; term of office

* * *

B.(1) The board shall consist at all times of at least two members who are recovering from a prior chemical dependency problem; however, a majority of the board shall be composed of individuals who are board-certified substance abuse counselors, compulsive gambling counselors, prevention counselors, or doctors certified by the American Society of Addiction Medicine.

R.S. 37:3373(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§3394. Louisiana Real Estate Appraisers Board

* * *

C. **The appointment by the governor shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** Each appointment by the governor shall be submitted to the Senate for confirmation.

* * *

§3444. Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of Examiners

* * *

B.(1) The membership of the board shall consist of three licensed professional vocational rehabilitation counselors and two individuals from the public at large. The original professional membership of the board shall be qualified to be licensed under this Chapter, except that the initial professional members shall be persons who have rendered rehabilitation counseling for at least three years. Within thirty days after July 14, 1988, the executive committee of the Louisiana Association for Rehabilitation Professionals shall submit to the governor a list of qualified candidates for the board. The board shall perform such duties and exercise such powers as this Chapter prescribes and confers upon it. No member of the board shall be individually liable for any act or omission resulting in damage or injury arising out of the exercise of his judgment in the formation and implementation of policy while acting as a member of the board, provided he was acting in good faith and within the scope of his

official functions and duties, unless the damage or injury was caused by his willful or wanton misconduct.

R.S. 37:3444(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§3463. Board; appointments; terms; removal; compensation; officers

* * *

A.(1) The Louisiana Board of Wholesale Drug Distributors is hereby created within the Department of Health and Hospitals and is subject to the provisions of R.S. 36:803. The board shall administer the provisions of this Chapter. It shall be composed of seven members, five of whom shall be licensed wholesale drug distributors and two of whom shall be actively engaged in the pharmaceutical manufacturing industry.

R.S. 37:3463(A)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§3504. Louisiana State Board of Private Investigator Examiners; creation; qualifications; domicile; terms of office; confirmation; oath of office; compensation

* * *

B.(1) The board shall be composed of seven members appointed by the governor. One member shall be appointed from each of the five public service commission districts as established by law and shall be a resident of the district from which he is appointed. The governor shall appoint one licensed attorney to serve on the board from the state at large and one member from the state at large appointed from a list of names submitted by the board of directors of the Louisiana Private Investigators Association.

(2) Each member of the board shall be a citizen of the United States of America, a resident of Louisiana, at least twenty-one years of age and, except for the attorney appointed from the state at large, shall have been actively engaged in the private investigator business for the previous five years, earning at least ninety percent of his gross income for the year preceding his appointment from the private investigator business.

(3) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

(4) No more than two board members may be employed by or affiliated with the same agency. The initial board members shall not be required to be licensed but shall obtain a license within one hundred eighty days after appointment to the board. Each subsequent member shall be a licensed private investigator.

* * *

§3554. Louisiana Board of Massage Therapy; creation, membership, qualifications, terms, vacancies, officers, meetings, reimbursement, liability

A. * * *

(2)(a) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as

practicable, except as required to comply with a federal court order.

(b) The massage therapists initially appointed to the board from nominations submitted to the governor by professional massage therapy associations shall be qualified to be licensed under this Chapter. The appointees shall have practiced massage therapy for at least three years and shall be required to obtain a license within one hundred eighty days after appointment to the board; thereafter, massage therapists appointed to the board shall be licensed as massage therapists under this Chapter and shall have been in practice for a minimum of three years.

(c) The initial members of the board shall be appointed by the governor not later than October 1, 1992.

* * *

Section 19. R.S. 38:3097.4(B) and 3098.6 are hereby amended and reenacted to read as follows:

* * *

§3097.4. Ground Water Resources Commission; membership; powers and responsibilities

* * *

B.(1) The appointed members of the commission shall serve four-year terms except for the initial term, in which the governor shall designate the terms of office so that three members shall serve a one-year term, three members shall serve a two-year term, and four members shall serve a three-year term. No appointed member shall serve more than two consecutive terms. In case of a vacancy, the governor shall appoint a replacement to fill the unexpired term. Appointed members shall not be compensated for their services, except the commissioner may promulgate rules and regulations to provide for travel expenses. Appointed members shall be considered as such, and not elected, for the purposes of R.S. 42:1102 et seq.

R.S. 38:3097.4(B)(2) is all proposed new law.

(2) The appointed members of the board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as otherwise required to comply with a federal court order. In addition, the residences of the appointed members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the commission shall be considered.

* * *

§3098.6. Advisory committee

A. The Department of Natural Resources is hereby authorized to appoint a committee to serve in an advisory capacity and to make recommendations for the regulation and control of water well drillers as defined in this Chapter.

B. This advisory committee shall consist of ten members as follows: the secretary of the Department of Transportation and Development, office of public works, or his designee; the secretary of the Department of Natural Resources or his designee; the president of the Louisiana Engineering Society or his designee; the secretary of the Department of Health and Hospitals or his designee; one representative of the United States Geological Survey; three drillers selected by the governor as follows: one domestic well driller selected from a list of three submitted by the Louisiana Water Well Drillers Association; one municipal and industrial driller selected from a list of three submitted by the Louisiana Water Well Drillers Association; one irrigation driller selected from a list of three submitted by the Louisiana Water Well Drillers Association, and two drillers at large selected by the secretary for the Department of Transportation and Development, office of public works, from the industry as a whole. The first appointment of the domestic well driller and one at large

driller shall be for one year; the first appointment of the irrigation well driller and one at large driller shall be for two years; the first appointment of the municipal and industrial driller shall be for three years; thereafter, all appointments shall be for four year terms.

C. The appointed members of the board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as otherwise required to comply with a federal court order. In addition, the residences of the appointed members shall be geographically distributed across the state.

D. The chairman and vice chairman shall be selected by the members of the committee. The members who are public employees shall receive no pay or allowances for their attendance at meetings of the advisory committee.

E. All other members of the advisory committee shall receive no salary or per diem but may be compensated for expenses actually incurred in official activities approved by the Department of Transportation and Development, office of public works, out of funds derived from license fees collected under the provisions of this Chapter. Such compensation shall be based upon proof to the satisfaction of the department in accordance with policies adopted by the legislative auditor in such matters.

Section 20. R.S. 39:99.5(A) is hereby amended and reenacted and R.S. 39:301(F), 1784(C), and 1798.4(C) are hereby enacted, all to read as follows:

§99.5. Governing board; membership; terms; compensation and expenses; chairman and vice chairman; quorum; employees, agents; limitation of liability

A. The board of the corporation shall exercise all powers, rights and duties conferred by this Subpart or other provisions of law upon the corporation. The board shall consist of the governor, the state treasurer, attorney general, president of the Senate and speaker of the House of Representatives, or their legislative designees, seven members appointed by the governor with one member appointed from each of the seven congressional districts and one additional member appointed from the state. The members of the board, who shall represent the state's diverse population by race and gender as near as practicable, except as otherwise required to comply with a federal court order and who are appointed by the governor shall be residents of areas geographically distributed across the state and shall have a background and significant experience in financial management and investments. The members of the board appointed by the governor shall be subject to Senate confirmation and shall serve at the pleasure of the governor for terms of four years each, or until their successors shall have been appointed and qualified, as designated by the governor. Any appointment to fill a vacancy on the board shall be made for the unexpired term of the member whose death, resignation or removal created such vacancy. Members on the board may be appointed to an additional term.

* * *

§301. Advisory Council for Technology Access by Individuals with Disabilities

* * *

R.S. 39:301(F) is all proposed new law.

F. The appointed members of the council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as otherwise required to comply with a federal court order. In addition the residences of the appointed members shall be geographically distributed across the state. In appointing members and, in addition to the qualifications otherwise

required in this Section, qualifications, expertise, and experience relative to the mission of the council shall be considered.

* * *

§1784. Membership of board of directors; vacancies; compensation; expenses

* * *

R.S. 39:1784(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board of directors shall be considered.

* * *

§1798.4. Membership of board of directors; vacancies; compensation; expenses

* * *

R.S. 39:1798.4(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board of directors shall be considered.

Section 21. R.S. 40:5.11(C), 600.4(A)(4)1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2)and 2451(B) are hereby amended and reenacted and R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), and 2019(H), 2191(A)(4) are hereby enacted, all to read as follows:

§5.11. Water fluoridation program; Fluoridation Advisory Board

* * *

C.(1) There is hereby created within the Department of Health and Hospitals, office of public health, the Fluoridation Advisory Board, which shall consist of the following members appointed by the governor, to serve at his pleasure, upon recommendation of the Louisiana Dental Association, and confirmation by the Senate:

(+) (a) A practicing dentist from each of the nine administrative regions of the Department of Health and Hospitals.

(+) (b) A representative of the Maternal and Child Health Coalition.

(+) (c) A representative of the Louisiana State Medical Society.

(+) (d) A representative of the Louisiana State University Health Sciences Center.

(+) (e) A state licensed dental hygienist.

(+) (f) A representative of the Louisiana Rural Water Association.

(2) **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experiences relative to the mission of the board shall be considered.**

* * *

§600.4. Organization of the agency

A. * * *

(4) ~~Each appointment~~ **The appointments made** by the governor shall be **representative of the state's population by race**

and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experiences relative to the mission of the board shall be considered. Each appointment shall be submitted to the Senate for confirmation.

* * *

§1232.2. Louisiana Emergency Medical Services Certification Commission; creation; membership; qualifications; terms; vacancies; meetings; officers; compensation; domicile

* * *

C.(1) Each member of the commission shall be a resident of Louisiana for at least one year, have had three years experience in his respective field of practice, and be actively engaged in the practice of emergency medical services at the time of his appointment.

R.S. 40:1232.2(C)(2) is all proposed new law.

(2) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1299.40. Consent to medical treatment; exception; Louisiana Medical Disclosure Panel; availability of lists to establish necessity and degree

* * *

E. * * *

(3) * * *

R.S. 40:1299.40(E)(3)(i) is all proposed new law.

(i) The panel shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1299.44. Patient's Compensation Fund

* * *

D.(1) * * *

R.S. 40:1299.44(D)(1)(i) is all proposed new law.

(i) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1299.88. Louisiana Cancer and Lung Trust Fund Board

A. * * *

(2) **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.** Each appointment by the governor shall be subject to Senate confirmation.

* * *

§1299.181. Minority Health Affairs Commission; creation; appointment of members; officers; compensation; meetings; domicile

* * *

B. * * *

(2)(a) The appointments made pursuant to R.S. 40:1299.181(B)(1)(g) and the selections made pursuant to R.S.

April 26, 2004

40:1299.181(B)(1)(i), (j), (k), (l), (m), (n), (o), and (p) shall be subject to Senate confirmation.

R.S. 40:1299.181(B)(2)(b) is all proposed new law.

(b) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1300.105. Advisory council; appointment; terms of office; membership

* * *

R.S. 40:1300.105(D) is all proposed new law.

D. The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1351. Louisiana Medical Advisory Board created; membership, qualifications, vacancies

* * *

R.S. 40:1351(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1578.1. Board of review

A. (1) A board of review shall be established to evaluate alternatives to fire prevention or protection laws and regulations established by the fire marshal when a request of review is properly submitted. The board of review shall not have the power to waive fire prevention and protection requirements, but shall determine whether the suggested alternative provides equivalent or better protection within the context of the intent of the law.

(2) The board of review shall be composed of the following membership:

(1)(a) One chief of a fire department which is predominantly volunteer;

(2)(b) One chief of a fire department with predominantly full-time personnel;

(3)(c) One registered architect;

(4)(d) One registered engineer;

(5)(e) One individual representing building owners-managers interests;

(6)(f) One individual representing mercantile-industrial interests;

(7)(g) One representative of the Louisiana Rating and Fire Prevention bureau selected by the bureau;

(8)(h) Two individuals to represent the general public who have no vested interests directly or indirectly in the construction industry, or the ownership or management of commercial buildings; ~~and~~

(9)(i) One representative of the fire marshal's office, ex officio and non voting selected by the fire marshal; ~~and~~

(10)(j) The fire marshal, ex officio and non voting.

(3) Those members designated in ~~Paragraphs 1 through 6~~ **Subparagraphs (a) through (f) of Paragraph 1 of this Subsection** shall be appointed by the governor for a term of four years. A voting member of the board shall be elected by its membership as chairman for a term of one year.

R.S. 40:1578.1(A)(4) is all proposed new law.

(4) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1662.13. Alarm Services Advisory Board

A. * * *

R.S. 40:1662.13(A)(3) is all proposed new law.

(3) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1841. Creation of commission; domicile; membership; terms; officers of commission

* * *

R.S. 40:1841(E) is all proposed new law.

E. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2018. Commission on Perinatal Care and Prevention of Infant Mortality; maternal and infant mortality studies; confidentiality; prohibited disclosure and discovery

* * *

B. * * *

(3) Each appointment by the governor shall serve at his pleasure and shall be subject to Senate confirmation. The legislative members shall serve at the pleasure of the presiding officer of the respective legislative body. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.**

* * *

§2019. Child death investigation

* * *

R.S. 40:2019(H) is all proposed new law.

H. The panel shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with federal court order.

* * *

§2191. Advisory Committee on Hospice Care; creation; terms; officers; functions

* * *

R.S. 40:2191(A)(4) is all proposed new law.

(4) The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2403. Council on Peace Officer Standards and Training

* * *

B. * * *

(2)(a) Each appointive member shall serve a term concurrent with that of the governor making the appointment. Each appointment by the governor shall be submitted to the Senate for confirmation.

R.S. 40:2403(B)(2)(b) is all proposed new law.

(b) The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2451. Creation; membership; term of office

* * *

B. The council shall consist of fifteen members who shall be appointed by the governor and shall be representative of physicians, pediatricians, coaches, physical therapists, athletic trainers, athletes, educators and such other persons or professions interested in the physical fitness of the citizens of Louisiana. In making his appointments, the governor shall also take into consideration the various geographic areas of the state with a view to giving all sections of the state representation on the council. **The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.**

* * *

Section 22. R.S. 41:1602(B)(3) is hereby enacted to read as follows:

§1602. Louisiana Archaeological Survey and Antiquities Commission

* * *

B.

* * *

R.S. 41:1602(B)(3) is all proposed new law.

(3) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

Section 23. R.S. 42:882(A)(4)(c), 1132(B)(2), and 1481 are hereby amended and reenacted and R.S. 42:2.1 and 456.2(D) are hereby enacted, all to read as follows:

§2.1. General qualification for boards, commissions, councils, or authorities

R.S. 42:2.1 is all proposed new law.

In making appointments to any board, commission, council, or authority that has statewide jurisdiction and is established by law, rule, executive order, whether continuous or limited, the appointing authority shall make appointments such that the board's membership shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualification, expertise, and experience relative to the mission of the committee shall be considered.

* * *

§456.2. Uniform Payroll Insurance Committee

* * *

R.S. 42:456.2(D) is all proposed new law.

D. The committee shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically

distributed across the state. In appointing members, qualification, expertise, and experience relative to the mission of the committee shall be considered.

* * *

§882. Composition of board

A * * *

(4) * * *

(c) At least one of the members appointed as provided in this Paragraph shall be a member of a minority race **and at least one a woman to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of such members shall be geographically distributed across the state.**

* * *

§1132. Board of Ethics

* * *

B. * * *

(2) The governor shall appoint and the House of Representatives and the Senate shall elect members to the board who shall be representative of the state's population **as to race and gender as near nearly as practicable, except as required to comply with a federal court order** and who shall be from nominees who are selected as follows:

* * *

§1481. Compensation Review Commission; creation; membership

A. There is hereby created a commission known as the "Compensation Review Commission," hereinafter referred to as the "commission." The commission shall consist of nine members appointed as follows: two by the president of the Senate; two by the speaker of the House of Representatives; one by the chief justice of the Louisiana Supreme Court; and four selected by a majority of the statewide elected officials

R.S. 42:1481(B) is all proposed new law.

B. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experiences relative to the mission of the board shall be considered.

Section 24. R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), and 2634(C) are hereby amended and reenacted and R.S. 46:933(H), 1406(G) and 2605(G) are hereby enacted, all to read as follows:

§933. Louisiana Executive Board on Aging established; membership; term of office; compensation of members

* * *

R.S. 46:933(H) is all proposed new law.

H. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1406. The Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies; creation; membership; compensation

* * *

R.S. 46:1406(G) is all proposed new law.

G. In addition to the racial, gender, and ethnic diversity otherwise required in this Section, the residences of the members shall be geographically distributed across the state.

* * *

§1803. Crime Victims Reparations Board

* * *

B. The board shall be composed of the executive director of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice or his designee, one person, who shall be chosen and appointed by the governor, from a list of three recommendations submitted to the governor by the Victims and Citizens Against Crime, Inc., and nine members who shall be appointed by the governor for a term concurrent with that of the governor. Each appointment shall be submitted to the Senate for confirmation. At least one member shall be appointed from each of the congressional districts in the state. Of the governor's nine appointees, at least one shall be a full voting member who shall be sixty years of age or over and shall serve as a representative of the elderly population of Louisiana. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

* * *

§2265. Advisory council creation; membership; terms; quorum; compensation

* * *

B.(1) Members of the council in accordance with Paragraphs (A)(1) through (10), (13), and (14) shall be appointed by the governor, subject to Senate confirmation. Other members are not subject to Senate confirmation.

R.S. 46:2265(B)(2) is all proposed new law.

(2) The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§2351. Creation; membership; terms; compensation

A. * * *

(11) In addition, the governor shall appoint seven lay members to the commission, two of whom shall be deaf persons, one of whom shall be hard of hearing, two of whom shall be parents of deaf persons, and two of whom shall be professionals who work with deaf persons. Each appointment by the governor shall be subject to Senate confirmation. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

* * *

§2404. Louisiana Children's Trust Fund Board; created; membership

* * *

B. * * *

(5) In making his appointments, the governor shall provide for geographic representation of all areas of the state and for

~~representation of minority groups by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.~~

* * *

§2501. Louisiana Commission on Addictive Disorders; creation; membership; terms of office; qualifications; appointment

A. There is hereby created within the office for addictive disorders a commission to be known as the Louisiana Commission on Addictive Disorders.

B. The commission shall be composed of thirteen members, one of whom shall be elected the chairman. The commission is authorized to elect such other officers as it deems necessary.

C.(1) All members shall be appointed by the governor and shall serve at his pleasure until their respective successors shall have been appointed and commissioned.

(2) Each appointment by the governor shall be submitted to the Senate for confirmation. Each member shall be a qualified voter of the state and a resident of the state. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

D. While acting in their official capacity, members shall receive a per diem of fifty dollars and shall also be reimbursed for actual travel expenses incurred within the state in accordance with policy approved by the division of administration.

* * *

§2525. Louisiana Women's Policy and Research Commission

* * *

D. The commission shall consist of a maximum of twenty-four members. The eleven members serving pursuant to Paragraph (13) of this Subsection shall be appointed by the governor, subject to Senate confirmation, and serve terms concurrent with the appointing governor. **The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.** The commission shall be reflective of all geographic regions of the state and, as much as practicable, shall consist of the following members:

* * *

§2605. Children's Cabinet Advisory Board

* * *

R.S. 46:2605(G) is all proposed new law.

G. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§2624. Louisiana Medical Assistance Trust Fund Advisory Council; creation; membership

* * *

C.(1) Each appointment by the governor is subject to Senate confirmation.

R.S. 46:2624(C)(2) is all proposed new law.

(2) The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the council shall be considered.

§2634. Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; creation; membership

C.(1) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

(2) The terms of office of the appointed board members shall be four years. However, the governor shall appoint the original members as follows: three members for a term of three years and three members for a term of two years. A vacancy shall be filled by appointment for the remainder of the unexpired term.

Section 25. R.S. 47:1402(D), 1832(C), and 9004(B)(4) are hereby enacted to read as follows:

§1402. Membership of board; qualifications; appointment; term; vacancy; salary

R.S. 47:1402(D) is all proposed new law.

D. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§1832. Compensation; tenure; vacancies; salary

R.S. 47:1832(C) is all proposed new law.

C. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§9004. Board of directors; qualifications; terms; removal; chairman; compensation; meetings; records; appointment; corporation president; duties; removal; open board meetings

B. R.S. 47:9004(B)(4) is all proposed new law.

(4) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

Section 26. R.S. 48:108.1, 1352(A), and 2074(E) are hereby amended and reenacted and R.S. 48:101(D) is hereby enacted, all to read as follows:

§101. Creation of commission, appointment and terms of members; meetings; compensation

R.S. 48:101(D) is all proposed new law.

D. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§108.1. Louisiana High-Speed Rail Transportation Advisory Council; creation; membership

A. The Louisiana High-Speed Rail Transportation Advisory Council is hereby created within the Department of Transportation and Development. The council shall be composed of seven members. Five members shall be appointed by the governor, one member shall be a member of the Senate appointed by the president of the Senate, and one member shall be a member of the House of Representatives appointed by the speaker of the House of Representatives. Each member appointed by the governor shall serve at the pleasure of the governor and shall serve terms concurrent with the term of the governor. All appointments shall be subject to confirmation by the Senate. No compensation shall be paid to the members of the council, but said members shall be reimbursed for their expenses; however, no expenses shall be reimbursed from the general fund.

R.S. 48:108.1(B) is all proposed new law.

B. The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the council shall be considered.

§1352. Louisiana Highway Safety Commission; created; appointment of members; terms; vacancies

A.(1) The Louisiana Highway Safety Commission is hereby created as a division of the office of the governor. The commission shall be composed of twenty-one members who shall be appointed by the governor. At least one member shall be a resident and qualified elector of each of the congressional districts into which the state is divided. Each member shall serve at the pleasure of the governor. Each appointment by the governor shall be submitted to the Senate for confirmation.

R.S. 48:1352(A)(2) is all proposed new law.

(2) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the commission shall be considered.

§2074. Louisiana Transportation Authority; creation; board of directors; meetings; quorum

E.(1) The directors appointed by the governor shall be subject to Senate confirmation and shall serve at his pleasure, and may be removed at his discretion.

R.S. 48:2074(E)(2) is all proposed new law.

(2) The authority shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the authority shall be considered.

* * *

Section 27. R.S. 49:214.12(D), 219.2(B)(5), and 1053(J) are hereby enacted to read as follows:

§214.12. Governor's Advisory Commission on Coastal Restoration and Conservation; composition; terms; officers

* * *

R.S. 49:214.12(D) is all proposed new law.

D. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the commission shall be considered.

* * *

§219.2. Drug Policy Board; establishment; membership; selection; terms; compensation; organization; domicile; procedure

* * *

B.

* * *

R.S. 49:219.2(B)(5) is all proposed new law.

(5) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1053. Louisiana Geographic Information Systems Council; creation; membership; quorum; domicile

* * *

R.S. 49:1053(J) is all proposed new law.

J. The council shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the council shall be considered.

* * *

Section 28. R.S. 51:923(B), 1318(D), 1364(D), 2233, and 2311(A)(1) are hereby amended and reenacted and R.S. 51:911.26(A)(4), 943(D), 1256(D), and 1284(D) are hereby enacted, all to read as follows:

§911.26. Louisiana Manufactured Housing Commission

A.

* * *

R.S. 51:911.26(A)(4) is all proposed new law.

(4) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§923. Department of Economic Development; Board of Commerce; and Industry; membership

* * *

B.(1) The board shall consist of twenty members, fifteen of whom shall be appointed by the governor from among representatives

of the major economic groups within the state of Louisiana; one who shall be an elected municipal official appointed by the governor from a list of three names submitted by the Louisiana Municipal Association; and one who shall be an elected police juror, councilman, commissioner, or parish president appointed by the governor from a list of three names submitted by the Police Jury Association.

R.S. 51:923(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

§943. Small Business Entrepreneurship Commission; appointment; duties

* * *

R.S. 51:943(D) is all proposed new law.

D. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1256. Creation of the Louisiana Tourism Development Commission; domicile; composition; membership; confirmation; terms; vacancy

* * *

R.S. 51:1256(D) is all proposed new law.

D. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1284. Administration of district; governing authority

* * *

R.S. 51:1284(D) is all proposed new law.

D. The district shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state.

* * *

§1318. Creation of the Louisiana Retirement Development Commission; domicile; composition; membership; officers; staff; expenses; terms; quorum

* * *

D.(1) All members shall be knowledgeable, interested, and active in developing, marketing, and promoting Louisiana as a retirement community state.

R.S. 51:1318(D)(2) is all proposed new law.

(2) The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.

* * *

§1364. Louisiana International Trade Development Board; domicile; composition; membership; qualifications; selection; oath of office; terms; filing of vacancies; proxy; compensation

* * *

D.(1) Each of the eighteen appointed directors from the list of nominees provided by the nominating organizations shall have at least seven years experience and knowledge of international trade, international finance, finance generally, international relations generally, international business management, business improvements, economics, or international economics

R.S. 51:1364(D)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§2233. Establishment of commission; membership; terms; confirmation

A. There is hereby created the Louisiana Commission on Human Rights in the office of the governor. The commission shall consist of nine members, one to be appointed from each congressional district and the remaining membership to be appointed from the state at large. The commission shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In appointing members, qualifications, expertise, and experience relative to the mission of the commission shall be considered.

B. The governor shall appoint all members, subject to Senate confirmation, and shall name one member as chairman. Of the nine members first appointed, three shall be appointed for a term of one year, three for two years, and three for three years. Thereafter all members of the commission shall be appointed for terms of three years and shall continue to serve until reappointed or replaced. In the event of death or resignation of a member, his successor shall be appointed to serve the unexpired term for which such member had been appointed.

§2311. Louisiana Economic Development Corporation; creation; domicile; board of directors; terms; agency

A.(1) There is hereby created a body politic and corporate to be known as the Louisiana Economic Development Corporation, hereinafter referred to as the "corporation." The corporation is hereby constituted a public authority and the exercise by the corporation of the powers conferred by this Chapter shall be deemed to be performance of an essential public function. The corporation shall be exempt from the provisions of Chapter 6 of this Title. The board of directors of the corporation shall be composed of twelve members. The board shall consist of the secretary of the Department of Economic Development or a designee and eleven members who are appointed by the governor, subject to Senate confirmation, none of whom shall be a public official except for the secretary of the Department of Economic Development or a designee. At least three members of the board shall be minorities and at least two members shall be women. **In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

Section 29. R.S. 56:1(B), 578.2(A)(1), and 700.13(B) are hereby amended and reenacted and R.S. 56:331(F), and 1681(A)(4) are hereby enacted, all to read as follows:

§1. Wildlife and Fisheries Commission established; membership; qualifications; definitions

* * *
B. The commission shall consist of seven members appointed by the governor, subject to confirmation by the Senate. Six of the members shall each serve for overlapping terms of six years, and one shall serve for a term concurrent with that of the governor. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order.**

§331. Crab Task Force

R.S. 56:331(F) is all proposed new law.

F. The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§578.2. Louisiana Seafood Promotion and Marketing Board; creation and organization

A.(1) There is hereby created in the office of the secretary of the Department of Wildlife and Fisheries the Louisiana Seafood Promotion and Marketing Board. The agency shall have its domicile in Baton Rouge and shall be governed by a board of trustees composed of fifteen members, fourteen members to be appointed by the governor from persons engaged in the commercial seafood industry in Louisiana to serve terms concurrent with the governor, and the fifteenth member to be the secretary of the Department of Wildlife and Fisheries or his designated representative, who shall serve as an ex officio member. **The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.**

§700.13. Establishment of the board

B.(1) The board shall include five members consisting of one member nominated by the Louisiana Oyster Dealers and Growers Association, one member nominated by the Louisiana Oyster Task Force, two members nominated jointly by the Louisiana Independent Oil and Gas Association, Louisiana Mid-Continent Oil and Gas Association and the Louisiana Landowners Association, and one member, selected by the other four members of the board, who is a practicing administrative law judge.

R.S. 56:700.13(B)(2) is all proposed new law.

(2) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

§1681. Creation; purpose and duties; members; appointments and terms; compensation; chairman; meetings

A. **R.S. 56:1681(A)(4) is all proposed new law.**

(4) The board shall be representative of the state's population by race and gender to ensure diversity as nearly as practicable, except as required to comply with a federal court order. In addition, the residences of the members shall be geographically distributed across the state. In appointing members, qualifications, expertise, and experience relative to the mission of the board shall be considered.

* * *

Section 30. This Act shall become effective on January 1, 2005; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2005, or on the day following such approval by the legislature, whichever is later.

On motion of Senator Jones, the committee substitute bill was adopted and becomes Senate Bill No. 869 by Senator Jones, substitute for Senate Bill No. 736 by Senator Jones.

SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364 (B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1), 1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753(A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C), 9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and

R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to racial and gender diversity; to provide with regard to geographic distribution; to provide with regard to expertise, experience and other qualifications; and to provide for related matters.

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

SENATE BILL NO. 762—
BY SENATOR B. GAUTREUX

AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 762 by Senator B. Gautreaux

AMENDMENT NO. 1

On page 1, line 6, change "commissioner of administration," to "secretary of the Department of Transportation and Development,"

AMENDMENT NO. 2

On page 1, line 10, after "land" insert ", together with all improvements thereon,"

AMENDMENT NO. 3

On page 1 at the end of line 16, insert "Together with all of lots 3 and 4 of block 2 of the Godchaux's Addition, each lot measuring 56' fronting on Assumption Avenue by a depth of 125' between equal and parallel lines, as shown more fully on the Godchaux Addition Map dated 1942 and by a certain act of sale to the state of Louisiana, Department of Highways dated October 22, 1942 and filed in COB 75, page 114, Entry No. 19436."

AMENDMENT NO. 4

On page 1, line 17, delete "commissioner of administration," and insert "secretary of the Department of Transportation and Development,"

AMENDMENT NO. 5

On page 2, line 5, change "commissioner of administration" to "secretary of the Department of Transportation and Development"

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

SENATE BILL NO. 771—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992, relative to employment of certain aliens; to prohibit hiring undocumented illegal aliens; to provide for penalties; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 771 by Senator Cravins

AMENDMENT NO. 1

On page 1, delete lines 8 through 17 in their entirety and in lieu thereof insert the following:

"A. * * *

R.S. 23:992(B) is all proposed new law.

B. No person, contractor, subcontractor, or agent of a contractor or subcontractor, who has received money on account of a contract for the construction, erection, or repair of a building, structure, or other improvement, including contracts and mortgages for interim financing, shall knowingly hire, retain, or employ any undocumented illegal alien on account of a contract for the construction, erection, or repair of a building, structure, or other improvement."

AMENDMENT NO. 2

On page 2, line 1, change "B" to "C"

AMENDMENT NO. 3

On page 2, between lines 8 and 9, insert the following:

"R.S. 23:992(D) is all proposed new law.

D. The contractor must file with the contracting agency an affidavit affirming under the penalties of perjury that the contractor has in its files an employment eligibility verification form required by the Immigration Reform and Control Act of 1986 (8 U.S.C. 1324a) for each individual that will be employed in the performance of the contract. The contractor must file a new affidavit with the contracting agency any time the contractor assigns an employee who has not previously worked under the contract to work under the contract."

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

**Senate Resolutions
Reported by Committees**

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

SENATE RESOLUTION NO. 14—

BY SENATORS MOUNT, HAINKEL, HINES, LENTINI AND SCHEDLER

A RESOLUTION

To urge and request the president of the Senate to establish a committee and appoint the membership thereof to study, review, and make recommendations to revise the Senate Rules of Order.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Resolution No. 14 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "request the" delete the remainder of the line and on line 2, delete "membership thereof" and insert "Senate Committee on Senate and Governmental Affairs and specified additional Senators"

AMENDMENT NO. 2

On page 2, on line 2, after "requests" delete the remainder of the line and on line 3, delete "membership thereof" and insert "Senate Committee on Senate and Governmental Affairs and specified additional Senators"

AMENDMENT NO. 3

On page 2, deletes line 5 and 6 and insert the following:

"BE IT FURTHER RESOLVED that the president of the Senate, the president pro tempore of the Senate, the parliamentarian of the Senate, and the author of this Resolution shall be ad hoc members of the committee for purposes of this study."

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

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

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to inform the public of the requirements of R.S. 32:71(B) requiring slower moving traffic to drive in the right-hand lane on multilane highways, and to request state police to enforce the penalties for violation as provided in law.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson

Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Irons
Heitmeier	Jones
Total—4	

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

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the governor to adopt a policy that ensures the public's right to access and use, for both navigation and fishing, naturally navigable waterways in the state.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Concurrent Resolution No. 24 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete line 4 and insert "WHEREAS, the public waters of the state are held for the public and should be"

AMENDMENT NO. 2

On page 1, line 7, after "of" delete "at least most of"

AMENDMENT NO. 3

On page 1, line 8, after "bayous" insert "which were acquired by the state of Louisiana by virtue of its inherent sovereignty in 1812"

AMENDMENT NO. 4

On page 1, line 9, after "completed" delete ", much less started"

AMENDMENT NO. 5

On page 2, line 24 after "waters" delete "such as lakes, bays, and bayous that are subject to the ebb and flow of the tide." and insert "that are owned by the state."

On motion of Senator Malone, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	

Dupre	Lentini
Total—37	

NAYS

Total—0

ABSENT

Bajoie	Irons
Total—2	

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

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount

Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Irons	Jones
Total—3		

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

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the secretary of the Louisiana Department of Transportation and Development to consider the training of certain department employees to assist state police in accident investigation and reconstruction, specifically concerning the road operating environment.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, B	Nevers
Boissiere	Gautreaux, N	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Lentini	
Duplessis	Malone	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Irons	Kostelka
Hainkel	Jones	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to use treated wood posts to support roadside signage and to investigate how the department may use more wood products in the maintenance and construction of Louisiana's highways.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Irons
Hainkel	Jones
Total—4	

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

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 487 from the Committee on Finance.

SENATE BILL NO. 487—

BY SENATOR HEITMEIER

AN ACT

To amend R.S. 32:413(B), relative to licenses; to waive collection of any charges required for duplicate licenses under certain conditions; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and passed to a third reading and Final Passage.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 58— BY SENATORS BARHAM AND N. GAUTREAUX AN ACT

To enact R.S. 40:2010.8(A)(23) and 2010.10, relative to nursing homes; to add to the residents' bill of rights the right to have a copy of the most recent Department of Health and Hospitals annual licensing survey results provided by the facility; to require that the most recent Department of Health and Hospitals annual licensing survey results be provided to all residents, potential residents, and their sponsors; to provide procedure in the case of failure to make such a document available; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Dupre, Lentini, Adley, Ellington, Malone, Amedee, Fields, Marionneaux, Barham, Fontenot, McPherson, Boasso, Gautreaux, B, Michot, Boissiere, Gautreaux, N, Mount, Cain, Hainkel, Nevers, Chaisson, Heitmeier, Romero, Cheek, Holden, Schedler, Cravins, Hollis, Smith, Dardenne, Jackson, Theunissen, Duplessis, Jones, Ullo, Total—36

NAYS

Total—0

ABSENT

Table with 3 columns of names: Bajoie, Irons, Kostelka, Total—3

The Chair declared the 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.

SENATE BILL NO. 79— BY SENATOR DUPRE AN ACT

To amend and reenact R.S. 40:5.5(E)(2), relative to food safety; to provide with respect to the definition of a "food service establishment"; to exclude food prepared and served at private clubs; 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

Table with 3 columns of names: Mr. President, Ellington, Malone, Adley, Fields, Marionneaux, Amedee, Fontenot, McPherson, Barham, Gautreaux, B, Michot, Boasso, Gautreaux, N, Mount, Boissiere, Hainkel, Nevers, Cain, Heitmeier, Romero, Chaisson, Holden, Schedler, Cheek, Hollis, Smith, Cravins, Jackson, Theunissen, Dardenne, Jones, Ullo, Duplessis, Kostelka, Dupre, Lentini, Total—37

NAYS

Total—0

ABSENT

Table with 2 columns of names: Bajoie, Irons, Total—2

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.

SENATE BILL NO. 132— BY SENATOR HOLLIS AN ACT

To amend and reenact R.S. 37:2805(B)(1)(f) and (g), and (E), and 2808 and to repeal R.S. 37:2805(G), relative to chiropractors; to provide for certain licensure requirements; to provide for reciprocity licenses; 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

Table with 3 columns of names: Mr. President, Ellington, Malone, Adley, Fields, Marionneaux

Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
Total—2	

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.

SENATE BILL NO. 137—
BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421(D), relative to deceptive and unfair trade practices; to require the Department of Economic Development to provide certain notices to retail businesses; 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

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Irons
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.

SENATE BILL NO. 178—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:614.1, relative to statutory life insurance beneficiaries; to provide certain procedures and conditions; to authorize actions by certain entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
Total—2	

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

SENATE BILL NO. 219—
BY SENATORS DARDENNE AND BAJOIE

AN ACT

To enact R.S. 46:977 and 1906(C), relative to the immunization of certain juveniles; to provide with respect to the Hepatitis B vaccine for juveniles in state custody; 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	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
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.

SENATE BILL NO. 241—

BY SENATORS IRONS, BAJOIE, CHAISSON, CHEEK, N. GAUTREAU, JACKSON, MCPHERSON AND SCHEDLER
AN ACT

To enact R.S. 46:1409.1, relative to certain licensed child care facilities; to provide for the development of a written safe sleep policy; to provide for posting of the written policy; to provide for training; 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.

SENATE BILL NO. 372—

BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 6:969.6(8), relative to the Louisiana Motor Vehicle Finance Act; to provide for the definition of a consumer loan; 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	Ellington	Malone
Adley	Fields	Marionneaux

Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
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.

Rules Suspended

Senator Hollis asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 768 out of its regular order.

SENATE BILL NO. 768—

BY SENATOR HOLLIS
AN ACT

To enact R.S. 6:966.1, relative to additional default remedies; to provide for a notice of repossession; to provide for contents; to provide for fees; and to provide for related matters.

On motion of Senator Hollis, Senate Bill No. 768 was made Special Order of the Day No. 1 on Wednesday, April 28, 2004 immediately following the Morning Hour.

SENATE BILL NO. 374—

BY SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 6:965(C)(3) and (4), and 966, and to enact R.S. 6:965(C)(5) and (6), and (D), relative to additional default remedies; to provide for definitions; to provide for procedures for taking possession of collateral upon default; to provide for repossession licenses; and to provide for related matters.

On motion of Senator Hollis, Senate Bill No. 374 was made Special Order of the Day No. 2 on Wednesday, April 28, 2004 immediately following the Morning Hour.

SENATE BILL NO. 392—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 40:2116(B)(1) and (D) and to enact R.S. 40:2116(H), relative to the facility need review process; to provide with respect to the facility need review process; to provide with respect to beds in adult residential centers; 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:

Table with columns for YEAS and names of senators including Mr. President, Dupre, Lentini, Adley, Ellington, Marionneaux, Amedee, Fields, McPherson, Barham, Fontenot, Michot, Boasso, Gautreaux, B, Mount, Boissiere, Gautreaux, N, Nevers, Cain, Heitmeier, Romero, Chaisson, Holden, Schedler, Cheek, Hollis, Smith, Cravins, Jackson, Theunissen, Dardenne, Jones, Ullo, Duplessis, Kostelka, Total—35.

NAYS

Total—0

ABSENT

Table with names of absent senators: Bajoie, Irons, Hainkel, Malone, Total—4.

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.

SENATE BILL NO. 442— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 33:1560 and the introductory paragraph of R.S. 40:34(B)(2)(r), relative to medical certifications; to require that medical certificates indicating cause of death be signed by physicians; to provide for the appointment and compensation of certain physicians; 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 on behalf of the Legislative Bureau to Engrossed Senate Bill No. 442 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 23, following "33:1560(B)" insert ";

AMENDMENT NO. 2

On page 2, line 24, change "which" to ". The certification"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and names of senators including Mr. President, Ellington, Malone, Adley, Fields, Marionneaux, Amedee, Fontenot, McPherson, Barham, Gautreaux, B, Michot, Boasso, Gautreaux, N, Mount, Boissiere, Hainkel, Nevers, Cain, Heitmeier, Romero, Chaisson, Holden, Schedler, Cheek, Hollis, Smith, Cravins, Jackson, Theunissen, Dardenne, Jones, Ullo, Duplessis, Kostelka, Dupre, Lentini, Total—37.

NAYS

Total—0

ABSENT

Table with names of absent senators: Bajoie, Irons, Total—2.

The Chair declared the amended 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.

Senator McPherson in the Chair

SENATE BILL NO. 484—

BY SENATORS HINES, N. GAUTREAUX AND SCHEDLER

AN ACT

To enact Chapter 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2801 through 2803, relative to the Louisiana Interagency Task Force on the Future of Family Medicine; to provide for creation of the task force; to provide for definitions; to provide for the composition of the task force; to provide for duties and powers of the task force; to provide for reporting deadlines and a termination date for the task force; 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 on behalf of the Legislative Bureau to Engrossed Senate Bill No. 484 by Senator Hines

AMENDMENT NO. 1

On page 3, line 3, following "each" and before "LCME" insert "Liaison Committee on Medical Education" and change "LCME" to "(LCME)"

AMENDMENT NO. 2

On page 3, line 5, following "or" insert "his"

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

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Ellington	Irons
Total—3		

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

SENATE BILL NO. 492—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2009.24, relative to nursing homes; to provide for the creation of the Nursing Home Quality and Efficiency Board; to provide for membership of the board; to provide for the functions and duties of the board; to provide for rule making by the Department of Health and Hospitals; 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 on behalf of the Legislative Bureau to Engrossed Senate Bill No. 492 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 13, following "through" insert ","

AMENDMENT NO. 2

On page 1, line 13, following "of" insert ","

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 492 by Senator Schedler

AMENDMENT NO. 1

On page 2, delete line 14

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Cravins	Irons
Total—3		

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

SENATE BILL NO. 495—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2115.15(B), relative to public hearings; to provide for locations of hearings; and to provide for related matters.

The bill was read by title. Senator Schedler 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
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
Total—2	

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

Mr. President in the Chair

SENATE BILL NO. 540—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 22:691.2(A), relative to standard fire policy; to provide for coverage for peril of fire; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
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Adley	Fields	Marionneau
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Irons
Total—2	

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

SENATE BILL NO. 711—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2009.22, relative to Medicaid nursing home beds being dually certified; to provide for nursinghome operators to be required to dually certify beds that are certified for Medicaid reimbursement; to provide for a permissive grace period; to provide for penalties for failure to dually certify; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneau
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie
Total—2

Irons

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.

Senator Cheek in the Chair

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

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

Called from the Calendar

Senator Ellington asked that Senate Bill No. 559 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 559—
BY SENATORS ELLINGTON AND SMITH
AN ACT**

To amend and reenact R.S. 36:802.6 and R.S. 44:4.1(B)(1), and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13, and R.S. 36:629(Q), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to require certain aquatic producers to obtain a license or permit; to provide for the cost and issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 559 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 8, change "Commissioner of Agriculture" to "commissioner of agriculture" and on line 9 change "Forestry" to "forestry"

AMENDMENT NO. 2

On page 4, between lines 28 and 29, insert the following:
"(15) One member shall be appointed from a list of three persons nominated by the Southern University Agricultural Center."

AMENDMENT NO. 3

On page 8, delete lines 23 through 29 and on page 9 delete lines 1 through 14 and insert in lieu thereof the following:

"D. After receiving recommendations from the council, the Wildlife and Fisheries Commission shall consider the council's recommendations at one of its monthly meetings or at a special meeting called for that purpose. After considering the recommendations of the council, the commission shall determine if a recommended species is suitable for aquaculture. If the commission determines suitability for aquaculture, it shall adopt a rule to that effect and, in addition, adopt rules and regulations it deems reasonable or necessary to prevent the species from having a detrimental impact on the natural resources of the state. Any such rule or regulation shall be adopted in accordance with the Administrative Procedure Act. However, any such rule or regulation promulgated by the commission may be promulgated in accordance with the procedures in R.S. 49:953(B). No species shall be authorized as suitable for aquaculture and deemed aquatic livestock except by rules and regulations promulgated by the commission or, if the commission fails to act within ninety days following the submission of the council's report, by the commissioner as provided in Subsection E of this Section. Those species which have been previously approved for aquaculture as of the effective date of this Act shall continue to be approved under the rules and regulations in effect at the time of their approval and shall be deemed to be aquatic livestock; provided, however, that the appropriate regulatory authority shall be authorized to amend said rules and regulations as appropriate and in the best interest of the state.

E. Within ninety days after submission of the council's report, the commission shall take action on the report. Such action may include approval of the council's recommendations, approval with modifications to the recommendations, or rejection of the council's recommendations. If the commission fails to take any action within ninety days, the commissioner may proceed with submitting a notice of intent for the proposed rule to the Louisiana Register. If the commission's action approves the council's recommendations as transmitted and proceeds to adopt rules and regulations in accordance with Subsection D of this Section, then the commissioner may proceed with rulemaking regarding that species. In no instance shall the rules and regulations promulgated by the commissioner lessen the requirements imposed by the commission or provide for a waiver thereof. If the commission's action modifies in any way or rejects the council's recommendations, the commissioner and the secretary of the Department of Wildlife and Fisheries shall jointly decide whether to accept the commission's action. If the commissioner and secretary decide not to accept the commission's action, the commissioner and secretary shall jointly present a revised recommendation to the commission, at which time the commission may accept the revised recommendation as presented or with modifications, or may reject the revised recommendation. If the commission accepts the joint revised recommendation of the commissioner and secretary, the commissioner may proceed with rulemaking for that species. If the commissioner and secretary accept the action of the commission, the commissioner may proceed with rulemaking for that species. If the commissioner and secretary cannot agree on a revised recommendation, then the matter may be referred back to the commission for reconsideration. There shall be no limit on the number of times the commission may consider recommendations regarding a particular species from the council or the commissioner or secretary. Notwithstanding any other law to the contrary, the council,

commissioner or secretary may seek judicial review of the commission's action in the Nineteenth Judicial District Court, but only after the recommendation has been submitted to the commission not less than three times. "

AMENDMENT NO. 4

On page 9, between lines 26 and 27, insert the following: "G. Rules promulgated pursuant to this Section shall be subject to legislative oversight consistent with R.S. 49:968."

AMENDMENT NO. 5

On page 11, between lines 23 and 24, insert the following: "E. The Department of Agriculture and Forestry and the Department of Wildlife and Fisheries are authorized to jointly inspect each facility licensed pursuant to R.S. 3:559.8 to determine that the aquatic livestock and the facility are in compliance with the rules and regulations adopted pursuant to this Part."

AMENDMENT NO. 6

On page 15, delete line 12 and insert in lieu thereof the following: "F. Any action brought for civil violation shall not preclude criminal prosecution for the same violation of this Part or rules and regulations promulgated hereunder. Any violation of rules or regulations promulgated by the commission pursuant to R.S. 3:559.7(D) shall be a class two violation as defined by R.S. 56:32."

On motion of Senator Ellington, the amendments were adopted.

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

Mr. President in the Chair

Called from the Calendar

Senator Fields asked that Senate Bill No. 62 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 62— BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 15:574.20(A), relative to parole; to provide with respect to medical parole; to require medical parole consideration of inmates determined to be terminally ill; 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 Fields to Engrossed Senate Bill No. 62 by Senator Fields

AMENDMENT NO. 1

On page 1, line 8, change "(+)" to "(1)"

AMENDMENT NO. 2

On page 1, delete lines 10 through 13 and insert the following: "Corrections may, upon referral by the department, be considered for medical parole by the Board of Parole. Medical parole"

AMENDMENT NO. 3

On page 1, delete lines 17 and on page 2, delete line 1 and insert the following:

"(2) Medical parole shall not be available to considered by the board, upon referral by the department, for any an inmate serving time for the violation of R.S. 14:30, first degree murder, or R.S. 14:30.1, second degree murder only if the inmate is determined by the board to be terminally ill as that term is defined in R.S. 15:574.20(B)(2)."

On motion of Senator Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 62 by Senator Fields

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, proposed by Senator Fields and adopted by the Senate, on line 14, after "(B)(2)." insert "In order to grant a medical parole, the board shall verify that the inmate's release on such parole would result in no additional cost to the state in excess of the cost of his remaining incarcerated."

Senator Ellington moved adoption of the amendments.

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Amedee, Barham, Boasso, Cain, Chaisson, Cheek, Dardenne, Dupre, Total—25; Ellington, Fontenot, Gautreaux, N, Hainkel, Heitmeier, Hollis, Kostelka, Lentini, Malone; Michot, Mount, Nevers, Schedler, Smith, Theunissen, Ullo

NAYS

Table with 3 columns of names: Boissiere, Cravins, Duplessis, Total—8; Fields, Holden, Jackson; Jones, Romero

ABSENT

Table with 3 columns: Mr. President, Gautreaux, B, Marionneaux

Bajoie Irons McPherson
Total—6

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 62 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "574.20(A)," insert "and to enact Code of Criminal Procedure Art. 894.2(A)(4)"

AMENDMENT NO. 2

On page 1, line 4, after "ill;" insert "to provide for home incarceration;"

AMENDMENT NO. 3

On page 1, line 16, after "disease.," insert "Medical probation may be granted under this Section provided that such probation is provided by home incarceration pursuant to the provisions of C.Cr.P. Art. 894.2. In the case of a person sentenced to life imprisonment, such home incarceration shall only be available to a person who has served not less than twenty years of his sentence."

AMENDMENT NO. 4

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

"Section 2. Code of Criminal Procedure Art. 894.2(A)(4) is hereby enacted to read as follows:

Art. 894.2. Home incarceration; requirements

A. Notwithstanding any other provision of law to the contrary, a defendant may be sentenced to home incarceration in lieu of imprisonment under the following conditions:

* * *

(4)The defendant is eligible for medical parole consideration pursuant to R.S. 15:574.20."

On motion of Senator Barham, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Jones
Amedee Fields McPherson
Boissiere Gautreaux, B Mount
Cheek Heitmeier Smith
Cravins Holden Theunissen
Duplessis Jackson
Total—17

NAYS

Adley Fontenot Michot
Barham Gautreaux, N Nevers
Boasso Hainkel Romero
Cain Hollis Schedler
Chaisson Kostelka Ullo
Dardenne Lentini
Ellington Malone
Total—19

ABSENT

Bajoie Irons Marionneaux
Total—3

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Fields, 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.

Personal Privilege

Senator Amedee asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 62. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 82— BY REPRESENTATIVES TUCKER, ANSARDI, BOWLER, DAMICO, LANCASTER, MARTINY, AND TOOMY AND SENATORS BOISSIERE, HOLLIS, LENTINI, AND ULLO

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to extend Louisiana Highway 3046 in Jefferson Parish to the northern foot of the Causeway Boulevard at Airline Drive interchange overpass and to assume responsibility for maintenance of such overpass.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

Total—35

NAYS

Total—0

ABSENT

Bajoie	Irons
Cravins	Marionneaux
Total—4	

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

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

Senator Ullo 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. 40—
BY SENATOR DUPLESSIS

A RESOLUTION

To urge and request the Select Committee on Women and Children to conduct a study of the possibility of creating a grandparent's bill of rights.

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

SENATE RESOLUTION NO. 41—

BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Estelle Gross Hart, wife, mother and sister.

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

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the feasibility of implementing the "At Home Infant Care Act".

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

SENATE CONCURRENT RESOLUTION NO. 77—
BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place in the 2005-2006 Port Priority Program the Acadiana to the Gulf of Mexico Access Channel project as a high priority and to request the department on behalf of the state of Louisiana to commit the appropriate matching funds as may be required to expedite the construction of the project.

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

SENATE CONCURRENT RESOLUTION NO. 78—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Environmental Quality to allocate one million dollars from the Waste Tire Management Fund to the Department of Transportation and Development for highway and drainage maintenance construction using waste tire chips in Fiscal Year 2004-05 and requests the secretary of DOTD to utilize these funds to maximize efforts in obtaining federal fund matches for the usage of waste tire chips in highway and drainage maintenance construction.

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

SENATE CONCURRENT RESOLUTION NO. 79—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To commend Duke Energy Gas Transmission Corporation's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to the Fire Protection District No. 1 in West Feliciana Parish.

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

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To designate April 27, 2004 as "Louisiana Electric Cooperative Day" at the legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone

Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo

Total—36

NAYS

Total—0

ABSENT

Bajoie	Irons	Marionneaux
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Total—3

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

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATOR KOSTELKA
A CONCURRENT RESOLUTION

To commend and congratulate Glen Erroll Neaville upon the occasion of his forty-fifth anniversary in banking in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	
Dupre	Kostelka	

Total—34

NAYS

Total—0

ABSENT

Bajoie	Irons	Ullo
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Cravins	Marionneaux	
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Total—5

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 990—
BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 6:1009(A), relative to currency exchange services; to set maximum fees charged by check-cashers; and to provide for related matters.

HOUSE BILL NO. 1209—
BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f), relative to motor vehicle sales; to provide relative to spot delivery sales; to provide for immediate refund of prospective purchaser's deposit; and to provide for related matters.

HOUSE BILL NO. 1401—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

HOUSE BILL NO. 97—
BY REPRESENTATIVE SALTER
AN ACT

To enact Children's Code Article 815(E), relative to preadjudication custody of children; to provide with respect to the costs of such custody; to provide for the responsibility of bearing such costs; and to provide for related matters.

HOUSE BILL NO. 160—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 56:435.1(A), (C), and (G), to enact R.S. 56:435.1.1, and to repeal R.S. 56:435.1(H), relative to oyster harvesting; to authorize the use of certain dredges in Calcasieu Lake; and to provide for related matters.

HOUSE BILL NO. 1575 (Substitute for HB No. 1219 by Representative Hammett)—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1561.1(A), relative to the Department of Revenue; to authorize the Department of Revenue to assess

certain costs in officer liability actions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 450—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S.56:424(E)(2) and 433(J), relative to taking oysters; to require the use of a vessel monitoring system by a person convicted of violations of the laws governing the taking of oysters; and to provide for related matters.

HOUSE BILL NO. 494—
BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 3:4631(E), 40:5.3(E) and (F), and 56:449(A) and (C), relative to the National Shellfish Sanitation Program; to remove from the statutes references to the standards as adopted by the program; and to provide for related matters.

HOUSE BILL NO. 544—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 24:31.3, relative to newly elected members of the legislature; to allow for reimbursement for expenses related to attendance at certain orientation seminars for newly elected members of the legislature; to allow for certain actions and expenditures to establish a district office for such members-elect; to allow the employment of legislative assistants by such members-elect; and to provide for related matters.

HOUSE BILL NO. 653—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:424(H), relative to taking of oysters; to authorize the Department of Natural Resources to sample oyster leases for matters related to coastal restoration; and to provide for related matters.

HOUSE BILL NO. 876—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 47:9004(B)(1), relative to the board of directors for the Louisiana Lottery Corporation; to provide for the appointment of one member of the board; and to provide for related matters.

HOUSE BILL NO. 402—
BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

HOUSE BILL NO. 421—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a custodian; to provide for certain notification procedures; and to provide for related matters.

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

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

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 97—
BY REPRESENTATIVE SALTER
AN ACT

To enact Children's Code Article 815(E), relative to preadjudication custody of children; to provide with respect to the costs of such custody; to provide for the responsibility of bearing such costs; and to provide for related matters.

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

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BY REPRESENTATIVE FRITH
AN ACT

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

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AN ACT

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AN ACT

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BY REPRESENTATIVE SHEPHERD
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AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

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BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1561.1(A), relative to the Department of Revenue; to authorize the Department of Revenue to assess certain costs in officer liability actions; to provide for an effective date; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To commend the students, parents, teachers, school and school system administrators, and the school board of St. Tammany Parish for achieving the highest District Performance Score in the state.

HOUSE CONCURRENT RESOLUTION NO. 118—

BY REPRESENTATIVE K. CARTER
A CONCURRENT RESOLUTION

To declare the week of May 10 through 16, 2004, to be Cover the Uninsured Week in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To recognize May 9 through May 15, 2004, as Police Week and May 15, 2004, as Peace Officers Memorial Day, to commend law enforcement officers, and to encourage all citizens to join in the week's special commemorative tributes.

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of James Patton "Pat" Parker.

HOUSE CONCURRENT RESOLUTION NO. 126—
BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of John Jones Doles, Jr. of Plain Dealing.

HOUSE CONCURRENT RESOLUTION NO. 127—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION
To commend the Louisiana Endowment for the Humanities.

HOUSE CONCURRENT RESOLUTION NO. 129—
BY REPRESENTATIVES PITRE, TRICHE, BALDONE, AND DOVE
A CONCURRENT RESOLUTION
To express the condolences of the Louisiana Legislature on the death of Detective Chaney Champagne of Lockport.

HOUSE CONCURRENT RESOLUTION NO. 130—
BY REPRESENTATIVES PITRE, TRICHE, BALDONE, AND DOVE
A CONCURRENT RESOLUTION
To express the condolences of the Louisiana Legislature on the death of Detective Sergeant Kurt "Woody" Harrelson of Raceland.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVE ANSARDI
A CONCURRENT RESOLUTION
To commend the Junior Leagues in Louisiana and throughout this country and to proclaim and recognize April 28, 2004, as Junior League Day.

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences of the Louisiana Legislature upon the death of Sanford "Sandy" Krasnoff.

HOUSE CONCURRENT RESOLUTION NO. 138—
BY REPRESENTATIVE GARY SMITH AND SENATOR CHAISSON
A CONCURRENT RESOLUTION
To commend the Hahnville High School football team and coaches upon winning the Class 5A State Football Championship.

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

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION
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HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION
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The resolution was read by title; lies over under the rules.

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BY REPRESENTATIVES PITRE, TRICHE, BALDONE, AND DOVE
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The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVE ANSARDI
A CONCURRENT RESOLUTION
To commend the Junior Leagues in Louisiana and throughout this country and to proclaim and recognize April 28, 2004, as Junior League Day.

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

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences of the Louisiana Legislature upon the death of Sanford "Sandy" Krasnoff.

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

HOUSE CONCURRENT RESOLUTION NO. 138—
BY REPRESENTATIVE GARY SMITH AND SENATOR CHAISSON
A CONCURRENT RESOLUTION
To commend the Hahnville High School football team and coaches upon winning the Class 5A State Football Championship.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

April 26, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 187—
BY SENATORS ULLO, MCPHERSON AND DUPRE
AN ACT
To enact R.S. 56:805, relative to wildlife and fisheries; to provide relative to Elmer's Island; to provide certain terms, conditions and procedures; to authorize certain fees; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 486—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1)and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3), and to enact R.S. 15:1202(A)(27), 1228.2(10) and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to create the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 560—
BY SENATOR FONTENOT
AN ACT

To amend and reenact the introductory paragraph of R.S. 30:2194(B), (4), (9), and (11) through (15) and the introductory paragraph of (C), 2195(A) and (E), the introductory paragraph of 2195.2(A)(1), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii), 2195.6, 2195.7, 2195.8(A), the introductory paragraph of 2195.8(B) and (1) and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 654—
BY SENATOR BAJOEI
AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D), 231.7, 231.8, 231.11 and 460.5, relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

RETIREMENT

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

April 26, 2004

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To require the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System to comply with the state of Louisiana policies, procedures and regulations governing travel, contracts and procurement.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To direct the office of the legislative auditor to do an in depth financial and compliance audit on the relationships between the state public retirement systems board and the investment advisors, consultants and managers.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To provide for a study of the benefits, risks and issues involved in, and the feasibility of establishing a defined contribution plan in the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System.

Reported favorably.

SENATE BILL NO. 90—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:3363(G), relative to local retirement; to provide with respect to the Firefighters' Pension and Relief Fund for the city of New Orleans; to authorize the New Orleans Firefighters Association, Local 632 and the Firefighters' Pension and Relief Fund for the city of New Orleans to negotiate a cooperative endeavor agreement with the city of New Orleans pursuant to the Supreme Court of Louisiana decision in "NEW ORLEANS FIREFIGHTERS LOCAL 632 ET AL. versus THE CITY OF NEW ORLEANS ET AL.," bearing number 00-C-1921 c/w number 00-C-2041; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 205—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3682(13), (16), and (26), 3683(1), (2), and (3)(a), 3684(D) and (E), 3685(B)(8), and 3689(A) and (C), relative to the Harbor Police Retirement System; to provide with respect to definitions; to correct references to citations; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 290—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1938(C) and (F)(2) and to enact R.S. 11:107, 723(C), 1925(G), relative to Parochial Employees' Retirement System; to provide with respect to deferred retirement option plan; to provide with respect to additional employer contributions; to provide with respect to members employed in other state employment; to provide for direct rollovers in certain circumstances for purchase of creditable service; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 696—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:291(H), relative to state and statewide public retirement systems; to provide with respect to community property interest; to require child support arrearage owed by a former spouse to be deducted from the former spouse's community property interest in the retirement benefit of a member or retiree or the refund of employee contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 790—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 11:403(5) and 444(C)(10)(a); and to repeal R.S. 11:231 (A)(1), relative to the Louisiana State Employees' Retirement System; to provide with respect to the definition of average final compensation and to provide limitations on increases related thereto; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 866 from the Committee on Judiciary C.

SENATE BILL NO. 866—
BY SENATOR SCHEDLER AND REPRESENTATIVE WINSTON
AN ACT

To enact Code of Criminal Procedure Art. 324(F), relative to courts; to authorize certain courts to accept an administrative deposit with a personal undertaking in lieu of bond in criminal proceedings; to provide for the disbursement of such deposits; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

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

ENROLLMENTS

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

April 26, 2004

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATORS HAINKEL, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state legislator, Donald Fortier.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

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

ENROLLMENTS

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

April 26, 2004

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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 15—
BY SENATOR BOASSO

A RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highway 41 and Pine Street in St. Tammany Parish.

SENATE RESOLUTION NO. 16—

BY SENATORS BOASSO, ADLEY, AMEDEE, BAJOIE, BARHAM, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, LENTINI, MCPHERSON, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To request representatives of the United States Department of Commerce to visit the state and hold hearings and conferences in the state of Louisiana so its citizens can be heard prior to completion of departmental determinations and findings as regards the importation of certain frozen and canned warmwater shrimp in the United States market.

SENATE RESOLUTION NO. 27—
BY SENATOR HOLDEN

A RESOLUTION

To commend the Wal-Mart store in Zachary, Louisiana for their participation in the Crestworth Elementary School reading competition; and to recognize and record their donation of bicycles to those students who excelled in the "Reading Gives Us Wings" reading program.

SENATE RESOLUTION NO. 29—
BY SENATOR SMITH

A RESOLUTION

To commend Billy Miller on his commitment and dedication to the institution of marriage in Louisiana and for his efforts to save marriage.

SENATE RESOLUTION NO. 21—
BY SENATOR MCPHERSON

A RESOLUTION

To commend the players, coaches, and managers of the 2003-2004 Peabody Magnet High School Boys Basketball Team on winning the Class 4A Boys State Basketball Championship Title.

SENATE RESOLUTION NO. 22—
BY SENATOR HINES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Cleveland James "Cleve" Vidrine.

SENATE RESOLUTION NO. 23—
BY SENATORS MOUNT AND THEUNISSEN

A RESOLUTION

To commend the players, coaches, managers and statisticians of the 2003-2004 Washington-Marion High School Boys Basketball Team in Lake Charles, Louisiana for their attendance and performance at the Top 28 Boys High School Basketball State Tournament.

SENATE RESOLUTION NO. 26—
BY SENATOR SCHEDLER

A RESOLUTION

To recognize the Slidell Heritage Festival, on the occasion of the seventh 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.

SENATE RESOLUTION NO. 30—
BY SENATOR BAJOEI

A RESOLUTION

To commend Delta Sigma Theta Sorority, Inc., for its achievements and community service and to designate April 14, 2004, as Delta Sigma Theta Sorority "Red and White" Day at the Senate of the Legislature of Louisiana.

SENATE RESOLUTION NO. 31—
BY SENATOR BARHAM

A RESOLUTION

To commend Lyn Holley Doucet for being named 2004 Louisiana State Mother of the Year by the Louisiana Association of American Mothers, Inc.

SENATE RESOLUTION NO. 32—
BY SENATOR BARHAM

A RESOLUTION

To commend Blanche Bollich Mills for being named 2003 Louisiana Young Mother of the Year Representative by the Louisiana Association of American Mothers, Inc.

SENATE RESOLUTION NO. 17—
BY SENATOR ROMERO

A RESOLUTION

To urge and request the governor to include within the budget an amount of not less than three hundred thousand dollars to assist Louisiana shrimpers in their efforts with the Southern Shrimp Alliance.

SENATE RESOLUTION NO. 24—
BY SENATORS BARHAM AND ADLEY

A RESOLUTION

To urge and request the Louisiana congressional delegation to work to permanently abolish the federal death tax.

SENATE RESOLUTION NO. 25—
BY SENATORS BARHAM AND ADLEY

A RESOLUTION

To urge and request the Louisiana congressional delegation to work to make certain federal tax cuts permanent.

SENATE RESOLUTION NO. 33—
BY SENATORS MCPHERSON, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To commend and congratulate Courtney and Chloe Smith of Alexandria, Louisiana on being the smallest twins ever born to survive in the United States of America.

SENATE RESOLUTION NO. 35—
BY SENATOR HAINKEL

A RESOLUTION

To designate May 2004 as American Legion Auxiliary Poppy Month.

SENATE RESOLUTION NO. 37—
BY SENATORS HAINKEL AND SCHEDLER

A RESOLUTION

To commend and congratulate the Fontainebleau High School Lady Bulldogs Soccer team for winning the 2004 Division I State Championship.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

April 26, 2004

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To recognize and commend Superintendent Lloyd Lindsey of West Feliciana Parish schools for being selected as the 2004 Superintendent of the Year in Louisiana, and to record his myriad accomplishments in education and his contributions to the schools in West Feliciana Parish, to his community, and to the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATORS MOUNT, BAJOEI, CHEEK, DUPLESSIS, IRONS, JACKSON, DARDENNE, FIELDS, HOLDEN, ADLEY, AMEDEE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CRAVINS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To commend and congratulate Dana "Pokey" Chatman on an outstanding job as associate coach and acting head coach of the Louisiana State University Lady Tigers basketball team.

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATORS MOUNT, BAJOEI, CHEEK, DUPLESSIS, IRONS, JACKSON, DARDENNE, FIELDS, HOLDEN, ADLEY, AMEDEE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CRAVINS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX,

MCPHERSON, MICHOT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To recognize and commend the Louisiana State University Lady Tigers basketball team and coaching staff for a season of historic proportions and for outstanding performances at its first appearance at the National Collegiate Athletic Association (NCAA) Final Four in New Orleans.

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATORS HOLDEN AND DARDENNE AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To recognize October 1, 2004, as World Peace Day in the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATORS THEUNISSEN, AMEDEE, BAOJIE, BARHAM, BOASSO, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAU, N. GAUTREAU, HOLDEN, HOLLIS, IRONS, KOSTELKA, LENTINI, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH AND ULLO AND REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To memorialize Congress of the United States to continue to provide southwest Louisiana veterans a community based outpatient clinic in Jennings, Louisiana.

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To commend Becky Lorio on her selection as a winner of the Government-in-Action Youth Tour trip to Washington, D.C.

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To commend Kari Johnson on her selection as a winner of the Government-in-Action Youth Tour trip to Washington, D.C.

SENATE CONCURRENT RESOLUTION NO. 65—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To commend David Kador on his selection as a winner of the Government-in-Action Youth Tour trip to Washington, D.C.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 95—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To recognize April 30, 2004, as Parent EXPO Day in the state of Louisiana.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

April 26, 2004

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 1426—

BY REPRESENTATIVE SALTER AND SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1701 and 2366 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2378, relative to medical psychologists; to authorize medical psychologists to prescribe drugs and to provide for the duties of a medical psychologist; to allow a medical psychologist to give directions to certain other health care providers; to establish the qualifications for medical psychologists and the requirements for certification; to provide for renewal of the certificate; to prohibit issuance of a prescription by a psychologist who is not a medical psychologist certified to prescribe; to provide a penalty for violations; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to provide for designation of existing law; to provide for the effective date; and to provide for related matters.

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

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie	1 Day	Irons	1 Day
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Adjournment

Senator Boissiere moved that the Senate adjourn until Tuesday, April 27, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, April 27, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk