

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
THIRTIETH 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, May 24, 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	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Dr. Charles Dright, 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 Duplessis, 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:

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONS**

May 21, 2004

The Honorable Don Hines, President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed Jannitta Antoine as Deputy Secretary of Corrections Services of the Department of Public Safety and Corrections for a period of four years.

In accordance with the mandates of the Louisiana Constitution and Title 36 of the Louisiana Revised Statutes, I am submitting the following information concerning Jannitta Antoine and respectfully requesting Senate confirmation of her appointment.

Deputy Secretary of Corrections Services
(Effective May 15, 2004)
Jannitta Antoine

Thank you in advance for your consideration of this request. Please contact my office should you need additional information.

Sincerely,
RICHARD L. STALDER
Secretary

STATE OF LOUISIANA
Office of the Governor

May 24, 2004

The Honorable President and Members of the Senate:

Ladies and Gentlemen:

I have appointed the following persons on the attached list to the offices indicated.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present these names for your review.

Sincerely,
KATHLEEN BABINEAUX BLANCO
Governor

Atchafalaya Basin Levee District

Gerald Alexander, Sr.	Ray Brignac
Bill Flynn	John Grezaffi
Bradley Grimmett	Stephen Juge
Ralph Longman	Michael Maranto, Sr.
Harry Marionneaux	Earl Matherne
John Raymond	Nickie Rockforte

May 24, 2004

Environmental Quality, Department of
Wilbert Jordan

Health and Hospitals, Department of
Michael Duffy Sharon Howard
Kathy Kliebert

Motor Vehicle Commission, Louisiana
Yolanda Batiste C. Robert Bohn, Jr.
Calvin Braxton, Sr. Tina Cabrera
Jacob Drago Jacqueline Edgar
Marshall Hebert Alexis Hocevar
Gerald Lane Price LeBlanc, Jr.
David Mann Ralph Pool
Arthur Tait Cloid White

Public Safety and Corrections, Department of
Bernard Boudreaux Willie Broome
Whalen Gibbs Kay Hodges

Racing Commission, Louisiana State
Demoine Rutledge
BOB ODOM
Commissioner of Agriculture & Forestry

May 18, 2004

Honorable Donald Hines
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have reappointed the persons listed below to the following positions and I am submitting them for confirmation:

- Randal Johnson - Deputy Commissioner
- Manning "Pete" Broussard - Assistant Commissioner of Agro-Consumer Services
- Terrel Delphin - Assistant Commissioner of Animal Health Services
- Paul Frey - Assistant Commissioner of Forestry
- Matthew Keppinger - Assistant Commissioner of Agricultural & Environmental Sciences
- Brad Spicer - Assistant Commissioner of Soil & Water
- Bryce Malone - Assistant Commissioner of Marketing
- Edward "Skip" Rhorer - Assistant Commissioner of Management & Finance
- Benjy Rayburn - Director, Weights & Measures Commission
- Luke Theriot - Confidential Assistant

F. Todd Thompson - Assistant Director, Weights and Measures Commission

John Andries - Director, Boll Weevil Eradication Commission

I feel that these people meet all of the qualifications required by law and will continue to serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested. Should you need or desire any other information from me, please advise at anytime.

Thanking you for your cooperation and assistance, I am

Sincerely,
BOB ODOM
Commissioner

BOB ODOM
Commissioner of Agriculture & Forestry

May 18, 2004

Honorable Donald Hines
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Hines:

I have appointed individuals to the boards or commissions listed below and I am submitting them for confirmation:

- Advisory Commission On Pesticides
- Agriculture Commodities Commission
- Boll Weevil Commission
- Catfish Promotion Board
- Crawfish Promotion Board
- Dairy Industry Promotion Board
- Egg Commission
- Horticulture Commission
- Livestock Brand Commission
- Livestock Sanitary Board
- Structural Pest Control Commission
- Sweet Potato Board
- Weights & Measures Commission

I feel that the enclosed list of individuals meets all of the qualifications required by law and will serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested. Should you need or desire any other information from me, please advise at anytime.

Sincerely,
BOB ODOM
Commissioner

Mr. Floyd Carter
458-A McCown Road
Welsh, LA 70591
Louisiana Agricultural Commodities Commission

Mr. Ted Glaser, III
P.O. Box 61
Oscar, LA 70762
Louisiana Agricultural Commodities Commission

Mr. James Hoppe
19400 BeBee Road
Iowa, LA 70647
Louisiana Agricultural Commodities Commission

Mr. Jerry Johnston
300 Neal Road
Winnsboro, LA 71295
Louisiana Agricultural Commodities Commission

Mr. Rodney Kendrick
4601 Heyman Lane, No. 115
Alexandria, LA 71303
Louisiana Agricultural Commodities Commission

Mr. Blaine Koch
1111 Crawford Avenue
Crowley, LA 70526-3053
Louisiana Agricultural Commodities Commission

Mr. Walter Morales
1195 S. Cloverdale Avenue
Baton Rouge, LA 70808
Louisiana Agricultural Commodities Commission

Mr. Leslie Rodrigue
112 Goldmine Court
Edgard, LA 70049
Louisiana Agricultural Commodities Commission

Mr. Robert Hanks
P.O. Drawer 160
Mermentau, LA 70556
Louisiana Agricultural Commodities Commission

Mr. Van Bennett
563 Tucker Store Rd.
Spearsville, LA 71277
Livestock Sanitary Board

Mr. Charles Broussard
23604 S. LA Hwy. 82
Kaplan, LA 70548
Livestock Sanitary Board

Mr. Adrian Decker
1057 Carney Rd.
Zachary, LA 70791
Livestock Sanitary Board

Mr. David "Billy" Doland
3671 Grand Chenier Hwy.
Grand Chenier, LA 70643
Livestock Sanitary Board

Mr. Michael Dominique
103 D. Hess
Carenro, LA 70520
Livestock Sanitary Board

Mr. Jimmy Kelley
120 Milby Street
DeRidder, LA 70634
Livestock Sanitary Board

Mr. Daniel Lyons
1438 Jessie Richard Rd.
Church Point, LA 70525
Livestock Sanitary Board

Dr. Robert McManus
129 McMillan
Iota, LA 70543
Livestock Sanitary Board

Mr. T.B. Porter
P.O. Box 248
Leesville, LA 71446
Livestock Sanitary Board

Dr. Billy Robinson
P.O. Box 51
Leesville, LA 71446
Livestock Sanitary Board

Mr. Bobby Yarborough
P.O. Box 3374
Baton Rouge, LA 70821
Livestock Sanitary Board

Mr. Randy Harris
805 St. Louis
Baton Rouge, LA 70802
Horticulture Commission of Louisiana
Louisiana

Mr. Stephen Hoover
525 Esplanade
LaPlace, LA 70068
Horticulture Commission of Louisiana

Mr. Harold Tani
2801 Tchoupitoulas
St. New Orleans, LA 70115
Horticulture Commission of Louisiana
Louisiana

Mr. Thomas Spedale
3546 W. Pinhook Rd.
Lafayette, LA 70508
Horticulture Commission of Louisiana

Mr. Van Cox
1827 Ormandy Dr.
Baton Rouge, LA 70808
Horticulture Commission of Louisiana
Louisiana

Mr. Rob Barry, III
P.O. Box 228
Sunset, LA 70584
Horticulture Commission of Louisiana

Ms. Emily Stich
904 Davenport Drive
Baton Rouge, LA 70808
Horticulture Commission of Louisiana
Louisiana

Mr. Walter Imahara
8680 Perkins Rd.
Baton Rouge, LA 70810
Horticulture Commission of Louisiana

Mr. Don Kelly
2148 Hwy. 958
Slaughter, LA 70777
Horticulture Commission of Louisiana
Louisiana

Mr. Roger Mayes
8680 Perkins Rd.
Baton Rouge, LA 70810
Horticulture Commission of Louisiana

Dr. Grady Coburn
P.O. Box 302
Cheneyville, LA 71325

Mr. Doug Duty
24 Jana Drive
Monroe, LA 71203

Advisory Commission on Pesticides
Pesticides

Advisory Commission on

Weights & Measures Commission

Weights & Measures Commission

Ms. Vicki Taylor
P.O. Box 696
Slidell, LA 70459
Advisory Commission on Pesticides
Pesticides

Mr. Mike Robichaux
7001 Hwy. 182
Franklin, LA 70538
Advisory Commission on

Mr. Lazar J. Gielen
P.O. Drawer 1349
Crowley, LA 70527
Weights & Measures Commission

Mr. G.T. Michelli
130 Brook Hollow
Harahan, LA 70123
Weights & Measures Commission

Mr. Wayne Ducote
213 Sandalwood Drive
Lafayette, LA 70607
Advisory Commission on Pesticides
Pesticides

Mr. Billy Guthrie
P.O. Box 38
Newellton, LA 71357
Advisory Commission on

Ms. Stephanie Hicks
5001 Creek Valley
Zachary, LA 70791
Weights & Measures Commission

Mr. Al Moreau
124 Belle Helene
Thibodaux, LA 70301
Weights & Measures Commission

Mr. Mike Vasko
P.O. Box 7241
Shreveport, LA 71137-7241
Advisory Commission on Pesticides
Pesticides

Mr. Zoren O'Brien
P.O. Drawer 607
Iowa, LA 70647
Advisory Commission on

Ms. Diana Haring
110 Otwell Lane
Winnsboro, LA 71295
LA Catfish Promotion and Research Board

Mr. Bill Cheek
137 Winegart Rd.
LeCompte, LA 71346
LA Catfish Promotion and Research Board

Mr. Adam Beaubouef
P.O. Box 167
Effie, LA 71331
Livestock Brand Commission

Mr. John Wald
47 Rhine Drive
Kenner, LA 70064
Livestock Brand Commission

Mr. J.B. Hanks
P.O. Box 66312
Baton Rouge, LA 70896
LA Catfish Promotion and Research Board

Honorable Stephen Prator
501 Texas St., Room 101
Shreveport, LA 71101
Livestock Brand Commission

Mrs. Joy Hodges
3904 Pecan Drive
Alexandria, LA 71302
Livestock Brand Commission

Mr. Rusty Freeland
P.O. Box 1841
Crowley, LA 70527
LA Catfish Promotion and Research Board

Mr. Vic Blanchard
58020 Bayou Rd., Box 694
Plaquemine, LA 70765
Livestock Brand Commission

Mr. Calvin LeBouef
13610 South Hwy. 335
Abbeville, LA 70510
Livestock Brand Commission

Mr. Rusty Gaudé
6090 Resweber Hwy.
St. Martinville, LA 70582
LA Catfish Promotion and Research Board

Mr. T.B. Porter
P.O. Box 248
Leesville, LA 71446
Livestock Brand Commission

Mr. Antonio Harris
P.O. Box 573
Washington, LA 70589
Livestock Brand Commission

Mr. Sam Haring
715 Pete Haring Rd.
Wisner, LA 71378
LA Catfish Promotion and Research Board

Ms. Gloria Jones
2170 Hwy. 484
Natchez, LA 71456
Livestock Brand Commission

Honorable Douglas Hebert
District Attorney, 23rd JDC
P.O. Box 839
Oberlin, LA 70655
Livestock Brand Commission

Mr. Charlie Stephens, Jr.
P.O. Box 146
Wisner, LA 71378
LA Catfish Promotion and Research Board

Mr. John O'Neill
4934 Hot Wells Road
Boyce, LA 71409
Weights & Measures Commission

Mr. Frankie LaPinta
12644 Bankston Rd.
Amite, LA 70422
Weights & Measures Commission

Mr. Jerry Simpson
596 Nicholson Road
Arcadia, LA 71101
Dairy Promotion Board

Mr. Bryan Mitchell
2105 Camp Zion Rd.
Doyline, LA 71023
Dairy Promotion Board

Mr. Tony Savoie
P.O. Box 686
Donaldsonville, LA 70346
Weights & Measures Commission

Mr. Mike Miller
952 15th Ave.
Franklinton, LA 70438
Weights & Measures Commission

Mr. Daniel Lyons
1438 Jessie Richard Rd.
Church Point, LA 70525
Dairy Promotion Board

Mr. Lanny Conerly
18436 J.T. Conerly Rd.
Kentwood, LA 70444
Dairy Promotion Board

Mr. Roy Amadee
5922 Marshall Foch
New Orleans, LA 70124

Mr. Ray Hensgens
P.O. Box 321
Crowley, LA 70527

Mr. Roy Ingraffia
PO Box 518
Loranger, LA 70446

Mr. Eugene Robertson
1500 Hwy 1061
Pine Grove, LA 70453

Dairy Promotion Board

Mr. James Rogers
28224 Hwy 62
Angie, LA 70426
Dairy Promotion Board

Mr. Donnie Fisher
P.O. Box 73
Keatchie, LA 71048
Dairy Promotion Board

Mr. Charnel Bailey
165 Jim Bailey Rd.
Leesville, LA 71446
Dairy Promotion Board

Mr. Troy Ingram
27361 R.F. Ball Rd.
Franklinton, LA 70438
Dairy Promotion Board

Mr. Mack Brown
27367 Brown Farm Rd
Mt. Hermon, LA 70450
Dairy Promotion Board

Mr. Robert Kunst
P.O. Box 1319
Mandeville, LA 70471
Structural Pest Control Commission

Dr. David Boethel
P.O. Box 25055
Baton Rouge, LA 70894-5055
Structural Pest Control Commission

Mr. Larry Fontenot
2043 Faubourg Rd.
Ville Platte, LA 70586
Louisiana Sweet Potato Advertising and Development Commission

Mr. Kelsey McKoin
15335 Sheffield Road
Bonita, LA 71223
Louisiana Sweet Potato Advertising and Development Commission

Mr. John Dailey
Box 48
Extension, LA 71243
Louisiana Boll Weevil Eradication Commission

Mr. Boyd Holley
704 Hollyhurst
Bastrop, LA 71220
Louisiana Boll Weevil Eradication Commission

Mr. George Lacour, Jr.
P.O. Box 280

Dairy Promotion Board

Ms. Susan Sharkey
334 South Loop
Amite, LA 70422
Dairy Promotion Board

Mr. Joe Caldwell
7544 Highway 513
Pelican, LA 71063
Dairy Promotion Board

Mr. Paul Fussell
17488 Fussell Rd
Kentwood, LA 70444
Dairy Promotion Board

Mr. Paul Alford
28752 Glen Guy Rd
Mt. Hermon, LA 70450
Dairy Promotion Board

Mr. Russell Creel
47593 Westmoreland Rd.
Franklinton, LA 70438
Dairy Promotion Board

Mr. Daniel Foster
110 Melody Drive
Houma, LA 70363
Structural Pest Control

Morganza, LA 70759
Louisiana Boll Weevil Eradication Commission

Mr. Dan Logan, Jr.
P.O. Box 24
Gilliam, LA 71029
Louisiana Boll Weevil Eradication Commission

Mr. Todd Kennedy
1232 Kennedy Drive
Tallulah, LA 71282
Louisiana Boll Weevil Eradication Commission

Mr. Carlton Legrange
10373 Gurney Rd.
Baker, LA 70714
Louisiana Crawfish Promotion and Research Board

Mr. Steve Minvielle
400 Candleglow Drive
New Iberia, LA 70563
Louisiana Crawfish Promotion and Research Board

Mr. James Wimberly
5740 Hwy. 190
Eunice, LA 70535
Louisiana Crawfish Promotion and Research Board

Mr. Jody Meche
1020 Serette St.
Henderson, LA 70517
Louisiana Crawfish Promotion and Research Board

Mr. Ozaire Bonin
1033 Oak Ridge Rd.
St. Martinville, LA 70582
Louisiana Crawfish Promotion and Research Board

Mr. Donald Benoit
108 1/2 Main St.
Gueydan, LA 70542
Louisiana Crawfish Promotion and Research Board

Mr. Warren Blanchard
Pierre Part, LA 70339
Louisiana Crawfish Promotion and Research Board

Ms. Norma Jean Miller
P.O. Box 64
Eunice, LA 70535
Louisiana Crawfish Promotion and Research Board

Mr. Greg Benhard
P.O. Box 68
Palmetto, LA 71358
Louisiana Crawfish Promotion and Research Board

Mr. Terry Guidry
1006 - A Pete Guidry Rd.

May 24, 2004

St. Martinville, LA 70582
Louisiana Crawfish Promotion and Research Board

Mr. Mike Walker
15358 Hwy. 26
Jennings, LA 70546
Louisiana Crawfish Promotion and Research Board

Mr. Bill Pizzolato
5215 Plank Rd.
Baton Rouge, LA 70805
Louisiana Crawfish Promotion and Research Board

Mr. Rudy Sparks
122 River Bend Drive
Patterson, LA 70392
Louisiana Crawfish Promotion and Research Board

Mr. Michael Doss
40392 Adams Rd.
Hammond, LA 70403
Louisiana Egg Commission

Mr. Robert Yarborough
18462 W. Village Way Dr.
Baton Rouge, LA 70810
Louisiana Egg Commission

Mr. Jeff Kleinpeter
1444 Airline Hwy.
Baton Rouge, LA 70817
Louisiana Egg Commission

Mr. Anthony Berner
P.O. Box 747
Ponchatoula, LA 70454
Louisiana Egg Commission

Mr. Taylor Fernandez
103 Sherry Drive
Hammond, LA 70401
Louisiana Egg Commission

Mr. B.J. Sonnier
2644 Ridge Rd
Duson, LA 70529
Louisiana Egg Commission

Mr. Jason Jordan
158 John Jordan Rd.
Dodson, LA 71422
Louisiana Egg Commission

Mr. Robert Lewis
28915 Dabney Drive
Livingston, LA 70754
Louisiana Egg Commission

Mr. James Pruitt
2024 Pruitt Rd.
Minden, LA 71055
Louisiana Egg Commission

**Appointment of Conference Committee
on House Bill No. 272**

The President of the Senate appointed on the Conference Committee on House Bill No. 272 the following members of the Senate: Senators McPherson, Schedler and Cheek.

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 24, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 148—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 3:3654(E)(4) and (6), as amended by Act No. 1232 of the 2003 Regular Session, and to enact R.S. 3:3656(A)(3), relative to security devices affecting farm products; to provide relative to financing statements for farm products; to provide relative to certain requirements for the amendment and expiration of such statements; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

SENATE BILL NO. 628—
BY SENATORS BAJOIE AND HOLDEN
AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; and to provide for related matters.

Reported without amendments.

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.

Reported with amendments.

SENATE BILL NO. 530—
BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 47:120.71(B), relative to donations for the Louisiana Animal Welfare Commission; to provide that donations be remitted during a certain time to the Louisiana Animal Welfare Fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 295—
BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 51:1423, relative to deceptive and unfair trade practices; to prohibit the issuing of a gift certificate with an expiration date or which includes any service fee; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 635—
BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 35:200 and to enact R.S. 35:18, relative to notaries public; to provide for a one-year period of prescription for filing of malpractice actions against notaries; to provide for remedial application of provisions; to provide for a final date for the filing of certain actions; to provide for exceptions to the preemptive period in cases of fraud; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 385—
BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 47:1979, relative to reporting of property owned by Tax Commission members; to provide for a deadline for the reporting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 13—
BY SENATOR THEUNISSEN
AN ACT

To enact Chapter 9 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:1001 through 1004, relative to wireless communication facilities; to provide for notice of the proposed construction of and for the marking of such facilities; and to provide for related matters.

Reported with amendments.

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

Message from the House
DISAGREEMENT TO HOUSE BILL

May 24, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 402 by Representative Flavin, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

May 24, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1220 by Representative Thompson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 122—
BY SENATOR ULLO

A CONCURRENT RESOLUTION
To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to each parish, city and other local school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2004, and as subsequently revised pursuant to board action on April 15, 2004.

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

Privilege Report of the
Legislative Bureau

May 24, 2004

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

May 24, 2004

HOUSE BILL NO. 178—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 18:423(C), relative to the composition of parish boards of election supervisors; to remove provisions relative to the membership of the parish board of election supervisors in a particular parish; to provide for similar membership in all parish boards of election supervisors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 189—
BY REPRESENTATIVES WINSTON, KATZ, LABRUZZO, WADDELL
AND BRUCE AND SENATOR BAJOE
AN ACT

To enact R.S. 45:844.12(4)(i) and (j), relative to telephone solicitation; to exempt calls from optometrists, dentists, and chiropractic physicians to their patients from definition of solicitation; to exempt calls from veterinarians to their clients from definition of solicitation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 217—
BY REPRESENTATIVES MARTINY AND DAMICO AND SENATORS
BOSSIÈRE AND ULLO
AN ACT

To enact R.S. 44:4(40), relative to records of public bodies; to exempt certain records pertaining to security systems and features, interior layouts of residences, and certain proprietary information submitted to obtain individual building permits from public records laws; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 409—
BY REPRESENTATIVES DAMICO, ANSARDI, LANCASTER,
MARTINY, AND TOOMY AND SENATORS BOSSIÈRE, LENTINI,
AND ULLO
AN ACT

To enact R.S. 13:5112.1, relative to the production of documents by governmental entities; to provide relative to subpoena duces tecum; to provide for the reimbursement of costs incurred; to provide for disputes of the costs incurred; to provide for procedures; to provide for service and delays for production; to provide for a definition of "governmental entity"; to provide for applicability to the present laws of discovery and evidence; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 492—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 44:31(B) and 32(C)(1)(d), relative to public records; to allow persons under the age of majority to receive a copy or reproduction of a public record; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 552—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:778(B) and 1254(N)(1)(d), relative to warranty and repair services on school buses; to provide that school bus warranty and repair services may be performed by certain heavy truck dealers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 553—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 32:1252(10) and 1254(N)(1)(a) and to enact R.S. 32:1254.1(D), relative to motor vehicles; to revise the definition of "franchise"; to provide for the effect of enactments and rules on licensees; to provide relative to warranty and sales incentive audits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 608—
BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To repeal Chapter 5 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:1621 through 1623, relative to employees of the Wildlife and Fisheries Commission; to repeal the prohibition on exploitation of natural resources by such employees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 699—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 13:3715.1(B)(6), relative to medical or hospital records; to provide for records related to substance or alcohol abuse, education, training, treatment, rehabilitation, or research; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 878—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 46:56(B)(3), relative to client case records; to provide for the Department of Social Services' authorization to share access; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 986—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:250.2(E)(2)(b) and (c), 250.11(E), and 250.15(A) and to enact R.S. 22:250.4(F), relative to standards for health benefits for mothers and newborns; to provide with respect to coverage of a newborn child; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1160—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 33:423.14 and 2569, relative to the police department in certain municipalities; to provide that the position of assistant police chief shall be in the unclassified service; to provide for the appointment and duties of such person; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1211—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 22:215.14(A) and to enact R.S. 22:215.14(E), relative to health insurance; to provide that coverage of childhood immunizations shall not be subject to any deductible; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1228—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:1232.6(introductory paragraph) and 1300.51(3) and (5) and R.S. 44:9(F) and (G) and to enact R.S. 40:1300.51(2)(h), relative to emergency medical personnel; to provide grounds for disciplinary proceedings; to modify definitions; to provide for records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1253—

BY REPRESENTATIVES PINAC, CROWE, DOERGE, FLAVIN, FRITH, JACKSON, MARCHAND, H. POWELL, RITCHIE, SHEPHERD, GARY SMITH, STRAIN, TRAHAN, WADDELL, WHITE, AND WINSTON

AN ACT

To enact R.S. 32:1254(N)(3)(k), relative to motor vehicle dealer disclosure; to provide relative to dealer participation in finance charges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1285—

BY REPRESENTATIVES JEFFERSON, BROOME, BURNS, CURTIS, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, LABRUZZO, MCDONALD, AND STRAIN

AN ACT

To amend and reenact R.S. 40:1299.1(B), relative to testing of newborns; to require the Department of Health and Hospitals to

increase the number of tests required on newborns; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1388—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES
AN ACT

To amend and reenact R.S. 42:455(A)(2)(b), relative to payroll deductions; to provide payroll deductions for certain domestic companies; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1439—

BY REPRESENTATIVES DOWNS AND SALTER
AN ACT

To amend and reenact R.S. 22:1194.2(A), relative to the Louisiana Consortium of Insurance and Financial Services; to provide for appointment of board members; to provide for legislative appointments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1501—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 33:4712.10, relative to naming an administrative building; to authorize the parish governing authority in certain parishes to name an administrative building in honor of a former parish president; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1512—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 33:4712.10, relative to naming an entryway or entry plaza to parish administrative buildings; to authorize the parish governing authority in certain parishes to name a common entryway or plaza for parish administrative buildings in honor of a former parish councilman; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1543—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 40:1236.13(A)(3)(a) and 1236.14, relative to automated external defibrillators; to authorize the use of automated external defibrillators by private security personnel; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1557—
BY REPRESENTATIVE MARCHAND
AN ACT

To enact R.S. 51:1423, relative to unfair or deceptive acts or practices; to provide for boilers at commercial laundromats; to provide for minimum water temperature for hot water in washing machines at commercial laundromats; to provide for enforcement; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1640—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 42:1123(22)(a), relative to exceptions from ethics laws for elected officials of certain municipalities to enter into certain transactions; to provide for a mayor or member of a governing authority of certain municipalities to enter into certain transactions; to increase the population size of the municipalities included in the exception; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

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

Message from the House

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

May 24, 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. 385—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 17:425.2, relative to payment for unused sick and annual leave of certain unclassified postsecondary education employees who continue in employment after becoming eligible for retirement; to provide for definitions; to provide for applicability; to provide conditions and limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 444—
BY REPRESENTATIVE FAUCHEUX (BY REQUEST)
AN ACT

To enact Civil Code Article 32, relative to persons; to provide for the definition of minority; and to provide for related matters.

HOUSE BILL NO. 1261—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:2386, 2387, 2388, 2389(E)(1)(c) and (F)(1), 2391, 2392, 2393, 2394, 2395(A), (B)(2)(a), (D), and (F)(3), 2396(D)(6), (F), and (G)(1)(d), and 2397(A)(1)(b) and (2), (D), (E), and (G)(2)(a), relative to the Louisiana Business and Industrial Corporation Act; to provide for participation of Louisiana limited liability companies; to provide for certain additional licensing requirements; and to provide for related matters.

HOUSE BILL NO. 788—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 49:214.30(C)(9), relative to issuance of coastal use permits; to authorize consideration of an applicant's compliance history prior to issuance of such permit; and to provide for related matters.

HOUSE BILL NO. 918—
BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 956—
BY REPRESENTATIVES DURAND AND DORSEY
AN ACT

To enact Chapter 16 of Title VII of the Children's Code, to be comprised of Articles 792 through 792.3, to authorize the creation of an early intervention pilot program for at-risk children and their families in certain parishes; to provide for program purposes; to provide for collaboration among district attorneys, local school boards, law enforcement agencies, and community service organizations in the development and implementation of such program; to provide relative to program funding, reporting, and termination; to provide relative to the Sixteenth Judicial District Attorney Early Intervention Fund; to provide for monies to be deposited in such fund; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 975—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 38:2874, relative to the Claiborne Parish Watershed District; to authorize the Wildlife and Fisheries Commission to regulate the commercial and recreational use of nets and traps on Lake Claiborne; and to provide for related matters.

HOUSE BILL NO. 1183—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:636(D), relative to cancellation of policies; to provide for unearned premiums; to provide for commission; to provide for payments; to provide for notice; and to provide for related matters.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 37:930(G), relative to certified registered nurse anesthetists; to provide for administering anesthetic; and to provide for related matters.

HOUSE BILL NO. 1391—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 40:2006.1, relative to Medicare surveys; to provide for a fee for an initial Medicare survey under certain circumstances; to provide for a fee for an application for an initial state licensure survey under certain circumstances; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 1427—

BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 17:6(A)(11), relative to the general powers of the State Board of Elementary and Secondary Education; to require the board to adopt rules and regulations to provide that certain public high school students who choose to pursue an alternate curriculum approved by the board shall be issued a vocational diploma; to provide that such rules and regulations shall include certain requirements; and to provide for related matters.

HOUSE BILL NO. 1434—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 17:60, relative to city, parish, and other local public school board members; to provide that any city, parish, or other local public school board member who qualifies for any elective office shall not be required to vacate his school board office or resign from the school board; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1527—

BY REPRESENTATIVES ST. GERMAIN AND LAMBERT AND SENATOR AMEDEE
AN ACT

To amend and reenact Children's Code Articles 791.1, 791.4, and 791.5, relative to juveniles; to authorize all judicial districts to create truancy and assessment and service centers; to provide with respect to monitoring and evaluation; and to provide for related matters.

HOUSE BILL NO. 1569—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 22:249, relative to health care access for the low-income uninsured; to authorize the establishment of community-based health care access programs; and to provide for related matters.

HOUSE BILL NO. 1574—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 22:635.4, relative to homeowners insurance; to provide for conversion of policy forms; to provide for approval by the commissioner; and to provide for related matters.

HOUSE BILL NO. 1604—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 32:662.1, relative to evidence; to provide for the admissibility of certificates and writings made in accordance with provisions of law governing chemical testing of suspected drunken drivers; to provide with respect to prima facie proof; to require that notice be given to opposing parties; to provide for the opportunity to cross-examine experts; and to provide for related matters.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 22:250.33(A) and (B)(introductory paragraph) and (1) and to enact R.S. 22:250.31(9), (10), and (11) and 250.39, relative to health insurance; to provide relative to prompt payment of health insurance claims submitted by pharmacies or pharmacists; to provide with respect to usage of nationally recognized benchmarks to calculate the reimbursement to be paid to pharmacies or pharmacists by health insurance issuers; to provide for definitions; 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. 385—

BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 17:425.2, relative to payment for unused sick and annual leave of certain unclassified postsecondary education employees who continue in employment after becoming eligible for retirement; to provide for definitions; to provide for applicability; to provide conditions and limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 444—

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)
AN ACT

To enact Civil Code Article 32, relative to persons; to provide for the definition of minority; and to provide for related matters.

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

HOUSE BILL NO. 788—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 49:214.30(C)(9), relative to issuance of coastal use permits; to authorize consideration of an applicant's compliance history prior to issuance of such permit; and to provide for related matters.

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

HOUSE BILL NO. 918—
BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 956—
BY REPRESENTATIVES DURAND AND DORSEY
AN ACT

To enact Chapter 16 of Title VII of the Children's Code, to be comprised of Articles 792 through 792.3, to authorize the creation of an early intervention pilot program for at-risk children and their families in certain parishes; to provide for program purposes; to provide for collaboration among district attorneys, local school boards, law enforcement agencies, and community service organizations in the development and implementation of such program; to provide relative to program funding, reporting, and termination; to provide relative to the Sixteenth Judicial District Attorney Early Intervention Fund; to provide for monies to be deposited in such fund; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 975—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 38:2874, relative to the Claiborne Parish Watershed District; to authorize the Wildlife and Fisheries Commission to regulate the commercial and recreational use of nets and traps on Lake Claiborne; and to provide for related matters.

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

HOUSE BILL NO. 1183—
BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:636(D), relative to cancellation of policies; to provide for unearned premiums; to provide for commission; to provide for payments; to provide for notice; and to provide for related matters.

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

HOUSE BILL NO. 1261—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:2386, 2387, 2388, 2389(E)(1)(c) and (F)(1), 2391, 2392, 2393, 2394, 2395(A), (B)(2)(a), (D), and (F)(3), 2396(D)(6), (F), and (G)(1)(d), and 2397(A)(1)(b) and (2), (D), (E), and (G)(2)(a), relative to the Louisiana Business and Industrial Corporation Act; to provide for participation of Louisiana limited liability companies; to provide for certain additional licensing requirements; and to provide for related matters.

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

HOUSE BILL NO. 1290—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 37:930(G), relative to certified registered nurse anesthetists; to provide for administering anesthetic; and to provide for related matters.

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

HOUSE BILL NO. 1391—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 40:2006.1, relative to Medicare surveys; to provide for a fee for an initial Medicare survey under certain circumstances; to provide for a fee for an application for an initial state licensure survey under certain circumstances; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1427—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 17:6(A)(11), relative to the general powers of the State Board of Elementary and Secondary Education; to require the board to adopt rules and regulations to provide that certain public high school students who choose to pursue an alternate curriculum approved by the board shall be issued a vocational diploma; to provide that such rules and regulations shall include certain requirements; and to provide for related matters.

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

HOUSE BILL NO. 1434—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 17:60, relative to city, parish, and other local public school board members; to provide that any city, parish, or other local public school board member who qualifies for any elective office shall not be required to vacate his school board office or resign from the school board; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1468—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 22:250.33(A) and (B)(introductory paragraph) and (1) and to enact R.S. 22:250.31(9), (10), and (11) and 250.39, relative to health insurance; to provide relative to prompt payment of health insurance claims submitted by pharmacies or pharmacists; to provide with respect to usage of nationally recognized benchmarks to calculate the reimbursement to be paid to pharmacies or pharmacists by health insurance issuers; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1527—

BY REPRESENTATIVES ST. GERMAIN AND LAMBERT AND
SENATOR AMEDEE
AN ACT

To amend and reenact Children's Code Articles 791.1, 791.4, and 791.5, relative to juveniles; to authorize all judicial districts to create truancy and assessment and service centers; to provide with respect to monitoring and evaluation; and to provide for related matters.

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

HOUSE BILL NO. 1569—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 22:249, relative to health care access for the low-income uninsured; to authorize the establishment of community-based health care access programs; and to provide for related matters.

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

HOUSE BILL NO. 1574—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 22:635.4, relative to homeowners insurance; to provide for conversion of policy forms; to provide for approval by the commissioner; and to provide for related matters.

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

HOUSE BILL NO. 1604—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 32:662.1, relative to evidence; to provide for the admissibility of certificates and writings made in accordance with provisions of law governing chemical testing of suspected drunken drivers; to provide with respect to prima facie proof; to require that notice be given to opposing parties; to provide for the opportunity to cross-examine experts; 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**

May 24, 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. 209—

BY REPRESENTATIVE FLAVIN
A CONCURRENT RESOLUTION

To commend Colleen Benoit of Lake Charles upon her selection as Calcasieu Parish Elementary School Teacher of the Year and to recognize her outstanding contributions to the education of the youth of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 210—

BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR
CHEEK
A CONCURRENT RESOLUTION

To commend *The Enterprise* of DeSoto Parish upon the celebration of its centennial anniversary.

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. 209—

BY REPRESENTATIVE FLAVIN
A CONCURRENT RESOLUTION

To commend Colleen Benoit of Lake Charles upon her selection as Calcasieu Parish Elementary School Teacher of the Year and to recognize her outstanding contributions to the education of the youth of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 210—

BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR
CHEEK
A CONCURRENT RESOLUTION

To commend *The Enterprise* of DeSoto Parish upon the celebration of its centennial anniversary.

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

**House Bills and Joint Resolutions
to be Referred to the Legislative Bureau**

May 24, 2004

The following House Bills and Joint Resolutions were read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 61—
BY REPRESENTATIVES SCALISE, CROWE, ALEXANDER BADON, BURNS, ERDEY, FAUCHEUX, FLAVIN, FRITH, GEYMAN, JOHNS, LABRUZZO, T. POWELL, SMILEY, JANE SMITH, JOHN SMITH, AND WALKER AND SENATORS CAIN, MICHOT, AND THEUNISSEN

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to enact Article I, Section 27, relative to marriage; to provide for valid and recognized marriages; to provide for the legal incidents of marriage; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the duplicate bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 823—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 23:1034.2(F) as amended by Act 454 of the 1989 Regular Session, and to repeal R.S. 23:1034.2(F) as amended by Act 25 of the 1989 Regular Session relative to payment for workers' compensation medical benefits; to provide for medical benefits; to provide with respect to reimbursement schedule; to provide for consolidation; to provide for venue; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 670, was read by title and referred to the Legislative Bureau.

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. 623—
BY REPRESENTATIVES JEFFERSON AND THOMPSON
AN ACT

To amend and reenact R.S. 9:3571.1(H) and (L)(introductory paragraph) and to enact R.S. 9:3571.1(M) through (Y), relative to protection from identity theft; to provide for security freezes; to provide for definitions; to provide for the procedures for access after imposition and removal of security freezes; and to provide for related matters.

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

HOUSE BILL NO. 666—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3805(F), relative to the Education Excellence Fund; to provide that fund amounts and related investment earnings credited for a recipient entity shall revert to the fund whenever the entity no longer meets the conditions required for it to be eligible for fund allocations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1124—
BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 27:392(B)(3)(b)(i), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to make technical changes to the dedication of certain monies derived from the conduct of slot machine gaming in St. Landry Parish; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1127—
BY REPRESENTATIVES BURRELL, BAYLOR, GLOVER, JEFFERSON, LAMBERT, MARCHAND, AND RITCHIE
AN ACT

To enact Chapter 5-M of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.101 through 380.106, and R.S. 36:744(X) and 801.17, to create the McNeill Street Pumping Station Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

HOUSE BILL NO. 1532—
BY REPRESENTATIVE TUCKER
AN ACT

To direct the Department of Transportation and Development to limit certain access along a state highway; and to provide for related matters.

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

HOUSE BILL NO. 1674—
BY REPRESENTATIVES WALSWORTH, FRITH, DOERGE, T. POWELL, AND THOMPSON
AN ACT

To enact R.S. 51:2453(1)(a)(i)(dd), relative to the Louisiana Quality Jobs Program; to provide for participation in the program for certain small Vision 2020 cluster businesses; and to provide for related matters.

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

HOUSEBILL NO. 1705 (Substitute for House Bill No. 34 by Representative Faucheux)—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 26:81(E) and 281(F), relative to alcoholic beverage permits of high and low alcoholic content; to provide for an exception to the prohibition that restricts the permitting of an establishment within certain distances from a church or synagogue; and to provide for related matters.

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

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVE TOWNSEND
A CONCURRENT RESOLUTION

To amend the Department of Economic Development, Racing Commission rules on horse racing to accommodate Paint horses racing, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVES RICHMOND, BAYLOR, AND GLOVER
A CONCURRENT RESOLUTION

To create the Louisiana Housing and Community Development Advisory Task Force to study and develop recommendations for regional and statewide strategies and initiatives to meet the housing and community development needs of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 96—
BY REPRESENTATIVES GARY SMITH, FAUCHEUX, AND ROMERO
A CONCURRENT RESOLUTION

To memorialize the United States Supreme Court and the United States Congress to take all necessary measures to preserve the phrase "one nation under God" in the Pledge of Allegiance.

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

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION

To continue the Task Force on the Working Uninsured for the purpose of studying and making further recommendations regarding possible solutions to Louisiana's serious problem of many working citizens who are without health insurance.

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

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVES QUEZAIRE, FANNIN, HONEY, KENNEY, M. POWELL, T. POWELL, RITCHIE, JANE SMITH, AND TRAHAN AND SENATOR AMEDEE

A CONCURRENT RESOLUTION
To create the Louisiana Incentives for New Ventures and Economic Stimulation (INVEST) Commission to study the issue of transforming sixteenth section lands into generators of education funding and economic development in the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 155—
BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To urge and request state agencies to participate in the Early Childhood Comprehensive Systems initiative to establish and promote early childhood development programs.

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

HOUSE CONCURRENT RESOLUTION NO. 157—
BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to establish a character and faith-based program to provide persons released from incarceration from state correctional facilities with fundamental resources in the areas of employment, life skills training, and job skill enhancements and placement, as well as access to as many support services as possible in order to appreciably increase the likelihood of the offender's successful reentry into society.

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

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE BOWLER
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study Louisiana's visitation statutes and make specific recommendation on or before January 15, 2005, for revisions to state laws.

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

HOUSE CONCURRENT RESOLUTION NO. 204—
BY REPRESENTATIVE ROMERO
A CONCURRENT RESOLUTION

To memorialize the United States Congress to provide for franking privileges for persons called to active service in the armed forces of the United States so that their families can send them supplies, gifts, or other personal items while serving our country in foreign countries.

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

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. 16— BY SENATOR B. GAUTREAUX AN ACT

To enact R.S. 17:183, relative to the hazing of students; to provide for legislative intent; to provide definitions; to prohibit hazing; to require city, parish, and other local public school boards to adopt, enforce, and post hazing policies; to provide for the required content of such policies; 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. 301— BY SENATOR HOLDEN AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration, evaluation, and continuation of the pilot program; 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. 301 by Senator Holden

AMENDMENT NO. 1 On page 1, line 10, change "Prior to the beginning of" to "During" and change "2004-2005" to "2005-2006"

AMENDMENT NO. 2 On page 2, line 14, change "2006-2007" to "2007-2008"

AMENDMENT NO. 3 On page 2, line 25, change "2007-2008" to "2008-2009"

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. 310— BY SENATOR DUPRE AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.60, inclusive, relative to coastal wetlands conservation, management, preservation, enhancement, creation and restoration; to provide relative to expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide

relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; 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. 310 by Senator Dupre

AMENDMENT NO. 1 On page 1, line 3, change "214.60" to "214.61"

AMENDMENT NO. 2 On page 1, delete lines 4 and 5 and insert "inclusive, relative to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of"

AMENDMENT NO. 3 On page 1, line 13, change "214.60" to "214.61"

AMENDMENT NO. 4 On page 2, delete lines 13 through 16, and insert "property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes, it may acquire the same by expropriation and may acquire the property prior to judgment in the trial court as provided in this Part."

AMENDMENT NO. 5 On page 2, line 17, change "fifteen" to "thirty"

AMENDMENT NO. 6 On page 2, line 19, delete "interest"

AMENDMENT NO. 7 On page 2, line 20, change "fifteen" to "thirty"

AMENDMENT NO. 8 On page 2, delete lines 22 and 23, and insert "that it is not within the coastal zone or necessary for barrier island preservation, restoration, or creation for coastal wetlands purposes, he will waive all defenses to the taking except claims for recognition of the ownership of subsurface mineral rights. A copy of this Part must be enclosed with the "

AMENDMENT NO. 9 On page 2, delete line 29 and insert "D. As used in this Part: (1) "Coastal zone" means the coastal zone boundary as defined in R.S. 49:214.24.

(2) "Department" means the state Department of Natural Resources or its successor.

(3) "Property" means the servitude of use, easement or right-of-way over, through, along and across immovable property necessary to establish, maintain or operate a project for barrier island preservation, restoration, or creation for coastal wetlands purposes,

including rights of ingress and egress to public or private areas on which such projects are being established, maintained or operated. The term "property" shall not include, and the department shall not be entitled to acquire pursuant to the provisions of this Part, ownership of the surface or subsurface of any immovable property, including, without limitation, mineral rights. "

AMENDMENT NO. 10

On page 3, delete lines 1 through 3

AMENDMENT NO. 11

On page 3, between lines 5 and 6, insert

"§214.53. Vesting of mineral rights

R.S. 49:214.53 is all proposed new law.

A. The filing of a petition by the department pursuant to the provisions of this Part shall constitute the agreement of the secretary, pursuant to the provisions of R.S. 41:1702(D)(2)et seq., to establish in the owner of the property the perpetual, transferable ownership of all subsurface mineral rights to the then existing coast or shore line of the property and the secretary's further agreement to transfer to the owner of the property subsurface mineral rights owned by the state relating to the emergent lands, as defined by R.S. 41:1702(D)(2)(e), resulting from the project for which the property is acquired, all in accordance with the provisions of this Section.

B. Upon the filing of a petition of expropriation pursuant to the provisions of this Part, the perpetual, transferable ownership of all subsurface mineral rights to the then existing coast or shore line of the property together with all rights of use of such property, subject to applicable federal, state or local law and regulation, for the purpose of locating, accessing, extracting, and transporting subsurface minerals shall be established and any judgment vesting the ownership of the property in the state shall further identify the existing coast or shore line of the property and establish in the owner thereof the perpetual, transferable ownership of all subsurface mineral rights therein. The mineral rights established in the owner of the property shall not thereafter be subject to the prescription of nonuse nor shall the ownership of the subsurface mineral rights be disturbed by future changes in the coast or shore line of the property, whether such changes are affected by natural or artificial causes.

C. Upon the filing of a petition of expropriation pursuant to the provisions of this Part, there shall also be established in favor of the owner of the property the ownership of an undivided fifty percent of the subsurface mineral rights in and to emergent lands lying within the project area, as reasonably determined and depicted by the department on plats attached to its petition of expropriation, together with rights to use such emergent lands for the purpose of locating, accessing, extracting and transporting subsurface minerals. For the purposes of this Section, "emergent lands" shall not include lands emerging after the department determination of the project as substantially complete. Any judgment entered herein vesting the ownership of the property in the state shall further identify the project area. The mineral rights established in the owner of the property to emergent lands shall not thereafter be subject to the prescription of nonuse.

D. Upon the filing of a petition of expropriation pursuant to the provisions of this Part, the perpetual, transferable ownership of all subsurface mineral rights as to the then existing coast or shore line of the property, shall be deemed just and adequate compensation for the taking of the property and no further compensation or damages shall be owed by the state.

E. The ownership of subsurface mineral rights as set forth hereinabove shall be subject to the provisions of R.S. 41:1702(E) and R.S. 9:1151.

F. In the event subsequent erosion should cause any emergent lands to become part of the seabed, ownership of all mineral rights and mineral production therefrom shall be vested in the state."

AMENDMENT NO. 12

On page 3, line 6, change "214.53" to "214.54"

AMENDMENT NO. 13

On page 3, line 7, change "214.53" to "214.54"

AMENDMENT NO. 14

On page 4, delete lines 2 through 7, and insert

"(c) A statement that the establishment of the perpetual, transferable ownership of subsurface mineral rights as provided in R.S. 49:214.53 constitutes just and adequate compensation to the full extent of the owner's loss for the taking or the damage, or both."

AMENDMENT NO. 15

On page 4, between lines 9 and 10, insert

"(e) a survey plat depicting the then existing coast or shore line of the property and the project area which the department reasonably believes to be the area impacted by the project for which the property is acquired.

(4) The petition shall contain a statement that it constitutes the secretary's agreement to establish in favor of the owner of the property the perpetual, transferrable ownership of all subsurface mineral rights to the then existing coast or shore line of the property, and to establish in such owner the ownership of fifty percent of the subsurface mineral rights in and to emergent lands within the project area, and certifying that the secretary, in accordance with the provisions of R.S. 41:1702(D)(2)(d) has submitted the petition for review and approval of the House and the Senate committees on natural resources, after publishing the petition as provided in the Administrative Procedure Act prior to filing."

AMENDMENT NO. 16

On page 4, line 10, change "214.54" to "214.55"

AMENDMENT NO. 17

On page 4, line 11, change "214.54" to "214.55"

AMENDMENT NO. 18

On page 4, delete lines 14 through 16, and insert "order declaring that the property described in the petition has been taken for public purposes."

AMENDMENT NO. 19

On page 4, line 17, change "214.55" to "214.56"

AMENDMENT NO. 20

On page 4, line 18, change "214.55" to "214.56"

AMENDMENT NO. 21

On page 4, delete lines 19 through 24, and insert "Title to the property interest specified in the petition shall vest in the state and ownership of the subsurface mineral rights shall vest in the owner of the property upon final court order declaring that the property has

been taken for the purposes of this Part and that just and adequate compensation as provided in R.S. 49:215.53 has been made. Upon vesting of title, all parties may exercise the rights of ownership and use delineated and conveyed by the final court order.”

AMENDMENT NO. 22

On page 4, line 25, change “214.56” to “214.57”

AMENDMENT NO. 23

On page 4, line 26, change “214.56” to “214.57”

AMENDMENT NO. 24

On page 4, delete lines 27 through 29, and insert

“A. The clerk of court shall issue a notice to each defendant in the suit notifying him that the property described in the petition has been expropriated for barrier island preservation, restoration, or creation for coastal wetlands purposes.”

AMENDMENT NO. 25

On page 5, delete lines 1 and 2, and insert

“B. This notice, together with a certified copy of the order and the petition, shall be delivered by the clerk to the proper sheriff for”

AMENDMENT NO. 26

On page 5, line 4, change “214.57” to “214.58”

AMENDMENT NO. 27

On page 5, line 5, change “214.57” to “214.58”

AMENDMENT NO. 28

On page 5, delete line 7, and insert “that the property was not located within the coastal zone or was not expropriated for barrier island preservation, restoration, or creation for coastal wetlands purposes may file a motion to dismiss”

AMENDMENT NO. 29

On page 5, line 8, change “ten” to “thirty”

AMENDMENT NO. 30

On page 5, delete lines 11 through 15, and insert “with the plaintiff to the judge alone and shall be given preference in scheduling and hearing. Ruling on the motion shall be rendered expeditiously.

B. Failure to file the motion within the time provided or to serve a copy thereof on the plaintiff constitutes a waiver of all defenses to the suit except claims for recognition of the ownership of subsurface mineral rights as provided for in this Part.”

AMENDMENT NO. 31

On page 5, line 16, change “214.58” to “214.59”

AMENDMENT NO. 32

On page 5, line 17, change “214.58” to “214.59”

AMENDMENT NO. 33

On page 5, delete lines 19 and 20, and insert “for a trial to determine the ownership of subsurface mineral rights to which he is entitled, if:”

AMENDMENT NO. 34

On page 5, delete lines 25 through 29, and insert

“(2) His answer reasonably describes the areas to which he asserts ownership of the subsurface mineral rights.

(3) His answer has a certificate thereon showing that a copy thereof has been”

AMENDMENT NO. 35

On page 6, line 3, change “214.59” to “214.60”

AMENDMENT NO. 36

On page 6, line 4, change “214.59” to “214.60”

AMENDMENT NO. 37

On page 6, line 8, change “214.60” to “214.61”

AMENDMENT NO. 38

On page 6, line 9, change “214.60” to “214.61”

AMENDMENT NO. 39

On page 6, delete line 12 and 13, and insert “proceedings may be conducted and shall not be construed as abrogating, eliminating, or modifying any such right or authority.”

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. 415—

BY SENATOR MICHOT

AN ACT

To amend R.S. 33:2493(C)(1), and to repeal R.S. 33:2493(C)(2), relative to civil service; to provide with respect to fire and police civil service for municipalities between 13,000 and 250,000; to remove the requirement that any applicant admitted to a civil service test for a position above entry level be a qualified elector of the state of Louisiana; and to provide for related matters.

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

SENATE BILL NO. 697—

BY SENATOR IRONS

AN ACT

To enact Part II-C of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1970.31 through 1970.36, relative to creation of the International School of Louisiana; to provide for a college preparatory education emphasizing French or Spanish language immersion; to provide for definitions; to provide for the location and relationship with educational boards and the state; to provide for a board of directors and terms of office; to provide for powers, duties, functions and terms of office; to provide for funding; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill No. 697 by Senator Irons)

BY SENATOR IRONS

AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3992(A)(3) and 3995(A)(6) are hereby enacted to read as follows:

§3992. Charter revision and renewal
A. * * *

R.S. 17:3992(A)(3) is all proposed new law.

(3) A type 2 charter school that has been renewed for an additional ten-year period as provided in this Subsection shall be funded by the state as provided in R.S. 17: 3995(A)(6).

§3995. Charter school funding
A. * * *

R.S. 17:3995(A)(6) is all proposed new law.

(6)(a) A type 2 school which has been renewed for a ten-year period, as provided in R.S. 17: 3992(A) shall annually be funded in the full amount calculated as provided for in Paragraph (1) of this Subsection. Such full funding shall be provided as a priority prior to the allocation of state funding to any other charter school funded by the state.

(b) The full funding required in this Subsection shall include in any calculation all pupils enrolled pursuant to any authority of a renewed type 2 charter to increase the enrollment of such school whether caused by increasing the number of pupils in authorized grades or by adding sequential grades pursuant to the school's charter or other authority granted by the state board.

On motion of Senator Ullo, the committee substitute bill was adopted and becomes SenateBillNo. 874 by Senator Irons, substitute for Senate Bill No. 697 by Senator Irons.

SENATE BILL NO. 874 (Substitute for Senate Bill No. 697 by Senator Irons)—

BY SENATOR IRONS
AN ACT

To enact R.S. 17:3992(A)(3) and 3995(A)(6), relative to the International School of Louisiana and certain other type 2 charter schools; to provide with regard to the funding of certain type 2 charter schools; to mandate full funding of such schools; and to provide for related matters.

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

SENATE BILL NO. 799—
BY SENATOR MOUNT

AN ACT

To enact R.S. 40:600.1(B)(6), (7), and (8), 600.2(12) and 600.6(26), relative to the Louisiana Housing Finance Agency; to provide for findings; to provide for a definition of subsidiary; to provide for authority for the agency to sponsor a statewide community housing development organization; to provide with respect to the funding of loans and financing of pools of loans; 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 Local and Municipal Affairs to Original Senate Bill No. 799 by Senator Mount

AMENDMENT NO. 1

On page 3, line 6, after "fund" delete remainder of line and insert: "second mortgage loans to persons or households of very low or moderate income as defined by the United States Department of Housing and Urban Development."

AMENDMENT NO. 2

On page 3, delete line 7 in its entirety.

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

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

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

HOUSE BILL NO. 14—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact the heading of Chapter 5-L of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.91, 380.92(A) and (C)(2), 380.93(B)(5) and (C)(1), 380.94, 380.95(A), (B), and (C)(1), (2)(b)(iii), and (3), and 380.96 and R.S. 36:744(W) and 801.16(A)(1) and (2) and (C), relative to the Mansfield Women's College Museum in the Department of State; to change the name of the museum; and to provide for related matters.

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

HOUSE BILL NO. 24—
BY REPRESENTATIVES BRUNEAU AND HEATON
AN ACT

To enact R.S. 33:9091.7, relative to the Lakewood Crime Prevention and Improvement District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

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

HOUSE BILL NO. 59—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 25:215(B)(13), relative to the DeSoto Parish Library; to transfer the administration of and accounting functions for funds of the library from the DeSoto Parish Police Jury to the DeSoto Parish Library Board of Control; and to provide for related matters.

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

HOUSE BILL NO. 96—

BY REPRESENTATIVE CRANE AND SENATOR ULLO

AN ACT

To enact R.S. 37:2950(D)(1)(a)(xiv), relative to professions and occupations; to add the State Board of Elementary and Secondary Education to the list of exempt agencies from the general prohibition against the state disqualifying an applicant for employment or for a license, permit, or certificate for an occupation, trade, or profession solely based upon a prior criminal record; and to provide for related matters.

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

HOUSE BILL NO. 105—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 56:325(A)(11), relative to the taking of channel catfish; to provide relative to recreational possession limits for channel catfish caught in Toledo Bend Reservoir; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 173—

BY REPRESENTATIVE CRANE AND SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:421.9(B), 421.10(B), and 421.11(B), relative to school employees; to provide relative to salary supplements for certain school employees who have acquired certain credentials; to provide conditions and guidelines for receiving the supplement; 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 Reengrossed House Bill No. 173 by Representative Crane

AMENDMENT NO. 1

On page 1, line 19, after "determined" insert "no later than September 15, 2004."

AMENDMENT NO. 2

On page 2, line 15, after "determined" insert "no later than September 15, 2004."

AMENDMENT NO. 3

On page 3, line 3, after "determined" insert "no later than September 15, 2004."

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

HOUSE BILL NO. 181—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 33:1448(G) and to enact R.S. 33:1448(O), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and deputy sheriffs in St. Charles Parish; and to provide for related matters.

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

HOUSE BILL NO. 193—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 38:2238.2(A)(2)(a), relative to procurement of used fire and emergency response vehicles and equipment by local political subdivisions; to provide with respect to the public notice of the request for proposals; and to provide for related matters.

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

HOUSE BILL NO. 212—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 33:2561.1, relative to fire and police civil service; to provide with respect to small municipalities, parishes, and fire protection districts; to authorize the fire and police civil service board to award attorney fees to an appealing employee under certain circumstances; to provide for a maximum award; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 212 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 16, after "one appeal" and before the period insert ", subject to appropriation by the local governing authority for such purpose"

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

HOUSE BILL NO. 213—

BY REPRESENTATIVE CRANE AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 17:1954(A)(introductory paragraph) and (C)(1), (3), (4), and (5), relative to a special education advisory panel; to specify that the panel shall be appointed by the State Board of Elementary and Secondary Education; to specify that the panel shall advise the State Board of Elementary and Secondary Education in certain matters; and to provide for related matters.

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

HOUSE BILL NO. 234—

BY REPRESENTATIVES BRUNEAU AND HEATON
AN ACT

To amend and reenact R.S. 33:9075(B), (D)(1)(a) and (c), and (F)(1)(a), (b), and (d), relative to the Lake Oaks Subdivision Improvement District; to provide for district boundaries the membership of the board of commissioners, the vote of district electors necessary to levy a parcel fee, the maximum amount, the duration, and renewal of such fee, and elections for fee approval and renewal; and to provide for related matters.

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

HOUSE BILL NO. 235—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 33:9091.7, relative to the Lakeshore Crime Prevention District; to create and provide with respect to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for imposition and collection of a parcel fee and for the use thereof; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 257—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3022(A)(1)(introductory paragraph) and 3093(B)(2), relative to the membership of the Louisiana Student Financial Assistance Commission; to increase the membership of the Louisiana Student Financial Assistance Commission; to provide relative to commission members serving on the Louisiana Tuition Trust Authority; and to provide for related matters.

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

HOUSE BILL NO. 271—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 33:4569.3(11), relative to the Iberville Parks and Recreation District; to increase the maximum rate of ad valorem tax which the district is authorized to levy; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 283—

BY REPRESENTATIVES WINSTON, R. CARTER, MCVEA, T. POWELL, AND STRAIN
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(dd), relative to the Tangipahoa Parish Tourist and Film Commission; to increase the maximum rate of hotel occupancy tax which the commission is authorized to levy; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 302—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 17:10.4(A) and (D)(2), relative to the distinguished educators program; to establish a deadline for the selection of distinguished educators from among active

May 24, 2004

employees of city, parish, and other local public school boards; to require certain notice to a city, parish, or other local public school board whenever an active employee of the school board is selected; to limit in any year in which selections are made the number of persons serving as distinguished educators who are from any one city, parish, or other local public school board; to provide relative to the applicability of such limitation; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 395—
BY REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO,
MARTINY, SHEPHERD, TOOMY, TUCKER, AND WOOTON AND
SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO
AN ACT

To authorize and provide for the exchange and transfer of certain state property situated in Jefferson Parish between the Department of Culture, Recreation and Tourism and the Jefferson Parish Council; 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 Reengrossed House Bill No. 395 by Representative Alario

AMENDMENT NO. 1

On page 1, line 9, after "property" insert ", including any and all improvements thereon,"

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

HOUSE BILL NO. 396—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:4096(B)(2), (D), and (E) and 4121(B)(2), (D), and (E), relative to the New Orleans Sewerage and Water Board; to provide with respect to certain limitations on issuing water and sewerage revenue bonds; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 556—
BY REPRESENTATIVES CRANE AND DORSEY
AN ACT

To amend and reenact Section 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature, relative to the authority granted to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specified increases in tuition amounts at the university laboratory school; to remove exceptions relative to the payment of certain authorized amount increases provided for certain families based on gross annual household income; to provide for the applicability of exceptions previously authorized by law; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 565—
BY REPRESENTATIVE FARRAR (BY REQUEST)
AN ACT

To amend and reenact R.S. 17:87.8(A)(introductory paragraph), relative to procedures for renting or leasing of sixteenth section school lands by local school boards for hunting or trapping purposes; to remove Rapides Parish from the list of parishes excepted from such provisions; and to provide for related matters.

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

HOUSE BILL NO. 566—
BY REPRESENTATIVE FARRAR (BY REQUEST)
AN ACT

To enact R.S. 41:900, relative to the exchange of unused school land; to authorize the Rapides Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearing for such exchange; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 606—
BY REPRESENTATIVES JACK SMITH, PIERRE, AND THOMPSON
AND SENATORS B. GAUTREAUX AND MALONE
AN ACT

To amend and reenact R.S. 56:649.3(A) and 650(A)(2), relative to lifetime hunting and fishing licenses; to provide for a senior lifetime hunting and fishing license; 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 Reengrossed House Bill No. 606 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 13, after "dollars." delete the remainder of the line, and delete line 14, and insert "The fee for persons thirteen"

AMENDMENT NO. 2

On page 2, after line 12, insert "Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

HOUSE BILL NO. 620—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 49:213.10(C), relative to venue; to provide for proper venue for certain actions where the state is a party; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 635—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 48:461.4(b)(3) and (4) and 461.26(B), relative to outdoor advertising; to provide relative to outdoor advertising along designated state parkways; to provide measurement requirements for placement of off-premise outdoor advertising signs along designated state parkways; to provide that certain signs shall not be placed in a stacked configuration; to provide relative to the maximum height of certain outdoor advertising signs; and to provide for related matters.

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

HOUSE BILL NO. 649—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 36:354(E)(2), relative to powers and duties of the secretary of the Department of Natural Resources; to authorize the training and certification of home energy raters by the office of the secretary; and to provide for related matters.

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

HOUSE BILL NO. 650—
BY REPRESENTATIVE PIERRE
AN ACT

To repeal R.S. 49:954.2, to repeal the provisions of the Unified Oil and Gas Development Regulatory Index; and to provide relative to validity of certain actions.

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

HOUSE BILL NO. 651—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:87(A), (B), and (F) and to repeal R.S. 30:87(G), relative to oilfield site restoration fees; to increase such fee after a certain date; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 652—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:86(E)(2), relative to the Oilfield Site Restoration Fund; to provide relative to the amount of the fund that can be used by the Department of Natural Resources for administration; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 654—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:706, relative to fees paid for the hazardous liquid pipeline program; to provide for review and revision of the annual inspection fee; and to provide for related matters.

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

HOUSE BILL NO. 655—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:560, relative to natural gas distribution; to provide relative to pipeline safety inspection fees; to provide relative to the amounts and imposition of such fees; and to provide for related matters.

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

HOUSE BILL NO. 656—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:503(12) and to enact R.S. 30:503(13) and (14), relative to the regulation of natural gas distribution; to define certain distribution systems; and to provide for related matters.

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

HOUSE BILL NO. 669—
BY REPRESENTATIVES PIERRE AND DANIEL
AN ACT

To amend and reenact R.S. 30:93, relative to oilfield site restoration; to provide relative to sites eligible for restoration; to provide relative to recovery of restoration costs; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 693—
BY REPRESENTATIVES DAMICO, ANSARDI, MARTINY, TOOMY, TUCKER, AND WOOTON AND SENATORS BOISSIERE, HAINKEL, HEITMEIER, HOLLIS, LENTINI, AND ULLO
AN ACT

To amend and reenact R.S. 33:9129 and to enact R.S. 33:9108(D), relative to communication districts; to provide with respect to the Jefferson Parish Communication District; to authorize the Jefferson Parish Council to adopt, by ordinance or resolution, provisions of the general law relating to communication districts for the use, benefit, operation, and enhancement of the Jefferson Parish Communication District; to make certain provisions of general law applicable to the parish, the council, and the district; and to provide for related matters.

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

HOUSE BILL NO. 700—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(B), relative to the Second Injury Fund; to provide for clarification of the prescriptive period for filing notice; and to provide for related matters.

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

HOUSE BILL NO. 790—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(E), relative to the second injury fund; to provide for venue of Second Injury Board appeals; and to provide for related matters.

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

HOUSE BILL NO. 820—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1294(A)(2)(introductory paragraph) and (3) and to enact R.S. 23:1294(A)(2)(i), relative to workers' compensation; to provide for the chairman of the Workers' Compensation Advisory Council; 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 Reengrossed House Bill No. 820 by Representative Hunter

AMENDMENT NO. 1
On page 1, line 11, change "fifteen" to "sixteen"

AMENDMENT NO. 2
On page 1, between lines 16 and 17, insert the following:
" (j) One shall be a representative of the Chiropractic Association of Louisiana."

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

HOUSE BILL NO. 825—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(8)(b), relative to the second injury fund; to provide for the submission of requests for settlement approval; and to provide for related matters.

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

HOUSE BILL NO. 833—
BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1601(10)(b), relative to unemployment compensation; to remove the provision which requires a fifty percent discount in unemployment benefits after an individual requalifies for benefits subsequent to a disqualification for the use of illegal drugs.

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

HOUSE BILL NO. 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.

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 Engrossed House Bill No. 868 by Representative Montgomery

AMENDMENT NO. 1
On page 1, line 17, after "R.S. 32:1251 et seq." insert a period "." delete the remainder of the line and delete lines 18 and 19

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

HOUSE BILL NO. 908—
BY REPRESENTATIVE HUNTER
AN ACT

To repeal R.S. 23:1131, relative to wage records; to repeal provision allowing for the release of earnings records and information of workers' compensation claimants.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of

the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 916—
BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To enact R.S. 33:2186, relative to the rights of fire employees; to provide relative to investigations of fire employees; to provide for rights to attend hearings; to provide for time limitations on completing an investigation; to provide for extensions of time; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1037—
BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1127(C)(1), 1226(B)(3)(c) and (E), 1310.3(B)(1) and (C), 1310.4(B), 1316.1(C), and 1317(B), relative to workers' compensation hearings procedures; to provide for a reduction in weekly compensation; to provide for mediation procedures; to provide for service of process; to provide for venue; to provide for default judgments; to provide for expert witness fees; 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 Engrossed House Bill No. 1037 by Representative Hunter

AMENDMENT NO. 1
On page 3, line 19, after "parties" insert "." and delete "and the"

AMENDMENT NO. 2
On page 3, delete line 20 in its entirety.

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

HOUSE BILL NO. 1096—
BY REPRESENTATIVES TOOMY AND DOVE
AN ACT

To amend and reenact R.S. 33:1981(A) and to enact R.S. 33:1981(C)(3), relative to benefits payable to firemen killed in the line of duty; to provide for firefighting activities included within the scope and performance of official duties as a fireman; and to provide for related matters.

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

HOUSE BILL NO. 1101—
BY REPRESENTATIVES ANSARDI, DAMICO, MARTINY, AND WOOTON AND SENATORS BOISSIERE, LENTINI, AND ULLO
AN ACT

To enact R.S. 33:2740.18.2, relative to the hotel occupancy tax; to authorize the Jefferson Parish Council to levy and collect an additional hotel occupancy tax within Jefferson Parish; to provide for the purposes for which the proceeds of the tax may be used; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1101 by Representative Ansardi

AMENDMENT NO. 1
On page 2, line 4, after "collected" delete the remainder of the line and delete lines 5 and 6 in their entirety and insert the following: "within each municipality in Jefferson Parish shall be remitted to the municipality in which it was collected and shall be used for purposes enumerated in Subsection D of this Section to promote and fund programs that enhance visitation and tourism in the municipalities."

On motion of Senator Fields the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1109—
BY REPRESENTATIVE T. POWELL
AN ACT

To enact R.S. 33:3892.1, relative to sewerage districts; to provide relative to the powers granted to certain parish sewerage districts; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1178 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 3, after "(3)" insert ", and 1254(B) (introductory paragraph),"

AMENDMENT NO. 2

On page 3, after line 7, insert the following:

"Section 2. R.S. 25:1254(B)(introductory paragraph) is hereby amended and reenacted to read as follows: §1254. Powers of the commission

* * *

B. The commission shall have the following powers, duties, functions and responsibilities, subject to prior approval of the secretary of the department:

* * *"

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

HOUSE BILL NO. 1184—

BY REPRESENTATIVES CAZAYOUX, BAYLOR, GLOVER, AND JACKSON

AN ACT

To amend and reenact R.S. 33:2477(4) and (5) and 2537(4) and (5), relative to municipal fire and police civil service; to provide for the length of time within which municipal fire and police civil service boards shall conduct certain investigations; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1227 by Representative Hill

AMENDMENT NO. 1

On page 1, line 15, delete "cause to be collected" and insert "collect"

AMENDMENT NO. 2

On page 1, line 19, after "with law" delete the remainder of the line and insert a period and delete line 20

AMENDMENT NO. 3

On page 2, line 2, after "exceed" delete "twenty-five" and insert "ten"

AMENDMENT NO. 4

On page 2, line 3, after "The" delete "clerk or recorder of mortgages and conveyances" and insert "assessor"

AMENDMENT NO. 5

On page 2, line 5, after "collection." delete the remainder of the line and delete line 6

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

HOUSE BILL NO. 1266—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 49:214.30(C)(2)(a) and 214.42(C) and (D), relative to coastal management; to provide relative to notification of multiple landowners of proposed activities under a coastal use permit; to provide for use of the funds in the Coastal Mitigation Account; and to provide for related matters.

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

HOUSE BILL NO. 1302—

BY REPRESENTATIVES MURRAY, JEFFERSON, AND MARCHAND

AN ACT

To enact Chapter 13-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.51 through 4720.71, and to repeal Act No. 170 of the 1968 Regular Session, as amended, and to repeal all Acts amending such Act including Act No. 299 of the 1972 Regular Session, Act Nos. 571 and 572 of the 1980 Regular Session, Act No. 155 of the 1984 Regular Session, Act Nos. 65 and 135 of the 1994 Third Extraordinary Session, Act Nos. 30 and 375 of the 1995 Regular Session, Act No. 101 of the 1997 Regular Session, and Act Nos. 266 and 968 of the 2003 Regular Session, relative to the city of New Orleans; to codify the provisions of the New Orleans Community Improvement Act; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 1302 by Representative Murray

AMENDMENT NO. 1

On page 14, line 9, after "district." delete the remainder of the line and delete lines 10 through 20

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

HOUSE BILL NO. 1338—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 56:700.12(4) and (5) and 700.13(C) and to enact R.S. 56:700.13(F), relative to the Oyster Lease Damage Evaluation Board; to provide for biological surveys of oyster leases; to authorize such surveys to be conducted by the board; and to provide for related matters.

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

HOUSE BILL NO. 1369—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 23:76(A), (B), (C)(1), (4), (5), and (6) and to enact R.S. 23:76(C)(2)(g) and (h), relative to occupational forecasting; to provide for Occupational Forecasting Conference; to provide for information on occupational projections; to provide for additional principals to the conference; to provide for evaluation of labor market data; to provide for voting approval; to provide for a final report; and to provide for related matters.

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

HOUSE BILL NO. 1461—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:389(D)(2), relative to weights and standards stationary scale police; to provide relative to appointment of the panel that reviews citations issued by weights and standards stationary scale police officers; and to provide for related matters.

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

HOUSE BILL NO. 1474—

BY REPRESENTATIVES DOVE AND BALDONE
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(iii), to provide relative to tuition and mandatory attendance fee amounts established by the Board of Supervisors of Community and Technical Colleges and applicable to students enrolled in certain technical community colleges under the board's supervision and management; to provide limitations; to require certain reports; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1540—

BY REPRESENTATIVES KENNEY AND THOMPSON
AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

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

HOUSE BILL NO. 1550—

BY REPRESENTATIVE HEATON
AN ACT

To enact R.S. 32:403.5, relative to drivers' licenses; to provide for the issuance of drivers' licenses to persons using bioptic telescopic lenses; to provide conditions and limitations for licensing; to provide driving restrictions; 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 Engrossed House Bill No. 1550 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 15, after "at least" change "20/70" to "20/60"

AMENDMENT NO. 2

On page 1, at the end of line 19, insert the following: "Such report shall certify that no ocular diagnosis or prognosis currently exists or is likely to occur during the period of issuance of the license which would cause deterioration of visual acuity or visual field to levels below the minimum standards provided for in this Section."

AMENDMENT NO. 3

On page 2, line 2, change "an approved" to "a"

AMENDMENT NO. 4

On page 2, at the end of line 3, before the period "." insert "which has instructors with advanced education and practice in teaching individuals who use bioptic lenses, all as approved by the Department of Public Safety and Corrections"

AMENDMENT NO. 5

On page 2, between lines 3 and 4, insert the following:
"(6) Successfully passes a comprehensive driver's skills test which tests the applicant's driving skills over a route specifically designed to test the applicant's competency using a bioptic telescopic device."

AMENDMENT NO. 6

On page 2, between lines 13 and 14, insert the following:
"(3) He shall be prohibited from driving during adverse weather conditions which significantly reduce the visibility of the roadway, other traffic, and traffic control devices."

AMENDMENT NO. 7

On page 2, delete line 16 in its entirety and insert the following:
"between one-half hour before sunrise and one-half hour after sunset if he meets all"

AMENDMENT NO. 8

On page 2, at the end of line 22, delete the period "." and insert the following: "over a route which is specifically designed to test the applicant's competency using a bioptic telescopic device."
(4) Drives for twelve months without any at-fault accidents and without any license suspensions or revocations."

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

HOUSE BILL NO. 1564—

BY REPRESENTATIVE SALTER
 AN ACT

To authorize the transfer and sale of certain immovable improvements owned by the state and located on property in Red River Parish; and to provide for related matters.

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

HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by Representative Hunter)—

BY REPRESENTATIVE HUNTER
 AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; and to provide for related matters.

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

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

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

SENATE BILL NO. 42—

BY SENATORS NEVERS AND SCHEDLER AND REPRESENTATIVE STRAIN

AN ACT

To enact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21, relative to dairy promotion; to require state agencies to assist the Department of Agriculture and Forestry in the development, registration, and licensing of any trademark or label for use in promoting Louisiana dairy products; to authorize the Department of Agriculture and Forestry to sell licenses for such trademarks or labels; to create the Dairy Farmer Support Fund; to provide for the deposit of monies into the fund and for the use of such monies; to require the promulgation of rules and regulations; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed Senate Bill No. 42 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 5, after "promoting" delete "Louisiana"

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

AMENDMENT NO. 3

On page 2, line 3, change "B." to "A."

AMENDMENT NO. 4

On page 2, line 5, after "promoting" delete "Louisiana"

AMENDMENT NO. 5

On page 2, line 8, after "promoting" delete "Louisiana"

AMENDMENT NO. 6

On page 2, line 10, change "C." to "B."

AMENDMENT NO. 7

On page 2, line 15, change "Subsection B" to "Subsection A"

AMENDMENT NO. 8

On page 2, line 19, change "Subsection D" to "Subsection C"

AMENDMENT NO. 9

On page 2, line 25, change "D." to "C."

AMENDMENT NO. 10

On page 3, line 1, change "E." to "D."

AMENDMENT NO. 11

On page 3, line 9, change "F." to "E."

May 24, 2004

AMENDMENT NO. 12

On page 3, line 7, after "farmers" insert "based"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 42 by Senator Nevers

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1-11 proposed by the House Committee on Agriculture, Forestry, Aquaculture and Rural Development and adopted by the House of Representatives on May 4, 2004.

AMENDMENT NO. 2

On page 1, line 3, after "relative to" and before the semicolon ";" change "dairy promotion" to "agricultural products"

AMENDMENT NO. 3

On page 1, at the end of line 5, change "dairy" to "agricultural"

AMENDMENT NO. 4

On page 1, line 7, after "create the" and before "Support" change "Dairy Farmer" to "Agricultural Product"

AMENDMENT NO. 5

On page 1, line 13, change "DAIRY FARMER" to "AGRICULTURAL PRODUCT"

AMENDMENT NO. 6

On page 1, line 15, after "labels for" delete the remainder of the line and insert in lieu thereof "agricultural promotions; Agricultural"

AMENDMENT NO. 7

On page 1, at the beginning of line 16, change "Farmer" to "Product"

AMENDMENT NO. 8

On page 2, line 1, after the comma "," delete the remainder of the line and delete line 2 in its entirety and insert in lieu thereof ""agricultural products" shall include horticultural, viticultural, forestry, dairy, livestock, poultry, bee, and farm and range products, and furbearing animals raised or produced on a defined acreage."

AMENDMENT NO. 9

On page 2, line 5, after "Louisiana" and before "products" change "dairy" to "agricultural"

AMENDMENT NO. 10

On page 2, line 8, after "Louisiana" and before "products" change "dairy" to "agricultural"

AMENDMENT NO. 11

On page 2, line 11, change "Dairy Farmer" to "Agricultural Product"

AMENDMENT NO. 12

On page 2, line 26, after "payments to" delete "dairy"

AMENDMENT NO. 13

On page 2, line 27, after "expanding their" delete "dairy"

AMENDMENT NO. 14

On page 3, at the beginning of line 6, delete "dairy"

AMENDMENT NO. 15

On page 3, at the end of line 7, delete "dairy"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boasso	Cheek
Total—2	

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

SENATE BILL NO. 67—
BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR
AN ACT

To enact Part III-H of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:138 through 138.7, relative to expropriation by municipal corporations; to authorize the city of Pineville to expropriate certain properties for the Susek Drive Project; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 67 by Senator McPherson

AMENDMENT NO. 1

On page 4, line 12, change "ten" to "fifteen"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Adley	Fields	Lentini
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—33		

NAYS

Malone
Total—1

ABSENT

Boasso	Cheek	Marionneaux
Chaisson	Hainkel	
Total—5		

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

SENATE BILL NO. 143—
BY SENATORS DUPRE AND DUPLESSIS
AN ACT

To amend and reenact R.S. 35:12(D), relative to notaries public; to provide relative to the required use of identification numbers on notarized documents; to exempt out-of-state notaries public from such requirement; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 143 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "R.S. 35:12(D)" insert "R.S. 9:5212 and"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 35:12(D)" to "R.S. 9:5212"

AMENDMENT NO. 3

On page 1, delete lines 7 through 16 in their entirety and insert the following:

"§5212. Prompt recordation and certificate of encumbrances

~~in~~ Except as provided in R.S. 35:12(D), in no case can the recorder of mortgages and the parish recorders fulfilling the same duties refuse or delay the recording of the acts which are presented to them for that purpose, or the delivery of the certificates which are required of them, as hereafter stated.

Section 2. R.S. 35:12(D) is hereby amended and reenacted to read as follows:

§12. Christian names to be given in full, together with parties' permanent mailing addresses; identification numbers

* * *

~~D. On all documents notarized on and after January 1, 2005, the office of notarial records, register of conveyances, or recorder of mortgages in and for the parish of Orleans, every clerk of court, and every state office, agency, department, or political subdivision shall not accept, file, or record any notarized document which fails to contain the notary identification or bar roll number and the typed or printed name of the notary and the witnesses: (1) Any document notarized in this state on or after January 1, 2005, submitted for filing or recording in the office of notarial records, register of conveyances, or recorder of mortgages in and for the parish of Orleans, or in the office of any clerk of court or recorder of mortgages or conveyances may be refused by the clerk or his employee if the document fails to contain the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses. However, documents filed in the civil or criminal suit records of any court shall not be subject to the provisions of this Subsection.~~

(2) Except as otherwise provided in this Section, no state office, agency, department, or political subdivision of the state shall accept, file, or record any document notarized in this state on or after January 1, 2005, unless the document contains the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses.

(3) No state office, agency, department, or political subdivision of the state, or any officer or employee thereof, refusing to accept, file, or record any notarized document pursuant to the provisions of this Section shall be liable for any damages resulting from the refusal to accept, file, or record a notarized document for its failure to comply with the provisions of this Section."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 143 by Senator Dupre

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 3 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on May 12, 2004.

AMENDMENT NO. 2

On page 1, delete lines 2 through 16 in their entirety and insert the following:

"To amend and reenact R.S. 9:5212 and R.S. 35:12(D) and 392.1, relative to ex officio notaries; to provide relative to the authority of ex officio notaries; to provide for the rejection of certain documents; to provide for actions exceeding the authority granted; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:5212 is hereby amended and reenacted to read as follows:

§5212. Prompt recordation and certificate of encumbrances

Except as provided in R.S. 35:12(D), in no case can the recorder of mortgages and the parish recorders fulfilling the same duties refuse or delay the recording of the acts which are presented to them for that purpose, or the delivery of the certificates which are required of them, as hereafter stated.

Section 2. R.S. 35:12(D) and 392.1 are hereby amended and reenacted to read as follows:

§12. Christian names to be given in full, together with parties' permanent mailing addresses; identification numbers

* * *

D. On all documents notarized on and after January 1, 2005, the office of notarial records, register of conveyances, or recorder of mortgages in and for the parish of Orleans, every clerk of court, and every state office, agency, department, or political subdivision shall not accept, file, or record any notarized document which fails to contain the notary identification or bar roll number and the typed or printed name of the notary and the witnesses: (1) Any document notarized in this state on or after January 1, 2005, submitted for filing or recording in the office of notarial records, register of conveyances, or recorder of mortgages in and for the parish of Orleans, or in the office of any clerk of court or recorder of mortgages or conveyances may be refused by the clerk or his employee if the document fails to contain the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses. However, documents filed in the civil or criminal suit records of any court shall not be subject to the provisions of this Subsection.

(2) Except as otherwise provided in this Section, no state office, agency, department, or political subdivision shall accept, file, or record any document notarized in this state on or after January 1, 2005, unless the document contains the notary identification or attorney bar roll number and the typed or printed name of the notary and the witnesses.

(3) No office, agency, department, or political subdivision, or any officer or employee thereof, refusing to accept, file, or record any notarized document pursuant to the provisions of this Section shall be liable for any damages resulting from the refusal to accept, file, or record a notarized document for its failure to comply with the provisions of this Section.

* * *

§392.1. Ex officio notaries

A. Any person, not a regularly commissioned notary, who is an ex officio notary, or who is otherwise authorized under the various revised statutes and codes of this state to administer oaths or exercise any or all of the functions, powers, and authority of a notary, is authorized to perform those functions, powers, and authority only as they are directly related to and required for the operation of the office, agency, or department under which the authority is granted. All acts which are performed beyond the specific authority granted in the various statutes and codes of this state to administer oaths and to perform the functions, powers, and authority of a notary and which are not directly related to or required for the operation of the office, agency, or department shall be null and void.

B. The provisions of this Section shall not be applicable to documents notarized by a clerk of court or any of the deputy clerks of court who are employees of the clerk of court when such documents are notarized within the course and scope of their employment with the office of clerk of court."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cheek
Total—1

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

SENATE BILL NO. 239—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:969.17, R.S. 9:3529, and R.S. 47:1604.2, relative to certain credit transactions; to provide for the collection of certain fees and charges due to insufficient funds when payment is made by electronic means; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 239 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 17, following "R. S." and before "is" change "47:1064.2" to ""47:1604.2"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cheek
Total—2
Kostelka

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

SENATE BILL NO. 248—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:606, relative to interment; to require submission of certain information to the Louisiana Cemetery Board; to provide for the initiation of construction of mausoleums or similar structures within a specified period pursuant to plans and contracts; to provide for timely delivery of acceptable interment space; to provide for imposition of penalties for failure to comply; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 248 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 14, change "and/or" to "or"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cheek
Total—1

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

SENATE BILL NO. 464—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2018(C) and to enact R.S. 30:2017(B)(3), relative to the public hearings conducted by the Department of Environmental Quality; to provide for the location of the public hearing; to authorize public officials to speak at such public hearings; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Reengrossed Senate Bill No. 464 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the end of line 16, insert the following: "However, any time limit set by the presiding officer for citizen testimony shall apply to public officials."

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

May 24, 2004

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cheek
Total—1

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

SENATE BILL NO. 725—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 37:1782 and 1787(A)(4) and (D) and to enact R.S. 37:1787(F), relative to pawnbrokers; to provide for definitions; to provide for license eligibility; to provide for license revocation; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 725 by Senator Hollis

AMENDMENT NO. 1

On page 3, line 28, after "Net assets" change "must be represented by" to "may include"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cheek
Total—1

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

SENATE BILL NO. 765—
BY SENATORS ADLEY AND CAIN

AN ACT

To enact R.S. 32:73.1, relative to traffic violations; to require an operator of a motor vehicle when overtaking and passing another vehicle to pass on the left and to return to the right lane after passing the vehicle; to provide for penalties; to provide relative to an operator of a motor vehicle that remains or travels in the left lane when not actively passing another vehicle; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Quezaire to Reengrossed Senate Bill No. 765 by Senator Adley (Duplicate of H.B. No. 322)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:73.1" and before the comma "," insert "and to repeal R.S. 32:74(A)(3)"

AMENDMENT NO. 2

On page 1, line 12, delete the comma "," after "32:1(42)" and delete the remainder of the line and delete lines 13 and 14 in their entirety and insert a period "."

AMENDMENT NO. 3

On page 1, at the end of line 16, delete the comma "," after "vehicle" and delete the remainder of the line and delete line 17 in its entirety and insert "until the distance between the vehicle exceeds five car lengths, then the vehicle overtaking and passing the other vehicle shall return to the right lane."

AMENDMENT NO. 4

On page 2, after line 7, insert the following: "Section 2. R.S. 32:74(A)(3) is hereby repealed in its entirety."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Reengrossed Senate Bill No. 765 by Senator Adley

AMENDMENT NO. 1

On page 2, after line 7, insert the following: "Section 2. The Department of Transportation and Development shall install signs on multiple-lane highways reading "slower traffic keep right."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Reengrossed Senate Bill No. 765 by Senator Adley

AMENDMENT NO. 1

On page 1, line 17, after "lane" delete the remainder of the line and insert "unless he is not impeding the flow of traffic or traveling faster than the traffic in the right lane."

Senator Adley moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cheek
Total—1

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

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

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

**SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR DUPLESSIS**

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize state and national banks to participate in lotteries and related activities for charitable purposes.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington
Total—37

NAYS

Total—0

ABSENT

Cheek
Total—2

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

May 24, 2004

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request that the Senate and House labor and industrial relations committees to meet and function as a joint committee to study the effects of an inadequately trained and motivated tourism and hospitality workforce on the future financial viability and competitiveness of the tourism industry on the New Orleans Metropolitan Area and throughout the state.

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 Concurrent Resolution No. 58 by Senator Irons

AMENDMENT NO. 1

On page 2, delete lines 16 through 18 in their entirety and insert in lieu thereof:

"(2) Workers viewing entry level jobs as "dead-end"; an attitude which may be reflected in visitors perceptions of services received."

AMENDMENT NO. 2

On page 3, line 11, after "performance.", insert the following: "The Urban League of Greater New Orleans has been studying workforce and tourism issues and would play a leading role in coordinating the study. Other essential study participants are: the Louisiana Restaurant Association, the Louisiana Hotel and Lodging Association and representatives from area hotels, restaurants, in addition to food and beverage providers."

On motion of Senator Holden, the committee amendment was adopted.

The resolution was read by title. Senator Irons 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
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boasso	Heitmeier	Nevers
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	

Total—37

NAYS

Total—0

ABSENT

Cheek

Hainkel

Total—2

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

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. 221—

BY SENATOR CRAVINS

AN ACT

To enact Code of Criminal Procedure Art. 905.5.2, relative to imposition of the death penalty; to prohibit imposition of the death penalty for a juvenile offender convicted of a capital offense when the offense for which he was convicted occurred prior to his seventeenth birthday; and to provide for related matters.

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

SENATE BILL NO. 225—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Civil Code Art. 2315.2(A) and to enact Civil Code Art. 2315(C), relative to wrongful death actions; to provide for recoverable damages in such actions; to extend the same rights of recovery of the spouse and children of the deceased to minor children living in the household; to add certain recoverable damages for a surviving spouse in such actions; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 225 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 16, after "person." insert the following: "In the event the surviving spouse suffers a loss of wages those damages shall be recoverable for a period not to exceed six months."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Fields	Jackson	Marionneaux
Holden	Jones	
Total—5		
NAYS		
Adley	Duplessis	Kostelka
Amedee	Dupre	Lentini
Barham	Ellington	Malone
Boasso	Fontenot	Michot
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Nevers
Chaisson	Hainkel	Romero
Cheek	Heitmeier	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Total—30		
ABSENT		
Mr. President	McPherson	
Bajoie	Ullo	
Total—4		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 339—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Civil Code Arts. 571 and 573 and to repeal Code of Civil Procedure Art. 3154.1, relative to usufructs; to provide relative to the form of security on property subject to the usufruct; to prohibit dispensing with security for certain testamentary usufructs; 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	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	McPherson

Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Marionneaux
Total—1

ABSENT

Total—0

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. 364—
BY SENATOR ROMERO

AN ACT

To enact R.S. 16:2(F), relative to the district attorney for the Sixteenth Judicial District; to provide for contributions from the parish school boards and governing authorities in the parishes of Iberia, St. Mary and St. Martin to defray costs of representation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Cain
Total—1

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

SENATE BILL NO. 408—
BY SENATOR BAJOIE

AN ACT

To enact R.S. 36: 259(II) and 919.7 and Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.231 through 1300.233, relative to women's health; to create the Women's Health Commission; to provide for the membership, filling of vacancies, meetings, compensation, domicile, election of officers, powers and duties, and termination; 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. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 27, before "One" change "(I)" to "(i)"

AMENDMENT NO. 2

On page 3, line 17, following "R. S." and before "and" change "40:1299.181(B)(1)(g)" to "40:1300.231(B)(1)(g)"

AMENDMENT NO. 3

On page 3, line 18, following "R. S." and before "," change "40:1299.181(B)(1)(I)" to "40:1300.231(B)(1)(i)"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 20, delete "Office of Women's Services" and insert "Louisiana Coalition Against Domestic Violence"

AMENDMENT NO. 2

On page 3, between lines 8 and 9, insert "(o) One representative of the Louisiana Maternal and Child Health Coalition selected by the Coalition."

AMENDMENT NO. 3

On page 3, line 9, delete "(o)" and insert "(p)"

AMENDMENT NO. 4

On page 3, line 10, delete "(p)" and insert "(q)"

AMENDMENT NO. 5

On page 3, line 11, delete "(q)" and insert "(r)"

AMENDMENT NO. 6

On page 3, line 13, delete "(r)" and insert "(s)"

AMENDMENT NO. 7

On page 3, line 15, delete "(s)" and insert "(t)"

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 20, change "Office of Women's Services" to "Louisiana Coalition Against Domestic Violence"

AMENDMENT NO. 2

On page 3, between lines 16 and 17, insert the following:

"(u) One representative of the Tulane/Xavier National Women's Center and Clinic.

(v) One representative of the New Orleans City AIDS Awareness Project."

On motion of Senator Bajoie, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel, Cain and Barham to Engrossed Senate Bill No. 408 by Senator Bajoie

AMENDMENT NO. 1

On page 3, between lines 16 and 17 insert the following:

"(w) One member from Louisiana Catholic Healthcare Association.

(x) One member from Catholic Community Services of Baton Rouge.

(y) One representative from the University of Louisiana at Monroe School of Pharmacy to be appointed by the dean of pharmacy.

(z) One representative of the National Rifle Association's Refuse To Be A Victim Program, who is certified by the association to teach personal safety strategies for women."

AMENDMENT NO. 2

On page 4, line 11, delete "and advocating for" and insert "women on"

AMENDMENT NO. 3

On page 4, line 25, delete "gun deaths and"

AMENDMENT NO. 4

On page 5, between lines 1 and 2 insert the following:
 "(8) Not promote or advocate abortion, abortifacient drugs or gun control. The Commission shall, at all times, comply with R.S. 40:1299.34."

AMENDMENT NO. 5

On page 5, delete lines 5 and 6 and on page 5, line 7, change "(3)" to "(2)" and on line 9 change "(14)" to "(3)"

AMENDMENT NO. 6

On page 5, line 10, following "Part." insert the following "The director and other staff members employed by the Commission shall be appointed by the Governor and confirmed by the Senate."

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Lentini
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Theunissen
Duplessis	Jackson	Ullo
Total—36		

NAYS

Boasso	Kostelka	Malone
Total—3		

ABSENT

Total—0

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

SENATE BILL NO. 420—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact Code of Civil Procedure Art. 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is or the defense to the suit is frivolous; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Amedee	Gautreaux, N	Marionneaux
Chaisson	Jackson	McPherson
Cravins	Jones	
Total—11		

NAYS

Adley	Ellington	Lentini
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Cheek	Holden	Schedler
Dardenne	Hollis	Smith
Duplessis	Irons	Theunissen
Dupre	Kostelka	Ullo
Total—27		

ABSENT

Bajoie
Total—1

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 544—

BY SENATORS HOLDEN AND JACKSON
AN ACT

To amend and reenact Code of Criminal Procedure Art. 905.5.1(C) and the introductory paragraph of Code of Criminal Procedure Art. 905.5.1(H)(2), relative to sentencing in capital cases; to provide relative to mental retardation; to provide that certain psychologists be included in the determination of the defendants' mental capacity; to provide that a defendant who claims to be mentally retarded does not waive certain rights; and to provide for related matters.

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

SENATE BILL NO. 657—

BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 13:1384, relative to criminal district courts; to provide for funding of certain positions or office and functions; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 657 by Senator Boissiere

AMENDMENT NO. 1

Page 1, line 11, after "assistants," insert "at least"

AMENDMENT NO. 2

Page 1, line 11, after "clerks, and" insert "at least"

On motion of Senator Boissiere, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total—37; Dupre, Ellington, Fields, Fontenot, Gautreaux, B, Gautreaux, N, Hainkel, Holden, Hollis, Irons, Jackson, Jones, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Nevers, Romero, Schedler, Smith, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Heitmeier, Total—2; Kostelka

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

SENATE BILL NO. 680—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; and to provide for related matters.

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

SENATE BILL NO. 781—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:567.1, relative to capital cases; to provide with respect to mental incapacity to proceed to execution; to provide for procedures authorizing a defendant to raise the issue of mental incapacity to proceed to execution; to provide for the filing of a petition and to provide for the contents of that petition; to provide with respect to the burden of proof and the introduction of evidence; to provide for the submission of certain records, data, reports, and other information; to provide for a waiver of confidentiality and privilege with respect to information submitted; to provide for an independent psychological or psychiatric examination; to provide for the dismissal of the petition in certain circumstances; to provide with respect to treatment of a defendant found to be incompetent to proceed to execution; and to provide for related matters.

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

SENATE BILL NO. 859—

BY SENATOR ROMERO

AN ACT

To enact R.S. 27:403, relative to the Louisiana Gaming Control Law; to provide with respect to the status of licenses issued in good faith reliance on a survey which was wrong; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Boasso, Boissiere, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total—26; Dupre, Ellington, Fontenot, Gautreaux, B, Gautreaux, N, Hainkel, Heitmeier, Holden, Hollis; Irons, Jackson, Jones, Michot, Romero, Schedler, Theunissen, Ullo.

NAYS

Table with 3 columns of names: Adley, Amedee, Barham, Cain, Total—12; Fields, Kostelka, Lentini, Malone; Marionneaux, McPherson, Nevers, Smith.

ABSENT

Mount

Total—1

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

Rules Suspended

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

Appointment of Conference Committee on Senate Bill No. 765

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 765: Senators Adley, Ellington and Amedee.

Appointment of Conference Committee on House Bill No. 402

The President of the Senate appointed on the Conference Committee on House Bill No. 402 the following members of the Senate: Senators Theunissen, Chaisson and Mount.

Appointment of Conference Committee on House Bill No. 1220

The President of the Senate appointed on the Conference Committee on House Bill No. 1220 the following members of the Senate: Senators Barham, Cravins and Smith.

Introduction of Resolutions, Senate and Concurrent

Senator Bajoie 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. 93—
BY SENATOR FONTENOT

A RESOLUTION

To designate October 15th of each year as Pregnancy and Infant Loss Remembrance Day so as to allow families a day each year to remember and reflect upon their loss and to enable more support for these families so that these children can be remembered by all.

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

SENATE RESOLUTION NO. 94—
BY SENATOR DARDENNE

A RESOLUTION

To request the Senate Committee on Judiciary B to study the creation of a youthful offender program or another form of blended sentencing as a sentencing alternative for judges when imposing a sentence upon a juvenile offender.

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

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATORS SMITH AND MCPHERSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the laws that govern the operation of vehicles which haul Louisiana products on the highways and roadways of Louisiana in excess of the standard limitations set forth in law, and to include in such study more particularly, vehicles transporting forestry products in their natural state and vehicles transporting Louisiana-produced lignite coal and coke fuel.

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

SENATE CONCURRENT RESOLUTION NO. 124—
BY SENATOR DUPLESSIS
A CONCURRENT RESOLUTION

To establish the Louisiana Prosper Commission to conduct a comprehensive study of the public bid law, the procurement code, bid preferences and reciprocal preferences, and services contracts.

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

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR NEVERS
A CONCURRENT RESOLUTION

To honor the Foster Parents of the Year 2004 in each region of the state and to express the appreciation of the legislature for their valuable contribution to strengthening family life in Louisiana.

The resolution was read by title. Senator Nevers 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
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 126—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To create the Louisiana Initiative for Tomorrow Task Force, to be known as the LIFT Task Force, to encourage private sector investments in Louisiana, particularly in distressed urban and rural areas to generate additional revenues and job opportunities for these areas, and to contribute to the success of the Louisiana Initiative for Tomorrow.

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

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Insurance and the House Committee on Insurance to meet and function as a joint committee to study the difficulty in obtaining professional liability coverage for certain healthcare providers.

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

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**

May 24, 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. 139—
BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Marriage Persons Committee of the Louisiana State Law Institute to study Louisiana's child custody and visitation laws and make specific recommendations on or before January 15, 2006, for revisions to state law.

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. 139—
BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Marriage Persons Committee of the Louisiana State Law Institute to study Louisiana's child custody and visitation laws and make specific recommendations on or before January 15, 2006, for revisions to state law.

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

REVENUE AND FISCAL AFFAIRS

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

May 24, 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:

HOUSE BILL NO. 198—

BY REPRESENTATIVES BRUNEAU, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMAN, GLOVER, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MURRAY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:1206 and to repeal Chapter 14 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1201 through 1212, relative to the gift tax; to phase in a reduction and repeal of the gift tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 205—
BY REPRESENTATIVE FUTRELL
AN ACT

To amend and reenact R.S. 47:1568(B), relative to state taxation; to increase the time period for payment of certain taxes due; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 485—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 33:2621, relative to taxes on motor vehicles; to authorize the governing authority of a municipality or of a district created by it; to exempt motor vehicles owned by persons sixty-five years of age or older from general or special ad valorem taxes levied by the municipality or by a district created by it; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 505—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third-party processors for the Department of Revenue or the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1419—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1700 (Substitute for House Bill No. 1130 by Representative Daniel)—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 47:1837.1, relative to the Louisiana Tax Commission; to establish a pilot program for creation of a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE MOUNT
Chairperson

REPORT OF COMMITTEE ON
FINANCE

Senator Heitmeier, Chairman on behalf of the Committee on Finance, submitted the following report:

May 24, 2004

To the President and Members of the Senate:

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

HOUSE BILL NO. 648—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 9:154(A)(16) and 165(B) and to enact R.S. 9:154(A)(17), relative to the Uniform Unclaimed Property Act; to provide for time periods for presumption of abandonment; to provide for administrative costs related to the sale of abandoned property; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1224—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 39:1593(C)(2)(a) and to enact R.S. 39:1484(A)(25), 1503(A)(4), and 1594(C)(5), relative to competitive bidding; to require competitive bids and requests for proposals to be advertised electronically; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1295—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 42:1001, 1002(2), (4), and (5), 1003 through 1005, and 1008 through 1011, to enact R.S. 42:1002(12), (13), and (14), and to repeal R.S. 42:1006 and 1007, relative to the federal-state agreement for old age and survivors benefits for state employees; to provide for the inclusion of disability and health insurance benefits in such agreement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1310—
BY REPRESENTATIVE SALTER
AN ACT

To authorize the state of Louisiana to forgive a portion of the mortgage payment and to redirect certain payments due to the state from the Coushatta Industrial Development Corporation for the purposes of the further economic development of the city of Coushatta under certain circumstances; 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:

May 24, 2004

To the President and Members of the Senate:

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

SENATE BILL NO. 82—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 58—
BY REPRESENTATIVE TRICHE

AN ACT

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

Reported favorably.

HOUSE BILL NO. 373—
BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:185(C), relative to state and statewide retirement systems; to provide for definitions; to provide for changes to the educational requirements for the boards of trustees of the systems; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 832—
BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact Parts VIII and IX of Chapter 6 of Subtitle III of Title 11, to be comprised of R.S. 11:2151 through 2157, relative to the Registrars of Voters Employees' Retirement System; to provide with respect to qualification of the pension plan and trust of the retirement system under Section 401(a) of the Internal Revenue Code; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 935—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:267(A)(4), relative to the Louisiana Assessors' Retirement Fund; to provide for investing of funds in equity and for an indexing strategy; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 936—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:106(C)(introductory paragraph), relative to the Louisiana Assessors' Retirement Fund; to provide for the use of excess funds when the board of trustees increases the net direct employer contribution rate; to provide for a retroactive effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 949—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System; to allow certain persons to opt out of otherwise mandatory participation; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 976—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:1332, relative to the Louisiana State Police Pension and Retirement System; to authorize the board of trustees to use interest earnings on investments in excess of normal requirements to provide a cost-of-living increase; to provide limitations; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 978—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:417, 422(C), 605(B), and 606(B)(2) and to repeal R.S. 11:448(B)(1) and (2), relative to the Louisiana State Employees' Retirement System; to provide relative to continued membership in the system; to provide for the actuarial purchase of service credit; to provide relative to participation in the Deferred Retirement Option Plan; to provide relative to the transfer of service credit; to provide relative to the Deferred Retirement Option Plan relative to public safety services employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 979—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 11:446(F), relative to survivor benefits for the Louisiana State Employees' Retirement System; to provide for a default designated beneficiary and exceptions; to provide for

a default joint and survivor benefit; to establish the benefit due a surviving spouse of a deceased member; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 980—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:429 and to repeal R.S. 11:425 through 428, 430, and 431, relative to the purchase of service credit in the Louisiana State Employees' Retirement System; to provide for the purchase of up to five years of service credit in the system; to repeal certain provisions relative to the purchase of service credit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 981—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Subpart D of Part IV of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:491, relative to the Louisiana State Employees' Retirement System; to provide for the collection of benefits paid to a member but not due the member; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 982—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:225, relative to the Louisiana State Employees' Retirement System; to provide for the return to active service by any disability retiree; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 983—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:1455(B), relative to the Louisiana Assessors' Retirement Fund; to provide for a lump sum repayment of withdrawn employee contributions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1200—
BY REPRESENTATIVES LAFLEUR, THOMPSON, AND CAZAYOUX
AND SENATORS HAINKEL AND HOLDEN
AN ACT

To amend and reenact R.S. 39:81 and to enact R.S. 11:176, relative to state and statewide public retirement systems; to require each such retirement system to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for review and approval of state system budgets and review of statewide system budgets; to provide for contents; to provide for modifications; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

Motion to Recommit

Senator Jones asked for and obtained a suspension of the rules and recommitted House Bill No. 490 from the Committee on Education to the Committee on Senate and Governmental Affairs.

Rules Suspended

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

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

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

Called from the Involuntary Calendar

Senator Dardenne moved to call Senate Bill No. 470 from the Involuntary Calendar without the required record vote.

Without objection, so ordered.

SENATE BILL NO. 470—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 14:95.9, relative to possession of a firearm or ammunition; to prohibit possession by persons subject to certain court orders; and to provide for related matters.

On motion of Senator Dardenne the bill was read by title and withdrawn from the files of the Senate.

Motion to Make Special Order

Senator Jones asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1015, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Wednesday, May 26, 2004 immediately following the Morning Hour.

**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:

May 24, 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 Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To recreate the Task Force on Regional and Local Economic Development to review industry attraction, expansion, and retention initiatives at the local and regional levels and to determine appropriate funding levels and revenue sources.

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATORS HAINKEL, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, NEVERS, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to continue to support and expand the operations of the National Finance Center in New Orleans, including the renewal of its contract with the Federal Retirement Thrift Investment Board.

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATORS DARDENNE AND HINES

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of William Kenneth "Bill" Carville, husband, son, brother, Vietnam Veteran, Army Reservist, corrections veteran, and friend.

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR HAINKEL AND REPRESENTATIVES ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, FUTRELL, GALLOT, GLOVER, E. GULLORY, M. GULLORY, HAMMETT, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SHEPHERD, GARY SMITH, JACK SMITH, ST. GERMAINE, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Walter F. Marcus, Jr., retired justice of the Louisiana Supreme Court.

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend and congratulate the players and coaches of the St. Amant High School Lady Gators on winning the Class 5A Girls High School State Softball Championship.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Message to the Governor

SIGNED SENATE BILLS

May 21, 2004

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 112—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 13:3881(D)(3), relative to judicial procedure; to provide for certain exemptions from seizure by creditors; and to provide for related matters.

SENATE BILL NO. 200—

BY SENATOR BARHAM AND REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 40:1662.3(26) and (27) and 1662.8(B)(2)(g) and (h), relative to public health and safety; to provide for a license exemption for certain locksmiths; and to provide for related matters.

SENATE BILL NO. 268—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:465(A)(1)(a) and (3), and to repeal R.S. 8:465(A)(4)(g), relative to trust funds; to include additional persons in the prohibition against being the recipient of loans or investments from any perpetual trust; to prohibit any remuneration to certain persons in connection with the loan or investment of any trust account; and to provide for related matters.

SENATE BILL NO. 281—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:459.1(B), 502(E), 509 and 510(B)(2), relative to perpetual care trust funds; to provide for the manner in which a trustee administers trusts and require such trust funds to be placed with certain federally insured financial institutions; and to provide for related matters.

SENATE BILL NO. 466—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:1376(F), relative to employees of the Department of Environmental Quality who are commissioned by the office of state police; to prohibit the duplication of badges; and to provide for related matters.

SENATE BILL NO. 609 (Duplicate of House Bill No. 884)—

BY SENATOR BAJOIE AND REPRESENTATIVE WINSTON AND COAUTHORED BY SENATOR HOLDEN

AN ACT

To amend and reenact Ch.C. Art. 610(B)(8) and (D) and to enact Ch.C. Art. 610(B)(9), relative to child abuse reporting; to require

that additional information be included in child abuse reports; to require the Department of Social Services to provide an optional written form for mandatory reporting; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 638 (Duplicate of House Bill No. 900)—
BY SENATOR BAJOE AND REPRESENTATIVE WINSTON AND
COAUTHORED BY SENATOR HOLDEN

AN ACT

To amend and reenact Children's Code Art. 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide relative to cases which are reported in error; to require that such cases be reported to the appropriate agency; and to provide for related matters.

SENATE BILL NO. 706—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3573.4(A) and (B) and to repeal R.S. 9:3573.2(B)(1) and 3573.14(B), relative to the Credit Repair Services Organization Act; to remove exemptions for certain corporations and associations; to provide for bonding; and to provide for related matters.

SENATE BILL NO. 841 (Duplicate of House Bill No. 1517)—
BY SENATOR ELLINGTON AND REPRESENTATIVE QUEZAIRE
AND COAUTHORED BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 48:250.2(A), (C), and (D), to enact R.S. 48:250.3, and to repeal R.S. 48:250.2(B), relative to contracts let by the Department of Transportation and Development; to provide relative to design-build contracts; to remove certain limitations of the design-build program; to authorize the department to construct a certain project included in the Transportation Infrastructure Model for Economic Development program using the design-build method; to provide relative to procedures regarding the design-build method; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS

May 21, 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. 26—
BY SENATORS MICHOT AND SMITH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to replace the term "visitation" when referring to the time a parent spends with their child in Louisiana laws.

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate May, 2004 as "Louisiana Month to Prevent Teen Pregnancy".

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATORS N. GAUTREAUX, AMEDEE, BOASSO, CHAISSON,
DUPRE, B. GAUTREAUX, HAINKEL, MCPHERSON, MOUNT,
ROMERO, SCHEDLER, THEUNISSEN, MALONE AND MICHOT AND
REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and fund the establishment of the Coastal Forest Reserve Program, and to urge the United States Department of Agriculture Forest Service, the Louisiana Department of Agriculture and Forestry, and the Louisiana State University School of Renewable Natural Resources, with the assistance from the University of Louisiana at Lafayette and other Louisiana universities, to provide an inventory and assessment of coastal forests.

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATORS DARDENNE, ADLEY, AMEDEE, BAJOE, BARHAM,
BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS,
DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B.
GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES,
HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI,
MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT,
NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO
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, GEYMAN, 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, ROBIDEAUX,
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 commend and congratulate Sue Gunter on her career and to acknowledge the high standard of performance she inspired and the high level of integrity and ethical conduct she required for the LSU Women's Basketball Team and all those associated with the program.

May 24, 2004

SENATE CONCURRENT RESOLUTION NO. 96—
BY SENATORS SCHEDLER, BOASSO AND HAINKEL AND REPRESENTATIVES CROWE AND SCHNEIDER
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Judge Gary J. Dragon.

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATOR HINES
A CONCURRENT RESOLUTION
To declare May 11, 2004 as "Rural Hospital Day."

SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATORS HINES, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO 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, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, 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, ROBIDEAUX, 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 offer the heartfelt condolences of the members of the Louisiana Legislature to the family of Charles I. Hudson on the death of this highly respected and much beloved colleague.

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATORS HAINKEL AND LENTINI
A CONCURRENT RESOLUTION
To commend Sister Imelda Moriarty on the occasion of her retirement as principal of St. Catherine of Siena School in Metairie.

SENATE CONCURRENT RESOLUTION NO. 100—
BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION
To commend Grady Gaines on sharing his music, and his musical talents throughout Louisiana.

SENATE CONCURRENT RESOLUTION NO. 101—
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 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, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, 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, ROBIDEAUX, 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 express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state Representative Benjamin Franklin "B.F." O'Neal, Jr.

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To designate May 12, 2004 as "Junior Achievement Day" at the legislature.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR HINES
A CONCURRENT RESOLUTION
To proclaim the week of May 16-22, 2004 as Emergency Medical Services Week.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATORS JONES, ADLEY, AMEDEE, BAJOIE, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, FIELDS, B. GAUTREAU, N. GAUTREAU, HINES, IRONS, JACKSON, LENTINI, MARIONNEAUX, MICHOT, MOUNT, NEVERS, THEUNISSEN AND ULLO AND REPRESENTATIVES ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CROWE, CURTIS, DANIEL, DARTEZ, DORSEY, DOVE, FANNIN, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, E. GUILLORY, HONEY, HUNTER, JACKSON, JEFFERSON, KATZ, LAFLEUR, MARCHAND, MARTINY, MCDONALD, MORRELL, MURRAY, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH AND TRAHAN
A CONCURRENT RESOLUTION
To acknowledge and commemorate the deep and abiding significance to the state of Louisiana and the United States of America of the landmark decision in the case of Brown v. Board of Education on the Fiftieth Anniversary of that decision.

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATORS DARDENNE, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES BROOME, CRANE, DANIEL, DORSEY, HONEY, JACKSON, KENNARD AND WHITE
A CONCURRENT RESOLUTION
To recognize and commend Baton Rouge strength training and weightlifting coach, Gayle Hatch on being named as the head coach of the men's 2004 United States Olympic Weightlifting Team to be held in Athens, Greece, August 14-25, 2004.

Respectfully submitted,
GLENN A. KOEPP
Secretary 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:

May 21, 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. 49—

BY SENATOR BARHAM

A RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to place a moratorium on the taking of alligator snapping turtles.

SENATE RESOLUTION NO. 50—

BY SENATORS BOASSO, BOISSIERE, CHAIS SON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, KOSTELKA, LENTINI, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER AND ULLO

A RESOLUTION

To urge and request the governor of the state of Louisiana and the commissioner of administration to give notice to the Port of New Orleans that the state will honor the port's request for funds to build a temporary cruise terminal located at Poland Avenue Wharf.

SENATE RESOLUTION NO. 51—

BY SENATOR IRONS

A RESOLUTION

To proclaim Thursday, May 6, 2004, as "Go Red for Mothers & Women Day in Louisiana."

SENATE RESOLUTION NO. 52—

BY SENATORS BAJOEI, CHEEK, DUPLESSIS, IRONS, JACKSON AND MOUNT

A RESOLUTION

To proclaim the month of May as Health Choices Month in the Senate.

SENATE RESOLUTION NO. 53—

BY SENATOR HAINKEL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Jean McGivney Boese, former state poet laureate.

SENATE RESOLUTION NO. 54—

BY SENATOR HAINKEL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Allen Hobbs Capps.

SENATE RESOLUTION NO. 55—

BY SENATORS HOLDEN, DARDENNE, FIELDS, FONTENOT AND MARIONNEAUX

A RESOLUTION

To recognize Tuesday, May 4, 2004, as Southern University Day in the state of Louisiana.

SENATE RESOLUTION NO. 56—

BY SENATOR DARDENNE

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of John C. Goodwin, Jr., husband, father, friend, and volunteer firefighter.

SENATE RESOLUTION NO. 57—

BY SENATOR DARDENNE

A RESOLUTION

To designate May, 2004 as Amyotrophic Lateral Sclerosis (ALS) Awareness Month.

SENATE RESOLUTION NO. 58—

BY SENATOR FIELDS

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Ivy Mae Smith Beauregard.

SENATE RESOLUTION NO. 59—

BY SENATOR DARDENNE

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Joseph R. Armstrong.

SENATE RESOLUTION NO. 60—

BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Samuel Abdalla Elias, Jr.

SENATE RESOLUTION NO. 61—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To commend former Louisiana Senate Head Page Joey Mayeaux for his service to his state and his country.

SENATE RESOLUTION NO. 62—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOEI, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To commend Louisiana Senate Head Page David Mayeaux for his service to his state and his country.

SENATE RESOLUTION NO. 63—
BY SENATOR HAINKEL

A RESOLUTION

To commend and congratulate Lloyd Lamar "Hank" Jones on the occasion of his eighty-eighth birthday and to recognize his extraordinary achievements throughout his life.

SENATE RESOLUTION NO. 64—
BY SENATOR HINES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Filmore Paul "F.P." Bordelon, Jr., M.D.

SENATE RESOLUTION NO. 65—
BY SENATORS ELLINGTON, BARHAM, KOSTELKA, SMITH,
BOISSIERE AND JONES

A RESOLUTION

To memorialize the United States Congress to oppose the proposed federal funding cuts to maintenance and operation of locks and dams along the Ouachita and Black River navigational system.

SENATE RESOLUTION NO. 66—
BY SENATOR HOLDEN

A RESOLUTION

To urge and request the citizens of the state of Louisiana to buy fresh locally grown produce.

SENATE RESOLUTION NO. 67—
BY SENATORS NEVERS, ADLEY, AMEDEE, BAJIOIE, BARHAM,
BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS,
DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS,
FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL,
HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES,
KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON,
MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN
AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Specialist Chris Taylor of the Alabama Army National Guard's 1165th Military Police Company, on February 16, 2004.

SENATE RESOLUTION NO. 68—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Dr. George Thomas Bowling.

SENATE RESOLUTION NO. 69—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Frances Richardson Childers.

SENATE RESOLUTION NO. 70—
BY SENATOR FIELDS

A RESOLUTION

To commend His Excellency Joaquim Alberto Chissano, President of the Republic of Mozambique, on his numerous accomplishments throughout his life and his service to the people of Mozambique.

SENATE RESOLUTION NO. 71—
BY SENATOR FIELDS

A RESOLUTION

To recognize and commend the Honorable James A. Joseph, former Ambassador to South Africa on his numerous accomplishments and service to his country.

SENATE RESOLUTION NO. 72—
BY SENATOR ADLEY

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize May 28, 2004, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

SENATE RESOLUTION NO. 73—
BY SENATOR MCPHERSON

A RESOLUTION

To recognize the week of May 10 through 16, 2004, as "Cover the Uninsured Week" in Louisiana.

SENATE RESOLUTION NO. 74—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Percy A. Ford, Sr.

SENATE RESOLUTION NO. 75—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Captain Robert L. Goss.

SENATE RESOLUTION NO. 76—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Reverend Jewel E. Barton, former mayor of Sterlington, Louisiana.

SENATE RESOLUTION NO. 77—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Lee Graham Edwards.

SENATE RESOLUTION NO. 78—
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Albert Truman "Van" Van Veckhoven.

SENATE RESOLUTION NO. 79—
BY SENATOR MICHOT

A RESOLUTION

To designate May 12, 2004 as "Junior Achievement Day" at the Senate.

SENATE RESOLUTION NO. 81—
BY SENATOR THEUNISSEN

A RESOLUTION

To commend Mrs. Donna English Walker for forty-four years of service to the state as a classroom instructor in the Acadia Parish School System.

SENATE RESOLUTION NO. 18—
BY SENATOR LENTINI

A RESOLUTION

To amend and readopt Senate Rule No. 10.9 of the Rules of Order of the Senate, relative to referral of resolutions calling for the election of certain officers of the Senate; and to delete the requirement of referral to committee.

SENATE RESOLUTION NO. 82—
BY SENATORS THEUNISSEN AND N. GAUTREUX

A RESOLUTION

To commend the Notre Dame High School softball team upon winning the Class 3A state softball championship.

SENATE RESOLUTION NO. 83—
BY SENATOR IRONS

A RESOLUTION

To express support for participation in the students and scholars program of the Patrick F. Taylor Foundation, the Audubon Nature Institute, and the New Orleans Museum of Art.

SENATE RESOLUTION NO. 84—
BY SENATOR FIELDS

A RESOLUTION

To declare May 14, 2004 as James Burrell Garner, John Will Johnson, Judge Kenneth Lavon Johnson, and Donald T. Moss Day.

SENATE RESOLUTION NO. 85—
BY SENATOR FONTENOT

A RESOLUTION

To designate May 18, 2004 as Louisiana Housing Council Day.

SENATE RESOLUTION NO. 86—
BY SENATOR N. GAUTREUX

A RESOLUTION

To commend Vermilion Catholic High School on winning the Class 1A State Football Championship.

SENATE RESOLUTION NO. 87—
BY SENATOR DUPRE

A RESOLUTION

To commend the town of Golden Meadow upon being selected as Louisiana's cleanest city within its population class.

SENATE RESOLUTION NO. 88—
BY SENATOR DARDENNE

A RESOLUTION

To recognize Wednesday, May 19, 2004, as Dental Hygiene Day and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

SENATE RESOLUTION NO. 89—
BY SENATOR HOLDEN

A RESOLUTION

To commend Whitney Renee' Ross on being debutante maid-elect of the Baton Rouge Delta Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated.

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 from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 24, 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. 79—
BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in certain parishes; and to provide for related matters.

HOUSE BILL NO. 168—
BY REPRESENTATIVES JACK SMITH, HUDSON, AND ST. GERMAIN AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:322.1(B), (D), and (F)(4), relative to use of shad seines for commercial taking of shad or skipjack; to authorize the taking of other freshwater commercial fish; to authorize use of such nets at night in specified locations; to authorize weekend fishing; to prohibit interference with commercial shipping; and to provide for related matters.

HOUSE BILL NO. 595—
BY REPRESENTATIVES JACK SMITH, BALDONE, AND DARTEZ AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:646, relative to the Louisiana Sportsman's Paradise license; to provide relative to gear covered by the license; and to provide for related matters.

HOUSE BILL NO. 598—
BY REPRESENTATIVE DARTEZ AND SENATORS DUPRE AND B. GAUTREUX

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to fishing nets; to require unattended nets and trawls in saltwater areas to be tagged; and to provide for related matters.

HOUSE BILL NO. 668 (Duplicate of Senate Bill No. 789)—
BY REPRESENTATIVE MONTGOMERY AND SENATOR MALONE
AND COAUTHORED BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 30:148.2(A)(2), relative to lease and storage of natural gas, oil, and liquid hydrocarbons in reservoirs and salt dome caverns; to define reservoir; and to provide for related matters.

HOUSE BILL NO. 1051—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1386(A) and (B), relative to the Louisiana Insurance Guaranty Association; to provide for claims against insurers; to provide for asbestos claims; to provide for environmental pollutant claims; to provide for procedures; and to provide for related matters.

HOUSE BILL NO. 1052—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1379(3)(f) and 1382(A)(3)(f) and (D), relative to the Louisiana Insurance Guaranty Association; to provide for covered claims; to provide for net worth; and to provide for related matters.

HOUSE BILL NO. 1072—
BY REPRESENTATIVES MURRAY AND DURAND
AN ACT

To amend and reenact R.S. 46:230.1(A) and (C), 231(14), 231.6(B) and (C), 231.7(A)(1)(introductory paragraph), (B)(2)(introductory paragraph) and (3), and (D)(1), and 231.8(B), relative to TANF; to provide for coordination between the Louisiana Workforce Commission and the Department of Social Services; to provide for collaboration in relation to the STEP program; and to provide for related matters.

HOUSE BILL NO. 1167—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), and (G) and 1284(A)(introductory paragraph) and 1286(C)(1)(b) and (c), and (3), relative to the Louisiana Tourism Development Commission and the board of directors of the Louisiana Tourism Promotion District; to provide for appointment and time of service of members; to provide relative to officers; to provide relative to confirmation; and to provide for related matters.

HOUSE BILL NO. 1244—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:102.19, relative to offenses affecting the public sensibility; to create the crime of hog and canine fighting; to provide for exceptions; to provide for penalties; to provide for definitions; and to provide for related matters.

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

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 24, 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. 203—
BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE
A CONCURRENT RESOLUTION

To commend Coach Gayle Hatch on his selection as head coach of the 2004 U.S. Olympic Weightlifting Team.

HOUSE CONCURRENT RESOLUTION NO. 205—
BY REPRESENTATIVES DOWNS AND GALLOT
A CONCURRENT RESOLUTION

To commend and congratulate Glen Erroll Neaville upon his forty-fifth anniversary in banking in 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.

Adjournment

Senator Bajoie moved that the Senate adjourn until Tuesday, May 25, 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, May 24, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk