

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

**FORTY-FIFTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 15, 2004

The Senate was called to order at 1:30 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 Pastor Kennis Smith, 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 Cain, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the**

**Legislative Bureau**

June 15, 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. We advise and suggest the following amendments to the engrossed bills.

**HOUSE BILL NO. 377—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3), relative to motor vehicle emissions inspections; to provide for the powers and duties of the secretary of the Department of Environmental Quality; to provide for fees for vehicle inspections; to provide for disposition of funds; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 377 by Representative Damico

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Revenue and Fiscal Affairs, and adopted by the Senate on June 14, 2004, on line 5, change "12" to "10"

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES HAMMETT, HILL, KENNEY,  
MONTGOMERY, TOWNSEND, FRITH, AND FUTRELL  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or certain diesel fuel by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1062—**

BY REPRESENTATIVES SALTER, ALEXANDER, BADON, CRANE,  
DOWNS, FANNIN, HONEY, KENNEY, M. POWELL, T. POWELL,  
RITCHIE, JANE SMITH, AND TRAHAN  
AN ACT

To enact R.S. 17:3351.11, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending the Louisiana State University Health Sciences Centers; to provide for fee amounts; to provide for waivers for certain students; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1108—**

BY REPRESENTATIVE ERDEY  
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to annual compensation of tax assessors; to provide for alternative population data for establishing the maximum compensation

rate; to provide for the compensation in parishes with a population of four hundred thousand or more; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1652—**  
BY REPRESENTATIVES THOMPSON AND STRAIN  
AN ACT

To amend and reenact R.S. 17:3041.10 and 3041.11 and to enact Chapter 20-A-2 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.21 through 3041.26, relative to the tuition payment program for medical school students; to provide relative to program eligibility criteria, purposes, definitions, number of recipients, and contractual obligations; 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 Legislative Bureau amendments were adopted and 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**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Concurrent Resolution No. 46 by Senator McPherson:

Representatives Durand, Walker and Burns.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 394 by Senator Barham:

Representatives Townsend, Hammett and Downs.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 15, 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. 445—**  
BY SENATOR JACKSON  
AN ACT

To amend and reenact R.S. 9:315.40(2), relative to child support; to provide relative to the administrative suspension of certain licenses; to provide for definitions; to provide for compliance with an order of support; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 826—**  
BY SENATOR JACKSON  
AN ACT

To enact R.S. 40:5.12, relative to public health; to provide for the creation of an advisory board to establish a standard school health form; to provide for members of the advisory board; to provide for duties of the advisory board; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 840—**  
BY SENATOR JACKSON  
AN ACT

To enact R.S. 40:1300.163(F), relative to hepatitis C education; to encourage educational initiatives regarding veterans; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 758—  
BY SENATOR JONES

AN ACT

To enact R.S. 33:2711.20, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 801—  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 47:337.3 and to enact R.S. 33:2737.77, relative to authorizing political subdivision sales and use tax; to authorize such political subdivisions, with voter approval, to renew or continue any such tax; to provide for the purposes for which such tax proceeds may be used; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 835—  
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:269, relative to state and statewide public retirement or pension systems, funds and plans; to require consultants and money managers to disclose relationships; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 806 (Substitute for Senate Bill No. 158  
by Senator Dupre)—

BY SENATOR DUPRE AND REPRESENTATIVE DOERGE AND COAUTHORED BY SENATORS MCPHERSON, ROMERO AND DULLO AND REPRESENTATIVES ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, GALLOT, GRAY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, JACKSON, JEFFERSON, JOHNS, KENNEY, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MURRAY, ODINET, PITRE, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCHNEIDER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALKER, WOOTON AND WRIGHT

A JOINT RESOLUTION

Proposing to amend Section 20(A) of Article VII of the Constitution of Louisiana, relative to the homestead exemption from ad valorem property taxes; to provide persons eligible for the homestead exemption and for the valuation of land which is the homestead; to provide for the homestead exemption for homesteads owned in indivision and for fields in which there is timber; to provide for the application of the exemption to the surviving spouse, testamentary or irrevocable trusts, usufructuaries, and to property occupied by a buyer under a bond for deed contract under certain conditions; to prohibit more than one exemption for any person; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 492—  
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:2009.24, relative to nursing homes; to provide for the creation of the Nursing Home Quality and Efficiency Board; to provide for membership of the board; to provide for the functions and duties of the board; to provide for rule making by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 709—  
BY SENATOR MICHOT

AN ACT

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

Reported with amendments.

SENATE BILL NO. 633—  
BY SENATORS KOSTELKA, SCHEDLER, ADLEY, AMEDEE,

BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HINES, HOLLIS, IRONS, JACKSON, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, NEVERS, THEUNISSEN AND ULLO

AN ACT

To enact R.S. 14:75, relative to nonpayment of child support obligations; to enact the Deadbeat Parents Punishment Act of Louisiana; to create the crime of failure to pay legal child support obligation; to provide for presumptions; to provide for penalties; to provide for restitution; to provide for venue; to provide for definitions; to provide for an affirmative defense; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 821—  
BY SENATORS BAJOIE AND CHEEK

AN ACT

To enact R.S. 36:259(II) and 919.7 and Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2616 through 2618, relative to diabetes; to create the Louisiana Diabetes Initiatives Council in the Department of Health and Hospitals; to provide for the membership, powers, and duties of the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 133—  
BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the Concord Estates Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters; to impose a parcel fee within the district and to provide

relative to such fee; to provide relative to funds of the district; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 290—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1938(C) and (F)(2) and to enact R.S. 11:107, 723(C), 1925(G), relative to Parochial Employees' Retirement System; to provide with respect to deferred retirement option plan; to provide with respect to additional employer contributions; to provide with respect to members employed in other state employment; to provide for direct rollovers in certain circumstances for purchase of creditable service; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 710—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 34:855.3(E) and (F), relative to the regulation of personal watercraft; to change the age requirement to sixteen years of age to operate a personal watercraft; to authorize a person thirteen years of age or older on August 15, 2004, until they reach the age of sixteen, to operate a personal watercraft if they have completed a boating safety education course and are accompanied by a person at least eighteen years of age; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 831—**  
BY SENATOR ELLINGTON

AN ACT

To authorize and provide for the sale and transfer of certain state property from the Department of Transportation and Development and from the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 243—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(5)(a) and R.S. 24:36(A), (C)(1)(a),(b),(c),(d) and (e), (2)(a),(b) and (c) and (E)(3), relative to the Louisiana State Employees' Retirement System; to include the attorney general as a member eligible to receive additional benefits; to provide with respect to service credit; to provide for credit for service previously rendered; to provide for additional contributions; to provide for computation of benefits payable; to provide for membership; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 617—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 17:3129.7, relative to the Board of the Regents; to require the development and maintenance of a state student financial aid plan; to provide relative to legislative review and approval; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 767—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 41:1702(J), relative to certain waters; to provide relative to uses of the water bottom of Lake Pontchartrain; to provide certain terms, conditions, and requirements; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 11—**  
BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 19 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:971 through 974, relative to the Louisiana Commission on Civic Education; to establish the commission; to provide for membership; to provide for purposes of the commission; to provide for funding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 218—**  
BY SENATOR FIELDS

AN ACT

To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9097.1, relative to crime prevention and security districts in East Baton Rouge Parish; to create the South Burbank Crime Prevention and Development District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of East Baton Rouge Parish, subject to the approval of district voters, to impose a parcel fee within the district and to provide relative to such fee; to provide relative to funds of the district; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 356—**  
BY SENATORS CHEEK AND JACKSON

AN ACT

To amend and reenact R.S. 33:2711.15(A), (C)(1), (C)(2), the introductory paragraph of (C)(3), and (C)(4) and to enact R.S. 33:2711.15(F), relative to local sales and use taxes; to provide for renewal of certain additional sales and use taxes imposed by the city of Shreveport for use by the fire and police departments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 772—  
BY SENATORS MALONE AND JACKSON  
AN ACT

To enact R.S. 17:85.6, relative to naming an auditorium; to authorize the parish school board in certain parishes to name an auditorium in honor of a former educator and principal; to provide limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 645—  
BY SENATOR HINES  
AN ACT

To amend and reenact R.S. 40:961(7), (8), (9), (10), (13), (14), (15), (20), (21), (24), (27), (32), (34), and (38), to enact R.S. 40:961(39), (40) and (41), and to rename Part X of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, relative to uniform controlled substances law; to provide for changes in definitions to conform with federal law; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 757—  
BY SENATOR JONES  
AN ACT

To enact R.S. 33:2862.1, relative to adjudicated property in the city of Monroe; to provide with respect to the procedure for taking possession of adjudicated property; and to provide for related matters.

Reported with amendments.

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

Message from the House

CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS

June 15, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 155—  
BY SENATORS SMITH, ELLINGTON, BARHAM, B. GAUTREAUX,  
NEVERS, AND THEUNISSEN  
A CONCURRENT RESOLUTION

To urge and request the Senate and House committees on agriculture, forestry, aquaculture, and rural development to meet and function as a joint committee to study and make recommendations for the creation of a state office of rural affairs, including but not limited to its structure, powers, duties, functions, responsibilities, and funding, and in coordinating such study, obtain assistance, information, and recommendations it deems necessary.

Reported without amendments.

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

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. 139—  
BY SENATOR IRONS

A RESOLUTION

To recognize the Faubourg Tremé as a neighborhood rich in culture, heritage and special character.

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

SENATE RESOLUTION NO. 140—  
BY SENATOR DUPLESSIS

A 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 Duplessis, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 158—  
BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact and fully fund the National.

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

NAYS

Total—0

ABSENT

Bajoie Heitmeier
Cain Hollis
Total—4

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

Senate Resolutions on Second Reading

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

SENATE RESOLUTION NO. 136—

BY SENATOR BOISSIERE

A RESOLUTION

To continue the New Orleans Regional Task Force on Economic Development and Health Workforce Training to plan and implement regional initiatives to meet health care employment needs and to promote economic growth and jobs in the health care industry.

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

Senate Concurrent Resolutions on Second Reading

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

SENATE CONCURRENT RESOLUTION NO. 157—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a subcommittee on science and technology to study science and technology issues; to seek ways to increase research and development and the availability of seed capital; to develop incentives to encourage investment; and to facilitate interactions among interested persons.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Lentini
Adley Ellington Malone
Amedee Fields Marionneaux
Bajoie Fontenot McPherson
Barham Gautreaux, B Michot
Boasso Gautreaux, N Mount

Boissiere Hainkel Nevers
Cain Holden Romero
Chaisson Hollis Schedler
Cheek Irons Smith
Cravins Jackson Theunissen
Dardenne Jones Ullo
Duplessis Kostelka
Total—38

NAYS

Total—0

ABSENT

Heitmeier
Total—1

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 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. 109—

BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 32:190(A), relative to motorcycles; to require any person who operates or rides upon a motorcycle, motor-driven cycle, or motorized bicycle to wear a safety helmet; and to provide for related matters.

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

House Bills and Joint Resolutions

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

**HOUSE BILL NO. 109—**  
 BY REPRESENTATIVE BAUDOIN  
 AN ACT

To amend and reenact R.S. 32:190(A), relative to motorcycles; to require any person who operates or rides upon a motorcycle, motor-driven cycle, or motorized bicycle to wear a safety helmet; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
 HOUSE CONCURRENT RESOLUTIONS**

June 15, 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. 328—**  
 BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To commend Mount Zion Baptist Church in Prairieville upon the occasion of its one hundred fiftieth anniversary.

**HOUSE CONCURRENT RESOLUTION NO. 329—**  
 BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the postsecondary education management boards, to study and consider adopting policies requiring that at least seventy percent of the students admitted to each professional degree program offered at each public postsecondary education institution shall be residents of Louisiana and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 330—**  
 BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and consider adopting a policy to provide for the issuance of alternate diplomas to public high school students who choose to pursue and successfully complete a curriculum approved by the State Board of Elementary and Secondary Education other than the curriculum required for receipt of a standard diploma and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 331—**  
 BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Center-New Orleans and Louisiana State University Health Sciences Center-Shreveport and the state's federally qualified health centers to create local coordination of healthcare service delivery and to work in collaboration to assess and meet the unmet health and medical needs of the uninsured and medically indigent population of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 334—**  
 BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place greater priority value on highway projects that impact parishes with high population growth rates.

**HOUSE CONCURRENT RESOLUTION NO. 333—**  
 BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the state Department of Revenue to reexamine its interpretation of state tax provisions which result in the taxation of one hundred percent of income from interest, dividends, and profits and losses from sales and exchanges of certain capital assets received by certain corporations commercially domiciled in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 335—**  
 BY REPRESENTATIVES THOMPSON AND MCDONALD AND  
 SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend and congratulate Sheriff Gary K. Bennett on his retirement after twenty-three years of service as the sheriff of West Carroll Parish.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 328—**  
 BY REPRESENTATIVE SMILEY

A CONCURRENT RESOLUTION

To commend Mount Zion Baptist Church in Prairieville upon the occasion of its one hundred fiftieth anniversary.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President                      Dupre                      Kostelka

June 15, 2004

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 concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 329—**  
BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the postsecondary education management boards, to study and consider adopting policies requiring that at least seventy percent of the students admitted to each professional degree program offered at each public postsecondary education institution shall be residents of Louisiana and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the 2005 Regular Session.

The resolution was read by title. Senator Smith moved to concur in the House 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 concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 330—**  
BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and consider adopting a policy to provide for the issuance of alternate diplomas to public high school students who choose to pursue and successfully complete a curriculum approved by the State Board of Elementary and Secondary Education other than the curriculum required for receipt of a standard diploma and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2005 Regular Session.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Hainkel

Jones

Total—2

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

**HOUSE CONCURRENT RESOLUTION NO. 331—**  
BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Sciences Center-New Orleans and Louisiana State University Health Sciences Center-Shreveport and the state's federally qualified

health centers to create local coordination of health care service delivery and to work in collaboration to assess and meet the unmet health and medical needs of the uninsured and medically indigent population of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis and their respective counts.

NAYS

ABSENT

Total—0

Total—0

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

HOUSE CONCURRENT RESOLUTION NO. 333— BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the state Department of Revenue to reexamine its interpretation of state tax provisions which result in the taxation of one hundred percent of income from interest, dividends, and profits and losses from sales and exchanges of certain capital assets received by certain corporations commercially domiciled in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie and their respective counts.

Table with 3 columns: Name, Yeas, Nays. Lists names like Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis and their respective counts.

NAYS

Total—0

ABSENT

Total—0

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

HOUSE CONCURRENT RESOLUTION NO. 334—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place greater priority value on highway projects that impact parishes with high population growth rates.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis and their respective counts.

NAYS

Total—0

ABSENT

Total—0

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

June 15, 2004

HOUSE CONCURRENT RESOLUTION NO. 335—
BY REPRESENTATIVES THOMPSON AND MCDONALD AND
SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend and congratulate Sheriff Gary K. Bennett on his
retirement after twenty-three years of service as the sheriff of
West Carroll Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total—39; Dupre, Ellington, Fields, Fontenot, Gautreaux, B, Gautreaux, N, Hainkel, Heitmeier, Holden, Hollis, Irons, Jackson, Jones; Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Nevers, Romero, Schedler, Smith, Theunissen, Ullo

NAYS

Total—0

ABSENT

Total—0

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 141—
BY SENATOR FIELDS

A RESOLUTION

To commend and congratulate P.J. Brown on an outstanding
professional basketball career and for his community
involvement and to extend grateful appreciation for his support
of the Senate Storm.

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

SENATE RESOLUTION NO. 142—
BY SENATOR JACKSON

A RESOLUTION

To proclaim Tuesday, June 15, 2004, as "Hibernia People for Good
Government Day" in the Louisiana Senate.

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

SENATE RESOLUTION NO. 143—
BY SENATOR JACKSON

A RESOLUTION

To urge and request the Select Committee on Women and Children to
study the prevalence of cervical cancer and human papilloma
virus in women in Louisiana.

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

House Concurrent Resolutions
on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 323—
BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental
Affairs and the Senate Committee on Senate and Governmental
Affairs to meet and function as a joint committee to study voter
registration and all of the issues surrounding voter registration
and to report the findings of the joint committee to the
legislature prior to the convening of the 2005 Regular Session.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Boissiere, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total—38; Dupre, Ellington, Fields, Fontenot, Gautreaux, B, Gautreaux, N, Heitmeier, Holden, Hollis, Irons, Jackson, Jones, Kostelka; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Nevers, Romero, Schedler, Smith, Theunissen, Ullo

NAYS

Total—0

ABSENT

Hainkel  
Total—1

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

**HOUSE CONCURRENT RESOLUTION NO. 324—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to seek the opinion of the Centers for Medicare and Medicaid Services on the feasibility of enacting a law authorizing a health care provider to collect from third-party tortfeasors in instances when an injured party is a Medicaid beneficiary.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins  
Total—2

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

**HOUSE CONCURRENT RESOLUTION NO. 325—**  
BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR CHEEK

A CONCURRENT RESOLUTION

To commend the individuals involved in the renovation of the DeSoto Parish Courthouse upon the celebrated and memorable occasion of the dedication ceremony on June 22, 2004.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel  
Total—1

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

**HOUSE CONCURRENT RESOLUTION NO. 326—**  
BY REPRESENTATIVE JOHNS AND SENATOR CAIN

A CONCURRENT RESOLUTION

To commend Chance Fenetz upon his selection as a representative of south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

June 15, 2004

NAYS

Total—0

ABSENT

Hainkel

Total—1

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

HOUSE CONCURRENT RESOLUTION NO. 327— BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with its advisory committee on articulation and each of the public postsecondary education management boards, to take certain actions relative to the articulation of course credit among Louisiana public colleges and universities and to provide that the Board of Regents shall report in writing on all actions taken when the board reports to the House Committee on Education and to the Senate Committee on Education on articulation matters as required by law.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel

Total—2

Lentini

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

June 15, 2004

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 263— BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing a single board for the governance, management, and supervision of all public postsecondary education, including but not limited to the advantages and disadvantages of such a governance structure and any potential cost savings associated therewith, and to report study findings and recommendations in writing to the legislature, with copies sent to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the start of the 2005 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 296— BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the postsecondary education management boards, to study issues relative to the admission of students into the clinical portion of nurse training programs offered at public postsecondary education institutions and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2005 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 298— BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2005-2006 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and mandatory attendance fees for the ensuing fiscal year applicable to nonresident students at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

Reported favorably.

**HOUSE BILL NO. 757—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 17:355, relative to special treasury funds; to provide for the re-creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 763—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session as amended and reenacted by Act No. 338 of the 2001 Regular Session; to specify time periods to be used for the calculation of cost savings to city, parish, and other local public school boards, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One resulting from the elimination of statutory provisions relative to extended sick leave and rest and recuperation sabbatical leaves for certain school employees; to require that such saved monies be included in the minimum salary schedules used by the school system or state school to compensate teachers; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 993—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(vii), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to extend the authority of such boards relative to the establishment of tuition and mandatory fee amounts for resident students; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY C**

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

June 15, 2004

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 295—**  
BY REPRESENTATIVE TRICHE  
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, public safety services, to enforce all provisions of R.S. 14:102.19 (the crime of hog and canine fighting as enacted in Act 111 of the 2004 Regular Session) and to also investigate whether illegal gambling is taking place at hog dog rodeo events and to urge and request that the attorney general, pursuant to the powers and duties conferred in the constitution of this state, in the interest of the state, ensure that the provisions of Act 111 are enforced and that violators are prosecuted.

Reported favorably.

**HOUSE BILL NO. 255—**  
BY REPRESENTATIVE BADON AND WALSWORTH  
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 549—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 14:98(D)(1) and (3)(a)(introductory paragraph) and (iii) and (E)(1) and (3)(a)(introductory paragraph) and (iii), relative to driving while intoxicated; to provide with respect to criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide with respect to substance abuse treatment; to provide with respect to probation; to provide with respect to home incarceration; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 877—**  
BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:1844(K)(2)(g), relative to rights of crime victims; to provide with respect to the victim impact statement; to provide with respect to its content; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1595—**  
BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283.1, relative to sex offenses; to create the crime of voyeurism; to provide for criminal penalties; to provide with respect to sex offender registration and notification requirements; to provide with respect to the definition of "sex offense"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOEL T. CHAISSON, II  
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

June 15, 2004

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 307— BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Federal Court to reconsider its decision in the Henderson v. Stalder case regarding issuance of special prestige license plates and to lift the court-ordered injunction prohibiting the office of motor vehicles from issuing special prestige license plates to new applicants.

Reported favorably.

HOUSEBILL NO. 1717 (Substitute for House Bill No. 1554 by Representative Walsworth)— BY REPRESENTATIVES WALSWORTH AND KATZ AN ACT

To enact R.S. 32:387.17, relative to special permits; to authorize issuance of special permits for trucks hauling containerized cargo intended for international trade; to authorize the Department of Transportation and Development to promulgate certain rules and regulations; to provide for certain limitations; and to provide for related matters.

Reported with amendments.

Respectfully submitted, NOBLE E. ELLINGTON Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 15, 2004

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 218— BY REPRESENTATIVES RICHMOND AND DORSEY A CONCURRENT RESOLUTION

To create the Domestic Violence Law Enforcement Training Task Force to study current domestic violence training procedures for all Louisiana law enforcement officers and to make recommendations to the legislature.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 273— BY REPRESENTATIVE DORSEY A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to request an opinion from the office of the attorney general regarding the constitutionality of utilizing medications to facilitate confessions prior to imposition of capital punishment and to examine the feasibility of utilizing medications to facilitate confessions of other crimes prior to the imposition of capital punishment.

Reported with amendments.

HOUSE BILL NO. 292— BY REPRESENTATIVE DORSEY AN ACT

To enact R.S. 15:831(E), relative to medical care of inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules for the monitoring of diets of inmates diagnosed with a medical condition or disease; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1202— BY REPRESENTATIVE TOWNSEND AN ACT

To amend and reenact R.S. 27:301(B)(12), relative to the definition of a restaurant; to amend the definition of a restaurant as provided for in the Video Draw Poker Devices Control Law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1267— BY REPRESENTATIVE GLOVER AN ACT

To enact R.S. 9:2800.14, relative to administrative procedure; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported favorably.

**HOUSEBILL NO. 1704 (Substitute for House Bill No. 23 by Representative Faucheux)—**  
BY REPRESENTATIVES TOWNSEND AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to the issuance of certain alcoholic beverage permits for a restaurant located in a specified location; requires the issuance of a Class A Retail Liquor Permit and a Class "R" permit for alcohol of a high and low content for a restaurant located in a specified historic area; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1722 (Substitute for House Bill No. 408 by Representative Flavin)—**  
BY REPRESENTATIVE FLAVIN  
AN ACT

To enact R.S. 46:2304, relative to Indian gaming compacts; to provide for notice to affected parish governing authorities prior to the governor signing a Tribal-State Class III gaming compact; to provide for definitions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ROBERT MARIONNEAUX, JR.  
Chairman

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

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

**HOUSE BILL NO. 255—**  
BY REPRESENTATIVE BADON AND WALSWORTH  
AN ACT

To amend and reenact R.S. 14:32.1(B), relative to vehicular homicide; to provide for criminal penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 292—**  
BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 15:831(E), relative to medical care of inmates; to require the secretary of the Department of Public Safety and Corrections to adopt rules for the monitoring of diets of inmates diagnosed with a medical condition or disease; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 549—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 14:98(D)(1) and (3)(a)(introductory paragraph) and (iii) and (E)(1) and (3)(a)(introductory paragraph) and (iii), relative to driving while intoxicated; to provide with respect to criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide with respect to substance abuse treatment; to provide with respect to probation; to provide with respect to home incarceration; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 757—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 17:355, relative to special treasury funds; to provide for the re-creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 763—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session as amended and reenacted by Act No. 338 of the 2001 Regular Session; to specify time periods to be used for the calculation of cost savings to city, parish, and other local public school boards, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One resulting from the elimination of statutory provisions relative to extended sick leave and rest and recuperation sabbatical leaves for certain school employees; to require that such saved monies be included in the minimum salary schedules used by the school system or state school to compensate teachers; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 763 by Representative Salter

AMENDMENT NO. 1

On page 3, between lines 24 and 25, insert the following:

"Section 3. The State Board of Elementary and Secondary Education shall determine and report to the president of the Senate, the speaker of the House of Representatives, and the chairmen of the Senate and House education committees prior to the 2005 Regular Session the amount of money required by the implementation of this Act to be included in the minimum salary schedule of each city, parish, and other local, state schools for the deaf, blind, spastic, and cerebral palsied, and in Special School District Number One."

AMENDMENT NO. 2

On page 3, line 25, change "Section 3." to "Section 4."

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. 877—

BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 46:1844(K)(2)(g), relative to rights of crime victims; to provide with respect to the victim impact statement; to provide with respect to its content; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 993—

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(vii), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to extend the authority of such boards relative to the establishment of tuition and mandatory fee amounts for resident students; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 993 by Representative Crane

AMENDMENT NO. 1

On page 1, line 2, between "To" and "amend" insert "enact R.S. 17:3351(A)(5)(d) and to"

AMENDMENT NO. 2

On page 1, line 5, after "students;" insert the following: "to authorize the public postsecondary education management boards to impose an operational fee for students attending institutions under the management and supervision of each board; to provide relative to waivers for certain students;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." insert "R.S. 17:3351(A)(5)(d) is hereby enacted and"

AMENDMENT NO. 4

On page 2, after line 11, insert the following:  
"(d)(i) In accordance with Article VII, Section 2.1 of the Constitution of Louisiana, each management board may provide for the assessment of an operational fee at each institution under its management and supervision in an amount not to exceed four percent of the total mandatory tuition and fee amount in effect for each institution on August 15, 2004.

(ii) The authority granted each management board by this Subparagraph to impose an operational fee shall include the authority

to establish proportional amounts applicable to part-time students and to students enrolled for summer and intersession terms.

(iii) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students.

(iv) The fee shall be in addition to any other tuition or attendance fees and charges established by the board and the fee shall be paid by all students. However, the boards shall establish criteria for waiving the fee in cases of financial hardship as determined by each board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is informed of the availability of a waiver prior to the student making a final decision concerning attendance at any institution under the management and supervision of the board.

\* \* \*

On motion of Senator Ullo 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. 1202—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:301(B)(12), relative to the definition of a restaurant; to amend the definition of a restaurant as provided for in the Video Draw Poker Devices Control Law; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1202 by Representative Townsend

AMENDMENT NO. 1

On page 1, delete lines 12 through 20 and on page 2, delete lines 1 through 8 and insert the following:

"(12)(a) "Restaurant" means an operating establishment primarily engaged in the retail sale of prepared foods for on-premises or immediate consumption that meets all of the following criteria:

(i) Has been granted a Class A-General retail permit or a Class A-Restaurant permit, as defined in Part II of Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised Statutes of 1950, for the sale of alcoholic beverages for on-premises consumption.

(ii) Serves food during the hours it is open to the public.

(iii) Derives at least sixty more than fifty percent of its monthly gross revenues from the sale of food, food items, and nonalcoholic beverages.

(iv) Maintains financial records that segregate alcoholic beverage sales from food sales.

(v) Operates a fully equipped kitchen which includes but is not limited to a range, an oven, and refrigerated storage appliances used for the preparation of uncooked foods for on-premises or immediate consumption.

(b) Notwithstanding the provisions of this Paragraph or any other law to the contrary, the division may consider a licensed establishment to be a "restaurant" for purposes of the Video Draw Poker Devices Control Law and for the purpose of issuing or recommending that a video gaming license be issued to a restaurant

pursuant to this Chapter when the applicant has obtained a permit, license, or certificate as a "restaurant" from the municipal or parish governing authority having jurisdiction over the applicant's licensed establishment. However, when no such permit, license, or certificate is obtainable from the municipal or parish governing authority, no such permit, license, or certificate shall be required. When determining whether to consider a licensed establishment to be a "restaurant" for purposes of the Video Draw Poker Devices Control Law, the division shall consider, but shall not be bound by, the extent to which the applicant complies with R.S. 27:301(B)(12)(a).

\* \* \*

On motion of Senator Marionneaux, 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. 1267—**

BY REPRESENTATIVE GLOVER  
AN ACT

To enact R.S. 9:2800.14, relative to administrative procedure; to create an application process for compensation for wrongful conviction and imprisonment; to provide for compensation; to create the Innocence Compensation Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; to provide procedures for filing an application; to provide for the period of time in which the application shall be filed; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 1595—**

BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283.1, relative to sex offenses; to create the crime of voyeurism; to provide for criminal penalties; to provide with respect to sex offender registration and notification requirements; to provide with respect to the definition of "sex offense"; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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.

**HOUSEBILL NO. 1704 (Substitute for House Bill No. 23 by Representative Fauchaux)—**

BY REPRESENTATIVES TOWNSEND AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to the issuance of certain alcoholic beverage permits for a restaurant located in a specified location; requires the issuance of a Class A Retail Liquor Permit and a Class "R" permit for alcohol of a high and low content for a restaurant located in a specified historic area; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 1717 (Substitute for House Bill No. 1554 by Representative Walsworth)—**

BY REPRESENTATIVES WALSWORTH AND KATZ  
AN ACT

To enact R.S. 32:387.17, relative to special permits; to authorize issuance of special permits for trucks hauling containerized cargo intended for international trade; to authorize the Department of Transportation and Development to promulgate certain rules and regulations; to provide for certain limitations; 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. 1717 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 3, after "trade" insert "within a fifty mile radius of the Port of Ouachita"

AMENDMENT NO. 2

On page 1, line 8, after "intended for" delete the remainder of the line and delete line 9 and insert "export; rules and regulations; ports in Ouachita Parish"

AMENDMENT NO. 3

On page 1, delete lines 12 through 15, and insert "may issue special annual permits for sealed containerized cargo in international trade intended for exportation within a fifty mile radius of the Port of Ouachita. These special permits shall be issued in accordance with the following provisions:"

AMENDMENT NO. 4

On page 1, delete lines 18 and 19 and insert as follows:  
"(2) The fee for the permit shall be seven hundred fifty dollars annually."

AMENDMENT NO. 5

On page 2, delete lines 3 through 8, and insert as follows:  
"(5) This special permit may be issued only for a one year period between July 1, 2004 and June 30, 2005. The authority of the secretary to issue this special permit shall terminate effective July 1, 2005."

B. The secretary may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to enforce the provisions of this Section.

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 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. 1722 (Substitute for House Bill No. 408 by Representative Flavin)—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To enact R.S. 46:2304, relative to Indian gaming compacts; to provide for notice to affected parish governing authorities prior to the governor signing a Tribal-State Class III gaming compact; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1722 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 9, after "compact" insert "for an Indian casino at a specific location"

On motion of Senator Marionneaux, 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.

**Reconsideration**

On motion of Senator Boissiere, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 14, 2004, was reconsidered.

**HOUSE BILL NO. 394—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 13:2500(C), relative to the jurisdiction of the Municipal Court of New Orleans; to increase the monetary penalty which may be imposed for the violation of a municipal ordinance; 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.

**Special Order of the Day**

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

**HOUSE BILL NO. 1—**

BY REPRESENTATIVES ALARIO, TRICHE, AND THOMPSON  
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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

**Senator Marionneaux in the Chair**

**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. 345—**

BY SENATOR CHAISSON  
AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii), relative to the Video Draw Poker Devices Control Law; to provide for requirements for qualified truck stop facilities; to provide for necessary restaurant criteria; 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 Townsend to Reengrossed Senate Bill No. 345 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "27:306(A)(4)(c)(ii)" and before "relative" delete the comma "," and insert "and (C)(2)(a) and (3)"

AMENDMENT NO. 2

On page 1, line 4, after "criteria;" and before "and" insert "to provide for the locations of truck stops;"

AMENDMENT NO. 3

On page 1, line 6, delete "is" and insert "and (C)(2)(a) and (3) are"

AMENDMENT NO. 4

On page 2, after line 10, insert the following:  
"C.

\* \* \*

(2)(a) Notwithstanding any provision of law to the contrary, no license shall be granted to any truck stop facility located at the time application is made for a license to operate video draw poker devices, within five hundred feet of any property that is on the National Historic Registry, any public playground, or a building used exclusively as a church, synagogue, public library, or school.

\* \* \*

(3) The prohibitions in Paragraph (2) of this Subsection do not apply to any truck stop licensed for the placement of video draw poker devices for a period of one year or longer prior to July 1, 1994. The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school which causes the truck stop facility to be located within the prohibited distance shall not be cause for revocation, withholding, denial, or nonrenewal of a license. The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school following the application for a license to operate video draw poker devices at a truck stop facility and the granting of that license which causes the truck stop facility to be located within the prohibited distance shall not be cause for the revocation, withholding, denial, or nonrenewal of a license.

\* \* \*

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Dupre, Kostelka, etc.

NAYS

Total—0

ABSENT

Total—0

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

SENATE BILL NO. 367—

BY SENATORS HINES, CHEEK, AMEDEE, BOISSIERE, CRAVINS, DUPRE, FIELDS, FONTENOT, HOLDEN, HOLLIS, JONES, LENTINI, MARIONNEAUX, MCPHERSON AND MICHOT

AN ACT

To amend and reenact R.S. 33:2011(B), relative to health insurance; to provide with respect to the fire department; to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 367 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "33:2011(B)" and before the comma, " insert "and to enact R.S. 23:1376(C) and R.S. 33:2011(E)"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete the remainder of the line and at the beginning of line 3 delete "to the fire department" and insert "certain firefighters"

AMENDMENT NO. 3

On page 1, line 4, after the semicolon ";" and before "and" insert "to provide for funding of associated costs;"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1: R.S. 23:1376(C) is hereby enacted to read as follows:

§1376. Rule making power; reports

\* \* \*

R.S. 23:1376(C) is all proposed new law.

C. At the request of the legislative actuary, the board shall collect information and compile statistics relevant and pertinent to provisions of R.S. 33:2011(E). In order to accomplish this purpose, it may require employers and insurers to file reports with it containing such information and details as the board deems necessary to determine workers' compensation payments applicable to R.S. 33:2011(E)."

AMENDMENT NO. 5

On page 1, line 7, change "Section 1" to "Section 2" and after "reenacted" and before "to" insert "and R.S. 33:2011(E) is hereby enacted"

AMENDMENT NO. 6

On page 1, after line 17, insert the following:

R.S. 33:2011(E) is all proposed new law

E. Cost associated with workers' compensation and retirement payments for disability occurring from cancer of the kidney, lymphoma, or multiple myeloma described in this Section shall be certified by the legislative actuary and reported to the governor and the commissioner of administration no later than January fifteenth of each year. The governor shall cause to be included in the executive budget, pursuant to R.S. 39:34, and in the General Appropriations Bill, pursuant to R.S. 39:51, for the ensuing fiscal year an appropriation to each appropriate entity to reimburse such expense."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 367 by Senator Hines

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on Health and Welfare and adopted by the House on June 1, 2004.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Lists names like Mr. President, Dupre, Lentini, etc.

Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Hainkel  
Total—1

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

**SENATE BILL NO. 411—**  
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404, relative to child care facilities and child-placing agencies; to clarify the law regarding mandated licensure of child-placing agencies; to include an adoption agency within the definition of "child-placing agency"; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 539—**  
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 46:460.21(A)(3), (4) and (5), (B)(1), the introductory paragraph of (C), (C)(1)(g), and (F), and to enact R.S. 46:460.21(A)(6), (C)(1)(h), and (C)(4), relative to public welfare and assistance; to provide with respect to fees in child protection cases; to provide for an annual reserve for out-of-pocket expenses; to provide a time limit for the submission of payment request forms; to require specific attorney certifications; to provide authorization for suspension of payments not meeting necessary requirements; to require rule-making relative to recommendations of the Task Force on Legal Representation in Child Protection Cases; and to provide for related matters.

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

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 539 by Senator Irons

AMENDMENT NO. 1

On page 4, line 26, after "parent," delete "that"

AMENDMENT NO. 2

On page 4, line 27, after "law" delete "; and," and insert a "." period

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Hollis  
Total—1

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

**SENATE BILL NO. 556—**  
BY SENATORS DUPRE, DARDENNE AND MARIONNEAUX  
AN ACT

To enact R.S. 15:1228.9, relative to the establishment and maintenance of the impaired driver tracking system; to provide for legislative intent; to require certain agencies to provide information regarding the arrest, prosecution, conviction, and disposition of persons arrested for certain driving offenses; to provide for the exchange of that information between agencies; 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 Futrell to Reengrossed Senate Bill No. 556 by Senator Dupre (Duplicate of H.B. No. 1156)

AMENDMENT NO. 1

On page 1, line 15, after "track" insert "those"

AMENDMENT NO. 2

On page 1, at the end of line 17 after "offenses" delete "in removing continual," and on page 2, line 1, delete "habitual offenders from behind the wheel."

AMENDMENT NO. 3

On page 2, line 8, after "component" change "of an" to "for the" and after "provided" delete "for"

AMENDMENT NO. 4

On page 2, line 12, after "of each" insert "impaired"

AMENDMENT NO. 5

On page 2, at the beginning of line 17, change "Subsection E" to "Subsection D"

AMENDMENT NO. 6

On page 2, line 22, change "town," to "parish,"

AMENDMENT NO. 7

On page 2, between lines 25 and 26, insert the following:

"D.(1) Every law enforcement agency in this state, including but not limited to city police departments, sheriffs' offices, and state police shall submit the following information to the impaired driver tracking system component of ICJIS, when a person is arrested for any offense listed in Subsection C of this Section:

(a) The law enforcement agency making the arrest shall provide sufficient information about the arrested person so that other law enforcement agencies, courts, the Department of Public Safety and Corrections, and other relevant persons or agencies can identify the person arrested, including but not limited to name, address, driver's licensenumber, date of birth, and physical characteristics, such as eye color, hair color, and gender.

(b) The law enforcement agency shall also input pertinent arrest information, including date, location of the offense, arresting officer, the violation charged, whether the person arrested submitted or refused to submit to a test to determine the presence of alcohol or drugs, the results of those tests if applicable, and any other information that the arresting officer deems necessary.

(2) Every district attorney and prosecutor in this state shall provide information to the impaired driver tracking system component of ICJIS regarding each person who is referred for prosecution of an offense listed in Subsection C of this Section. This information shall include but is not limited to the criminal charge filed against the person, whether or not the person was required to participate in substance abuse treatment, a driver improvement program or any pretrial diversion program, whether the person completed the requirements imposed by the prosecutor or district attorney, and whether a conviction was obtained.

(3) Every court in this state with jurisdiction over any of the offenses listed in Subsection C of this Section shall provide information to the impaired driver tracking system component of ICJIS with regard to the disposition of the charge for any offense listed in Subsection C of this Section, including but not limited to the date of arraignment, date of disposition, whether or not the defendant was required to participate in substance abuse treatment, the final disposition of the charge, sentence or penalties imposed, probation information, any administrative sanctions imposed, such as driver's

license suspensions, fines assessed, penalties for failure to complete court or administrative sanctions, and date of reinstatement."

AMENDMENT NO. 8

On page 2, at the beginning of line 26, change "D." to "E."

AMENDMENT NO. 9

On page 3, delete lines 3 through 24 in their entirety

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	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 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. 570—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact Code of Evidence Article 801(D)(1)(a), relative to evidence; to provide when prior inconsistent statements are not hearsay; 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 Fauchaux to Engrossed Senate Bill No. 570 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 2, after "fact" delete the semicolon ";" insert "and provided that the defendant has been given prior notice of the statement:"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel  
Total—1

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

SENATE BILL NO. 616—  
BY SENATOR CHAISSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(vi) and to enact R.S. 27:306(A)(7)(b), relative to the Video Draw Poker Devices Control Law; to provide for qualified truck stop facilities; to provide for calculation of monthly fuel sales average for device number determinations at truck stops; to provide for exceptions; 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 Administration of Criminal Justice to Reengrossed Senate Bill No. 616 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "of" delete "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." and before "R.S." delete "The introductory paragraph of"

AMENDMENT NO. 3

On page 1, line 13, after "facility" delete the remainder of the line and on line 14 delete "thousand feet of an interstate highway exit."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burrell to Reengrossed Senate Bill No. 616 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "27:306(A)(4)(c)(vi)" insert "and (C)(2)"

AMENDMENT NO. 2

On page 1, line 6, after "exceptions;" insert "to provide for locations of truck stops;"

AMENDMENT NO. 3

On page 1, line 8, delete "is" and insert "and (C)(2) are"

AMENDMENT NO. 4

On page 2, between lines 22 and 23, insert the following:

```

"*      *      *
C.
*      *      *

```

(2)(a) Notwithstanding any provision of law to the contrary, no license shall be granted to any truck stop facility located at the time application is made for a license to operate video draw poker devices, within five hundred feet of any property that is on the National Historic Registry, any public playground, or a building used exclusively as a church, synagogue, public library, or school, or residentially zoned property.

(b) In municipalities and in unincorporated areas which are divided into subdivisions with streets, blocks, and sidewalks, this distance shall be measured as a person walks using the sidewalk from the nearest point of the property line of the property on the National Historic Registry, public playground, church, synagogue, public library, residentially zoned property, or school to the nearest point of the premises to be licensed.

(c) Outside of municipalities and unincorporated areas which are not divided into subdivisions with streets, blocks, or sidewalks, the measurement of this distance shall be a straight line from the nearest point of the truck stop facility to the nearest point of the church, synagogue, residentially zoned property, or school.

(3) The prohibitions in Paragraph (2) of this Subsection do not apply to any truck stop licensed for the placement of video draw poker devices ~~for a period of one year or longer~~ prior to July 1, ~~1994~~ 2004. The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground, church, synagogue, public library, or school, or residentially zoned property which causes the truck stop facility to be located within the prohibited distance shall not be cause for revocation, withholding, denial, or nonrenewal of a license. The subsequent construction, erection, development, or movement of a property on the National Historic Registry, public playground,

church, synagogue, public library, or school following the application for a license to operate video draw poker devices at a truck stop facility and the granting of that license which causes the truck stop facility to be located within the prohibited distance shall not be cause for the revocation, withholding, denial, or nonrenewal of a license.

\* \* \*

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Reengrossed Senate Bill No. 616 by Senator Chaisson

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "R.S. 27:306(A)(7)(b)" to "R.S. 26:71.1(4)(d) and R.S. 27:306(A)(7)(b) and (8)"

AMENDMENT NO. 2

On page 1, line 6, after "exceptions;" and before "and" insert the following: "to provide relative to the operation of video draw poker devices at certain golf courses; to provide with respect to the licensing requirements for the operation of video draw poker devices at certain golf courses; to provide relative to the sale of alcoholic beverages at certain golf courses; to provide for the issuance of a conditional alcoholic beverage permit to certain golf courses; to provide for the continued operation of video draw poker devices at certain golf courses;"

AMENDMENT NO. 3

On page 1, line 9, after "R.S. 27:306(A)(7)(b)" and before "hereby" change "is" to "and (A)(8) are"

AMENDMENT NO. 4

On page 2, after line 23, insert the following:

"(8) Notwithstanding any other provision of law to the contrary, a licensed establishment located at a public or private golf course licensed to operate video draw poker devices pursuant to the provisions of this Chapter prior to January 1, 2004, issued a Class A-Restaurant-Conditional permit issued pursuant to the authority granted in R.S. 26:71.1(4)(d) shall be authorized to continue to operate video draw poker devices, provided that the licensee of such a licensed establishment maintains continuous suitability and meets all other licensing criteria required by the provisions of this Chapter.

\* \* \*

Section 2. R.S. 26:71.1(4)(d) is hereby enacted to read as follows:

§71.1. Class A permit; definitions

The commissioner shall issue the following four types of Class A retail liquor permits:

\* \* \*

(4) Class A-Restaurant-Conditional:

\* \* \*

(d) Notwithstanding any other provision of law to the contrary, a retail establishment located at a public or private golf course licensed to operate video draw poker devices pursuant to the provisions of Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950 prior to January 1, 2004, may be issued a Class A-Restaurant-Conditional permit regardless of the amount or the percentage of food or food items sold at that establishment provided that the establishment meets all other criteria required by the provisions of this Chapter."

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

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 amendments proposed by the House were rejected. Senator Chaisson moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 716—

BY SENATORS HAINKEL AND MARRIONEUX  
AN ACT

To enact R.S. 1:58.3, relative to state holidays; to establish Ronald Reagan Day as an annual observance; 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. 716 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 8, following "February" and before "shall" change "6th" to "sixth"

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

ROLL CALL

The roll was called with the following result:

YEAS

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Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneau
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

NAYS

Total—0

ABSENT

Total—0

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

**House Concurrent Resolutions To Be Adopted, Subject to Call**

The following House Concurrent Resolutions, subject to call were read and acted upon as follows:

**Called from the Calendar**

Senator Jackson asked that House Concurrent Resolution No. 148 be called from the Calendar at this time.

**HOUSE CONCURRENT RESOLUTION NO. 148—**  
BY REPRESENTATIVES BURRELL, JEFFERSON, AND MARCHAND  
A CONCURRENT RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and Municipal Affairs to meet and function as a joint committee to study and make recommendations for the creation of a state office of urban reengineering and reinvestment, including but not limited to its structure, powers, duties, functions, responsibilities, and funding, and in conducting such study to obtain assistance, information, and recommendations from certain organizations and agencies.

The resolution was read by title. Senator Jackson moved to concur in the House 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	Marionneau
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

NAYS

Total—0

ABSENT

Total—0

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**HOUSE BILL NO. 403—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 15:85.1(A)(2)(a) and (d), relative to posting of criminal bonds; to provide for the distribution of fees assessed in connection with criminal bonds posted in each parish; 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.

**HOUSE BILL NO. 445—**  
BY REPRESENTATIVES ODINET AND HUTTER  
AN ACT

To amend and reenact Code of Criminal Procedure Article 202(B)(2) and R.S. 15:574.15(A)(2)(introductory paragraph), relative to the authority of a justice of the peace to issue a warrant for the arrest of a teacher; to require an independent investigation and findings in support of the warrant; to authorize a district court judge exercising criminal jurisdiction to parole persons arrested for certain municipal ordinance violations in a municipality having a population of more than four hundred fifty thousand inhabitants according to the census of the United States for 1980 or any subsequent year; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneau sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 445 by Representative Odinet

AMENDMENT NO. 1

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 9, 2004, on page 1, line 22, after "New Orleans" and before the comma "," insert "having criminal jurisdiction"

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Gautreaux, N	Mount
Boissiere	Heitmeier	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	
Duplessis	Jones	
Total—28		

NAYS

Barham	Kostelka	Nevers
Boasso	Lentini	
Dardenne	Malone	
Total—7		

ABSENT

Fontenot	Hainkel
Gautreaux, B	Ullo
Total—4	

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.

**HOUSE BILL NO. 481—**  
BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1491.6(C)(1)(a) and 1495.4(C)(1)(a), relative to reporting requirements twenty days prior to an election; to increase the contribution amount subject to the requirement for forty-eight hour reporting by a district or major office candidate or political committee supporting or opposing such candidate; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

**HOUSE BILL NO. 573—**  
BY REPRESENTATIVE JOHNS

AN ACT

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

The bill was read by title. Senator Kostelka 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	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo

June 15, 2004

Duplessis Jones  
 Total—38  
 NAYS  
 Total—0  
 ABSENT  
 Romero  
 Total—1

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

**HOUSE BILL NO. 759—**

BY REPRESENTATIVES K. CARTER, BOWLER, ERDEY, FAUCHEUX, HEBERT, JACKSON, JOHNS, MCVEA, RICHMOND, SCALISE, SHEPHERD, GARY SMITH, AND TUCKER  
 AN ACT

To enact R.S. 22:245(C), relative to health insurance; to require the Department of Insurance to develop a pilot program to administer the federal Health Coverage Tax Credit program; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cain sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cain to Engrossed House Bill No. 759 by Representative K. Carter

AMENDMENT NO. 1

On page 2, delete lines 1 and 2 and insert the following:  
 "(3) The commissioner may, after notice and hearing, promulgate such rules and regulations as may be necessary or proper to carry out the provisions of this Part and the provisions of R.S. 22:231 through 242. Such rules and regulations shall be promulgated and adopted in accordance with the Administrative Procedures Act."

On motion of Senator Cain, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith

Cravins Jackson Theunissen  
 Dardenne Jones Ullo  
 Total—36  
 NAYS  
 Total—0  
 ABSENT  
 Fontenot Heitmeier Schedler  
 Total—3

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

**HOUSE BILL NO. 793—**

BY REPRESENTATIVE DOVE  
 AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for mold or mold damage; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Heitmeier sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 793 by Representative Dove

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 9:2800.14" to "R.S. 9:2800.14 and R.S. 29:733.2"

AMENDMENT NO. 2

On page 1, line 3, after "damage;" insert "to limit the liability of volunteers providing transportation during emergencies and disasters;"

AMENDMENT NO. 3

On page 1, after line 21, insert the following:  
 "Section 2. R.S. 29:733.2 is hereby enacted to read as follows:  
§733.2. Limitation of liability of volunteer transportation services.

Any person, or organization, public or private, who voluntarily and without compensation provides transportation to another person for the purposes of evacuation during an actual, impending, mock or practice emergency, together with his successor in interest, if any, shall not be liable for the death of, or injury to, any person he transports during the actual impending, mock or practice emergency, or for loss of, or damage to, the property of such person, unless the gross negligence or the willful and wanton misconduct of the person providing transportation is the proximate cause of the death, injury, loss, or damage occurring during the transportation period.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the

legislature, this Act shall become effective on the day following such approval."

On motion of Senator Heitmeier, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	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	
Dupre	Kostelka	
Total—37		
	NAYS	
Marionneaux		
Total—1		
	ABSENT	
Adley		
Total—1		

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

**HOUSE BILL NO. 872—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:93.10(2)(a), relative to alcoholic beverages; to provide relative to the unlawful sale, purchase and possession of alcoholic beverages; to provide with respect to the definition of public possession; to prohibit persons under the age of eighteen from possessing alcoholic beverages; and to provide for related matters.

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

**HOUSE BILL NO. 973—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact R.S. 13:996.60(A) and to enact R.S. 13:2507.1, relative to judicial expense funds; to establish a judicial expense fund for the Twentieth Judicial District Court and the Traffic Court of New Orleans; to retain provisions providing for the assessment of fees in civil and criminal matters, depositing of

sums collected into a separate account designated as the judicial expense fund, annual audits, uses of the fund, and prohibiting uses of the fund for salaries of the judges; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 973 by Representative Robert Carter

AMENDMENT NO. 1

Delete Senate Committee amendments No. 1, No. 2, and No. 3 proposed by the Senate Committee on Judiciary A, and adopted by the Senate on June 9, 2004.

AMENDMENT NO. 2

On page 1, line 4, after "Court" delete "and the Traffic Court of New Orleans"

AMENDMENT NO. 3

On page 2, delete lines 4 through 22 in their entirety

On motion of Senator Hainkel, 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	
Adley	Dupre	Kostelka
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Hollis	Lentini
Total—3		

June 15, 2004

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

**HOUSE BILL NO. 1099—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 22:682, relative to automobile liability insurance; to provide for liability of owners of motor vehicles for certain operators excluded from coverage; 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.

**Mr. President in the Chair**

**HOUSE BILL NO. 1112—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact Part XIII-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5071 through 5077, relative to the Master Settlement Agreement; to provide for complementary procedures; to provide for definitions; to require certification; to provide for a directory of tobacco product manufacturers; to provide for an agent for service of process; to require reporting; to provide for the disclosure of information; to provide for escrow funds; to provide for penalties; to authorize the promulgation of rules; and to provide for related matters.

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

**HOUSE BILL NO. 1162—**  
BY REPRESENTATIVE DOVE  
AN ACT

To enact R.S. 9:2800.14, relative to a limitation of civil liability; to provide for a limitation of liability for damages to oyster leases from the transportation of materials to and from a certain location along an approved water route; and to provide for related matters.

**Motion**

Senator Marionneaux moved to return the bill to the Involuntary Calendar.

Senator B. Gautreaux objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Cravins	Irons
Amedee	Duplessis	Jackson
Bajoie	Fields	Jones
Boasso	Gautreaux, N	Lentini
Cain	Heitmeier	Marionneaux
Chaisson	Holden	McPherson
Total—18		

NAYS

Adley	Gautreaux, B	Nevers
Barham	Hainkel	Romero
Cheek	Hollis	Schedler
Dardenne	Kostelka	Smith
Dupre	Malone	Theunissen
Ellington	Michot	Ullo
Fontenot	Mount	
Total—20		

ABSENT

Boissiere  
Total—1

The Chair declared the Senate refused to return the bill to the Involuntary Calendar.

**Senator Barham in the Chair**

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fields to Engrossed House Bill No. 1162 by Representative Dove

**AMENDMENT NO. 1**

On page 1, after line 18, insert the following: "This Section shall have no effect as to judgements rendered by a court of competent jurisdiction prior to the effective date of this Act."

On motion of Senator Fields, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, B	Nevers
Boissiere	Hainkel	Romero
Cheek	Hollis	Smith
Dardenne	Kostelka	Theunissen
Duplessis	Malone	Ullo
Dupre	McPherson	
Total—23		

**NAYS**

Amedee	Fields	Jackson
Bajoie	Gautreaux, N	Jones
Cain	Heitmeier	Lentini
Chaisson	Holden	Marionneaux
Cravins	Irons	Schedler
Total—15		

**ABSENT**

Mr. President  
Total—1

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

**Personal Privilege**

Senator Schedler asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1162. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**Rules Suspended**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 329 in the Committee on Education without the required 24 hour notice.

**Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 993 in the Committee on Revenue and Fiscal Affairs without the required 24 hour notice.

**Rules Suspended**

Senator Malone asked for and obtained a suspension of the rules for the purpose of holding a meeting of the Committee on Natural Resources without the required 24 hour notice.

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

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

**HOUSE BILL NO. 1283—**

BY REPRESENTATIVE BOWLER  
AN ACT

To enact Chapter 30 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2001 through 2003, relative to conflicts of law; to provide for choice of law and forum for certain computer information agreements; and to provide for related matters.

**Motion**

Senator Michot moved to return the bill to the Involuntary Calendar.

Senator N. Gautreaux objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Malone
Bajoie	Ellington	Michot
Boasso	Fields	Mount
Boissiere	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—28		

**NAYS**

Amedee	Gautreaux, B	Marionneaux
Barham	Gautreaux, N	Nevers
Fontenot	Lentini	
Total—8		

**ABSENT**

Mr. President	Jackson	McPherson
Total—3		

The Chair declared the bill was returned to the Involuntary Calendar.

**HOUSE BILL NO. 1351—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 13:3667.1, 3667.3, and 4163, relative to legislators and legislative employees; to provide with respect to court appearances as witnesses during legislative activities; to require certification of service or employment of legislative employees; to eliminate witness exemptions for certain criminal felony trials; to require a hearing to compel the appearance of a legislator as a witness; to provide for appeal of an order compelling appearance as witness; to provide for continuances and extensions during performance of legislative duties; to provide for appeals of orders relating thereto; and to provide for related matters.

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

**HOUSE BILL NO. 1519—**  
BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact Code of Civil Procedure Article 1734(A), relative to the bond for costs related to a civil jury trial; to change the time for filing the bond; 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.

**HOUSE BILL NO. 1605—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 18:441, 551(D), and 1461(A)(6), relative to political parties; to provide for recognition of certain political parties; to provide for procedures to object to recognition of certain political parties; to prohibit certain parties from being recognized; to provide relative to the application of provisions of law relative to state central committees and parish executive committees; to provide for certain party affiliations to appear on the ballot with candidates' names; to provide for penalties for deceiving or misinforming a voter relative to matters involving party affiliation; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1605 by Representative Daniel

AMENDMENT NO. 1

On page 4, line 15, after "blank." delete the remainder of the line and delete line 16.

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adeley	Dupre	Jones
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Heitmeier	Schedler
Cheek	Holden	Smith
Cravins	Hollis	Theunissen
Dardenne	Irons	Ullo
Duplessis	Jackson	
Total—35		

**NAYS**

Kostelka	Malone
Total—2	

**ABSENT**

Mr. President	Lentini
Total—2	

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

**HOUSE BILL NO. 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 returned to the Calendar, subject to call.

**HOUSE BILL NO. 73—**  
BY REPRESENTATIVE PITRE  
A JOINT RESOLUTION

Proposing to amend Article XIII, Section 2 of the Constitution of Louisiana, relative to constitutional conventions; to provide that the law calling for a constitutional convention may limit the matters to be considered by the constitutional convention; to provide relative to the effectiveness of certain proposals by a constitutional convention; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dupre	Jones
Boissiere	Gautreaux, B	Michot
Chaisson	Hainkel	Mount
Cheek	Heitmeier	Romero
Dardenne	Hollis	Smith
Duplessis	Jackson	Theunissen
Total—18		

**NAYS**

Adley	Fields	Marionneaux
Amedee	Gautreaux, N	Nevers
Barham	Holden	Schedler
Boasso	Kostelka	Ullo
Ellington	Malone	
Total—14		

**ABSENT**

Mr. President	Fontenot	McPherson
Cain	Irons	
Cravins	Lentini	
Total—7		

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

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

**HOUSE BILL NO. 740—**  
BY REPRESENTATIVE WADDELL  
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 fail to pass the high school graduation exit exam shall be awarded a certificate of attendance; to specify that nothing shall prohibit such a student from being issued a diploma upon successful passage of the graduation exit exam; to provide that nothing shall interfere with any local public school board's authority to adopt policies relative to participation by students in graduation ceremonies; and to provide for related matters.

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

**HOUSE BILL NO. 960—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 33:2740.25(D), relative to Rapides Parish and the cities of Alexandria and Pineville; to authorize the governing authorities of Rapides Parish and the cities of Alexandria and Pineville to levy a sales tax on cigarette papers; to provide for

the dedication of the proceeds of the tax; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2 after "relative to" insert "Caldwell Parish, Catahoula Parish, Concordia Parish, Franklin Parish, Lasalle Parish, Ouachita Parish, Richland Parish, West Feliciana Parish and"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "Caldwell Parish, Catahoula Parish, Concordia Parish, Franklin Parish, Lasalle Parish, Ouachita Parish, Richland Parish, West Feliciana Parish and"

On motion of Senator Ellington, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Schedler, Hainkel and Nevers to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, after "relative to" insert "Tangipahoa Parish and;"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "Tangipahoa Parish and"

On motion of Senator Schedler, 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 House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 33:2740.25(C) and to" and after "relative to" insert "the Parish of Orleans and;"

AMENDMENT NO. 2

On page 1, between lines 12 and 13, insert the following:

"C. The governing authority of the parish of Orleans may levy a tax of not more than one dollar and fifty cents per pack upon the

sale at retail of cigarette papers in the parish. This tax shall not be levied on cigarette papers packaged with tobacco. The tax shall be in addition to any other sales tax levied by the state or any other taxing authority. In the event a tax on cigarette papers is levied by the governing authority, all proceeds of this tax shall be used solely for the purposes of the New Orleans Recreation Department and twenty-five cents shall be used solely for the NFL Youth Educational Program."

On motion of Senator Bajoie, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2 after "relative to" insert "Avoyelles Parish, Allen Parish, Evangeline Parish, St. Landry Parish and"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "Avoyelles Parish, Allen Parish, Evangeline Parish, St. Landry Parish and"

On motion of Senator Hines, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Boasso sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boasso to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, after "relative to" insert "St. Bernard Parish, Plaquemines Parish and"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "St. Bernard Parish, Plaquemines Parish and"

On motion of Senator Boasso, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, after "relative to" insert "Winn Parish, Grant Parish, Natchitoches Parish, Red River Parish, Sabine Parish and"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "Winn Parish, Grant Parish, Natchitoches Parish, Red River Parish, Sabine Parish and"

On motion of Senator Smith, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Cain sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cain to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, after "relative to" insert "Beauregard Parish, Vernon Parish, and"

AMENDMENT NO. 2

On page 1, line 14, after "governing" change "authority" to "authorities" and after "of" insert "Beauregard Parish, Vernon Parish, and"

On motion of Senator Cain, the amendments were adopted.

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

**Rules Suspended**

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

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

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

**Called from the Calendar**

Senator Heitmeier asked that House Bill No. 1 be called from the Calendar at this time.

**HOUSE BILL NO. 1—**

BY REPRESENTATIVES ALARIO, TRICHE, AND THOMPSON  
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.



June 15, 2004

"Payable out of the State General Fund (Direct) to the Capital Area Legal Services Corporation for additional support \$300,000"

AMENDMENT NO. 21

On page 53, between lines 33 and 34, insert the following:

"Payable out of the State General Fund (Direct) to the Business Services Program for the Enterprise Center of Louisiana \$50,000"

AMENDMENT NO. 22

On page 57, between lines 8 and 9, insert the following:

"Payable out of the State General Fund (Direct) for beach cleanup for the Village of Grand Isle \$50,000"

AMENDMENT NO. 23

On page 83, between lines 31 and 32, insert the following:

"Payable out of the State General Fund (Direct) for the Gateway Program for rehabilitation services \$300,000"

AMENDMENT NO. 24

On page 88, line 3, delete "\$50,000" and insert "\$100,000"

AMENDMENT NO. 25

On page 91, line 12, change "100" to "50"

AMENDMENT NO. 26

On page 99, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct) for the Health Standards Section \$313,330"

AMENDMENT NO. 27

On page 103, between lines 31 and 32, insert the following:

"EXPENDITURES:  
Payments to Private Providers to provide for an increase in the reimbursement rates for MR/DD facilities \$10,402,369

TOTAL EXPENDITURES \$10,402,369

MEANS OF FINANCE:

State General Fund by:  
Statutory Dedications:  
Louisiana Medical Assistance Trust Fund \$2,996,923  
Federal Funds \$7,405,446

TOTAL MEANS OF FINANCE \$10,402,369

Provided that the increases authorized in the appropriation above shall be financed by increasing provider fees as of July 1, 2004, as determined by the Department of Health and Hospitals and allowed by state and federal law.

EXPENDITURES:

Payments to Public Providers to provide for

an increase in the reimbursement rates to adjust for increases in provider fees \$1,096,633  
TOTAL EXPENDITURES \$1,096,633

MEANS OF FINANCE:

State General Fund by:  
Statutory Dedications:  
Louisiana Medical Assistance Trust Fund \$315,941  
Federal Funds \$780,695

TOTAL MEANS OF FINANCE \$1,096,636

Provided that the increases authorized in the appropriation above shall be financed by increasing provider fees as of July 1, 2004, as determined by the Department of Health and Hospitals and allowed by state and federal law. Provided, further, that the commissioner of administration is hereby directed and authorized to distribute the additional \$1,096,636 in Medicaid payments associated with the increase in provider fees on state-owned providers in accordance with a plan developed by the Department of Health and Hospitals aligning the additional Medicaid payments for the appropriate budget units in Schedules 09 and 19 for the costs associated with the growth in provider fees."

AMENDMENT NO. 28

On page 123, between lines 32 and 33, insert the following:

"Payable out of the State General Fund (Direct) to the Administration Program for D'Arbonne Community Development, Inc. \$50,000"

AMENDMENT NO. 30

On page 152, after line 50, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Conservation Fund to the Louisiana Charter Boat Association for printing and distribution of materials promoting Louisiana's charter boat industry \$50,000"

AMENDMENT NO. 31

On page 170, delete lines 12 through 15

AMENDMENT NO. 32

On page 170, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct) for faculty recruitment at the Louisiana State University Health Sciences Center - New Orleans \$500,000"

AMENDMENT NO. 33

On page 198, between lines 22 and 23, insert the following:

"Payable out of the State General Fund (Direct) for additional funding for an allied health and nursing program initiative at Louisiana Delta Community College \$100,000"

AMENDMENT NO. 34

On page 207, between lines 42 and 43, insert the following:

"Payable out of prior year collections of State General Fund by Interagency Transfers for acquisitions, major repairs and additional operating costs \$1,852,268"

AMENDMENT NO. 35

On page 238, between lines 5 and 6, insert the following:

"Payable out of the State General Fund (Direct) for the Breast and Cervical Cancer Screening Program \$350,000"

AMENDMENT NO. 36

On page 251, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) to the Milan Reading Center for the summer program \$10,000"

Payable out of the State General Fund (Direct) to Iberia Parish for the American Legion Baseball Tournament \$10,000"

On motion of Senator Heitmeier, the amendments were adopted.

Motion

Senator Heitmeier moved to adopt the preamble and lay that motion on the table.

Without objection, the preamble was adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1 On page 10, line 5, change "\$40,357,674" to "\$30,357,674"

AMENDMENT NO. 2 On page 11, line 32, change "\$48,239,753" to "\$38,239,753"

AMENDMENT NO. 3 On page 11, line 34, change "\$17,793,266" to "\$12,523,266"

AMENDMENT NO. 4 On page 11, line 40, change "\$7,586,933" to "\$2,856,933"

AMENDMENT NO. 5 On page 11, line 45, change "\$48,239,753" to "\$38,239,753"

AMENDMENT NO. 6 On page 228, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct) for the purchase of teaching materials and

supplies for the benefit of children enrolled in approved public elementary and secondary schools \$12,000,000

Provided, however, that the Department of Education shall develop guidelines, subject to approval by the Senate Committee on Education and the House Committee on Education, for the distribution of these funds, Provided, further, the distribution of these funds shall be made as an allocation for each approved public school in Louisiana, which allocation shall be determined based upon the student count for each school. Funds for each school shall be distributed through the local school board to each school on a per pupil basis and to each teacher within a school on a per pupil basis. Decisions on the use of such funds shall be made individually by each teacher or collectively by the teachers at the school. To the extent possible, these monies shall be used for teaching materials and supplies which are not consumed within a one-year period of time. Additionally, the amount to be distributed shall not be less than Two Hundred Dollars (\$200) for each teacher.

Provided further that this appropriation shall only be effective in the event that the appropriation contained in House Bill No. 1542 (Legislative Expense Act) of the 2004 Regular Session of the Legislature is reduced by the amount of Two Million Dollars (\$2,000,000) for a total State General Fund amount of Fifty-five Million One hundred Thirty-four Thousand Four hundred Seventy-six (\$55,134,476)."

AMENDMENT NO. 7 On page 252, line 36, change "\$3,793,289" to "\$1,793,289"

AMENDMENT NO. 8 On page 252, line 41, change "\$3,830,789" to "\$1,830,789"

AMENDMENT NO. 9 On page 252, line 43, change "\$3,830,789" to "\$1,830,789"

AMENDMENT NO. 10 On page 252, line 44, change "\$3,830,789" to "\$1,830,789"

AMENDMENT NO. 11 On page 253, line 3, change "\$3,793,467" to "\$1,063,467"

AMENDMENT NO. 12 On page 253, line 4, change "\$3,793,467" to "\$1,063,467"

AMENDMENT NO. 13 On page 253, line 6, change "\$3,793,467" to "\$1,063,467"

AMENDMENT NO. 14 On page 253, line 7, change "\$3,793,467" to "\$1,063,467"

Senator Dardenne moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

June 15, 2004

Barham	Dupre	Michot
Chaisson	Kostelka	Schedler
Dardenne	McPherson	Theunissen
Total—9		

NAYS

Mr. President	Ellington	Jones
Adley	Fields	Lentini
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Heitmeier	Smith
Cheek	Holden	Ullo
Cravins	Hollis	
Duplessis	Jackson	
Total—28		

ABSENT

Irons	Malone
Total—2	

The Chair declared the amendments were rejected.

**Motion**

Senator Heitmeier moved to adopt Schedule 1 and lay that motion on the table.

Without objection, Schedule 1 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 3 and lay that motion on the table.

Without objection, Schedule 3 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 4 and lay that motion on the table.

Without objection, Schedule 4 was adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 53, between lines 33 and 34, insert the following:  
 "Provided, however, that the monies appropriated in Schedule 05-252 for the Governor's Economic Development Rapid Response Program shall be expended only after the proposed expenditures have first been submitted for review to the Senate Committee on Commerce, Consumer Protection, and International Affairs and the House

Committee on Commerce, and then the proposed expenditures shall have been submitted for review and approval of the Joint Legislative Committee on the Budget."

Senator Dardenne moved adoption of the amendments.

Senator Heitmeier objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Gautreaux, B	Michot
Cravins	Hainkel	Schedler
Dardenne	Hollis	Smith
Total—9		

NAYS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, N	McPherson
Boasso	Heitmeier	Mount
Boissiere	Holden	Nevers
Chaisson	Jackson	Romero
Cheek	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—27		

ABSENT

Cain	Dupre	Irons
Total—3		

The Chair declared the amendments were rejected.

**Motion**

Senator Heitmeier moved to adopt Schedule 5 and lay that motion on the table.

Without objection, Schedule 5 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 6 and lay that motion on the table.

Without objection, Schedule 6 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 7 and lay that motion on the table.

Without objection, Schedule 7 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 8 and lay that motion on the table.

Without objection, Schedule 8 was adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 114 proposed by the Senate Committee on Finance and adopted by the Senate on June 13, 2004, on page 16, delete lines 30 through 44 and on page 17, delete lines 1 through 5.

Senator Schedler moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham Michot
Dardenne Schedler
Total—4

NAYS

Mr. President Dupre Kostelka
Adley Ellington Lentini
Amedee Fields Malone
Bajoie Fontenot Marionneaux
Boasso Gautreaux, B McPherson
Boissiere Gautreaux, N Mount
Cain Heitmeier Nevers
Chaisson Holden Romero
Cheek Hollis Smith
Cravins Jackson Theunissen
Duplessis Jones Ullo
Total—33

ABSENT

Hainkel Irons
Total—2

The Chair declared the amendments were rejected.

Personal Privilege

Senator Michot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Schedler to House Bill No. 1. He voted yea on

the amendment and had intended to vote nay. He asked that the Official Journal so state.

Motion

Senator Heitmeier moved to adopt Schedule 9 and lay that motion on the table.

Without objection, Schedule 9 was adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 127, between lines 32 and 33, insert the following:

“Provided, however, that of the funding appropriated herein for teen pregnancy prevention initiatives, \$1,000,000 shall be allocated to abortion alternative services. The funding shall be used to fund a program whose primary function is to assist pregnant women seeking alternatives to abortion. Such funds shall be expended to provide services to such women who are pregnant or who reasonably believe they may be pregnant, until childbirth and for up to 12 months thereafter, including, but not limited to, pregnancy testing, food, shelter, clothing, health care, counseling, adoption services, parenting classes, assistance for post-delivery stress and other supportive programs and services and for related media outreach programs. The grant recipient may subcontract with other nonprofit entities which operated projects designed specifically to provide all or a portion of the foregoing services. Projects receiving such funds shall not promote, refer for, or perform abortions or engage in any counseling which is inconsistent with this appropriation and shall be physically and financially separate from any component of any legal entity engaging in such activities.”

Senator Ellington moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Fontenot Malone
Barham Gautreaux, B Michot
Dardenne Hollis Romero
Ellington Kostelka Smith
Total—12

NAYS

Mr. President Duplessis Jones
Adley Dupre Marionneaux
Bajoie Fields McPherson
Boasso Gautreaux, N Mount

Boissiere	Heitmeier	Nevers
Cain	Holden	Schedler
Chaisson	Irons	Theunissen
Cheek	Jackson	Ullo
Total—24		

ABSENT

Cravins	Hainkel	Lentini
Total—3		

The Chair declared the amendments were rejected.

**Motion**

Senator Heitmeier moved to adopt Schedule 10 and lay that motion on the table.

Without objection, Schedule 10 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 11 and lay that motion on the table.

Without objection, Schedule 11 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 12 and lay that motion on the table.

Without objection, Schedule 12 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 13 and lay that motion on the table.

Without objection, Schedule 13 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 14 and lay that motion on the table.

Without objection, Schedule 14 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 16 and lay that motion on the table.

Without objection, Schedule 16 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 17 and lay that motion on the table.

Without objection, Schedule 17 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 18 and lay that motion on the table.

Without objection, Schedule 18 was adopted.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 238, between lines 5 and 6 insert the following:

“Provided however, that in the event budget reductions are necessary during the course of fiscal year 2005 and those cuts are later restored, the Health Care Services Division is hereby directed to provide a pro-rata distribution to the restored funding as much as possible.”

On motion of Senator Dupre, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Reengrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On Page 163, after line 39, insert the following:

“Payable out of the State General Fund by Interagency Transfers for the Northeast Louisiana Delta Learning Center	\$4,862,853
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Provided, however, that the funds appropriated in Schedule 08-414 DAVID WADE CORRECTIONAL CENTER for the Steve Hoyle Rehabilitation Center at Swanson Correctional Center for Youth-Madison Parish Unit shall be transferred by Interagency Transfer for the Northeast Louisiana Delta Learning Center. Furthermore, the Steve Hoyle Rehabilitation Center shall be transferred to the East Carroll Parish Prison. The provisions of this appropriation are contingent upon enactment of Senate Bill No. 785 of the 2004 Regular Session of the Legislature.”

Senator Jones moved adoption of the amendments.

Senator Heitmeier objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Gautreaux, B	Jackson
Boissiere	Gautreaux, N	Jones
Cravins	Holden	Marionneaux
Fields	Irons	McPherson
Total—12		

NAYS

Mr. President	Duplessis	Malone
Adley	Dupre	Michot
Amedee	Ellington	Mount
Barham	Fontenot	Nevers
Boasso	Hainkel	Romero
Cain	Heitmeier	Schedler
Chaisson	Hollis	Smith
Cheek	Kostelka	Theunissen
Dardenne	Lentini	
Total—26		

ABSENT

Ullo  
Total—1

The Chair declared the amendments were rejected.

**Motion**

Senator Heitmeier moved to adopt Schedule 19 as amended, and lay that motion on the table.

Without objection, Schedule 19 was adopted.

**Motion**

Senator Heitmeier moved to adopt Schedule 20 and lay that motion on the table.

Without objection, Schedule 20 was adopted.

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

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

**Called from the Calendar**

Senator Kostelka asked that House Bill No. 1674 be called from the Calendar at this time for its final passage.

**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.

**Floor Amendments Sent Up**

Senator Bajoie sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1674 by Representative Walsworth

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 4 and 5 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs, adopted June 9, 2004.

AMENDMENT NO. 2

On page 2, line 6, after the word “coverage” insert”.” and delete the remainder of the line and delete line 7.

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

“(II) For each employer qualifying under the provisions of R.S. 51:2453 (1)(a)(I)(dd), the employer’s annual rebateshall be calculated by including only those employees of the employer who qualify as and fill new, direct jobs for the purposes of this Chapter and who accept the basic health benefits plan offered by the employer for that year. The employer’s annual rebate shall be reduced by an amount based on the number of employees of the employer who qualify as and fill new, direct jobs for the purposes of this Chapter who do not accept the basic health benefits plan offered by the employer for that year. The amount of the reduction shall equal the number of employees who qualify as and fill new, direct jobs for the purposes of this Chapter not choosing the basic health benefits plan multiplied by the annual cost of an average health benefits plan as determined by the commissioner of insurance for individual coverage offered to employees by employers. In such cases where an employer reduces its existing jobs after the date of advanced notification, the Department of Economic Development shall allocate the amount of

new, direct jobs replacing existing jobs for the purposes of calculating the reduction provided for in this Subparagraph by basing the calculation of the reduction on the percentage of the total workforce of the employer not receiving health care benefits offered by the employer.”

On motion of Senator Bajoie, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenet	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 amended bill was passed. The title was read and adopted. Senator Kostelka moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 935 by Representative Schneider:

Representatives Schneider, Robideaux and Doerge.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 976 by Representative Schneider:

Representatives Schneider, Triche and Arnold.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 37 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 1560 by Representative Crowe,

and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 1516 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 904 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 849 by Representative Farrar, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 415 by Representative Jack Smith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 349 by Representative Hebert, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 145 by Senator Ellington:

Representatives Daniel, Ansardi and McVea.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 15, 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. 382 by Representative E. Guillory, 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; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives E. Guillory, Lancaster and Bruneau.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 349 by Representative Hebert:

Representatives Hebert, K. Carter and Jackson.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 904 by Representative Hammett:

Representatives Hammett, Quezaire, and Futrell.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 15, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 762 by Senator B. Gautreaux:

Representatives St. Germain, Pierre and Lambert.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 15, 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. 142—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:4094.1(C), relative to the city of New Orleans; to extend the authorization for a voter-approved drainage tax within the city; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 388—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 36:4(B)(17) and R.S. 49:210.2, relative to the office of the governor; to create the office of the coordinator of faith-based programs within the office of the governor; to provide for the duties and responsibilities of the coordinator; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 446—**

BY SENATORS JACKSON AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:153.3(D)(5), relative to the Medicaid Drug Program; to provide for duties and responsibilities of the Medicaid Pharmaceutical and Therapeutics Committee; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 439—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:78.1 (C), relative to aggravated incest; to provide that consent is not a defense to aggravated incest; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 808—**

BY SENATOR HINES  
AN ACT

To enact R.S. 40:1300.143(3)(d), relative to the rural hospital preservation act; to require certification by the Rural Hospital Coalition, Inc., as a prerequisite to being designated as a rural hospital; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 761—**

BY SENATOR SCHEDLER  
AN ACT

To amend and reenact Subsection M(1) of Section 2.1 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act 562 of the 2003 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to require the board of commissioners of St. Tammany Parish Hospital Service District No. 2 to appoint an advisory committee; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 438—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:67.10(B)(2), relative to theft of goods; to increase the threshold value of misappropriated goods for the purpose of meeting felony status; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 443—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:32.6, relative to first degree feticide; to provide for assault by drive-by shooting and second degree kidnapping in the crime of first degree feticide; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 689—**

BY SENATOR JACKSON AND REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 46:153.3(B)(2)(a)(introductory paragraph) and (b) and to enact R.S. 46:153.3(B)(2)(e), relative to the medical assistance drug program; to provide for the utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to provide for an annual report to the legislature and governor; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 55—**

BY SENATOR JONES  
AN ACT

To amend and reenact R.S. 18:464(A) and 1280.22(A), relative to elections; to provide for payment of qualifying fee by means of a certified or cashier's check or a money order issued by a credit union; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 444—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:2(13)(kk) and 64.4, relative to robbery; to rename the offense of aggravated robbery to second degree robbery; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 441—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:30(A)(7), relative to first degree murder; to provide for intent to inflict great bodily harm while engaged in ritualistic acts; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 659—**

BY SENATOR ULLO  
AN ACT

To amend and reenact R.S. 14:2(13)(m), the introductory paragraph of R.S. 14:43.2(A) and (C), 78.1(B)(1), 107.2(A), R.S. 46:1844(W)(2), Code of Criminal Procedure Arts. 571.1 and 893.3(E)(1)(b), Code of Evidence Art. 412.1, relative to sexual battery; to rename the offense of aggravated sexual battery to second degree sexual battery; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 8—**

BY SENATORS B. GAUTREAUX AND ROMERO  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate St. Mary Parish as the Gateway to the Atchafalaya Basin; and to provide for related matters.

Reported without amendments.

June 15, 2004

**SENATE BILL NO. 98—**  
BY SENATORS FIELDS, DARDENNE, HOLDEN AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 13:992.1(C) and (D), relative to judicial expense funds of district courts; to provide relative to the building fund of the Nineteenth Judicial District; to provide relative to the construction of a new facility in such district; to extend the time limit for accepting bids for such facility; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 126—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 24:511(E), relative to the legislative auditor; to authorize the legislative auditor to appoint a first assistant; to provide that the legislative auditor shall establish the salary, duties and authority of the first assistant legislative auditor; to provide for the first assistant legislative auditor to serve as acting legislative auditor in absence of the legislative auditor or vacancy in the office of the legislative auditor; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 387—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer analgesic doses of anesthetic agents; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 238—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:2005(A) and (C), relative to an annual report issued by the Board of Supervisors of Community and Technical Colleges; to make certain changes to the content of the report and the time period for reporting; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 330—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:964.1(A)(2)(a) and (D) and to enact R.S. 13:964.1(E), relative to courts; to provide relative to the Fourteenth Judicial District Court; to provide relative to the indigent transcript fund for such court; to provide relative to tasks for which court reporters shall be compensated from such fund; to provide with regard to the nature of the compensation paid to court reporters from such fund; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 337—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(I)(1)(c)(i)(aa), relative to audit requirements; to provide that monies received from urban or rural development grants shall not be included in the computation of threshold limits for audit requirements; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 432—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 14—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to criminal procedure; to provide relative to the Louisiana Bureau of Criminal Identification and Information; to authorize such bureau to release criminal history records and identification files to the Louisiana State Bar Association; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 73—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 22:1513(C)(2)(b) and to enact R.S. 22:250.43(C) and 250.48, relative to health insurance coverage; to provide with respect to the dental patient's option to choose services regardless of insurance coverage under specific circumstances; to provide an exception to contract requirements imposed on certain health insurers under certain circumstances; to provide for payment of services to dental providers by insurers; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 701—**  
BY SENATOR BAJOIE

AN ACT

To enact R.S. 46:1441.14, relative to family child care providers; to provide for required participation in orientation sessions; to provide that orientation programs shall be approved by the Department of Social Services or the Department of Education; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 48—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 14:402(E), relative to offenses affecting law enforcement; to provide relative to contraband prohibited in certain correctional facilities; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 553—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 22:1430.18, relative to property insurance; to provide certain requirements for coverage and issuance of property insurance by the Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 691—**  
BY SENATOR JACKSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 46:153.3(D)(2) and R.S. 46:153.3(D)(2)(c) through (s), relative to the Medicaid Pharmaceutical and Therapeutics Committee; to provide for changes with respect to who shall be appointed to the committee; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 495—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2115.15(B), relative to public hearings; to provide for locations of hearings; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 693—**  
BY SENATOR DUPRE

AN ACT

To amend R.S. 18:1280.21 and 18:1280.25, to provide relative to the presidential preference primary; to provide relative to the participation of persons registered as an independent or not otherwise registered in a recognized political party; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 843—**  
BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 46:285(A)(2) and to enact R.S. 46:285(A)(6), relative to child protection and foster care workers; to provide that such workers shall be trained in specific legal provision; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 873** (Substitute for Senate Bill No. 782  
by Senator Lentini)—

BY SENATOR LENTINI

AN ACT

To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.7, and R.S. 37:1285(A)(32), all relative to human cloning; to provide for definitions; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 579—**  
BY SENATOR JONES

AN ACT

To enact R.S. 44:22, relative to public records; to exempt certain records in the custody of the Department of Economic Development pertaining to negotiations relative to economic development activities from the laws relative to public records until negotiations are concluded; to provide for certain determinations by the secretary of the Department of Economic Development; to provide for notice; to delete certain types of information from the exemption; to provide relative to the effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 51—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:47(C)(1)(a) and (b), relative to certification of injury or disability for certain leave for employees in the state special schools; to provide for sick leave for up to ninety days in certain cases; to authorize the extension of such leave beyond ninety days; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 79—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:5.5(E)(2), relative to food safety; to provide with respect to the definition of a "food service establishment"; to exclude food prepared and served at private clubs; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 219—**  
BY SENATORS DARDENNE AND BAJIOE

AN ACT

To enact R.S. 46:977 and 1906(C), relative to the immunization of certain juveniles; to provide with respect to the Hepatitis B vaccine for juveniles in state custody; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 224—**  
BY SENATORS MALONE AND NEVERS  
AN ACT

To enact R.S. 17:3048.1(M), relative to the Louisiana Tuition Opportunity Program; to provide that any TOPS award granted to a student shall be credited against educational expenses in a specific order; to provide that cost of any housing, meal plan, books, dues or other fees shall be credited first prior to the cost of tuition; to provide for exceptions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 275—**  
BY SENATOR NEVERS  
AN ACT

To enact R.S. 17:1519.3(E), (F), and (G), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to reports to be submitted to the Senate and House committees on health and welfare; to provide for specific information and reports to be supplied to the committees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 229—**  
BY SENATOR FIELDS  
AN ACT

To amend and reenact R.S. 18:1462(C) and to enact R.S. 18:1462(D)(3), relative to elections; to prohibit the intimidation of a person at a polling place on election day; to prohibit commissioners from carrying weapons while at the polling place; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 231—**  
BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 18:551(A), to enact Part IV of Chapter 3 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:195.1 through 195.3, and to enact R.S. 36:744(X), relative to constitutional amendment proposal propositions; to create and provide for the Constitutional Amendment Ballot Proposal Commission; to provide for the powers and duties of the commission; to provide for the preparation and use of certain election ballots; and to provide for related matters.

Reported with amendments.

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

**Appointment of Conference Committee  
on Senate Bill No. 616**

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. 616: Senators Chaisson, Marionneaux and Ullo.

**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. 144—**  
BY SENATOR JONES

A RESOLUTION

To amend and readopt Senate Rule 16.3 of the Rules of Order of the Senate, relative to confirmation proceedings by the Senate; to provide relative to procedures for consideration of appointments by the Senate Committee on Senate and Governmental Affairs.

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

**SENATE RESOLUTION NO. 145—**  
BY SENATOR KOSTELKA

A RESOLUTION

To commend Bob Witt upon his lifetime of accomplishments as a pastor, umpire, race car driver, rodeo clown, pilot, and wrestling promoter.

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

**SENATE RESOLUTION NO. 146—**  
BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Rodolph Conrad Whitten.

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

**SENATE CONCURRENT RESOLUTION NO. 159—**  
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review federal laws, rules, and procedures affecting coastal wetlands activities and permitting in Louisiana, in order to promote effective stewardship by enhancing cooperation and effective communication between federal agencies and Louisiana state and local agencies.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Hainkel	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Theunissen
Duplessis	Jones	Ullo

Total—30

NAYS

Total—0

ABSENT

Boasso	Gautreaux, B	Lentini
Cravins	Gautreaux, N	Nevers
Dardenne	Hollis	Smith

Total—9

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

**SENATE CONCURRENT RESOLUTION NO. 160—**  
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to meet and study the awarding of contracts for telecommunications services provided to inmates to determine if the awards are being made to the lowest responsible bidder and to ensure that the state is not profiting from such services.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—34

NAYS

Total—0

ABSENT

Boasso	Dardenne	Hainkel
Cravins	Gautreaux, B	

Total—5

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

**SENATE CONCURRENT RESOLUTION NO. 161—**  
BY SENATOR ULLO AND REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To commend J. M. "Jack" Kyle III upon the occasion of his retirement as Vice-President of Government Affairs for Union Pacific Railroad for the State of Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Cravins	Gautreaux, B
Dardenne	Nevers

Total—4

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 15, 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. 202—**  
BY REPRESENTATIVES JOHN SMITH, SCHNEIDER, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

**HOUSE CONCURRENT RESOLUTION NO. 246—**  
BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to take appropriate measures to raise awareness of educational benefits available to surviving spouses and dependents of members of the military who have been killed or disabled in military service.

**HOUSE CONCURRENT RESOLUTION NO. 212—**  
BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To create and provide with respect to a Workers' Compensation Medical Reimbursement Task Force to study the medical reimbursement schedule and its formulas to make recommendations regarding legislation.

**HOUSE CONCURRENT RESOLUTION NO. 269—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to oppose the Equal Employment Opportunity Commission's (EEOC) rule that allows employers to reduce or eliminate retiree health benefits offered to older, Medicare-eligible retirees.

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. 202—**  
BY REPRESENTATIVES JOHN SMITH, SCHNEIDER, TRAHAN, AND TRICHE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

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

**HOUSE CONCURRENT RESOLUTION NO. 212—**  
BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To create and provide with respect to a Workers' Compensation Medical Reimbursement Task Force to study the medical reimbursement schedule and its formulas to make recommendations regarding legislation.

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

**HOUSE CONCURRENT RESOLUTION NO. 246—**  
BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to take appropriate measures to raise awareness of educational benefits available to surviving spouses and dependents of members of the military who have been killed or disabled in military service.

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

**HOUSE CONCURRENT RESOLUTION NO. 269—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to oppose the Equal Employment Opportunity Commission's (EEOC) rule that allows employers to reduce or eliminate retiree health benefits offered to older, Medicare-eligible retirees.

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**

**JUDICIARY A**

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

June 15, 2004

To the President and Members of the Senate:

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

**HOUSE BILL NO. 38—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Articles 650 and 2668, Chapters 1 and 2 of Title IX of Book III of the Civil Code, to be comprised of Chapters 1 through 4 of Title IX of Book III of the Civil Code, consisting of Articles 2668 through 2729, Civil Code Article 3219, and R.S. 9:3221, to enact R.S. 9:3259.2, and to repeal Civil Code Article 3218, relative to lease and to redesignate Chapter 3 of Title IX of Book III of the Civil Code, comprised of Articles 2745 through 2777, as Chapter 5 of Title IX of Book III of the Civil Code; to provide for definitions; to provide for a contract to lease; to provide for the types of

leases; to provide for things that may be leased; to provide relative to ownership; to provide for rent; to provide for the term or duration; to provide for the form; to provide relative to registry; to provide for the obligations of the lessor and lessee; to provide for delivery; to provide for errors relative to the size of an immovable leased thing; to provide for the misuse of the leased thing; to provide for liability for damages; to provide for notification of damages; to provide for expenses; to provide for the rights of the lessor and lessee relative to the attachments, additions, or improvements; to provide for the warranty against vices or defects; to provide for peaceful possession; to provide relative to subleasing; to provide for the seizure of a third person's movables; to provide relative to privileges; to provide for transfer; to provide for loss, destruction, or expropriation; to provide for termination; to provide for the death of the lessor or lessee; to provide for reconduction; to provide for a lease relative to a predial servitude; to provide for amendments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 150—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact Title XII of Book III of the Civil Code, formerly consisting of Articles 2891 through 2925, to comprise Articles 2891 through 2913 and to transfer and redesignate Civil Code Article 2924 as R.S. 9:3500, relative to loan; to provide for loan for use; to provide for loan for consumption; to provide for loan on interest; to provide for definitions of loan for use and loan for consumption; to provide for the application of the rules governing obligations; to provide for things subject to loan for use; to provide for limitations of use; to provide for the ordinary wear and tear; to provide for the liability of borrowers and lenders; to provide for fortuitous events; to provide for valuation and risk of loss; to provide for the reimbursement of expenses; to provide for the time of return of a thing lent for use; to provide for liberative prescription; to provide for ownership of a thing lent for consumption; to provide for the loan of nonfungible things; to provide for the loan of money or commodities; to provide for the term of a loan for consumption; to provide for restoration; to provide for payment of value; to provide for the payment and release of legal interest; to provide for the transfer and redesignation of certain laws; to provide authority for the correction of certain cross-references; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 353—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 766—**  
BY REPRESENTATIVES GALLOT AND ANSARDI  
AN ACT

To enact R.S. 13:750 and 750.1, relative to limitations of liability; to provide relative to limitations of liability for clerks of court; to provide relative to personal liability of clerks, deputy clerks, and employees; to provide for a preemptive period; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1508—**  
BY REPRESENTATIVE GRAY  
AN ACT

To amend and reenact Children's Code Article 810 and to enact Children's Code Article 809(E) and (F), relative to juvenile delinquency proceedings; to provide for the appointment of counsel and notice of such appointment; to provide with respect to a waiver of right to counsel in such proceedings; to provide for circumstances in which the right to counsel shall not be waived; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1551—**  
BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR,  
RICHMOND, AND SMILEY  
AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

Reported with amendments.

**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.

Reported with amendments.

**HOUSE BILL NO. 1695 (Substitute for House Bill No. 1085  
by Representative Murray)—**  
BY REPRESENTATIVES MURRAY AND JEFFERSON  
AN ACT

To amend and reenact R.S. 9:355.5, 355.8, 355.12(A)(6), and 355.13 and to repeal R.S. 9:355.12(A)(10), relative to relocating the residence of a child; to eliminate certain determining factors; to provide for

court authorization; to prohibit certain persons from objecting; to provide for the burden of proof; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

June 15, 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:

**HOUSE BILL NO. 421—**  
BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a custodian; to provide for certain notification procedures; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1645—**  
BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS  
AN ACT

To enact R.S. 39:1498(A)(10) and (C), relative to contract approval; to prohibit the approval of certain state contracts; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

**REPORT OF COMMITTEE ON**

**RETIREMENT**

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

June 14, 2004

To the President and Members of the Senate:

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

**HOUSE BILL NO. 225—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1005—**  
BY REPRESENTATIVES MONTGOMERY AND CURTIS  
AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide an earnings limitation for retirees who return to part-time employment; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1007—**  
BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178.1(A), (B), and (C)(4), (5), (8), and (9), relative to the Sheriffs' Pension and Relief Fund; to provide relative to the Back-Deferred Retirement Option Plan; to provide for return of employee contributions; to provide for transfer of employee contributions made during Back-Deferred Retirement Option Plan participation to the member's Back-Deferred Retirement Option Plan account; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1008—**  
BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1009—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1084—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1481(1)(a)(ii) and to enact R.S. 11:1481(1)(a)(iii), relative to payments to the Louisiana Assessors' Retirement Fund; to provide for board certification of receipt of remission of taxes; to provide for certification to

the legislative auditor of any shortfall in taxes remitted and the cause therefor; to provide for certification by the legislative auditor of the shortfall; to provide for remedies for failure to remit taxes to the fund including additional payments by the delinquent entity; to authorize the board to make demand upon the treasurer for any continued failure to remit taxes due the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1175—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 11:3639 and to enact R.S. 11:2227(D)(1)(d) and 3635.1, relative to police pension funds and retirement systems; to provide for payment of employer contributions for the city of New Orleans to the Municipal Police Employees' Retirement System; to provide for dedication of certain funds to such system; to provide for the operating expenses of the pension fund for the police department of New Orleans; to provide for actuarial determination of assets and liabilities of the fund; to provide for disbursement of such assets; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1188—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1402(6), 1410(B), 1412, 1457(C)(3) and (4), 1458(B)(1) and (2)(a) and (b), (3), and (4), (D), and (E) and to enact R.S. 11:1411(D), relative to the Assessors' Retirement Fund; to provide with respect to tax qualification of the system; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1194—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178.1(A)(2) and to enact R.S. 11:2178(N), relative to the Sheriffs' Pension and Retirement Fund and the repealed Deferred Retirement Option Plan of the fund; to provide for rescission of election to participate; to provide for a rescinding member's return to active status, including the paying of employee contributions; to provide for forfeiture of plan benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1306—**  
BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178.1(C)(9)(a), relative to the Deferred Retirement Option Plan and the Back-Deferred Retirement Option Plan of the Sheriffs' Pension and Relief Fund; to provide for interest on balances in plan accounts; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1724 (Substitute for House Bill No. 1214 by Representative Schneider)—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:502 and 502.2(A) and (B)(1), relative to the Louisiana State Employees' Retirement System; to provide for eligibility to participate in the optional retirement plan; to provide for transfer from the optional retirement plan to the defined benefit plan; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
LAMBERT BOISSIERE, JR.  
Chairman

**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:

June 15, 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. 3—**  
BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT  
AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
WILLIE MOUNT  
Chairperson

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

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

**HOUSE BILL NO. 3—**  
BY REPRESENTATIVE HAMMETT AND SENATOR MOUNT  
AN ACT

To enact the Omnibus Bond Authorization Act of 2004, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

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

**HOUSE BILL NO. 38—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact Civil Code Articles 650 and 2668, Chapters 1 and 2 of Title IX of Book III of the Civil Code, to be comprised of Chapters 1 through 4 of Title IX of Book III of the Civil Code, consisting of Articles 2668 through 2729, Civil Code Article 3219, and R.S. 9:3221, to enact R.S. 9:3259.2, and to repeal Civil Code Article 3218, relative to lease and to redesignate Chapter 3 of Title IX of Book III of the Civil Code, comprised of Articles 2745 through 2777, as Chapter 5 of Title IX of Book III of the Civil Code; to provide for definitions; to provide for a contract to lease; to provide for the types of leases; to provide for things that may be leased; to provide relative to ownership; to provide for rent; to provide for the term or duration; to provide for the form; to provide relative to registry; to provide for the obligations of the lessor and lessee; to provide for delivery; to provide for errors relative to the size of an immovable leased thing; to provide for the misuse of the leased thing; to provide for liability for damages; to provide for notification of damages; to provide for expenses; to provide for the rights of the lessor and lessee relative to the attachments, additions, or improvements; to provide for the warranty against vices or defects; to provide for peaceful possession; to provide relative to subleasing; to provide for the seizure of a third person's movables; to provide relative to privileges; to provide for transfer; to provide for loss, destruction, or expropriation; to provide for termination; to provide for the death of the lessor or lessee; to provide for reconduction; to provide for a lease relative to a predial servitude; to provide for amendments; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 38 by Representative Ansardi

AMENDMENT NO. 1  
On page 21, line 8, delete "Keep the improvements and reimburse" and insert "Appropriate ownership of the improvements by reimbursing"

AMENDMENT NO. 2  
On page 21, line 13, change "keep" to "appropriate ownership of"

AMENDMENT NO. 3  
On page 21, at the end of line 14, add the following:  
"Appropriation of the improvement by the lessor may only be accomplished by providing additional notice by certified mail to the lessee after expiration of the time given the lessee to remove the improvements."

(c) Until such time as the lessor appropriates the improvement, the improvements shall remain the property of the lessee and the lessee shall be solely responsible for any harm caused by the improvements."

On motion of Senator Lentini, 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. 150—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact Title XII of Book III of the Civil Code, formerly consisting of Articles 2891 through 2925, to comprise Articles 2891 through 2913 and to transfer and redesignate Civil Code Article 2924 as R.S. 9:3500, relative to loan; to provide for loan for use; to provide for loan for consumption; to provide for loan on interest; to provide for definitions of loan for use and loan for consumption; to provide for the application of the rules governing obligations; to provide for things subject to loan for use; to provide for limitations of use; to provide for the ordinary wear and tear; to provide for the liability of borrowers and lenders; to provide for fortuitous events; to provide for valuation and risk of loss; to provide for the reimbursement of expenses; to provide for the time of return of a thing lent for use; to provide for liberative prescription; to provide for ownership of a thing lent for consumption; to provide for the loan of nonfungible things; to provide for the loan of money or commodities; to provide for the term of a loan for consumption; to provide for restoration; to provide for payment of value; to provide for the payment and release of legal interest; to provide for the transfer and redesignation of certain laws; to provide authority for the correction of certain cross-references; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 225—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 11:769, relative to the employee contributions of a member of the Teachers' Retirement System of Louisiana; to guarantee payment of a member's accumulated employee contributions to the member, as survivor benefits, or to the member's estate; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 353—**  
 BY REPRESENTATIVE TOOMY  
 AN ACT

To amend and reenact Civil Code Article 2818, relative to partnerships; to provide for the causes of cessation of membership; to provide for plans of liquidation or appointments of trustees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 353 by Representative Toomy

AMENDMENT NO. 1  
 On page 1, delete lines 17 and 18

On motion of Senator Lentini, 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. 421—**  
 BY REPRESENTATIVE BEARD  
 AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a custodian; to provide for certain notification procedures; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 421 by Representative Beard

AMENDMENT NO. 1  
 On page 2, after line 25, insert the following:

"F. Nothing in this Section shall be construed in a manner so as to supersede any other provision of law that allows a department secretary to classify records or information as confidential by written determination."

On motion of Senator Jones, 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. 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.

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

**HOUSE BILL NO. 766—**  
 BY REPRESENTATIVES GALLOT AND ANSARDI  
 AN ACT

To enact R.S. 13:750 and 750.1, relative to limitations of liability; to provide relative to limitations of liability for clerks of court; to provide relative to personal liability of clerks, deputy clerks, and employees; to provide for a peremptive period; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 766 by Representative Gallot

AMENDMENT NO. 1  
 On page 1, line 4, after the word and semicolon "employees;" delete the remainder of the line and insert "to provide relative to when prescription commences to run; and to"

AMENDMENT NO. 2  
 On page 1, line 21, after the word and period "one." delete the remainder of the line and delete line 22 and insert "The prescription commences to run from the day the claimant acquires, or should have acquired, knowledge of the act or occurrence first giving rise to the claim."

On motion of Senator Lentini, 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. 1005—**  
 BY REPRESENTATIVES MONTGOMERY AND CURTIS  
 AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide an earnings limitation for retirees who return to part-time employment; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1007—**  
 BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
 AN ACT

To amend and reenact R.S. 11:2178.1(A), (B), and (C)(4), (5), (8), and (9), relative to the Sheriffs' Pension and Relief Fund; to provide relative to the Back-Deferred Retirement Option Plan; to provide for return of employee contributions; to provide for transfer of employee contributions made during Back-Deferred Retirement Option Plan participation to the member's Back-Deferred Retirement Option Plan account; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1007 by Representative Schneider

AMENDMENT NO. 1

On page 4, line 24, after "Section 2." delete the remainder of the line and delete lines 25 and 26 in their entirety and insert in lieu thereof the following:

"This Act shall take effect and become operative if and when the Act which originated as House Bill No. 1006 of this 2004 Regular Session of the Legislature is enacted and becomes effective."

On motion of Senator Boissiere, 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. 1008—**  
BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1008 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 4, after "Section 2." delete the remainder of the line and delete lines 5 and 6 in their entirety and insert in lieu thereof the following:

"This Act shall take effect and become operative if and when the Act which originated as House Bill No. 1006 of this 2004 Regular Session of the Legislature is enacted and becomes effective."

On motion of Senator Boissiere, 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. 1009—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1561, relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to demand upon the state treasurer for delinquent dedicated tax revenue; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1009 by Representative Pinac

AMENDMENT NO. 1

On page 2, lines 13 and 14, change "July" to "August"

On motion of Senator Boissiere, 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. 1084—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1481(1)(a)(ii) and to enact R.S. 11:1481(1)(a)(iii), relative to payments to the Louisiana Assessors' Retirement Fund; to provide for board certification of receipt of remission of taxes; to provide for certification to the legislative auditor of any shortfall in taxes remitted and the cause therefor; to provide for certification by the legislative auditor of the shortfall; to provide for remedies for failure to remit taxes to the fund including additional payments by the delinquent entity; to authorize the board to make demand upon the treasurer for any continued failure to remit taxes due the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1084 by Representative Pinac

AMENDMENT NO. 1

On page 4, delete lines 1 through 5 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on August 1, 2004; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on August 1, 2004, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Boissiere, 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. 1175—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 11:3639 and to enact R.S. 11:2227(D)(1)(d) and 3635.1, relative to police pension funds and retirement systems; to provide for payment of employer contributions for the city of New Orleans to the Municipal Police Employees' Retirement System; to provide for dedication of certain funds to such system; to provide for the operating expenses of the pension fund for the police department of New Orleans; to provide for actuarial determination of assets and liabilities of the fund; to provide for disbursement of such assets; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1188—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1402(6), 1410(B), 1412, 1457(C)(3) and (4), 1458(B)(1) and (2)(a) and (b), (3), and (4), (D), and (E) and to enact R.S. 11:1411(D), relative to the Assessors' Retirement Fund; to provide with respect to tax qualification of the system; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1194—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2178.1(A)(2) and to enact R.S. 11:2178(N), relative to the Sheriffs' Pension and Retirement Fund and the repealed Deferred Retirement Option Plan of the fund; to provide for rescission of election to participate; to provide for a rescinding member's return to active status, including the paying of employee contributions; to provide for forfeiture of plan benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1194 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 26, after "Section 2." delete the remainder of the line and delete lines 27 and 28 in their entirety and insert in lieu thereof the following:

"This Act shall take effect and become operative if and when the Act which originated as House Bill No. 1006 of this 2004 Regular Session of the Legislature is enacted and becomes effective."

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

**HOUSE BILL NO. 1306—**

BY REPRESENTATIVES SCHNEIDER AND MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2178.1(C)(9)(a), relative to the Deferred Retirement Option Plan and the Back-Deferred Retirement Option Plan of the Sheriffs' Pension and Relief Fund; to provide for interest on balances in plan accounts; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1508—**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Article 810 and to enact Children's Code Article 809(E) and (F), relative to juvenile delinquency proceedings; to provide for the appointment of counsel and notice of such appointment; to provide with respect to a waiver of right to counsel in such proceedings; to provide for circumstances in which the right to counsel shall not be waived; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1508 by Representative Gray

AMENDMENT NO. 1

On page 2, line 23, change "alleged to have committed" to "charged with"

AMENDMENT NO. 2

On page 2, delete lines 24 and 25 and insert "delinquent act."

On motion of Senator Lentini, 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. 1551—**

BY REPRESENTATIVES HEATON, DARTEZ, DORSEY, FARRAR, RICHMOND, AND SMILEY

AN ACT

To amend and reenact R.S. 46:2140, relative to family violence; to provide for guidelines for law enforcement officers to use in determining the predominant aggressor for arrest purposes; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1551 by Representative Heaton

AMENDMENT NO. 1

On page 2, line 12, after "factors" insert "based upon his or her observation"

AMENDMENT NO. 2

On page 2, delete lines 13 and 14 and insert "(a) Evidence from complainants and other witnesses."

AMENDMENT NO. 3

On page 2, line 15, after "extent of" and before "injuries" insert "personal"

AMENDMENT NO. 4

On page 2, delete line 18 and insert "(e) Prior complaints of domestic abuse or dating violence, if that history can be reasonably ascertained by the officer."

AMENDMENT NO. 5

On page 2, between lines 18 and 19 insert "(f) The future welfare of any minors who are present at the scene."

AMENDMENT NO. 6

On page 2, at the end of line 20, insert "The arrest shall be subject to the laws governing arrest, including the need for probable cause as otherwise provided by law."

AMENDMENT NO. 7

On page 2, line 22, delete "shall" and insert "may"

AMENDMENT NO. 8

On page 2, at the end of line 25, insert "An arrest pursuant to the provisions of this Subparagraph shall be subject to the laws governing arrest, including the need for probable cause as otherwise provided by law."

On motion of Senator Lentini, 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. 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.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1604 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 4, after "drivers;" delete the remainder of the line and delete line 5 in its entirety

AMENDMENT NO. 2

On page 1, at the beginning of line 6, delete "examine experts;"

AMENDMENT NO. 3

On page 1, delete line 10 in its entirety and insert in lieu thereof "In all criminal cases where intoxication is an issue, any"

AMENDMENT NO. 4

On page 1, line 14, after "substance" delete the remainder of the line and insert in lieu thereof ", shall be admissible as evidence."

AMENDMENT NO. 5

On page 1, delete lines 15 through 21 in their entirety and on page 2, delete lines 1 through 7 in their entirety

On motion of Senator Lentini, 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. 1645—**

BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS  
AN ACT

To enact R.S. 39:1498(A)(10) and (C), relative to contract approval; to prohibit the approval of certain state contracts; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 1695 (Substitute for House Bill No. 1085 by Representative Murray)—**

BY REPRESENTATIVES MURRAY AND JEFFERSON  
AN ACT

To amend and reenact R.S. 9:355.5, 355.8, 355.12(A)(6), and 355.13 and to repeal R.S. 9:355.12(A)(10), relative to relocating the residence of a child; to eliminate certain determining factors; to provide for court authorization; to prohibit certain persons from objecting; to provide for the burden of proof; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1695 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2, after "355.8" and before the comma ",", insert "(A)"

AMENDMENT NO. 2

On page 1, at the end of line 4, delete "to prohibit certain persons" and at the beginning of line 5, delete "from objecting;"

AMENDMENT NO. 3

On page 1, line 7, after "355.8" and before the comma ",", insert "(A)"

AMENDMENT NO. 4

On page 1, line 13, delete "a limited" and insert "an"

AMENDMENT NO. 5

On page 1, at the end of line 16, delete the period and insert ", and after consideration of the factors as set forth in R.S. 9:355.12."

AMENDMENT NO. 6

On page 2, delete lines 4 through 10

On motion of Senator Lentini, 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. 1724 (Substitute for House Bill No. 1214 by Representative Schneider)—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:502 and 502.2(A) and (B)(1), relative to the Louisiana State Employees' Retirement System; to provide for eligibility to participate in the optional retirement plan; to provide for transfer from the optional retirement plan to the defined benefit plan; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1724 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 28, after "elected official" insert "and whose appointment is subject to confirmation by the Louisiana"

AMENDMENT NO. 2

On page 2, line 29, after "Senate" insert "Senate"

AMENDMENT NO. 3

On page 3, line 1, insert "(ii) Any unclassified state employee who is a member of the immediate staff"

AMENDMENT NO. 4

On page 3, line 2, insert "of any such employee described in Item (i) of this Subparagraph."

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

**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:

June 15, 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 Bills have been properly enrolled:

**SENATE BILL NO. 249—**

BY SENATOR BAJIOIE  
AN ACT

To amend and reenact R.S. 46:1792(A), (B)(1), and (B)(2), relative to subsidy for adopted children; to clarify the requirements of Title IV-E redetermination cases; to bring state law in compliance

with the federal Adoptions and Safe Families Act; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 274—**

BY SENATORS LENTINI AND HOLDEN AND REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact Children's Code Arts. 615(E) (introductory paragraph), (2) and (3), and to repeal Children's Code Art. 615(F), relative to the disposition of child abuse investigatory reports; provides that reports determined not to be justified are handled similarly to those found to be inconclusive; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 308—**

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 49:214.27(B)(2), 214.30(C)(2)(b) and (7), and 214.41(E), relative to coastal conservation, restoration, and management; to provide certain procedures and requirements; to provide relative to guidelines; to provide relative to certain delegations of power by the secretary; to provide relative to options for mitigation of coastal wetlands losses by the owner of the land on which a permitted activity is to occur; and to provide for related matters.

**SENATE BILL NO. 494—**

BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 56:302(A)(3) and 320(A)(1) and (C)(1), relative to methods of taking saltwater fish; to authorize the use of multi-pronged barbed gigs for taking flounder in salt water; and to provide for related matters.

**SENATE BILL NO. 542—**

BY SENATOR ULLO AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:7.1 (A)(4)(a), relative to teacher certification; to provide that applicants for teacher certification complete a prescribed number of semester hours in the teaching of reading as established by the State Board of Elementary and Secondary Education; and to provide for related matters.

**SENATE BILL NO. 581—**

BY SENATOR SCHEDLER  
AN ACT

To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with an order of eviction; to require lessee to pay court costs in such instances; and to provide for related matters.

**SENATE BILL NO. 592—**

BY SENATORS CHAISSON, AMEDEE AND DARDENNE  
AN ACT

To amend and reenact Code of Evidence Article 412.2(A), relative to evidence; to provide for the introduction of certain crimes, wrongs, and acts in sex offense cases; and to provide for related matters.

**SENATE BILL NO. 732—**  
BY SENATORS CAIN AND HAINKEL  
AN ACT

To amend and reenact R.S. 22:627(A)(2), 1257, 1258, 1259, 1262.1(B)(1) and (E), the introductory paragraph of R.S. 22:1263, and R.S. 22:1267(A), relative to surplus lines insurance; to require that the premium and premium tax on a surplus lines policy be separately stated on the policy declaration page; to provide for printing of an endorsement on the insurance contract and for the display of such endorsement; to remove requirements that certain insurers file affidavits as to passage of Insurance Regulatory Information Systems tests; to remove the commissioner's authority to remove an insurer from the list of approved unauthorized insurers if the insurer is designated a first, second, or third priority company by failing to pass certain prescribed tests of the Insurance Regulatory Information Systems; to remove the requirement that a surplus line broker keep an office in this state and remove the authority of the commissioner to revoke such insurer's license for failure to maintain such office in the state; to remove the commissioner's authority to revoke a surplus lines broker's license for failure to maintain the required bond or other security requirements; and to provide for related matters.

**SENATE BILL NO. 837—**  
BY SENATORS CAIN, SCHEDLER AND MCPHERSON AND REPRESENTATIVES ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BOWLER, BRUCE, CAZAYOUX, CRANE, DANIEL, DEWITT, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, E. GUILLORY, M. GUILLORY, HEBERT, HILL, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WHITE, WOOTON AND WRIGHT  
AN ACT

To amend and reenact R.S. 40:1379.3(T)(1), relative to concealed weapons; to provide for reciprocity with other states which have concealed weapons laws; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

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

**ENROLLMENTS**

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

June 15, 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. 91—**  
BY SENATOR JONES

A RESOLUTION

To commend Joel Hawkins on being named the 2004 Student Sports National Coach of the Year.

**SENATE RESOLUTION NO. 92—**  
BY SENATOR MARIONNEAUX

A RESOLUTION

To commend the Louisiana National Guard's 1088th Engineer Battalion, headquartered in Plaquemine, upon its activation in support of Operation Iraqi Freedom and to extend support and prayers for a safe return home.

**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.

**SENATE RESOLUTION NO. 117—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend the Baton Rouge Association for Retarded Citizens on their 50th Anniversary.

**SENATE RESOLUTION NO. 118—**  
BY SENATOR FIELDS

A RESOLUTION

To welcome Coach Paul Silas back to Louisiana and the Senate as the returning head coach of the Senate Storm and to extend best wishes to him and the Storm in the upcoming contest with the House Hurricanes.

**SENATE RESOLUTION NO. 115—**  
BY SENATORS ROMERO, AMEDEE, CHAISSON, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, N. GAUTREAU, HINES, HOLLIS, JACKSON, JONES, MALONE, MARIONNEAUX, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To memorialize the Congress of the United States to defeat legislation creating the Central American Free Trade Agreement.

**SENATE RESOLUTION NO. 116—**  
BY SENATOR MCPHERSON

A RESOLUTION

To urge and request the Department of Wildlife and Fisheries to review law enforcement activities on state refuges and wildlife management areas and the assignment of law enforcement powers to departmental employees.

**SENATE RESOLUTION NO. 119—**  
BY SENATOR MCPHERSON

A RESOLUTION

To direct the Department of Health and Hospitals to investigate, study, and to develop a plan or strategy to modernize and improve the state mental health system, focusing particularly on an assessment of the current operation and maintenance of Eastern Louisiana Mental Health System, Central Louisiana State Hospital, the New Orleans Adolescent Hospital and

Southeast Louisiana Hospital, with the resulting plan or strategy detailing how Louisiana can modify the current system to reflect the best practices in mental health care today.

**SENATE RESOLUTION NO. 120—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend the Monroe-Bradford family on the occasion of their family reunion.

**SENATE RESOLUTION NO. 121—**  
BY SENATOR B. GAUTREAU

A RESOLUTION

To commend and congratulate the players and coaches of Central Catholic High School of Morgan City on winning the 2004 Class 1A State Baseball Championship.

**SENATE RESOLUTION NO. 122—**  
BY SENATOR B. GAUTREAU

A RESOLUTION

To commend and congratulate the Central Catholic High School of Morgan City Lady Eagles volleyball team on winning the 2003 Division V State Championship.

**SENATE RESOLUTION NO. 123—**  
BY SENATOR BARHAM

A RESOLUTION

To urge and request the governor to add the chairman of the Senate Select Committee on Homeland Security to the membership of the Louisiana Domestic Terrorism Advisory Committee.

**SENATE RESOLUTION NO. 124—**  
BY SENATOR MOUNT

A RESOLUTION

To express the heartfelt condolences of the Senate of the Louisiana Legislature on the death of educator and community leader Theodore Williams.

**SENATE RESOLUTION NO. 125—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend Reverend Mary Edith Moody as the first recipient of the Mid City Community Lifetime Achievement Medal.

**SENATE RESOLUTION NO. 126—**  
BY SENATOR MARIONNEAU

A RESOLUTION

To commend Joyce Zachary, Slaughter Alderwoman on her much deserved retirement.

**SENATE RESOLUTION NO. 127—**  
BY SENATOR MARIONNEAU

A RESOLUTION

To commend Charles Zachary, Slaughter Police Chief on his much deserved retirement.

**SENATE RESOLUTION NO. 128—**  
BY SENATORS HOLLIS AND BARHAM

A RESOLUTION

To urge and request the governor to contact the state of Texas regarding an illegal, high-speed car race from Dallas to New Orleans known as the "Bull Run."

**SENATE RESOLUTION NO. 129—**  
BY SENATOR HOLLIS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Ray Charles, a true American musical icon.

**SENATE RESOLUTION NO. 131—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate the Community Association for the Welfare of School Children for its contributions to East Baton Rouge Parish and the surrounding area and to declare June 11, 2004 as "Community Association for the Welfare of School Children Day".

**SENATE RESOLUTION NO. 132—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Mildred Clark for her long-standing and dedicated efforts as a self-sacrificing individual who helped mobilize others to assist children and families of East Baton Rouge Parish and the surrounding area, as a co-founder of the Community Association for the Welfare of School Children.

**SENATE RESOLUTION NO. 133—**  
BY SENATOR HOLDEN

A RESOLUTION

To commend and congratulate Hazel Freeman for her long-standing and dedicated efforts as a self-sacrificing individual who helped mobilize others to assist children and families of East Baton Rouge Parish and the surrounding area, as a co-founder of the Community Association for the Welfare of School Children.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

June 15, 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. 8—**  
BY SENATOR ELLINGTON AND REPRESENTATIVES DURAND, E. GUILLORY AND KATZ

A CONCURRENT RESOLUTION

To establish the Commission on Men's Health and Wellness to study and make recommendations relative to improving the health of men living in Louisiana and to require the commission to report such recommendations.

**SENATE CONCURRENT RESOLUTION NO. 9—**  
BY SENATOR B. GAUTREUX

A CONCURRENT RESOLUTION

To add two members to the Louisiana State Seafood Industry Advisory Board increasing the size of the board from twenty-three to twenty-five voting and non-voting members.

**SENATE CONCURRENT RESOLUTION NO. 14—**  
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To direct the office of the legislative auditor to do an in-depth financial and compliance audit on the relationships between the state public retirement systems board and the investment advisors, consultants and managers.

**SENATE CONCURRENT RESOLUTION NO. 22—**  
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation to seek agreement with bordering states, for their providing of timely notification to Louisiana prior to certain oil and gas activity near the state boundary.

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to inform the public of the requirements of R.S. 32:71(B) requiring slower moving traffic to drive in the right-hand lane on multilane highways, and to request state police to enforce the penalties for violation as provided in law.

**SENATE CONCURRENT RESOLUTION NO. 25—**  
BY SENATOR MCPHERSON AND REPRESENTATIVES BAUDOIN, DOVE, FRITH, GEYMAN, HILL, HUTTER, LAMBERT, PIERRE, ROBIDEAUX, JACK SMITH AND ST. GERMAIN

A CONCURRENT RESOLUTION

To urge and request The Honorable Kathleen Babineaux Blanco, Governor of the State of Louisiana, to direct the state land office to complete within the next four years an inventory of the waterbottoms in this state, and to provide sufficient funding through appropriations or other means for the accomplishment of this urgent and crucial task.

**SENATE CONCURRENT RESOLUTION NO. 27—**  
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of increasing the speed limits on certain two-lane roads.

**SENATE CONCURRENT RESOLUTION NO. 28—**  
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To encourage the private sector to increase the number of options for long-term care and to urge Louisiana insurance companies to increase the options available for coverage of long-term care.

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR SMITH AND REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to preserve Louisiana's sovereignty related to public expressions of religious faith within the state of Louisiana.

**SENATE CONCURRENT RESOLUTION NO. 30—**  
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the possible migration of triploid grass carp out of Saline Lake.

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATORS ULLO AND HOLLIS AND REPRESENTATIVES ALARIO, ARNOLD, BADON, BALDONE, BAUDOIN, BOWLER, BURNS, CURTIS, DAMICO, DARTEZ, DEWITT, DURAND, FANNIN, FAUCHEUX, FLAVIN, FRITH, GEYMAN, E. GUILLORY, HEBERT, HONEY, JOHNS, KATZ, KENNARD, LABRUZZO, LANCASTER, MARCHAND, MCDONALD, MORRELL, MURRAY, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCALISE, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, TOOMY, TRAHAN, WALKER AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the governor and the Louisiana Department of Transportation and Development to make every effort to expedite the proposed widening of the Huey P. Long Bridge and improvements to the eastbank and westbank roadway approaches.

**SENATE CONCURRENT RESOLUTION NO. 37—**  
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the secretary of the Louisiana Department of Transportation and Development to consider the training of certain department employees to assist state police in accident investigation and reconstruction, specifically concerning the road operating environment.

**SENATE CONCURRENT RESOLUTION NO. 41—**  
BY SENATOR FIELDS AND REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the feasibility of passing on to the uninsured the reduced prices the state pays for prescription drugs for Medicaid beneficiaries.

**SENATE CONCURRENT RESOLUTION NO. 42—**  
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to use treated wood posts to support roadside signage and to investigate how the department may use more wood products in the maintenance and construction of Louisiana's highways.

**SENATE CONCURRENT RESOLUTION NO. 43—**  
BY SENATOR N. GAUTREUX

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to adopt by rule a procedure for an expedited Medicaid application process.

**SENATE CONCURRENT RESOLUTION NO. 48—**

BY SENATOR JONES AND REPRESENTATIVES ALEXANDER, CROWE, DOWNS, FANNIN, FUTRELL, HONEY, KENNEY, M. POWELL, RITCHIE, JANE SMITH, AND WRIGHT

A CONCURRENT RESOLUTION

To express Legislative support for Southern University Agricultural and Mechanical College in the implementation of an aggressive economic development strategy known as Vision 2010 which is designed to transform education, quality of life, and economic

development in our state by the creation of 2,010 jobs by the year 2010.

**SENATE CONCURRENT RESOLUTION NO. 59—**  
BY SENATOR MCPHERSON  
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to investigate, study, and develop a plan or strategy to expedite intra-departmental information sharing designed to result in improvement of data collection processes, program evaluation, coordination of client services, and to avoid duplication of efforts.

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR HOLDEN  
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Environmental Quality and each member of the Louisiana delegation to the United States Congress to support federal regulations mandating restrictions on mercury emissions and discharges to reduce mercury contamination in the environment.

**SENATE CONCURRENT RESOLUTION NO. 76—**  
BY SENATOR FIELDS AND REPRESENTATIVE DORSEY  
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the feasibility of implementing the "At Home Infant Care Act".

**SENATE CONCURRENT RESOLUTION NO. 82—**  
BY SENATOR SCHEDLER  
A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

**SENATE CONCURRENT RESOLUTION NO. 86—**  
BY SENATORS NEVERS, HAINKEL AND SCHEDLER AND REPRESENTATIVES BALDONE, BAUDOIN, BOWLER, BRUNEAU, K. CARTER, R. CARTER, CURTIS, DAMICO, DOERGE, DORSEY, DOWNS, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, HEATON, HILL, HONEY, HUNTER, HUTTER, JEFFERSON, KATZ, KENNARD, KENNEY, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, WALKER AND WHITE  
A CONCURRENT RESOLUTION

To urge and requests retailers within the state of Louisiana to promote Louisiana dairy products.

**SENATE CONCURRENT RESOLUTION NO. 88—**  
BY SENATOR AMEDEE AND REPRESENTATIVES R. CARTER AND WALKER  
A CONCURRENT RESOLUTION

To urge and request that Louisiana State University Health Sciences Center - New Orleans and Tulane University Health Sciences Center cooperate with Aneurysm Outreach, Inc., a Louisiana nonprofit organization dedicated to mobilizing people and resources to eradicate aneurysms, by assisting in the provision of portable ultrasound technology and necessary staff to develop a system to provide aneurysm screening statewide for those considered to be most at risk.

**SENATE CONCURRENT RESOLUTION NO. 90—**  
BY SENATOR SMITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the possible migration of triploid grass carp out of Iatt Lake.

**SENATE CONCURRENT RESOLUTION NO. 91—**  
BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to draw down Saline Lake, to apply herbicides to the lake, and to allow the Saline Lake Game and Fish Preserve Commission to stock the lake with triploid grass carp, under the direct supervision of the department and its biologists.

**SENATE CONCURRENT RESOLUTION NO. 92—**  
BY SENATOR SMITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to draw down Iatt Lake, to apply herbicides to the lake, and to allow the Grant Parish Police Jury to stock the lake with triploid grass carp, under the direct supervision of the department and its biologists.

**SENATE CONCURRENT RESOLUTION NO. 104—**  
BY SENATOR HOLDEN  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Community & Technical College System to study the feasibility of adoption of the Ohio University "Skills Max" program which was created to incorporate assessments with job-matching opportunities.

**SENATE CONCURRENT RESOLUTION NO. 105—**  
BY SENATOR DUPRE  
A CONCURRENT RESOLUTION

To recognize the Isle de Jean Charles Band of the Biloxi-Chitimacha Confederation of Muskogees ("BCCM"), the Bayou Lafourche Band of the BCCM, the Grand Caillou/Dulac Band of the BCCM, known collectively as the "BCCM Tribes" and the Pointe-au-Chien Indian Tribe ("PACIT").

**SENATE CONCURRENT RESOLUTION NO. 106—**  
BY SENATOR LENTINI AND REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to extend and expand the pilot program for home incarceration and electronic monitoring that was established by Act No. 1139 of the 2001 Regular Session.

**SENATE CONCURRENT RESOLUTION NO. 113—**  
BY SENATORS ULLO, DARDENNE, DUPLESSIS, DUPRE, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, AND THEUNISSEN AND REPRESENTATIVE SCALISE  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to develop sound energy policies that promote expansion and production of domestic crude oil reserves, and encourages the development of petroleum refining facilities in the United States.

**SENATE CONCURRENT RESOLUTION NO. 116—**  
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the commissioner of administration to study the feasibility of delegating, through the office of facility planning and control, all or a portion of the office's administrative responsibilities regarding any capital outlay project appropriated to a non-state entity to the governing authority of the non-state entity, or to an agency of such governing authority.

**SENATE CONCURRENT RESOLUTION NO. 138—**  
BY SENATOR JACKSON AND REPRESENTATIVES BRUCE, BURRELL, DOERGE, GLOVER, HOPKINS, MONTGOMERY, JANE SMITH AND WADDELL

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the creation of the Louisiana State University Health Sciences Center in Shreveport as a statutorily defined component of Louisiana State University under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

**SENATE CONCURRENT RESOLUTION NO. 146—**  
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To recognize and commend Ann Knapp for her accomplishments and contributions to the Board of Supervisors of Community and Technical Colleges and for her tenure as the chair during 2002-2003 and 2003-2004.

**SENATE CONCURRENT RESOLUTION NO. 147—**  
BY SENATOR N. GAUTREAU AND REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To commend and congratulate Bonaventure Fire Company of Rayne, Louisiana, on its initiation of construction of a state-of-the-art manufacturing facility and its many contributions to the Acadia Parish area.

**SENATE CONCURRENT RESOLUTION NO. 150—**

BY SENATORS N. GAUTREAU, HINES, HAINKEL, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, HEITMEIER, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To extend sincere and heartfelt condolences upon the death of President Ronald Reagan and to express enduring appreciation for his singular contributions and achievements.

**SENATE CONCURRENT RESOLUTION NO. 148—**  
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Senate and House committees on transportation, highways and public works to meet and function as a joint committee for the purpose of studying and making recommendations regarding the operation of locomotives by remote control.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 15, 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. 27—**  
BY REPRESENTATIVE E. GUILLORY  
AN ACT

To enact R.S. 49:170.12, relative to state symbols; to designate gumbo as the official state cuisine; and to provide for related matters.

**HOUSE BILL NO. 130—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 49:190.1, 191, and 193(E)(introductory paragraph), relative to the termination and re-creation of departments and statutory entities; to change the termination dates of departments and statutory entities; to provide for the effective termination date for all statutory authority for the existence of each department and statutory entity; to change the time for the study and evaluation of a statutory entity by standing committees of the legislature; and to provide for related matters.

**HOUSE BILL NO. 159—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 33:450, relative to mayors' courts; to create a mayor's court of the town of St. Gabriel in Iberville Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

**HOUSE BILL NO. 180—**  
BY REPRESENTATIVES FUTRELL, DORSEY, AND WALSWORTH  
AN ACT

To enact R.S. 18:425.2, relative to the authority of parish boards of election supervisors to provide for two commissioners to work half of an election day; to authorize any parish board of election supervisors in the event of a shortage of commissioners to create two equal work shifts for commissioners; to authorize such parish board of election supervisors to select commissioners to serve one or two shifts on an election day; to provide for a commissioner who serves for one shift to receive half of the compensation a commissioner would receive for a full day; to require the State Board of Election Supervisors to prescribe uniform rules for the selection, scheduling, and procedures for creating two equal shifts for commissioners on election day; to provide for the effectiveness of such provisions; and to provide for related matters.

**HOUSE BILL NO. 185—**

BY REPRESENTATIVE GRAY

AN ACT

To amend and reenact Children's Code Articles 804(7), 832, 834, 835, 837, and 838 and to enact Children's Code Article 730(9), relative to juvenile delinquency proceedings; to provide for definitions; to provide relative to the appointment of members of the sanity commission; to provide for requirements relative to the report of the sanity commission; to provide with respect to procedures after a determination has been made regarding mental incapacity to proceed; to provide for procedures to be used when such capacity is regained; to provide for the grounds of a family in need of services proceeding; and to provide for related matters.

**HOUSE BILL NO. 209—**

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 33:1702.3, relative to the marshal of the City Court of Ruston; to prohibit the marshal from receiving a salary greater than the salary of the sheriff of Lincoln Parish; and to provide for related matters.

**HOUSE BILL NO. 258—**

BY REPRESENTATIVE CRANE AND SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:1951, relative to the special school district; to specify that children with exceptionalities enrolled in state-operated facilities and receiving special education services provided by the special school district shall be enrolled as residents of such facilities; to specify that eligible children enrolled in state-operated mental health facilities and receiving appropriate educational services by the special school district shall be enrolled as residents of such facilities; to authorize the special school district to enter into certain interagency agreements; to provide appropriate services to certain children who are not residents of state-operated facilities and to eligible individuals enrolled as residents in state-operated facilities; and to provide for related matters.

**HOUSE BILL NO. 261—**

BY REPRESENTATIVES FUTRELL, ARNOLD, BRUNEAU, GALLOT, JEFFERSON, LANCASTER, MONTGOMERY, MURRAY, PITRE, AND SMILEY AND SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to amend Article X, Sections 10(A)(2) and 48(A)(2) of the Constitution of Louisiana, relative to the eligibility for preference points for veterans for civil service and state police service; to provide eligibility for veterans who served for a certain period of continuous service on active duty after a certain date and have served honorably in the armed forces of the United States; to provide for eligibility for preference points in the state police service for service during wars declared by congress; to provide that certain war periods and armed conflicts for eligibility for preference points for veterans for state police service shall be as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 402—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

**HOUSE BILL NO. 409—**

BY REPRESENTATIVES DAMICO, ANSARDI, LANCASTER, MARTINY, AND TOOMY AND SENATORS BOISSIERE, 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.

**HOUSE BILL NO. 431—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o)(ii)(bb) and (iii), relative to certain fees imposed by the board of directors of the Louisiana School of Math, Science, and the Arts; to remove provisions relative to a room deposit fee; to authorize a security deposit fee and limit the amount of such fee; to provide relative to the room and board fee, including limiting the amount of such fee; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 472—**

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:844(G)(1)(a) and to repeal R.S. 22:844(G)(4) and (5), relative to investments by domestic insurers; to delete prior approval of commissioner before purchase of land; and to provide for related matters.

**HOUSE BILL NO. 493—**

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 17:1170 and 1200, relative to leaves of absence for certain employees of city, parish, and other local public school boards; to include guidance counselors who hold valid professional ancillary certificates in counseling issued by the state Department of Education in the definitions of persons eligible for certain sabbatical leave and sick leave benefits provided by law; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 498—**

BY REPRESENTATIVES TRICHE, JOHNS, AND BROOME

AN ACT

To amend and reenact R.S. 46:236.1.1(1), 236.2(A)(2) and (B)(2), and 236.3(A)(1) and (D)(1), relative to child support programs; to provide for definitions; to provide for the electronic transmission of the notice for an income assignment order; to provide for judgments awarding retroactive support; and to provide for related matters.

**HOUSE BILL NO. 508—**  
BY REPRESENTATIVE M. POWELL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(2) and (H), relative to the jurisdictional amount in controversy for the City Court of Shreveport; to increase the jurisdictional amount; and to provide for related matters.

**HOUSE BILL NO. 523—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:1193(G) and (I)(2), relative to insurance agents; to provide with respect to continuing education requirements and exemptions from such requirements; and to provide for related matters.

**HOUSE BILL NO. 524—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To repeal Part XII of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, consisting of R.S. 22:491 through 507, relative to Lloyd's plan insurers.

**HOUSE BILL NO. 525—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 35:399(B), relative to ex officio notaries for police departments; to provide for the authority of ex officio notaries; to provide for certain sworn reports; and to provide for related matters.

**HOUSE BILL NO. 533—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:1483(7)(e), relative to the Campaign Finance Disclosure Act; to define the term "district office" for purposes of the Campaign Finance Disclosure Act; and to provide for related matters.

**HOUSE BILL NO. 627—**  
BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 9:1783(A)(1) and to repeal R.S. 9:2005(3), relative to trusts; to provide for person qualifying as trustee; to repeal certain provision authorizing the seizure of interests in trusts.

**HOUSE BILL NO. 667—**  
BY REPRESENTATIVE MORRELL  
AN ACT

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

**HOUSE BILL NO. 706—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To repeal R.S. 22:81(2), relative to domestic insurance corporations; to repeal certain shareholder requirements for directors.

**HOUSE BILL NO. 735—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 18:18(A)(7), 59.2(A) and (C), 171(A), (C)(2) and (3) and (D), 193(G)(1), 196(C)(3), 424(E), 425(E), 431(A)(5) and (B)(4), 435(C), 443.1(B), 463(C), 464(A), 513(C), 532(B)(4)(a)(iii) and (c), 532.1(B)(2)(a) and (3), (C)(3), (D), and (G)(1), 566(B)(1), 574(A)(2) and (3), 581(1), 602(G), 1259(B)(5), 1280.22(A), 1307(A)(2), (B)(1) and (2), (C), and (E), 1313(H), 1354(C), 1400.1(A), (B)(2), and (C)(1), 1400.2(A), (B)(2), and (C)(1), 1400.3(A), (B)(2), and (C)(1), 1400.4(A), (B)(2), and (C)(1), 1405, and 1903(A) and to enact R.S. 18:426(A)(4), 463(E), 513(D), 1309(E)(6), and 1435, relative to the Election Code; to make technical changes to the Election Code; to provide relative to population data used to determine employment in registrars' offices; to provide relative to the Department of State monitoring its databases relative to voters' felony convictions; to provide relative to procedure for the challenge and cancellation of registration of certain voters; to provide relative to confirmation of a voter's address; to provide relative to the time period for compensation of commissioners and commissioners-in-charge; to provide for certain persons under age eighteen to serve as alternate commissioners; to provide relative to the information contained in lists of persons qualified to serve as commissioners; to provide for a watcher to serve at multiple precincts; to make technical changes relative to the membership of certain state central committees; to provide relative to the information posted on the secretary of state's website; to provide relative to changes to the notice of candidacy after the close of qualifying; to provide for the manner of payment of qualifying fees; to provide for the certification of candidates elected to a reduced term due to a postponed election; to provide for the use of the word "merger" to describe whenever more than one precinct is combined into a single precinct with one geographical description; to provide for the requirements for merging precincts; to provide relative to the handling of provisional ballot envelopes; to provide relative to the counting and tabulation of provisional ballots; to provide relative to the compilation of election returns; to provide relative to vacancies in office; to provide for provisions of the election code to govern the time and manner of calling special elections as authorized by the constitution; to provide relative to requirements for applications to absentee vote by mail; to provide for voiding a ballot when a voter has received and voted on an incorrect ballot; to prohibit convicted felons from serving as deputy parish custodians of voting machines; to provide relative to election costs paid by the secretary of state and parish governing authorities; to provide for the time period for commencing an action objecting to candidacy or contesting an election; to provide relative to court determination of election results; and to provide for related matters.

**HOUSE BILL NO. 809—**  
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 18:1483(7)(d), relative to the definition of district office for purposes of the Campaign Finance Disclosure Law; to provide that all elected public offices to a board or governing authority which has a municipality within its jurisdiction with a certain population are included in the definition of district office; and to provide for related matters.

**HOUSE BILL NO. 836—**  
BY REPRESENTATIVES GLOVER AND HOPKINS  
AN ACT

To amend and reenact R.S. 11:3724(8), as enacted by Act No. 74 of the 1991 Regular Session of the Legislature of Louisiana, relative to the Police Pension and Relief Fund of the City of Shreveport; to provide relative to survivor benefits; to repeal R.S. 11:3724(8) as amended and reenacted by prior Acts of the Legislature of Louisiana; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 842—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact Civil Code Article 191 and R.S. 9:395.1, relative to paternity; to provide for the establishment of paternity; to provide a time limitation for actions; and to provide for related matters.

**HOUSE BILL NO. 866—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To amend and reenact R.S. 32:306, relative to equipment on motor vehicles; to provide relative to stop lamps and turn signals on motor vehicles; and to provide for related matters.

**HOUSE BILL NO. 870—**  
BY REPRESENTATIVES TUCKER, DOERGE, GALLOT, HEBERT, HILL, KENNARD, MONTGOMERY, JOHN SMITH, ST. GERMAIN, TRAHAN, TRICHE, AND WALSWORTH AND SENATOR BOSSIERE  
AN ACT

To amend and reenact R.S. 11:2257(F)(2) and (H), relative to the Firefighters' Retirement System; to provide definitions of terms; to remove the authorization for retired members to participate in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 953—**  
BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact R.S. 33:4303, relative to Gas Utility District No. 1 of West Feliciana Parish; to increase the membership of the board of commissioners of the district; to provide for the appointment and terms of office of board members; and to provide for related matters.

**HOUSE BILL NO. 1047—**  
BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 12:1308(C)(1) and (D)(2), relative to limited liability companies; to revise the procedure for changing a registered agent and the registered agent's address; and to provide for related matters.

**HOUSE BILL NO. 1105—**  
BY REPRESENTATIVE WOOTON  
AN ACT

To amend and reenact R.S. 27:308(B), relative to the Video Draw Poker Devices Control Law; to provide with respect to sanctions of licensees; to provide limitations on sanctions for failure to disclose misdemeanor criminal offenses in license renewal applications; and to provide for related matters.

**HOUSE BILL NO. 1163—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 40:2404(9) and to enact R.S. 17:416.19 and R.S. 40:2404(11), relative to school resource officers; to provide for the contracting of school resource officers by school systems; to provide for definitions and qualifications; and to provide for related matters.

**HOUSE BILL NO. 1363—**  
BY REPRESENTATIVES WINSTON, MARTINY, BURNS, R. CARTER, DOERGE, DURAND, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HUNTER, KATZ, LABRUZZO, MARCHAND, MCDONALD, MONTGOMERY, STRAIN, WADDELL, WALKER, SCHNEIDER, THOMPSON, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BROOME, BRUCE, CAZAYOUX, CROWE, CURTIS, DARTEZ, DORSEY, FANNIN, GALLOT, GEYMAN, HONEY, HOPKINS, HUTTER, JEFFERSON, JOHNS, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MORRISH, MURRAY, PIERRE, T. POWELL, RICHMOND, RITCHIE, SCALISE, GARY SMITH, JACK SMITH, JANE SMITH, TRAHAN, AND TUCKER AND SENATORS MOUNT, CRAVINS, JONES, AND LENTINI  
AN ACT

To amend and reenact R.S. 46:1941.1, 1941.2, 1941.5, and 1941.8 and to repeal R.S. 46:1941.3(1), 1941.4, 1941.6, 1941.7, 1941.9 through 1941.13, relative to youth services; to provide for the creation of children and youth planning boards; to provide for the purpose of such boards; to provide with respect to membership; to repeal provisions of law providing for parish youth services programs; to repeal provisions providing for parish youth services subsidy program; 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. 1448—**  
BY REPRESENTATIVES ODINET AND HUTTER  
AN ACT

To enact R.S. 17:85.5 and 85.6, relative to naming certain athletic facilities; to authorize the parish school board in certain parishes to name a baseball stadium and a gymnasium in honor of a former coach and a former teacher, respectively; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1464—**  
BY REPRESENTATIVES CROWE AND SCHNEIDER  
AN ACT

To amend and reenact R.S. 9:5141(C) and (D) and R.S. 35:17(B), relative to public records on immovable property; to provide relative to social security and other taxpayer identification numbers; and to provide for related matters.

**HOUSE BILL NO. 129—**  
BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 9:5166, relative to judgments; to provide for the partial cancellation of judgments; to provide for the filing of an affidavit; and to provide for related matters.

**HOUSE BILL NO. 165—**  
BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To enact R.S. 9:5169.1, relative to mortgages; to provide for the erasure of mortgages; to provide for the form for erasure; to provide for the execution of a release by the holder of the promissory note; to require the cancellation of a mortgage by the clerks of court and recorder of mortgages; to provide for an exemption from liability; and to provide for related matters.

**HOUSE BILL NO. 166—**  
BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 20:1(D), relative to the homestead exemption from seizure; to provide for the waiver of the homestead exemption; to provide for the separate property of a spouse; and to provide for related matters.

**HOUSE BILL NO. 182—**  
BY REPRESENTATIVE JACKSON  
AN ACT

To enact R.S. 13:1904.1, relative to the destruction of certain records in the City Court of Baton Rouge; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

**HOUSE BILL NO. 190—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To enact R.S. 27:21.1, relative to the Louisiana Gaming Control Law; to require certain gaming licensees and the casino gaming operator to submit a report of the names of all entities providing professional services to those licensees and the casino gaming operator; to provide for definitions; to provide for the imposition of sanctions; to provide for the adoption of rules; to provide for quarterly submission of the report; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 207—**  
BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (J), relative to jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Oakdale; and to provide for related matters.

**HOUSE BILL NO. 254—**  
BY REPRESENTATIVES ANSARDI AND LANCASTER  
AN ACT

To amend and reenact R.S. 9:2092(B)(2), relative to trust instruments; to provide for the effect against third parties for the failure of an inter vivos trust instrument to be in proper form; and to provide for related matters.

**HOUSE BILL NO. 310—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:3103, 3104, 3105, 3108(B)(2) and (3), and 3112(5), to enact R.S. 22:3102(4) and 3112(14) and (15), and to repeal R.S. 22:231(H) and 236(10), relative to the Louisiana Safety Net Health Insurance Program; to transfer

administration and oversight of the program from the Louisiana Health Plan to the Department of Insurance; to provide with respect to eligibility, plan of operation, producer requirements, minimal benefit hospital and medical policy provisions, and definitions; and to provide for related matters.

**HOUSE BILL NO. 319—**  
BY REPRESENTATIVE PINAC  
AN ACT

To repeal R.S. 51:1422, relative to franchise agreements; to repeal provisions which do not require certain franchises to honor or accept reciprocal agreements.

**HOUSE BILL NO. 340—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Code of Criminal Procedure Article 326(B), relative to bail; to provide for the cancellation of the bail bond in felony cases upon entry of a plea of guilty or nolo contendere; and to provide for related matters.

**HOUSE BILL NO. 345—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 22:173.1(C)(1)(c), relative to annuities; to provide for interest rates; and to provide for related matters.

**HOUSE BILL NO. 361—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To enact R.S. 22:1242(1)(f) and (g), relative to insurance fraud; to define fraudulent insurance acts relative to viatical settlements and unauthorized insurance; and to provide for related matters.

**HOUSE BILL NO. 418—**  
BY REPRESENTATIVES MONTGOMERY AND MURRAY  
AN ACT

To amend and reenact Code of Civil Procedure Article 3603.1(C), relative to protective orders; to require clerks of court to assist in the preparation of applications for protective orders in certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 544—**  
BY REPRESENTATIVES BRUNEAU, SHEPHERD, ST. GERMAIN,  
AND WALSWORTH  
AN ACT

To amend and reenact R.S. 24:31.3, relative to newly elected members of the legislature; to allow for reimbursement for expenses related to attendance at certain orientation seminars for newly elected members of the legislature; to allow for certain actions and expenditures to establish a district office for such members-elect; to allow the employment of legislative assistants by such members-elect; and to provide for related matters.

**HOUSE BILL NO. 548—**  
BY REPRESENTATIVES LANCASTER, BRUNEAU, AND GALLOT  
AN ACT

To amend and reenact R.S. 36:742(8) and to enact R.S. 36:742(9) and Part V of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:49, relative to elections compliance; to provide for the powers and duties of the secretary of state to include the investigation of allegations of election irregularities; to provide for the creation of the elections compliance unit in the Department of State; to provide

for the powers and duties of the elections compliance unit; and to provide for related matters.

**HOUSE BILL NO. 687—**  
BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 12:81(A) and 224(B), relative to corporations; to provide relative to directors; to provide for the required number of directors; and to provide for related matters.

**HOUSE BILL NO. 910—**  
BY REPRESENTATIVES LANCASTER, BURRELL, DARTEZ,  
GLOVER, PITRE, ST. GERMAIN, AND TRICHE  
AN ACT

To amend and reenact R.S. 24:35.5(A)(introductory paragraph), (2), (4), (51), (54), (55), and (60) and (C) and to enact R.S. 24:35.5(B)(3); to provide for the composition of certain House of Representatives districts; to provide for the composition of House of Representatives Districts Nos. 2, 4, 51, 54, 55, and 60; to provide for the precincts used to compose the districts for the House of Representatives; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 920—**  
BY REPRESENTATIVE BURNS  
AN ACT

To amend and reenact R.S. 51:216(A), (B), and (C), relative to trade name registration; to provide for duration of trade name registration; to provide for fees; and to provide for related matters.

**HOUSE BILL NO. 964—**  
BY REPRESENTATIVES WHITE, MCVEA, AND HONEY  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and (H), relative to the jurisdiction of city courts; to increase the jurisdictional amount in dispute in the City Court of Zachary; to increase the jurisdictional amount of a city court with territorial jurisdiction in a city with a certain population; and to provide for related matters.

**HOUSE BILL NO. 972—**  
BY REPRESENTATIVES WALKER AND JOHNS  
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(L), relative to the jurisdiction of certain city courts; to increase the jurisdictional amount in dispute for the City Court of Bunkie and the City Court of Marksville; and to provide for related matters.

**HOUSE BILL NO. 974—**  
BY REPRESENTATIVES ARNOLD AND TUCKER  
AN ACT

To enact R.S. 33:4570.21, to create the Algiers Park Commission; to provide relative to the purpose, membership, and powers of the commission; 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. 1127—**  
BY REPRESENTATIVES BURRELL, BAYLOR, GLOVER,  
JEFFERSON, LAMBERT, MARCHAND, AND RITCHIE AND  
SENATORS CHEEK, JACKSON, AND MALONE  
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.

**HOUSE BILL NO. 1147—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 9:3198(A), relative to the property disclosure form; to require that it indicate prior zoning; and to provide for related matters.

**HOUSE BILL NO. 1180—**  
BY REPRESENTATIVE MURRAY AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 24:513(I)(1)(a) and (c)(ii), (iii), and (iv), relative to the powers and duties of the legislative auditor; to provide relative to discretion of auditor to determine frequency of audit and level of assurance required, depending on amount of revenue received by auditee; to provide relative to amounts of revenue received by auditee; to provide relative to frequency of audits and levels of assurances required for audits; and to provide for related matters.

**HOUSE BILL NO. 1325—**  
BY REPRESENTATIVE MURRAY AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 39:1303(A), 1307(A), and 1311(A)(introductory paragraph), relative to budgetary procedures for political subdivisions; to provide for the applicability of certain requirements for public participation in the budgetary process; to provide for the applicability of certain requirements related to budgetary authority and control; and to provide for related matters.

**HOUSE BILL NO. 1414—**  
BY REPRESENTATIVE CROWE  
AN ACT

To amend and reenact R.S. 38:1674.16(D)(2), relative to drainage districts in St. Tammany Parish; to authorize an increase in the additional maintenance and operation tax levied by the St. Tammany Parish Drainage District No. 4; and to provide for related matters.

June 15, 2004

**HOUSE BILL NO. 1432—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 39:1217.1, relative to public contracts for local depositing authorities; to delete certain exemptions for local depositing authorities located in a parish or municipality with a population of less than one hundred thousand; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1438—**  
BY REPRESENTATIVES MURRAY AND SCALISE  
AN ACT

To repeal R.S. 23:1021(12) and 1225(D), relative to workers' compensation benefits; to repeal provisions that provide for a reduction or offset of workers' compensation benefits payable to professional athletes.

**HOUSE BILL NO. 1454—**  
BY REPRESENTATIVES KENNEY AND THOMPSON  
AN ACT

To enact R.S. 33:4712.10, relative to naming a welcoming center; to authorize the municipal governing authority in certain municipalities to name a welcoming center in honor of a legislator; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1599—**  
BY REPRESENTATIVE BAUDOIN  
AN ACT

To amend and reenact R.S. 32:196, relative to traffic violations; to prohibit certain persons or means of conveyance attaching to vehicles upon a highway; and to provide for related matters.

**HOUSE BILL NO. 1603—**  
BY REPRESENTATIVES MARCHAND AND MURRAY  
AN ACT

To enact R.S. 40:1262, relative to smoking; to prohibit smoking in the Senator Nat G. Kiefer University of New Orleans Lakefront Arena; and to provide for related matters.

**HOUSE BILL NO. 1620—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 46:2583(A)(1) and to enact R.S. 47:463.4.3, relative to mobility impaired persons; to prohibit the manufacture, sale, possession, or use of counterfeit mobility-impaired parking placards; to provide relative to penalties for violations; to dedicate a certain portion of fines; and to provide for related matters.

**HOUSE BILL NO. 1481—**  
BY REPRESENTATIVES MARTINY AND ANSARDI  
AN ACT

To amend and reenact Code of Criminal Procedure Article 336(A)(2) and (3) and to enact Code of Criminal Procedure Article 336(A)(4), relative to release conditioned on participation in pretrial drug testing program; to provide that every person arrested for a felony offense not otherwise required to submit to a pretrial drug test may be required to submit to a pretrial drug test; and to provide for related matters.

**HOUSE BILL NO. 1492—**  
BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 32:1720(A) and (B)(8), relative to the Louisiana Towing and Storage Act; to provide relative to notices; to require the storage or parking facility owner to send notice to certain parties; and to provide for related matters.

**HOUSE BILL NO. 1510—**  
BY REPRESENTATIVE DORSEY  
AN ACT

To enact R.S. 40:1379.5, relative to the powers, functions, and duties of public safety services of the Department of Public Safety and Corrections; to provide that public safety services shall be responsible for the performance of certain functions and duties within the state capitol complex; to provide relative to the responsibility of the deputy secretary for public safety services relative to such functions and duties; to define the state capitol complex for such purposes; 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. 1636—**  
BY REPRESENTATIVES GLOVER AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 18:102(A)(2), 102.1, 104(A)(6), and 172, relative to interdicted voters; to provide for ineligibility to vote of persons under full interdiction; to provide for voting rights for persons under limited interdiction under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1668—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 24:51(5), relative to the definition of lobbyist for the purpose of lobbying the legislature; to increase the amount of expenditures per calendar year in order for persons to be considered lobbyists; and to provide for related matters.

**HOUSE BILL NO. 1670—**  
BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 3:3414.2(C), (D), (E), and (F) and to enact R.S. 3:3414.2(G) and (H), relative to payments for rice under bid contracts; to provide for certain changes in purchaser requirements; to provide options for producers under bid contracts for rice; and to provide for related matters.

**HOUSEBILL NO. 1706 (Substitute for House Bill No. 44 by Representative Lambert)—**

BY REPRESENTATIVE LAMBERT AND SENATORS AMEDEE, CHAISSON, AND FONTENOT  
AN ACT

To amend and reenact R.S. 15:255(A)(1), (E)(1), (G), (H), and (I) and to enact R.S. 15:255(A)(4), (E)(5), and (J), relative to witness

fees paid to off-duty law enforcement officers; to increase the amount of witness fees paid to off-duty law enforcement officers; to require the law enforcement officer to provide documentation; to require the municipal and parish governing authority to timely transmit the fee to the law enforcement officer; to prohibit an officer from receiving the fee if he has received certain federal compensation; to not prohibit the governing authority of a parish or municipality from entering into a cooperative endeavor agreement; to not require a parish or municipal governing authority to appropriate general fund monies for the payment of the fee; and to provide for related matters.

**HOUSE BILL NO. 1721 (Substitute for House Bill No. 1684 by Representative Gary Smith)—**  
BY REPRESENTATIVE GARY SMITH  
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 4720.59, relative to St. Charles Parish; to provide with respect to blighted property; to authorize St. Charles Parish to acquire and dispose of such property under certain circumstances; to provide definitions; and to provide for related matters.

**HOUSE BILL NO. 208—**  
BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 33:1704.5, relative to the City Court of Ruston; to increase the fees that the office of marshal is entitled to charge for services provided in civil matters; 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.

**HOUSEBILL NO. 1447 (Substitute for House Bill No. 99 by Representative Baldone)—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 35:1.1, 71(A) through (E), 191(C)(3), and 201(A), relative to non-attorney notaries; to provide for the filing and renewal of required bonds or insurance coverage; to provide for the granting and suspension of notary commissions; to provide for the qualifications of non-attorney notaries; and to provide for related matters.

**HOUSE BILL NO. 1647—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 25:380.35(A), relative to the Garyville Timbermill Museum; to provide with respect to the transfer of ownership of the building known as the St. John the Baptist Theater to the museum; to provide for acceptance of the transfer by the board; and to provide for related matters.

**HOUSE BILL NO. 1655—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 42:267 and to repeal R.S. 14:316, relative to naming public buildings and certain other public property in honor of a living person; to remove criminal penalties for violation of the prohibition on naming such buildings or property in honor of a living person; to provide for the enforcement of the prohibition and of provisions requiring changing the name and removing evidence of the name; and to provide for related matters.

**HOUSE BILL NO. 1666—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 30:213(A), relative to geophysical surveys and information; to provide for ownership of the data gathered through such surveys; and to provide for related matters.

**HOUSE BILL NO. 1682—**  
BY REPRESENTATIVES HONEY AND DANIEL AND SENATOR HOLDEN  
AN ACT

To amend and reenact R.S. 12:202.1(C), relative to quasi-public nonprofit corporations; to provide that such corporation created to acquire and operate a public transportation system in East Baton Rouge Parish is a political subdivision; to provide that the assets of such corporation are public property; 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**

June 15, 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. 25—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Louisiana High School Athletic Association to prepare warnings regarding dietary supplements containing ephedra for distribution at high schools in the state of Louisiana.

June 15, 2004

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

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.

**HOUSE CONCURRENT RESOLUTION NO. 79—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Health Works Commission to convene a task force to study the status of salaries of postsecondary education faculty in nursing and allied health occupations, relative to corresponding salaries of other faculty, nurses, and allied health practitioners in the private sector and to submit a written report of its findings and recommendations to improve the level of faculty salaries for these individuals to the Louisiana Health Works Commission, the Louisiana Board of Regents, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education prior to the convening of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 121—**  
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to include the image of a pelican on the standard private passenger motor vehicle license plate.

**HOUSE CONCURRENT RESOLUTION NO. 143—**  
BY REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate Louisiana Highway 167 within Evangeline Parish as a Blue Star Memorial Highway in honor of the citizens of Evangeline Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

**HOUSE CONCURRENT RESOLUTION NO. 154—**  
BY REPRESENTATIVES WINSTON AND STRAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to seek immediate funding to widen and replace the two-lane bridge located along Louisiana Highway 21 which crosses the Tchefuncte River in St. Tammany Parish.

**HOUSE CONCURRENT RESOLUTION NO. 172—**  
BY REPRESENTATIVES JANE SMITH AND CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana School Boards Association, the Louisiana Association of School Superintendents, and the Louisiana Association of School Executives to make available without delay to each of their members copies of Opinion No. 03-0351 issued November 13, 2003, by the office of the state attorney general confirming the authority of local public school boards to adopt regulations concerning the possession by students of cellular telephones while students are in school, on school grounds, and in school buses, provided such regulations

meet certain standards and guidelines, the letter requesting the opinion, and this Resolution.

**HOUSE CONCURRENT RESOLUTION NO. 174—**  
BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To urge and request the chairman of the Greater New Orleans Expressway Commission, commonly referred to as "The Causeway Commission" to comply with current law providing for the free and unhampered passage by firemen on toll bridges and ferries.

**HOUSE CONCURRENT RESOLUTION NO. 186—**  
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the governor to support the Sea Point container transfer facility project.

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
BY REPRESENTATIVE DOWNS

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to erect "slower traffic keep right" signs on all state highways with four or more lanes.

**HOUSE CONCURRENT RESOLUTION NO. 193—**  
BY REPRESENTATIVE STRAIN AND SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highways 442, 443, and 40 in Loranger, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 197—**  
BY REPRESENTATIVES CRANE, BROOME, SALTER, AND HUNTER AND SENATORS HOLDEN AND ULLO

A CONCURRENT RESOLUTION

To create the Adult Learning Task Force within the office of the governor for the purpose of reviewing policies and programs related to adult learning in the state of Louisiana and to provide that the task force shall submit a written report to the Legislature of Louisiana on the state of adult learning in Louisiana by not later than January 30, 2005.

**HOUSE CONCURRENT RESOLUTION NO. 211—**  
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation, the Louisiana Municipal Association, and the Police Jury Association to study compliance by Louisiana cities, towns, villages, and special districts in an underground utility regional damage prevention program.

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 Wednesday, June 16, 2004, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, June 16, 2004.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk