

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 3, 2001

The Senate was called to order at 2:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Tarver
Total—1

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

Prayer

The prayer was offered by Rev. Michael McIntosh, 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 Hines, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 3, 2001

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. 87—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend the Louisiana State University School of Veterinary Medicine.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 88—
BY SENATORS BAJOE, C. FIELDS AND W. FIELDS

A CONCURRENT RESOLUTION

To commend and congratulate Mr. Elisha "Tack" Jackson on being named the East Baton Rouge Parish High School Principal of the Year.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 3, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 679—

BY REPRESENTATIVES MCMAINS, WALSWORTH, AND CLARKSON
AN ACT

To amend and reenact all of Chapter 9 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 6 and consisting of R.S. 10:9-101 through 9-605, to be comprised of Parts 1 through 7 and consisting of R.S. 10:9-101 through 9-710, to amend and reenact R.S. 3:207 and 3652(14), R.S. 6:312(E) and 664(E), R.S. 9:3306(26), 3342(B), 4865(A)(2), 4870(B)(3), 4888(B)(4), 5001(A), 5551(A) and (C), R.S. 10:1-105(2)(e), 1-201(9),(32), and (37), R.S. 10:4-210(c)(1), R.S. 10:7-503(1), R.S. 10:8-103(f), 8-106(d) and (f), 8-110(e), 8-301(a), 8-302(a), and 8-510, R.S. 12:702(A) and (B),

R.S. 23:1546(A), R.S. 32:708(B)(2)(b), 710, and 728(9), R.S. 37:218(A), R.S. 39:1421(2), R.S. 40:2601(1), R.S. 46:236.16(A), and Code of Civil Procedure Articles 2721(C) and 2725(B); to enact R.S. 10:5-118 and R.S. 39:1430.1; to repeal R.S. 9:2737, 3101 through 3112, 4321 through 4391, 4421, and 5351 through 5373, R.S. 12:704, and R.S. 32:704(B), all relative to secured transactions under Louisiana Commercial Laws; to revise the entirety of Chapter 9 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for applicability; to provide for effectiveness of security agreements and attachment of security interests; to provide for perfection and priority of security interests; to provide for rights of a bank and of third parties; to provide for duties and operation of filing offices; to provide for uniform form of financing statements and amendments; to provide for fees; to provide for maintenance and destruction of records; to provide for default and enforcement of security interests; to provide for contents and form of notification before disposition of collateral; to provide relative to remedies for noncompliance; to provide for additional default remedies; to provide for transitional provisions; to provide for territorial application of Title 10; to define buyer in the ordinary course of business, purchase, and security interest; to provide relative to the security interest of collecting bank; to provide for the security interest of issuer or nominated person; to provide for document of title to goods defeated in certain cases; to provide for the effects of a commodity contract; to provide for determination of control of a security entitlement; to provide for determination of a securities intermediary's jurisdiction and when possession occurs; to provide for rights of purchaser in certain cases; to provide for conforming amendments; to repeal provisions relative to the schedule of fees; to repeal provisions relative to the assignment of accounts receivable; to repeal provisions relative to certain incorporeal rights and securitized financings; to repeal provisions relative to crop pledges; to repeal provisions relative to the pledge or assignment of secured instruments; to repeal provisions relative to chattel mortgages; to repeal provisions relative to the mortgage of movables used in commercial or industrial activity; to repeal provisions relative to certain mortgages executed by corporations operating natural gas pipelines; to repeal provisions relative to the sale and chattel mortgaging of vehicles; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

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

Message from the House

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

May 3, 2001

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. 44—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of owners and operators of motor vehicles used for transportation in emergencies; and to provide for related matters.

HOUSE BILL NO. 234—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 9:237, relative to matrimonial regime laws; to provide for the license-issuing officer to deliver to each prospective spouse a summary of the covenant marriage law; and to provide for related matters.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:253(A) and (E) and 255(D)(2) and (3) and (F)(2) and to repeal R.S. 48:253(D), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to certain bonds and other guarantees relative to such contracts; to provide relative to companies which may write such bonds; to provide relative to issuance of work orders; and to provide for related matters.

HOUSE BILL NO. 474—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limited liability for health care providers in community health care clinics; to provide for the treatment of patients who are not enrolled in public entitlement programs; and to provide for related matters.

HOUSE BILL NO. 507—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, WINSTON, AND SWILLING

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the legislature to provide for procedures for determination of deficits and associated budget adjustments; to authorize introduction and consideration of such law in any regular session of the legislature; to authorize the adjustment of budgets for certain mandatory or protected expenditures, appropriations, and allocations from the state general fund and dedicated funds

under certain circumstances; to authorize the limited transfer of monies from one fund to another under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 602—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 40:1154, relative to individual sewer systems; to change provisions relative to effluent of sewage treatment systems; to require such systems to have a means of or device for disinfecting such effluent; and to provide for related matters.

HOUSE BILL NO. 634—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Civil Code Articles 1520 and 1521, relative to successions; to provide for prohibited substitutions; to provide for vulgar substitutions; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 687—

BY REPRESENTATIVE PITRE

AN ACT

To designate the Coastal Corridor along certain highways in Lafourche Parish; to provide for certain phases of the Coastal Corridor; to require the Department of Transportation and Development to place certain signage; and to provide for related matters.

HOUSE BILL NO. 757—

BY REPRESENTATIVE PERKINS

AN ACT

To enact Children's Code Article 736.1, relative to runaway juveniles; to provide for immunity from liability for law enforcement officers providing assistance to runaways; and to provide for related matters.

HOUSE BILL NO. 888—

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 1 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2601 through 2620, relative to uniform electronic transactions; to enact the Uniform Electronic Transactions Act; to provide for definitions; to provide for the applicability of electronic records and electronic signatures; to provide for exceptions to the use of electronic records and electronic signatures; to provide for variation by agreement in certain circumstances; to provide for legal recognition and enforceability; to provide for satisfaction of requirements for written records; to provide for attribution of electronic records and electronic signatures to individuals; to provide for the effect of changes or errors in electronic records; to provide for the use of security procedures; to provide for notarization and acknowledgment; to provide for the retention of electronic records; to provide for the admissibility of

electronic records and electronic signatures into evidence; to provide rules for automated transactions; to provide for the sending, receiving, and retrieving of electronic records and electronic signatures; to provide for transferable electronic records; to provide for the creation, retention, acceptance, distribution, and interoperability of electronic records by governmental agencies; and to provide for related matters.

HOUSE BILL NO. 1029—

BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2050.7(A) and (E) and to enact R.S. 30:2050.7(F), relative to the approval or rejection of the attorney general of beneficial environmental projects or cash penalties as settlement for civil penalty assessments by the Department of Environmental Quality; to provide procedure and time limits; to provide procedures for specific beneficial environmental projects; and to provide for related matters.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:407(A)(3) and 422(A), relative to Class "E" learner's license; to provide for certain authorized persons to be in a vehicle when the person driving has a learner's permit; and to provide for related matters.

HOUSE BILL NO. 1483—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2194(B), 2195.2(A)(1)(c)(i), (2), and (5), 2195.3(A)(10), 2195.8(B), and 2195.9(A) and to repeal R.S. 30:2195.2(B)(1)(c), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Fund; to provide definitions; to provide for response actions and response action contractors; to provide for expenditure of funds; to provide for remediation, indemnification, and liability; to provide for financial responsibility; to provide for the composition of the advisory board; and to provide for related matters.

HOUSE BILL NO. 1812—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 33:4720.17(A) and 4720.31(A) and R.S. 47:2261(B)(1) and to enact R.S. 47:2261(C) and (D), relative to notice requirements on post-adjudication sale or donation of property; to provide for adequacy of the notice; and to provide for related matters.

HOUSE BILL NO. 436—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:9108 and to repeal R.S. 33:9109(F)(3), relative to limitation of liability of communication districts, sheriffs, service providers, and wireless service suppliers while providing emergency telephone services; to limit liability with respect to release of subscriber information; to repeal limitation of liability provisions applying only to districts and wireless service suppliers; and to provide for related matters.

HOUSE BILL NO. 750—

BY REPRESENTATIVES WALSWORTH AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and (8), relative to the Medical Malpractice Act; to redefine health care provider to include nursing homes; to define malpractice to include certain acts or omissions of caregivers; and to provide for related matters.

HOUSE BILL NO. 1019—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To amend and reenact R.S. 39:75(C) and to enact R.S. 39:75(E) and (F), relative to the expenditure of state funds and budgetary procedure; to authorize the governor to make limited reductions to certain appropriations; to authorize the limited adjustment of budgets for certain mandatory or protected expenditures, appropriations, or allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for use for other nonmandatory purposes under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 930—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 33:2214(D), relative to police; to provide that certain benefits are applicable to employees of the Baton Rouge Metropolitan Airport Police/Aircraft Rescue Fire Fighting unit; and to provide for related matters.

HOUSE BILL NO. 1847—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 40:2531(B)(7), relative to the rights of a law enforcement officer while under investigation; to provide for the length of time within which an investigation of a law enforcement officer must be completed; and to provide for related matters.

HOUSE BILL NO. 42—

BY REPRESENTATIVES DOWNER AND CLARKSON

AN ACT

To amend and reenact R.S. 9:3261(B) and to enact R.S. 9:3261(A)(5), relative to leases; to provide for the rights of military personnel when terminating a residential lease in certain circumstances; to provide for submission of certain documents to the lessor; and to provide for related matters.

HOUSE BILL NO. 359—

BY REPRESENTATIVES WALSWORTH AND JOHNS

AN ACT

To amend and reenact R.S. 9:5628(A) and to enact R.S. 9:5628(C), relative to actions for medical malpractice; to provide for application of a one-year prescriptive period to claims against nursing homes; and to provide for related matters.

HOUSE BILL NO. 467—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 632—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To enact Chapter 13 of Title III of Book VI of the Louisiana Code of Civil Procedure, to be comprised of Code of Civil Procedure Articles 3396 through 3396.20, and 5251(14), relative to probate procedure; to provide for the independent administration of estates; to provide definitions; to provide the scope of independent administration; to provide for the designation of an independent executor by the testator; to provide for the testator's failure to designate an independent executor; to provide for the independent executor's rights, powers, and duties; and to provide for related matters.

HOUSE BILL NO. 633—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Civil Code Articles 942, 946, 952, 965, 1416, 1575, 1577, 1593, and 1597 and to enact Civil Code Article 1610.1, relative to successions; to authorize persons to bring an action to declare a successor unworthy; to provide for the devolution of succession rights; to provide for probate or amendment of testaments; to provide for accretion upon renunciation in testate successions; to provide liability of universal successors to creditors; to provide for olographic testaments; to provide for loss, extinction, or destruction of property given; to provide for revocation of testamentary dispositions; and to provide for related matters.

HOUSE BILL NO. 931—

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 17:3056(A), relative to the Health Education Authority of Louisiana; to increase the authority of HEAL to issue bonds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1070—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:1299.58(A)(introductory paragraph) and (2) and to enact R.S. 40:1299.58(F), relative to consent to medical treatment; to allow the administrator or manager to provide medical consent for certain mentally retarded or developmentally disabled individuals; and to provide for related matters.

HOUSE BILL NO. 1897—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 30:2050.1(B) and R.S. 30:2050.4(E) and (G) and to enact R.S. 30:2050.4(J), relative to the secretary of the Department of Environmental Quality; to provide for maintenance and distribution of lists of enforcement actions; to provide for adjudicatory hearings procedures; and to provide for related matters.

HOUSE BILL NO. 2045 (Substitute for House Bill No. 806 by Representative Pitre)—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1127.1, relative to workers' compensation; to allow and institute a procedure for access to employee earnings records; to provide confidentiality for information received; to provide for damages as a result of a breach of confidentiality; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Lambert 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. 42—

BY REPRESENTATIVES DOWNER AND CLARKSON

AN ACT

To amend and reenact R.S. 9:3261(B) and to enact R.S. 9:3261(A)(5), relative to leases; to provide for the rights of military personnel when terminating a residential lease in certain circumstances; to provide for submission of certain documents to the lessor; and to provide for related matters.

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

HOUSE BILL NO. 44—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of owners and operators of motor vehicles used for transportation in emergencies; and to provide for related matters.

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

HOUSE BILL NO. 234—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 9:237, relative to matrimonial regime laws; to provide for the license-issuing officer to deliver to each prospective spouse a summary of the covenant marriage law; and to provide for related matters.

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

HOUSE BILL NO. 359—

BY REPRESENTATIVES WALSWORTH AND JOHNS

AN ACT

To amend and reenact R.S. 9:5628(A) and to enact R.S. 9:5628(C), relative to actions for medical malpractice; to provide for application of a one-year prescriptive period to claims against nursing homes; and to provide for related matters.

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

HOUSE BILL NO. 365—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:253(A) and (E) and 255(D)(2) and (3) and (F)(2) and to repeal R.S. 48:253(D), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to certain bonds and other guarantees relative to such contracts; to provide relative to companies which may write such bonds; to provide relative to issuance of work orders; and to provide for related matters.

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

HOUSE BILL NO. 436—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:9108 and to repeal R.S. 33:9109(F)(3), relative to limitation of liability of communication districts, sheriffs, service providers, and wireless service suppliers while providing emergency telephone services; to limit liability with respect to release of subscriber information; to repeal limitation of liability provisions applying only to districts and wireless service suppliers; and to provide for related matters.

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

HOUSE BILL NO. 467—

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

May 3, 2001

HOUSE BILL NO. 474—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limited liability for health care providers in community health care clinics; to provide for the treatment of patients who are not enrolled in public entitlement programs; and to provide for related matters.

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

HOUSE BILL NO. 507—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, WINSTON, AND SWILLING

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the legislature to provide for procedures for determination of deficits and associated budget adjustments; to authorize introduction and consideration of such law in any regular session of the legislature; to authorize the adjustment of budgets for certain mandatory or protected expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize the limited transfer of monies from one fund to another under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Schedler to Reengrossed House Bill No. 507 by Representative Daniel, et al. (Duplicate of Senate Bill No. 121)

AMENDMENT NO. 1

On page 1, line 2, change "amend" to "add" and change "10(F)" to "(10)(K)"

AMENDMENT NO. 2

On page 1, delete lines 4 through 15, and insert in lieu thereof the following: "reduction of certain mandatory expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for other nonmandatory uses under certain circumstances; to authorize the legislature to provide for"

AMENDMENT NO. 3

On page 2, line 4, change "amend" to "add" and change "10(F)" to "(10)(K)"

AMENDMENT NO. 4

On page 2, delete lines 8 through 26 in their entirety and insert in lieu thereof the following:

"(K) Reductions in Appropriations. (1) Notwithstanding any other provision of this constitution to the contrary, if a deficit is projected pursuant to the procedure required by Paragraph (F) of this Section after the beginning of a fiscal year, and general fund appropriations and allocations not mandated by this constitution have been reduced by one percent, then the governor may reduce any appropriation or allocation from the state general fund and dedicated funds, including any that are otherwise constitutionally protected or mandated, by the lesser of five percent or the projected deficit that remains after state general fund appropriations and allocations not mandated by this constitution have been reduced by one percent. For the purposes of this Subparagraph, reductions to expenditures required by Article VIII, Section 13(B) of this constitution shall not exceed one percent, and such reductions shall not be applicable to instructional activities. Reductions made by the governor pursuant to this Paragraph must be approved by the legislature in a manner provided by law.

(2) Notwithstanding any other provision of this constitution to the contrary, if the official forecast for the next fiscal year is at least one percent less than the official forecast in the current fiscal year, an amount not to exceed five percent of each appropriation, allocation, or fund mandated or protected by this constitution shall become available for the budget estimate and appropriation by the legislature for any purpose not prohibited by this constitution. For purposes of this Paragraph, a maximum of one percent of appropriations for expenditures required by Article VIII, Section 13 (B) of this constitution shall be available for other purposes in the next fiscal year and no reduction shall be made in appropriations for instructional activities.

(3) The legislature may provide by law for the implementation of the provisions of this Paragraph."

AMENDMENT NO. 5

On page 3, delete lines 1 through 26.

AMENDMENT NO. 6

On page 4, delete lines 1 through 16.

AMENDMENT NO. 7

On page 4, line 17, delete "Subparagraphs (1) and (2) of"

AMENDMENT NO. 8

On page 5, line 9, change "statewide" to "congressional"

AMENDMENT NO. 9

On page 5, delete lines 15 through 26 and insert in lieu thereof the following:

"To authorize the governor to reduce appropriations or allocations from the state general fund and dedicated funds up to five percent if, after the beginning of a fiscal year appropriations for the fiscal year exceed the official revenue forecast for that year and if aggregate reductions of one percent from the state general fund have

been made; to limit such reductions of the Minimum Foundation Program to one percent; to authorize the legislature to make up to five percent of the monies appropriated or allocated for mandatory expenditures available for other, nonmandatory expenditures if the official revenue forecast for the next fiscal year is at least one percent less than the forecast for the current fiscal year, and to limit such reductions of the Minimum Foundation Program to one percent; to exempt the revenues dedicated or pledged as security for bonds, the severance tax and royalty allocations to parishes, retirement contributions, the Louisiana Education Quality Trust Fund, the Millennium Trust, except for appropriations from the trust, and monies not required to be deposited in the treasury, from these provisions; and to authorize the legislature to provide for the"

AMENDMENT NO. 10

On page 6, delete lines 1 through 16.

AMENDMENT NO. 11

On page 6, line 17, change "Amends" to "Adds"

AMENDMENT NO. 12

On page 6, line 18, change "10(F)" to "10(K)"

On motion of Senator Schedler, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 121, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 602—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 40:1154, relative to individual sewer systems; to change provisions relative to effluent of sewage treatment systems; to require such systems to have a means of or device for disinfecting such effluent; and to provide for related matters.

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

HOUSE BILL NO. 632—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To enact Chapter 13 of Title III of Book VI of the Louisiana Code of Civil Procedure, to be comprised of Code of Civil Procedure Articles 3396 through 3396.20, and 5251(14), relative to probate procedure; to provide for the independent administration of estates; to provide definitions; to provide the scope of independent administration; to provide for the designation of an independent executor by the testator; to provide for the testator's failure to designate an independent executor; to provide for the independent executor's rights, powers, and duties; and to provide for related matters.

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

HOUSE BILL NO. 633—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Civil Code Articles 942, 946, 952, 965, 1416, 1575, 1577, 1593, and 1597 and to enact Civil Code Article 1610.1, relative to successions; to authorize persons to bring an action to declare a successor unworthy; to provide for the devolution of succession rights; to provide for probate or amendment of testaments; to provide for accretion upon renunciation in testate successions; to provide liability of universal successors to creditors; to provide for olographic testaments; to provide for loss, extinction, or destruction of property given; to provide for revocation of testamentary dispositions; and to provide for related matters.

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

HOUSE BILL NO. 634—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Civil Code Articles 1520 and 1521, relative to successions; to provide for prohibited substitutions; to provide for vulgar substitutions; to provide definitions; and to provide for related matters.

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

HOUSE BILL NO. 687—

BY REPRESENTATIVE PITRE

AN ACT

To designate the Coastal Corridor along certain highways in Lafourche Parish; to provide for certain phases of the Coastal Corridor; to require the Department of Transportation and Development to place certain signage; and to provide for related matters.

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

HOUSE BILL NO. 750—

BY REPRESENTATIVES WALSWORTH AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and (8), relative to the Medical Malpractice Act; to redefine health care provider to include nursing homes; to define malpractice to include certain acts or omissions of caregivers; and to provide for related matters.

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

HOUSE BILL NO. 757—

BY REPRESENTATIVE PERKINS

AN ACT

To enact Children's Code Article 736.1, relative to runaway juveniles; to provide for immunity from liability for law enforcement officers providing assistance to runaways; and to provide for related matters.

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

HOUSE BILL NO. 888—

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 1 of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2601 through 2620, relative to uniform electronic transactions; to enact the Uniform Electronic Transactions Act; to provide for definitions; to provide for the applicability of electronic records and electronic signatures; to provide for exceptions to the use of electronic records and electronic signatures; to provide for variation by agreement in certain circumstances; to provide for legal recognition and enforceability; to provide for satisfaction of requirements for written records; to provide for attribution of electronic records and electronic signatures to individuals; to provide for the effect of changes or errors in electronic records; to provide for the use of security procedures; to provide for notarization and acknowledgment; to provide for the retention of electronic records; to provide for the admissibility of electronic records and electronic signatures into evidence; to provide rules for automated transactions; to provide for the sending, receiving, and retrieving of electronic records and electronic signatures; to provide for transferable electronic records; to provide for the creation, retention, acceptance, distribution, and interoperability of electronic records by governmental agencies; and to provide for related matters.

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

HOUSE BILL NO. 930—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 33:2214(D), relative to police; to provide that certain benefits are applicable to employees of the Baton Rouge Metropolitan Airport Police/Aircraft Rescue Fire Fighting unit; and to provide for related matters.

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

HOUSE BILL NO. 931—

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 17:3056(A), relative to the Health Education Authority of Louisiana; to increase the authority of HEAL to issue bonds; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1019—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To amend and reenact R.S. 39:75(C) and to enact R.S. 39:75(E) and (F), relative to the expenditure of state funds and budgetary procedure; to authorize the governor to make limited reductions

to certain appropriations; to authorize the limited adjustment of budgets for certain mandatory or protected expenditures, appropriations, or allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for use for other nonmandatory purposes under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1029—

BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2050.7(A) and (E) and to enact R.S. 30:2050.7(F), relative to the approval or rejection of the attorney general of beneficial environmental projects or cash penalties as settlement for civil penalty assessments by the Department of Environmental Quality; to provide procedure and time limits; to provide procedures for specific beneficial environmental projects; and to provide for related matters.

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

HOUSE BILL NO. 1070—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:1299.58(A)(introductory paragraph) and (2) and to enact R.S. 40:1299.58(F), relative to consent to medical treatment; to allow the administrator or manager to provide medical consent for certain mentally retarded or developmentally disabled individuals; and to provide for related matters.

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

HOUSE BILL NO. 1098—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:407(A)(3) and 422(A), relative to Class "E" learner's license; to provide for certain authorized persons to be in a vehicle when the person driving has a learner's permit; and to provide for related matters.

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

HOUSE BILL NO. 1483—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2194(B), 2195.2(A)(1)(c)(i), (2), and (5), 2195.3(A)(10), 2195.8(B), and 2195.9(A) and to repeal R.S. 30:2195.2(B)(1)(c), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Fund; to provide definitions; to provide for response actions and response action contractors; to provide for expenditure of funds; to provide for

remediation, indemnification, and liability; to provide for financial responsibility; to provide for the composition of the advisory board; and to provide for related matters.

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

HOUSE BILL NO. 1812—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 33:4720.17(A) and 4720.31(A) and R.S. 47:2261(B)(1) and to enact R.S. 47:2261(C) and (D), relative to notice requirements on post-adjudication sale or donation of property; to provide for adequacy of the notice; and to provide for related matters.

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

HOUSE BILL NO. 1847—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 40:2531(B)(7), relative to the rights of a law enforcement officer while under investigation; to provide for the length of time within which an investigation of a law enforcement officer must be completed; and to provide for related matters.

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

HOUSE BILL NO. 1897—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 30:2050.1(B) and R.S. 30:2050.4(E) and (G) and to enact R.S. 30:2050.4(J), relative to the secretary of the Department of Environmental Quality; to provide for maintenance and distribution of lists of enforcement actions; to provide for adjudicatory hearings procedures; and to provide for related matters.

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

HOUSE BILL NO. 2045 (Substitute for House Bill No. 806 by Representative Pitre)—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1127.1, relative to workers' compensation; to allow and institute a procedure for access to employee earnings records; to provide confidentiality for information received; to provide for damages as a result of a breach of confidentiality; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 3, 2001

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. 126—

BY REPRESENTATIVE MCCALLUM AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend and congratulate the members and leaders of Pisgah Baptist Church of Union Parish upon its sesquicentennial anniversary.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE MCCALLUM AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend and congratulate the members and leaders of Pisgah Baptist Church of Union Parish upon its sesquicentennial anniversary.

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

Bean	Hines	Michot
Campbell	Hoyt	Mount
Chaisson	Johnson	Romero
Dardenne	Jones, C	Schedler
Dupre	Lambert	Smith
Ellington	Lentini	Theunissen
Fields, C	Malone	Thomas
Fields, W	Marionneau	Ullo
Gautreaux	McPherson	
Total—26		

NAYS

Total—0

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ABSENT

Mr. President	Cravins	Irons
Bajoie	Dean	Jones, B
Barham	Fontenot	Tarver
Boissiere	Heitmeier	
Cain	Hollis	
Total—13		

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

LOCAL AND MUNICIPAL AFFAIRS

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 3, 2001

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 173—
BY SENATOR JOHNSON

A JOINT RESOLUTION

Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to revenue and finance; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes levied by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with those of the state; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

SENATE BILL NO. 695—
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 33:2955(A)(1)(d), relative to investments by political subdivisions; to remove the minimum interest rate requirement for certain time certificates of deposit; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 718—
BY SENATOR HOYT

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.570, relative to economic development in Vermilion Parish; to create and comprehensively provide

relative to the Vermilion Parish Economic Development District; to provide for the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 887—
BY SENATOR IRONS AND REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 25:745(A)(1) and to enact R.S. 25:746, relative to historic preservation districts; to provide for the judicial review of Vieux Carre Commission decisions; to authorize jurisdiction for appeals of such decisions to the parish district court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 896—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 39:1220(A)(2), relative to selection of depositories; to provide for selection of certain depositories for local fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 989—
BY SENATOR MICHOT
AN ACT

To enact Subpart F-2 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4065.11 through 4065.14, relative to sewerage disposal districts; to create the Broussard Environmental Service and Enhancement District within Lafayette Parish; to provide for the composition, term, compensation and quorum of the district; to provide for the district's powers and funding; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1006—
BY SENATOR HOYT
AN ACT

To authorize the Vermilion Parish Police Jury to lease a portion of a public building to the previous owner of the building; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1018—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 29:727(D), (E), and (F)(2) and (6) and to enact R.S. 29:737, relative to emergency assistance and disasters; to provide the powers and duties of the chief executive officer of a municipality within the municipality during an emergency; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1081—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:1(A), relative to municipal incorporation; to provide that a petition for incorporation shall include a statement relative to the number of inhabitants who are property owners; to provide for effectiveness; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1084—

BY SENATOR SCHEDLER (BY REQUEST)

AN ACT

To enact R.S. 33:22, relative to planning and zoning by local governmental subdivisions; to require periodic training for members of planning and zoning commission and similar entities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 242—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 47:322.28(B), relative to the disposition of collections of monies in the Lafayette Parish Visitor Enterprise Fund; to provide for priority of funding of purposes established by the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 501—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 33:9075(B), relative to the Lake Oaks Subdivision Improvement District; to change the boundaries of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 771—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 33:9064, relative to neighborhood improvement districts; to authorize the governing authority of Jefferson Parish to create a special district for green space purposes in the Woodland West Subdivision; to provide for the creation and the governance of the district as provided by the home rule charter; to require voter approval of any district tax or fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

May 3, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 2009—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from the State General Fund to the University of Louisiana Board of Supervisors - Nicholls State University for repairs and improvements to facilities for the New Orleans Saints Training Camp for the Fiscal Year 2000-2001; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

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

Senator Dardenne 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. 2009—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from the State General Fund to the University of Louisiana Board of Supervisors - Nicholls State University for repairs and improvements to facilities for the New Orleans Saints Training Camp for the Fiscal Year 2000-2001; and to provide for related matters.

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

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

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

SENATE BILL NO. 138—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 42:1123(28), relative to the Code of Governmental Ethics; to exempt an elected official from the prohibition against contracting with his governmental body when there are preexisting contracts in existence; to require that the contract be

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in existence for at least a year prior to taking office; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 138 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 3, after "against" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert the following: "performing compensated services for persons who have or who are seeking a business, financial, or contractual relationship with the agency of the elected official when there are preexisting contracts in existence; to require that the contract be in existence for a least a year"

AMENDMENT NO. 2

On page 1, line 6, after "office;" insert "to require disclosure; to prohibit participation;"

AMENDMENT NO. 3

On page 1, line 13, change "1113" to "1111C(2)(d)"

AMENDMENT NO. 4

On page 1, line 14 delete "the"

AMENDMENT NO. 5

On page 1, delete line 15 in its entirety and insert the following: "any person from whom such public servant would be prohibited by R.S. 42:1115(A)(1) from receiving a gift, provided such contracts"

AMENDMENT NO. 6

On page 1, at the end of line 16, insert the following: "The elected official shall be required to file a notice of such transaction and shall not participate in any transaction involving the governmental entity in which to his actual knowledge such a person has a substantial economic interest."

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

SENATE BILL NO. 277—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.22, relative to health insurance; to provide for health insurance coverage of services rendered by registered nurse first assistants; and to provide for related matters.

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

SENATE BILL NO. 360—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 42:1123(28), relative to the Code of Governmental Ethics; to exempt immediate family members of public servants from the prohibition against performing volunteer work or donating property to that public servant's agency; and to provide for related matters.

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

SENATE BILL NO. 543—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 51:716, relative to the Louisiana securities law; and to provide for related matters.

Reported by substitute by the Committee on Commerce and Consumer Protection. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill 543 by Senator Cain)

BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 51:912.22 (4), relative to manufactured or mobile homes; to provide additional requirements for the installation of manufactured or mobile homes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:912.22 (4) is hereby amended and reenacted to read as follows:

§912.22. Installation standards for manufactured homes and mobile homes

* * *

(4) As to site preparation, the under-home grade, or ground, shall be cleaned of all vegetation and organic material, such as stumps, roots, etc., except grass not exceeding three inches in height. The area beneath and around the home shall be sloped or properly drained so that water will not accumulate under the home. All grass and organic material shall be removed and the pier foundation placed on stable soil or compacted fill. When the soil compaction or soil-bearing capacity is not known, the local building authority in the locale may be consulted or a reading by the use of a pocket penetrometer may be obtained. The bottom of the footer or footers shall be placed on stable soil. The pier foundation shall be a minimum of three and one-half inches by sixteen inches by sixteen inches solid concrete pad or equivalent, precast or poured in place, or approved material which has been analyzed or tested by the state agent or its duly authorized agency to be an equivalent material. Such analysis or test records shall be preserved and available for inspection. The testing of such pad shall include a minimum of a one-hour fire rating and not more than a three-eighths inch deflection under design load. Where the manufacturer's specifications have additional requirements other than the above, the more stringent shall apply. The landowner shall be responsible for proper site preparation in accordance with this Paragraph.

* * *

On motion of Senator Hollis, the committee substitute bill was adopted and becomes Senate Bill No. 1102 by Senator Cain, substitute for Senate Bill No. 543 by Senator Cain.

SENATE BILL NO. 1102—(Substitute for Senate Bill 543 by Senator Cain)

BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 51:912.22 (4), relative to manufactured or mobile homes; to provide additional requirements for the installation of manufactured or mobile homes; and to provide for related matters.

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

SENATE BILL NO. 613—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:1563(B), relative to the state fire marshal; to provide for his powers and duties; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 613 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:1563(B)" insert "and to enact R.S. 40:1563(J)"

AMENDMENT NO. 2

On page 1, line 10, after "bureaus;" insert "**open structures and process structures;**"

AMENDMENT NO. 3

On page 1, line 14, after "except" delete "**as provided in R.S. 40:1578.7 (H) and**" and insert "**for those open structures and process structures as defined in R.S. 40:1563 (J) and except**"

AMENDMENT NO. 4

On page 2, between lines 10 and 11, insert the following:

"R.S. 40:1563(J) is all proposed new law.

(J)(1) Process structures as defined herein shall conform to the requirements of the National Fire Protection Association's Life Safety Code as provided in R.S. 40:1578.6, except that stairs, guard rails, and hand rails shall comply with the applicable worker safety requirements of the Occupational Safety and Health Administration.

(2) "Open structure" means a structure that supports equipment and operations not enclosed within building walls, but which may include a roof or canopy, found in oil refining, chemical processing plants, power plants, pulp and paper mills.

(3) "Process structure" means a naturally ventilated structure enclosed within building walls whose primary function is to protect equipment from the environment in oil refining, chemical processing

plants, power plants, pulp and paper mills, and which structure is normally not occupied."

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

SENATE BILL NO. 633—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:752(7), 753(G), 760(A)(1), (4), and (9), 761(A)(1) and (4), 764(A)(2) and (5), 766, 767, 774, 777(A)(24), 778, 780(A)(2) and (B)(2), 781(A), 782, 783(B) and (C), 785, 787, 788(B)(3) and (5), 789(A) and (B), 793(A)(1)(d) and (e), (D)(1) and (3), (E), and (G)(2), to enact R.S. 37:760(C), and 776(D), and to repeal R.S. 37:788(D), relative to the practice of dentistry; to provide for definitions; to provide for appointments and powers and duties of the Louisiana State Board of Dentistry; to provide for requirement for applicants for dental and dental hygienist license; to provide for employment of a dental hygienist; to provide for disclosure of name of a licensee; to provide for adjudications against nonlicensees; to provide for the board to adjudicate charges against a licensee or unlicensed person for violation and to provide for civil penalty without a license; to provide for a board hearing, notice, penalty and charges; to provide relative to the issuance of subpoenas; to provide for criminal actions and injunctions simultaneous with proceedings before the board; to provide for duties of the attorney general relative to violations; to provide for violations and penalties; to provide for administration of nitrous oxide inhalation analgesia, conscious sedation with parenteral drugs, deep sedation, general anesthesia and for definitions, reporting, permits, fees for permits, limitations and exceptions thereof; to make certain technical changes to correct citations; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 633 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "760(A)(1)" delete ", (4),"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "778,"

AMENDMENT NO. 3

On page 1, line 4, after "780" delete "(A)(2) and" and at the end of the line delete "787,"

AMENDMENT NO. 4

On page 1, line 5, delete "788(B)(3) and (5),"

AMENDMENT NO. 5

On page 1, line 6, after "R.S. 37:760(C)," delete "and 776(D),"

AMENDMENT NO. 6

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On page 1, line 12, after "licensee;" delete the remainder of the line and delete lines 13 and 14

AMENDMENT NO. 7

On page 2, delete line 2 in its entirety

AMENDMENT NO. 8

On page 2, line 10, after "760(A)(1)" delete ",(4),"

AMENDMENT NO. 9

On page 2, line 11, delete "778, 780(A)(2) and" and at the beginning of line 12, insert "780"

AMENDMENT NO. 10

On page 2, line 12, delete "787, 788(B)(3) and (5),"

AMENDMENT NO. 11

On page 2, line 14, after "R.S. 37:760(C)" delete ", and 776(D), are" and insert "is"

AMENDMENT NO. 12

On page 4, delete lines 5 through 17 in their entirety

AMENDMENT NO. 13

On page 4, delete line 27 and on page 5, delete lines 1 through 6 in their entirety

AMENDMENT NO. 14

On page 9, delete lines 8 through 16 in their entirety

AMENDMENT NO. 15

On page 10, delete lines 4 through 17 in their entirety

AMENDMENT NO. 16

On page 10, delete lines 19 through 27 and on page 11, delete lines 1 through 8 and insert "* * *"

AMENDMENT NO. 17

On page 11, line 23, delete "unlicensed person,"

AMENDMENT NO. 18

On page 13, line 11, delete "civil"

AMENDMENT NO. 19

On page 13, line 14, delete "against either licensed or unlicensed" and on line 15, delete "individuals"

AMENDMENT NO. 20

On page 13, line 16, delete "separately or" and after "maintained" delete "by the"

AMENDMENT NO. 21

On page 13, delete line 17, and insert "against the accused"

AMENDMENT NO. 22

On page 13, at the beginning of line 18, delete "individual"

AMENDMENT NO. 23

On page 13, line 22, delete "either or both" and at the end of the line delete "a"

AMENDMENT NO. 24

On page 13, line 23, after "court" delete "or the administrative"

AMENDMENT NO. 25

On page 13, delete lines 26 and 27, on page 14, delete lines 1 through 27, and on page 15, delete lines 1 through 5

AMENDMENT NO. 26

On page 15, line 6, after "Penalties" delete the remainder of the line

AMENDMENT NO. 27

On page 15, line 7, after "where" delete "an administrative" and insert "a"

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

SENATE BILL NO. 646—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 9:3562.1, relative to the collection of credit card debts; to prohibit certain debt collection actions against the spouse of a card holder; and to provide for related matters.

Reported by substitute by the Committee on Commerce and Consumer Protection. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill 646 by Senator Marionneaux)

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 9:3518.2(B) and (C), relative to credit cards; provides for unsolicited mailing or delivery of credit card applications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3518.2(B) and (C) are hereby amended and reenacted to read as follows:

§3518.2. Credit cards; unsolicited delivery or mailing prohibited; penalty
* * *

B.(1) Except as provided in Subsection C of this Section, it shall be unlawful for any financial institution, retail merchant, or other person to mail or otherwise deliver any credit card application or credit card in this state.

(2) Whoever violates this Subsection may, upon conviction, be sentenced to pay a fine of not more than one thousand dollars per occurrence.

C. This Section shall not apply to any credit card application or credit card when mailed or otherwise delivered either:

(1) In response to a request or application for a credit card.

(2) As a replacement for a credit card previously issued to the person to whom the credit card is shipped or mailed.
* * *

On motion of Senator Hollis, the committee substitute bill was adopted and becomes Senate Bill No. 1103 by Senator Marionneaux, substitute for Senate Bill No. 646 by Senator Marionneaux.

SENATE BILL NO. 1103—(Substitute for Senate Bill 646 by Senator Marionneaux)

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 9:3518.2(B) and (C), relative to credit cards; provides for unsolicited mailing or delivery of credit card applications; and to provide for related matters.

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

SENATE BILL NO. 686—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 44:4(29), relative to the public records law; to provide an exemption for nonpublic personal information of toll patrons of the Crescent City Connection Bridge and the Greater New Orleans Expressway; and to provide for related matters.

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

SENATE BILL NO. 697—

BY SENATOR B. JONES

AN ACT

To enact R.S. 24:56(F), relative to lobbyists; to prohibit lobbyists from lobbying on a contingency fee basis; and to provide for related matters.

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

SENATE BILL NO. 732—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1300.144(A)(2), relative to the Rural Hospital Preservation Act; to provide for reimbursement of rural hospitals under the medical assistance program; to provide for rules and regulations related thereto; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 732 by Senator Hines

AMENDMENT NO. 1

On page 2, line 1, delete the comma ",."

AMENDMENT NO. 2

On page 2, line 2, delete "**including without limitation**" and insert "**relative to the use of**"

AMENDMENT NO. 3

On page 2, line 6, between "**share**" and "**and**" delete "**funding**" and insert "**payments**" and after "**Medicaid**" delete "**funding**" and insert "**reimbursement**"

AMENDMENT NO. 4

On page 2, line 8, after "**hospitals**" insert "**to increase access to health care for Medicaid and LACHIP beneficiaries as well as indigent individuals**"

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

SENATE BILL NO. 749—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:1367(A), relative to professions and occupations; to provide with respect to plumbers; to provide for a licensed journeyman plumber to supervise two apprentices on a job; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 749 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 7, after "supervise" insert "no more than"

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

SENATE BILL NO. 751—

BY SENATOR MOUNT

AN ACT

To enact Chapter 15 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1451 through 1459, relative to the establishment of residences for older children in foster care; to establish a system of licensure for such children's residences; to provide for the adoption of regulations; to establish fees and provide for inspections; to provide for penalties for operation without a license or in violation of regulations; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 751 by Senator Mount

AMENDMENT NO. 1

On page 1, line 4, change "older children in foster care" to "transitional youth"

AMENDMENT NO. 2

On page 1, line 5, delete "children's"

AMENDMENT NO. 3

On page 1, line 13, change "FOSTER CARE CHILDREN'S" to "TRANSITIONAL YOUTH"

AMENDMENT NO. 4

On page 2, line 1, change "Foster Care Children's" to "Transitional Youth"

AMENDMENT NO. 5

On page 2, line 6, change "foster care children" to "transitional youths"

AMENDMENT NO. 6

On page 2, line 7, after "custody" insert "or formerly in the custody"

AMENDMENT NO. 7

On page 2, line 9, change "children" to "transitional youth"

AMENDMENT NO. 8

On page 2, line 23, change "Foster care children's" to "Transitional youth"

AMENDMENT NO. 9

On page 2, at the end of line 25 and the beginning of line 26, change "older foster care children" to "transitional youth"

AMENDMENT NO. 10

On page 2, line 27, change "older foster care children" to "transitional youth"

AMENDMENT NO. 11

On page 3, line 3, change "Foster care children's" to "Transitional youth"

AMENDMENT NO. 12

On page 3, line 5, after "supervision for" change "children or young adults" to "transitional youth"

AMENDMENT NO. 13

On page 3, at the end of line 5 and the beginning of line 6, change "foster care children's" to "transitional youth"

AMENDMENT NO. 14

On page 3, line 7, after "(4)", delete the remainder of the line and delete lines 8 through 11 in their entirety and insert in the following:

"Transitional youth" means a person, not less than sixteen nor older than twenty-one years of age, who is either in the department's custody or was in the department's custody at the time of reaching the age of majority. Nothing in this"

AMENDMENT NO. 15

On page 3, lines 14, 20, and 23, change "foster care children's" to "transitional youth"

AMENDMENT NO. 16

On page 4, lines 2, 11, 12, 14, and 21, change "foster care children's" to "transitional youth"

AMENDMENT NO. 17

On page 4, lines 12 and 13, change "children" to "transitional youths"

AMENDMENT NO. 18

On page 4, line 15, after "more" delete the remainder of the line and delete line 16 in its entirety and insert "transitional youths"

AMENDMENT NO. 19

On page 4, line 25, change "older foster care children" to "transitional youth"

AMENDMENT NO. 20

On page 5, lines 4, 16, and 19, change "foster care children's" to "transitional youth"

AMENDMENT NO. 21

On page 5, line 20, after "applicant" insert "or licensee"

AMENDMENT NO. 22

On page 6, lines 12 and 18, change "foster care children's" to "transitional youth"

AMENDMENT NO. 23

On page 7, at the end of line 1 and at the beginning of line 2, change "foster care children's" to "transitional youth"

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

SENATE BILL NO. 816—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 46:56(F)(5), relative to confidential child welfare information; to provide authorization for the Department of Social Services to release confidential child welfare information to certain researchers; and to provide for related matters.

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

SENATE BILL NO. 855—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:821(D) and 826, relative to community and family support systems; to create the Long-Term Care System Reform Task Force; to provide for the membership of the task force; to provide for the powers, duties, and functions of the task force; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 855 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "the" delete the remainder of the line and insert "Disability Services and Supports System Planning Group; to"

AMENDMENT NO. 2

On page 1, lines 4, change "task force" to "planning group" and delete "powers,"

AMENDMENT NO. 3

On page 1, line 5, after "duties" delete the comma "," delete "task force;" and insert "planning group; to provide for expiration;"

AMENDMENT NO. 4

On page 1, line 16, delete "care and support" and insert "supports. It is the intention of the legislature to create a planning group to study and recommend the improvement of programs for persons needing long-term support."

AMENDMENT NO. 5

On page 2, line 2, after "the" delete "Long-Term Care System Reform Task" and on line 3, delete "Force" and insert "Disability Services and Supports System Planning Group"

AMENDMENT NO. 6

On page 2, line 5, after "§826." delete the remainder of the line and insert the following: "Disability Services and Supports System Planning Group; membership;"

AMENDMENT NO. 7

On page 2, line 6, delete "powers," and after "duties" delete the comma "," and insert "and"

AMENDMENT NO. 8

On page 2, line 8, after "A." delete the remainder of the line and insert "The Disability Services and Supports System Planning Group, herein after referred to as the "planning group," is hereby"

AMENDMENT NO. 9

On page 2, line 9, delete "disability"

AMENDMENT NO. 10

On page 2, line 10, delete "elderly"

AMENDMENT NO. 11

On page 2, line 11, after "disabilities," delete the remainder of the line

AMENDMENT NO. 12

On page 2, line 12, delete "disability," and change "task force" to "planning group"

AMENDMENT NO. 13

On page 2, line 13, delete "care reform" and insert "supports"

AMENDMENT NO. 14

On page 2, at the end of line 14, insert the following: "Provider organizations shall include, but not be limited to, the Louisiana Nursing Home Association, the Louisiana Assisted Living Association, CARSA, Supported Living Network, and Arcs. The Minority Health Affairs Commission shall also be included in the planning group."

AMENDMENT NO. 15

On page 2, delete lines 15 through 22, and insert the following:

"B.(1) A consumer task force for the planning group shall be representative of a broad range of people of all ages who have a disability or chronic illness and who rely on long-term support. The consumer task force shall also include representatives of families of children with disabilities, other advocates, and governmental officials responsible for long-term care service programs. The task force shall be actively involved in a meaningful manner in all aspects of the systems improvement effort, from development through implementation and evaluation, including the grant application process.

(2) The consumer task force membership shall consist of the following:

AMENDMENT NO. 16

On page 2, line 23, change "(1)" to "(a)"

AMENDMENT NO. 17

On page 2, on line 25, change "(2)" to "(b)"

AMENDMENT NO. 18

On page 2, on line 27, change "(3)" to "(c)"

AMENDMENT NO. 19

On page 3, line 2, change "(4)" to "(d)"

AMENDMENT NO. 20

On page 3, line 4, change "(5)" to "(e)"

AMENDMENT NO. 21

On page 3, line 6, change "(6)" to "(f)"

AMENDMENT NO. 22

On page 3, line 8, change "(7)" to "(g)" and delete "the American Association of Retired" and on line 9, delete "Persons" and insert "AARP"

AMENDMENT NO. 23

On page 3, on line 10, change "(8)" to "(h)"

AMENDMENT NO. 24

On page 3, delete lines 12 and 13, and insert the following:

"(i) The chairperson of the Statewide Independent Living Council, or his designee."

AMENDMENT NO. 25

On page 3, delete lines 14 and 15"

AMENDMENT NO. 26

On page 3, line 16, change "(11)" to "(j)"

AMENDMENT NO. 27

On page 3, line 18, change "(12)" to "(k)"

AMENDMENT NO. 28

On page 3, line 20, change "(13)" to "(l)"

AMENDMENT NO. 29

On page 3, line 22, change "(14)" to "(m)"

AMENDMENT NO. 30

On page 3, delete lines 23 through 26, and insert the following:

"(n) The assistant secretary of the office of mental health, or his designee.

(o) The president of the National Alliance for the Mentally Ill in Louisiana, or his designee.

(p) The executive director of the Mental Health Association of Louisiana, or his designee.

(q) The president of the Brain Injury Association of Louisiana, or his designee.

(r) The executive director of the governor's office of disability affairs, or his designee.

(s) The chairman of the Senate Committee on Health and Welfare, or his designee.

(t) The chairman of the House Committee on Health and Welfare, or his designee.

C. The chairman of the Senate Committee on Health and Welfare and the chairman of the House Committee on Health and Welfare shall serve as co-chairman of the consumer task force."

AMENDMENT NO. 31

On page 3, delete line 27, and on page 4, delete lines 1 through 5, and insert the following:

D. Each member of the planning group and the consumer task force shall serve without compensation, with the exception of the legislative members who shall receive the same per diem and travel allowance for attending meetings of the task force or any meeting thereof as is normally provided for members of the legislature.

E. The consumer task force shall ensure that the membership of the planning group and any subcommittees remain balanced among disability groups, individuals with disabilities and family members, providers, stakeholders, and governmental representatives.

AMENDMENT NO. 32

On page 4, at the beginning of line 6, change "D" to "F" and change "Long-Term System Reform Task" to "planning group"

AMENDMENT NO. 33

On page 4, at the beginning of line 7, delete "Force"

AMENDMENT NO. 34

On page 4, line 8, delete ", effective state" and change "reform" to "enhance"

AMENDMENT NO. 35

On page 4, line 9, change "care" to "support" and change "will" to "should"

AMENDMENT NO. 36

On page 4, line 13, after "develop" change "a personal life" to "an individual"

AMENDMENT NO. 37

On page 4, line 15, after "possible." delete the remainder of the line and insert "Proposals of the planning group shall be submitted to the consumer task force for review and"

AMENDMENT NO. 38

On page 4, line 16, change "will" to "shall"

AMENDMENT NO. 39

On page 4, line 18, change "will" to "should"

AMENDMENT NO. 40

On page 4, line 22, after "support" insert "and shall include consideration of moving toward private rooms in nursing facility settings and appropriate reimbursement of such"

AMENDMENT NO. 41

On page 4, line 24, change "care support" to "supports"

AMENDMENT NO. 42

On page 4, line 25, after "role" delete the remainder of the line and insert "and adequate reimbursement of institutions."

AMENDMENT NO. 43

On page 4, line 27, change "care" to "support"

AMENDMENT NO. 44

On page 5, line 4, change "care" to "support" and change "reform" to "implementation"

AMENDMENT NO. 45

On page 5, line 5, change "task force" to "planning group" and change "steering" to "consumer task force"

AMENDMENT NO. 46

On page 5, line 6, delete "committee"

AMENDMENT NO. 47

On page 5, line 7, change "reform" to "development"

AMENDMENT NO. 48

On page 5, line 8, change "department" to "Department of Health and Hospitals"

AMENDMENT NO. 49

On page 5, line 9, after "secretary" insert "of the Department of Health and Hospitals"

AMENDMENT NO. 50

On page 5, lines 10 and 13, change "Joint Health and Welfare Committee" to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare"

AMENDMENT NO. 51

On page 5, line 12, change "care" to "support"

AMENDMENT NO. 52

On page 5, delete line 15, and insert the following:

"G. The Department of Health and Hospitals, in consultation with the governor's office of disability affairs, is authorized to"

AMENDMENT NO. 53

On page 5, line 18, change "deliver" to "delivery"

AMENDMENT NO. 54

On page 5, after line 20, insert the following:

"H. The provisions of this Section shall expire on June 30, 2005."

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

SENATE BILL NO. 905—
BY SENATOR HAINKEL AND REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 24:39, relative to the state capitol complex; to provide for security services within the state capitol complex; to create and to provide for the membership, powers, and duties of the Capitol Security Control Council; to authorize the council to establish rules and to provide for the enforcement thereof; to provide for the authority of public safety services within the Department of Public Safety and Corrections; to provide for traffic and parking infractions within the state capitol complex; to provide for vehicle impoundment and the imposition of penalties for traffic and parking infractions; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 905 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 10, after "infractions;" insert "to provide for the duties of the secretary of the Senate and the clerk of the House of Representatives;"

AMENDMENT NO. 2

On page 4, between lines 2 and 3 insert the following:

"(4) The council shall also establish rules governing the procedures for enforcement and appeal of all citations, or impoundments authorized by this Section for which enforcement and appeal processes are not otherwise provided by law, rule or regulation duly adopted by the Department of Public Safety and Corrections."

AMENDMENT NO. 3

On page 4, line 3, change "(4)" to "(5)"

AMENDMENT NO. 4

On page 4, between lines 20 and 21 insert the following:

"(4)(a) The secretary of the Senate and the clerk of the House of Representatives shall, consistent with the provision of Paragraph (B)(4) of this Section, conduct all adjudicatory hearings for the purpose of any appeal from the issuance of citations or the impoundment of any vehicle made by public safety services as provided in this Section. Any such hearing shall be conducted in accordance with the rules adopted by the council for such purposes.

(b) The secretary of the Senate and the clerk of the House of Representatives shall, upon completion of the hearing, make a recommendation to the president of the Senate and the speaker of the House of Representatives for a final decision. Any such decision rendered by the president of the Senate and the speaker of the House of Representatives may be appealed to the Nineteenth Judicial District Court."

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

SENATE BILL NO. 1009—
BY SENATOR W. FIELDS
AN ACT

To enact R.S. 6:424 relative to banks and banking; to provide for regulations concerning certain forms of identification; and to provide for related matters.

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

SENATE BILL NO. 1036—
BY SENATOR BAJIOIE
AN ACT

To amend and reenact R.S. 40:2133(A) and 2136, relative to ambulatory surgical centers; to expand the definition of "ambulatory surgical center"; to provide for promulgation of rules, regulations, and minimum standards; to provide an effective date; and to provide for related matters.

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

SENATE BILL NO. 1042—
BY SENATOR SCHEDLER
AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 236, relative to mental health; to provide for advance directives for mental health treatment; to provide for definitions; to provide for making of an advance directive and for period of validity; to provide for designation of a representative for decisions relative to mental health treatment; to provide for execution of advance directive and for witnesses thereof; to provide for operation of an advance directive and for physician and providers to act in accordance therewith; to provide for determination of incapacity; to provide for a representative's scope of authority and his powers, duties, and limitation on liability; to provide for prohibition against requiring a person to execute or refrain from executing an advance directive as a criterion for insurance, for receiving treatment, or discharging from a health care facility; to require an advance directive to be part of a person's medical record, for provider compliance, and for withdrawal of the provider; to provide circumstances for disregarding an advance directive; to provide for revocation; to provide for limitations on liability of physicians and other providers; to prohibit certain persons from serving as representatives and from serving as witnesses; to provide for withdrawal of representatives and

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rescinding the withdrawal; to provide for a form; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1042 by Senator Schedler

AMENDMENT NO. 1

On page 10, line 4, after "§236." delete "Form" and insert "Illustrative form"

AMENDMENT NO. 2

On page 10, delete lines 6 and 7, and insert the following:

"The declaration may, but need not, be in the following illustrative form and may include other specific directions:

I, _____, being an adult of sound mind, willfully and voluntarily make this advance directive for mental health treatment. I want this directive to be followed if I become incapable. I become "incapable" when two physicians or a court determine that, due to any infirmity, I am currently unable to make or to communicate reasoned decisions regarding my mental health treatment.

If I become incapable, I want my mental health treatment decisions to be made: (INITIAL ONLY ONE)

_____ According to the preferences or instructions specifically authorized in this advance directive.

_____ By my appointed representative consistent with my desires, or, if my desires are unknown by my representative, in what my representative believes to be my best interests.

Designation of Mental Health Treatment Representative.

Each person I appoint must accept my appointment in order to serve. My representative is authorized to receive information regarding proposed mental health treatment and to receive, review, and authorize disclosure of medical records relating to that treatment. I understand that I am not required to appoint a representative in order to complete this advance directive.

I hereby appoint:

Name _____
Address _____
Phone # _____

to act as my representative to make decisions regarding my mental health treatment if I become incapable.

(Alternate Representative--Optional)

If the person named above refuses or is unable to act on my behalf, or if I revoke that person's authority to act as my representative, I authorize the following person to act as my representative:

Name _____

Address _____
Phone # _____

Psychoactive Medications

If it is determined that I am incapable, my wishes regarding psychoactive medications are as follows:

I have a preference for the administration of the following medications: _____ those considered appropriate by my physician, (name of physician) as I hereby direct _____

I refuse the administration of the following medications (consider giving reasons): _____

Admission to and Retention in Treatment Facility; Notice

In the event I become incapable:

_____ I authorize my voluntary admission to a mental health treatment facility for a period of _____ days (can not exceed 15 days). I understand that this advanced directive can not limit the state's authority to take me into protective custody, or to involuntarily admit or commit me to a treatment facility.

_____ In the event treatment at a treatment facility is necessary, I would prefer to be treated at the following treatment facilities _____. I would prefer not to be treated at the following treatment facilities (consider giving reasons) _____. My preference for a treating physician is _____. I understand that my preferences may not be available.

_____ I desire that the following individual(s) be notified immediately when I have been admitted to a mental health treatment facility, and I authorize the release of information to this person(s):

Name: _____ Name: _____

Relationship: _____ Relationship: _____

Phone: _____ Phone: _____

Electroconvulsive Treatment

If it is determined that I am incapable, my wishes regarding electroconvulsive therapy are as follows (consider giving reasons for your decision):

_____ I consent to the administration of electroconvulsive therapy. (An involuntary patient must have a hearing before the administration of electroconvulsive therapy)

_____ I do not consent to the administration of electroconvulsive treatment Reasons, Conditions and Limitations

Additional Information

I authorize (Name of Person) to apply for, and administer, governmental benefits in my name. I give permission for (Name of Person) to receive, review, and consent to disclosure of medical records relating to the treatment of my mental illness. Other matters (consider including mental or physical health history, dietary requirements, religious concerns, and other matters of importance):

YOU MUST SIGN HERE FOR THIS DIRECTIVE TO BE EFFECTIVE:

Signature Date

AFFIRMATION OF WITNESSES

I affirm that the person signing this directive:
(a) Is personally known to me;
(b) Signed or acknowledged his or her signature on this directive in my presence;
(c) Does not appear to be currently unable to make or to communicate reasoned decisions regarding his mental health treatment and/or under duress, fraud or undue influence;
(d) Is not related to me by blood, marriage or adoption;
(e) Is not a patient or resident in a facility that I or my relative owns or operates;
(f) Is not my patient and does not receive mental health services from me or my relative; and
(g) Has not appointed me as a representative in this document.
Witnessed by:

Printed Name Date
Printed Name Date

NOTICE TO PERSON MAKING AN ADVANCE DIRECTIVE FOR MENTAL HEALTH TREATMENT

Before signing this document, you should know these important facts:

This document allows you to make decisions in advance about mental health treatment. Mental health treatment includes but is not limited to psychoactive medication, short-term (not to exceed 15 days) admission to a treatment facility, convulsive treatment and outpatient services. The instructions that you include in this directive will be followed only if two physicians or a court believe that you are "incapable," which means that, due to any infirmity, you are currently unable to make or to communicate reasoned decisions regarding your mental health treatment.

Your instructions can not limit the state's authority to take you into protective custody, or to involuntarily admit or commit you to a treatment facility. Your instructions can be disregarded in an emergency if your instructions have not reduced the behavior that has caused the emergency.

You may also appoint a person as your representative to make treatment decisions for you if you become incapable. The person you appoint must act consistently with your wishes as expressed in this document or, if not stated, as otherwise known by your

representative. If your representative does not know your wishes, he or she must make decisions in your best interest. For the appointment to be effective, the person you appoint must accept the appointment in writing. The person has the right to withdraw from acting as your representative at any time.

This document will continue in effect for a period of five years unless you become incapable. If this occurs, the directive will continue in effect until you are no longer incapable. You have the right to revoke this document in whole or in part at any time you have not been determined to be incapable. You may not revoke this advance directive when you are considered incapable by two physicians or a court. A revocation is effective when it is communicated to your treating physician or other provider.

If there is anything in this document that you do not understand, you should ask a lawyer to explain it to you. This advance directive will not be valid unless it is signed by two qualified witnesses who are personally known to you and who are present when you sign or acknowledge your signature.

ACCEPTANCE OF APPOINTMENT AS REPRESENTATIVE

I accept this appointment and agree to serve as a representative to make mental health treatment decisions. I understand that I must act consistently with the desires of the person I represent, as expressed in this directive or, if not expressed, as otherwise known by me. If I do not know the desires of the person I represent, I have a duty to act in what I believe in good faith to be that person's best interest. I understand that this document gives me authority to make decisions about mental health treatment only while that person has been determined to be incapable of making those decisions by two physicians or a court. I understand that the person who appointed me may revoke this directive in whole or in part by communicating the revocation to the treating physician or other provider when the person is not incapable.

Signature of Representative Printed Name Date
Signature of Representative Printed Name Date

DETERMINATION OF INCAPACITY EXAMINER'S CERTIFICATION

We, the undersigned, have made an actual examination of (Name of Principal), and based on such examination we find that (Name of Principal):

- 1. (Is) (is not) in need of mental health treatment; and
2. (Is) (is not) currently unable to make or communicate reasoned decisions regarding his mental health treatment (Name of Principal) wishes to receive mental health treatment in accordance with the preferences and instructions stated in his/her advance directive for mental health treatment.

We are duly licensed in the State of Louisiana, are nor related to (Name of Principal) by blood, marriage or adoption, and have no interest in his estate.

This signed this ___ day of ___, 20___.
M.D. License #
M.D. License #

NOTICE TO PHYSICIAN OR PROVIDER

Under Louisiana law, a person may use an advance directive to provide authorization for mental health treatment or to appoint a representative to make mental health treatment decisions when the person is incapable. A person is "incapable" when, in the opinion of two physicians or a court, the person is currently unable to make or to communicate reasoned decisions regarding his or her mental health treatment. This document becomes operative when it is delivered to the person's physician or other provider and remains valid until revoked or expired. Upon being presented with this directive, a physician or provider must make it a part of the person's medical record. When acting under authority of the advance directive, a physician or provider must comply with it to the fullest extent possible. If the physician or provider is unwilling to comply with the advance directive, the physician or provider may withdraw from providing treatment consistent with professional judgment and must promptly notify the person and the person's representative, if any, and document the notification in the person's medical record. A physician or provider who administers or does not administer mental health treatment according to and in good faith reliance upon the validity of this advance directive is not subject to criminal prosecution, civil liability or professional disciplinary action resulting from a subsequent finding of the advance directive's invalidity."

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

SENATE BILL NO. 1043—

BY SENATORS SCHEDLER, BAJOIE, CHAISSON, DEAN, HINES, B. JONES AND MOUNT

AN ACT

To enact R.S. 46:159.1, relative to hospice care for terminally ill persons; to provide for the development of a pilot project for hospice care in the Medicaid program; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1043 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 14, after "shall" delete "be equal to" and insert "not be less than"

AMENDMENT NO. 2

On page 2, line 17, change "must" to "shall"

AMENDMENT NO. 3

On page 2, line 19, change "must" to "shall"

AMENDMENT NO. 4

On page 2, between line 26 and 27, insert the following:

"F. The Department of Health and Hospitals is authorized to consult with other states that include hospice care under their Medicaid State Plan for assistance in implementing the provisions of this Section."

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

SENATE BILL NO. 1053—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 6:317, relative to state banks; to provide for the transfer of ownership of assets held in a joint account; to provide for the limitation of bank liability; and to provide for related matters.

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

SENATE BILL NO. 1064—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 24:31.1(E), relative to expense allowances for legislators; to increase the monthly expense allowance in connection with the holding or conduct of office; to provide an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No.1064 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 24:31.1(E)" to "enact R.S. 24:31.10 and 31.11"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 24:31.1(E) is hereby amended and reenacted" to "R.S. 24:31.10 and 31.11 are hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 9 through 15 and on page 2, delete lines 1 through 9, and insert the following:

"§31.10. Supplemental allowance

R.S. 24:31.10 is all proposed new law.

A. In addition to the salary, compensation, and all other allowances provided by law for members of the legislature, each member of the legislature may be paid an expense allowance in the amount of eight thousand four hundred dollars per fiscal year, from July 1 through June 30, or so much thereof as may be necessary, for payment of rent for office space in a parish or parishes which he represents, and for payment of the cost of maintaining utilities in said office or offices and for other expenses related to the holding or conduct of their office.

B. Any payment, under the allowance provided in Subsection A hereof for office rental shall be as provided in R.S. 24:31.4. Payment under the allowance provided in Subsection A may include:

- (1) office rent or lease payment
- (2) office furniture or equipment purchase or lease
- (3) utilities

- (4) stationery and supplies
- (5) postage
- (6) photography
- (7) printing
- (8) other office expenses.

C. The allowance provided in Subsection A shall be withdrawn from the treasury and paid to the persons entitled thereto in the same manner as is provided by law for the salary provided in R.S. 24:31.1. Each member shall be required to file with the presiding officer, prior to payment of the allowance each month, an itemized statement of expenses, and appropriate invoices or receipts supporting the same. The amount of the allowance paid to each member each month shall be equal to the total amount of the itemized statement, provided that in no case shall the total reimbursement within a fiscal year exceed eight thousand four hundred dollars.

D. Title to all furniture and equipment purchased under provisions of this Section shall vest in the purchasing house of the legislature, and the same shall be purchased by the presiding officers in accordance with purchasing policies of the Legislative Budgetary Control Council upon presentation of itemized statements from members of the legislature setting forth in detail the furniture and equipment desired to be purchased.

D. Notwithstanding the provisions of Part XI of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, upon termination of office, each legislator having possession of equipment or furniture purchased with the dollar allotments provided in this Section may purchase such property at a cost to be determined by the presiding officer of his house. This authority to purchase furniture shall not encompass the standard suite of furniture purchased with additional monies approved by the presiding office of either house. The legislator shall relinquish any such furniture or equipment which he does not purchase to the presiding officer or agents of his house.

E. Whenever a legislator returns any property or equipment purchased under the provisions of this Section, he shall receive credit to his furnishing allowance for such property at a value to be determined by the presiding officer of his house."

§31.11. Other allowance limited

R.S. 24:31.11 is all proposed new law.

No allowance shall be available to members of the legislature except as provided by law."

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

HOUSE BILL NO. 1075—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 47:301(10)(t) and (18)(h), relative to state and local sales and use taxes; to define retail sale and use to exclude the acquisition and distribution of telephone directories distributed free of charge by advertising companies not affiliated with telephone service providers; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 1079—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 51:933, relative to economic development; to provide for the authority of the state to enter into certain contracts; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 1079 by Senator Ellington

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert the following:

"D. Any such agreement executed pursuant to this Section shall contain performance standards which the business or project will be expected to meet, provide a requirement that the business submit an annual report of its performance, and contain provisions that will allow the secretary to recover all or part of the benefits provided under the agreement if the performance standards are not met."

AMENDMENT NO. 2

On page 2, at the beginning of line 12, change the "D" to an "E"

AMENDMENT NO. 3

On page 2, at the beginning of line 17, change the "E" to an "F"

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

SENATE BILL NO. 1087—

BY SENATORS THOMAS AND ELLINGTON

AN ACT

To enact R.S. 42:66(O) and to repeal R.S. 42:66(O) as enacted by this Act, relative to dual officeholding; to allow an unclassified state employee to hold an elective office as a member of a city, parish, or other local public school board; to provide for the termination of the provision; to provide an effective date; and to provide for related matters.

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

SENATE BILL NO. 1090—

BY SENATOR SMITH

AN ACT

To enact Chapter 8-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:531 and 532, relative to historical monuments and memorials; to provide for the protection of monuments and memorials; to require the secretary of state to catalogue all monuments and memorials; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 1090 by Senator Smith

AMENDMENT NO. 1

On page 2, line 9, after "altered" insert ", unless such action has been previously approved by a concurrent resolution adopted by the legislature"

AMENDMENT NO. 2

On page 2, line 13, after "rededicated" insert ", unless such action has been previously approved by a concurrent resolution adopted by the legislature"

AMENDMENT NO. 3

On page 2, line 17, after "responsibility" insert ", unless such action has been previously approved by a concurrent resolution adopted by the legislature"

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

SENATE BILL NO. 1101 (Substitute for Senate Bill 1092 by Senator Irons)—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 14:511, relative to loansharking; to provide for determination of the crime of loansharking relative to the imposition of certain fees and charges; to provide penalties for such determinations; to eliminate exemptions from prosecution for loansharking for transactions related to banking and civil law provisions; to provide for defenses to prosecution; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and ordered engrossed and passed to a third reading.

Motion to Make Special Order

Senator Schedler asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 855, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, May 9, 2001 immediately following the Morning Hour.

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 16—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:1300.5, relative to recall petitions; to provide that a recall petition is a public record and to provide for the custodian thereof; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental 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. 33—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 24:772(B), relative to reports required or requested to be submitted to the legislature; requires that certain copies of such reports be filed with the David R. Poynter Legislative Research Library; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental 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. 677—

BY REPRESENTATIVE GARY SMITH

AN ACT

To repeal R.S. 42:66(L)(2)(b), relative to the exception to the dual officeholding law to allow certain deputy sheriffs to continue to serve as part-time constables or marshals; repeals the provision making the exception inapplicable after a particular term of office.

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. 677 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "enact R.S. 42:66(O) and to"

AMENDMENT NO. 2

On page 1, line 5, after "office" insert the following: "to allow an unclassified state employee to hold an elective office as a member of a city, parish, or other local public school board; to provide for the termination of the provision; to provide an effective date; and to provide for related matters"

AMENDMENT NO. 3

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

Section 1. R.S. 42:66(O) is hereby enacted to read as follows: "§66. Exemptions

* * *

R.S. 42:66(O) is all proposed new law.

O. Beginning July 1, 2001, nothing in this Part shall be construed to prohibit a person holding employment in the unclassified service

of state government from holding at the same time an elective office until the end of their current term as a member of a city, parish, or other local public school board, unless the particular nature of such employment, in combination with the duties and interests of such elective office, is incompatible as provided in this Part or is found to be adverse to the public interest as set forth in R.S. 42:61."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1" to "Section 2"

HOUSE BILL NO. 803—

BY REPRESENTATIVES DONELON, ANSARDI, MARTINY, BAYLOR, BOWLER, CLARKSON AND TUCKER
AN ACT

To amend and reenact R.S. 22:162(A)(1)(a), 842, and 844(C) and (D)(1), to enact R.S. 22:842.2, and to repeal R.S. 22:844(J) and (K), relative to investments by domestic insurers; to provide for reserve liabilities; to provide for investments and security; to provide for derivatives; to provide for definitions; to provide for limits; to provide for regulations; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 822—

BY REPRESENTATIVES DONELON, JOHNS, AND KENNARD
AN ACT

To amend and reenact R.S. 22:239.1(A)(2), relative to the Louisiana Health Plan; to provide for those types of health insurance coverages subject to assessment of fees by the plan for purposes of funding the state insurance pool established to comply with the federal Health Insurance Portability and Accountability Act; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 823—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:250.10(D)(2)(a), relative to health insurance coverage; to increase the maximum amount of the assessment of health insurers by the commissioner of insurance for the purpose of administering and enforcing state law assuring the portability, availability, and renewability of health insurance coverage; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 829—

BY REPRESENTATIVES JOHNS AND KENNARD
AN ACT

To amend and reenact R.S. 22:250.12(B)(introductory paragraph) and to enact R.S. 22:250.12(H), relative to the Louisiana Health Plan; to provide relative to eligibility for participation in the state insurance pool established to comply with the federal

Health Insurance Portability and Accountability Act; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 831—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 22:6(2)(a), relative to health insurance coverage; to specify those risks the insurance of which shall be defined as health and accident insurance; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 858—

BY REPRESENTATIVES CLARKSON AND SCHNEIDER
AN ACT

To amend and reenact R.S. 22:237(C), relative to the Louisiana Health Plan; to provide with respect to eligibility for participation in the Louisiana High Risk Health Insurance Pool administered by the plan; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 859—

BY REPRESENTATIVE CLARKSON
AN ACT

To repeal R.S. 22:250.5(F), relative to health insurance coverage; to continue the applicability of laws relative to aggregate lifetime and annual limits on mental health benefits under certain large employer group health plans; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 878—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 22:9(A)(1)(j), (k), (n), and (p) and (6), relative to the Louisiana Health Care Commission; to provide relative to the membership and quorum of the commission; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 1509—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:15, relative to the Department of Insurance; to change the CAIRE Council; to create the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for ad hoc committees; to provide for

duties and responsibilities; to provide for transacting business; to provide for appointees and employees; to provide for compensation; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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. 1557—
BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 22:737.2 and Part XXV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1131 through 1151, to amend and reenact R.S. 22:1212(F), and to repeal Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1111 through 1119, relative to the qualification and license requirements for insurance producers; to provide for unearned premiums; to provide for licensing requirements; to provide for exceptions; to provide for examinations; to provide for renewals; to provide for fees; to provide for penalties; to provide for payment of commissions; to provide for appointments; to provide for the powers of the commissioner of insurance; to provide for reciprocity; to provide for prohibitions; to provide for penalties; to provide for regulations; and to provide for related matters.

Reported favorably by the Committee on Insurance. 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.

**Privilege Report of the
Legislative Bureau**

May 3, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 2009—
BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from the State General Fund to the University of Louisiana Board of Supervisors - Nicholls State University for repairs and improvements to facilities for the New Orleans Saints Training Camp for the Fiscal Year 2000-2001; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Rules Suspended

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

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

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

HOUSE BILL NO. 2009—
BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from the State General Fund to the University of Louisiana Board of Supervisors - Nicholls State University for repairs and improvements to facilities for the New Orleans Saints Training Camp for the Fiscal Year 2000-2001; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Fields, W	Malone	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Fontenot
Boissiere	Tarver
Total—4	

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

Rules Suspended

Senator Campbell asked for and obtained a suspension of the rules for the purpose of taking up House Bill 175 which is on third reading and final passage.

**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. 175—

BY REPRESENTATIVES ILES, E. ALEXANDER, ANSARDI, BAUDOIN, BROOME, CAZAYOUX, DURAND, FRITH, LAFLEUR, MORRELL, GARY SMITH, AND JANE SMITH AND SENATORS CAMPBELL, DUPRE, HOLLIS, AND MOUNT

AN ACT

To enact Chapter 8-H of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.11 through 844.15, relative to telephone solicitation; to provide for a "do not call" listing of residential telephone subscribers; to provide for listing procedures; to prohibit certain acts; to provide for notification; to provide for penalties for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Reengrossed House Bill No. 175 by Representative Iles

AMENDMENT NO. 1

Delete Senate Committee Amendments numbered 1 and 5, as proposed by the Senate Committee on Finance, and adopted by the Senate on May 1, 2001.

AMENDMENT NO. 2

On page 1, line 3, change "telephone" to "telephonic"

AMENDMENT NO. 3

On page 1, line 5, change "telephone" to "telephonic"

AMENDMENT NO. 4

On page 1, line 16, change "telephone" to "telephonic"

AMENDMENT NO. 5

On page 2, line 1, change "telephone" to "telephonic"

AMENDMENT NO. 6

On page 2, line 8, change "telephone" to "telephonic"

AMENDMENT NO. 7

On page 2, line 10, change "telephone" to "telephonic"

AMENDMENT NO. 8

On page 2, line 12, change "telephone" to "telephonic"

AMENDMENT NO. 9

On page 2, line 13, change "telephone" to "telephonic"

AMENDMENT NO. 10

On page 2, lines 13 and 14, change "local exchange company" to "telecommunications service provider"

AMENDMENT NO. 11

On page 2, line 16, change "telephone" to "telephonic"

AMENDMENT NO. 12

On page 2, line 16, after "voice" and before "communication" insert "or data"

AMENDMENT NO. 13

On page 2, line 17, change "telephone" to "telephonic" before "solicitor" and "subscriber"

AMENDMENT NO. 14

On page 2, line 25, delete "telephone" and insert in lieu thereof "voice or data"

AMENDMENT NO. 15

On page 3, line 5, change "telephone" to "telephonic"

AMENDMENT NO. 16

On page 3, line 6, after "relationship" and before the period "." insert the following: ",or a prior business relationship that was terminated or lapsed within six months of such call"

AMENDMENT NO. 17

On page 3, line 12, change "telephone" to "telephonic"

AMENDMENT NO. 18

On page 3, line 15, change "telephone" to "telephonic"

AMENDMENT NO. 19

On page 3, line 18, change "telephone" to "telephonic"

AMENDMENT NO. 20

On page 3, line 17, change "calls" to "any communication"

AMENDMENT NO. 21

On page 3, line 22, change "telephone" to "telephonic"

AMENDMENT NO. 22

On page 3, line 23, change "telephone" to "telephonic" before "subscribers" and "solicitations"

AMENDMENT NO. 23

On page 4, line 5, change "local exchange company" to "telecommunication service provider, as defined by the commission."

AMENDMENT NO. 24

On page 4, line 6, change "telephone" to "telephonic"

AMENDMENT NO. 25

On page 4, line 8, change "telephone" to "telephonic"

AMENDMENT NO. 26

On page 4, line 9, change "semiannual" to "quarterly"

AMENDMENT NO. 27

On page 4, line 10, change "telephone" to "telephonic"

AMENDMENT NO. 28

On page 4, line 13, change "telephone" to "telephonic"

AMENDMENT NO. 29

On page 4, line 15, change "telephone" to "telephonic"

AMENDMENT NO. 30

On page 4, line 18, change "telephone" to "telephonic"

AMENDMENT NO. 31

On page 4, line 23, change "telephone" to "telephonic"

AMENDMENT NO. 32

On page 4, line 24, change "telephone" to "telephonic" before "numbers" and after "residential"

AMENDMENT NO. 33

On page 5, line 1, change "database" to "administration of this Chapter"

AMENDMENT NO. 34

On page 5, line 5, change "telephone" to "telephonic" before "numbers" and after "receiving"

AMENDMENT NO. 35

On page 5, line 10, change "telephone" to "telephonic"

AMENDMENT NO. 36

On page 5, line 16, after "commission" and before "shall update" insert "or its contractor"

AMENDMENT NO. 37

On page 5, line 17, change "telephone" to "telephonic"

AMENDMENT NO. 38

On page 5, line 18, change "telephone" to "telephonic"

AMENDMENT NO. 39

On page 5, line 20, change "telephone" to "telephonic"

AMENDMENT NO. 40

On page 5, line 21, change "Telephone" to "Telephonic"

AMENDMENT NO. 41

On page 5, line 24, after "commission" and before "in the" insert "or its contractor"

AMENDMENT NO. 42

On page 6, line 4, change "telephone" to "telephonic"

AMENDMENT NO. 43

On page 6, line 5, after "commission" and before "and provide" insert ", pay any registration fee as required by the commission."

AMENDMENT NO. 44

On page 6, line 6, change "telephone" to "telephonic"

AMENDMENT NO. 45

On page 6, line 8, change "fifty" to "twenty"

AMENDMENT NO. 46

On page 6, line 14, change "telephone" to "telephonic"

AMENDMENT NO. 47

On page 6, line 17, change "telephone" to "telephonic"

AMENDMENT NO. 48

On page 6, line 18, delete "for that telephone"

AMENDMENT NO. 49

On page 6, between line 19 and 20, insert the following:

"C. Any telephonic solicitation made by a telephonic solicitor to a residential telephonic subscriber whose number appears on the commission's then current "do not call" listing is prohibited, except as authorized by this Chapter."

AMENDMENT NO. 50

On page 6, line 21, before "The commission" add "A."

AMENDMENT NO. 51

On page 6, line 24, after "commission" and before "shall" insert ", after notice and hearing."

AMENDMENT NO. 52

On page 6, line 25, change "telephone" to "telephonic"

AMENDMENT NO. 53

On page 7, line 1, change "telephone" to "telephonic"

AMENDMENT NO. 54

On page 7, line 1, after "commission" insert ", after notice and hearing."

AMENDMENT NO. 55

On page 7, between lines 2 and 3, add the following:

"B. Any telephonic solicitor found by the commission to be in violation this Chapter, who refuses to pay the fine assessed, shall after notice and hearing, be assessed additional costs and reasonable attorney's fees related to the collection of the fine."

On motion of Senator Campbell, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 175 by Representative Iles

AMENDMENT NO. 1

On page 3, between lines 14 and 15, insert the following"

"(g) A person primarily soliciting the sale of a newspaper of general circulation."

Senator Fontenot moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Cravins	Hines	Malone
Dupre	Hollis	Michot
Ellington	Lambert	Theunissen
Fontenot	Lentini	Thomas
Total—12		
NAYS		
Bajoie	Fields, C	Marionneaux
Barham	Fields, W	McPherson
Bean	Gautreaux	Mount
Boissiere	Heitmeier	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Jones, B	Ullo
Dean	Jones, C	
Total—23		
ABSENT		
Mr. President	Johnson	
Cain	Tarver	
Total—4		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Reengrossed House Bill No. 175 by Representative Iles

AMENDMENT NO. 1

On page 5, after "form" delete the remainder of the line and on line 13, delete "initial listing charge" and on line 14 after "notice" delete "and a" and on line 15, delete "five-dollar assessment"

Senator C. Fields moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Dean	Fields, C	Marionneaux
Dupre	Fields, W	
Total—5		
NAYS		
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—29		
ABSENT		
Mr. President	Johnson	Tarver
Cain	Jones, C	
Total—5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Reengrossed House Bill No. 175 by Representative Iles

AMENDMENT NO. 1

On page 5, line 15, after "assessment," insert the following:

"Any residential telephone subscriber that has previously requested that their number shall be listed as private or unlisted will automatically be placed on a "do not call" list at no charge."

On motion of Senator C. Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields, C	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson

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Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ulló
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Jones, C	Tarver
Total—2	

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

Reconsideration

On motion of Senator Malone, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 2, 2001 was reconsidered.

SENATE BILL NO. 244—

BY SENATOR MALONE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana,

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0
ABSENT

Tarver
Total—1

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

Senator Ellington in the Chair

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. 1492—

BY REPRESENTATIVES DEWITT, LEBLANC, MURRAY, POWELL, THOMPSON, R. ALEXANDER, BAYLOR, BRUNEAU, K. CARTER, R. CARTER, CLARKSON, CRANE, DANIEL, DEVILLIER, DIEZ, DOERGE, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, GALLOT, HEATON, JOHNS, KATZ, KENNARD, KENNEY, LANCASTER, MCDONALD, MCMAINS, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, PRATT, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, STELLY, STRAIN, TOWNSEND, TRICHE, WADDELL, WALSWORTH, AND WELCH

AN ACT

To amend and reenact R.S. 11:156, 225, 502.5(C), 827 through 829, 929(C), (D), and (E), and 1166(A), (B), and (C), R.S. 22:2(F), 11(A), 215(E), 215.11(D), 215.14(A), 215.21(A), 228.7(A), 230.1(A), 230.4(B), 232(13), 239.1(A)(2), 250.32(E), 250.33(D), 250.37(A)(2) and (B)(2), 669(A)(1)(a), 1061(B), and 3002(1)(b), R.S. 36:4(B)(15), R.S. 40:1300.145, 2204(D)(1) and (3), and 2724(E), R.S. 42:456(A)(1), Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:801 through 883, R.S. 44:12, and Code of Civil Procedure Article 84; to enact R.S. 49:968(B)(21)(c), all relative to the State Employees Group Benefits Program; to provide for reorganization of the group state life and health insurance program; to provide for an effective date; and to provide for related matters.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Reengrossed House Bill No. 1492 by Representative Dewitt

AMENDMENT NO. 1

On page 70, between lines 10 and 11, insert the following:

"Section 9. Notwithstanding any other provision of law to the contrary, the Insurance Rating Commission shall review and have final approval over any rate or benefit changes."

AMENDMENT NO. 2

On page 70, line 11, change "Section 9" to "Section 10"

Senator Campbell moved adoption of the amendments.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Barham	Fields, W	Lambert
Cain	Gautreaux	Marionneaux
Campbell	Heitmeier	McPherson
Cravins	Hines	Mount
Dean	Irons	Smith
Dupre	Johnson	Ullo
Total—21		

NAYS

Mr. President	Fontenot	Michot
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Chaisson	Jones, B	Theunissen
Dardenne	Lentini	Thomas
Ellington	Malone	
Total—17		

ABSENT

Tarver
Total—1

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Tarver
Total—1

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

Rules Suspended

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

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 Malone asked that House Bill No. 1315 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:6.1(C), relative to the authority of the commissioner of conservation; to provide relative to contracts to respond to a declared emergency; to provide for exemption from certain required bidding procedures; to provide for an informal bid process; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 1315 by Representative Damico

AMENDMENT NO. 1

On page 2, after line 8, insert the following:

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

On motion of Senator Malone, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 1315 by Representative Damico

AMENDMENT NO. 1

On page 2, at the end of line 7, insert the following:

"The commissioner shall submit an annual report to the House and Senate Natural Resources Committees listing the number and type of emergencies declared within the previous year."

On motion of Senator Marionneaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Tarver
Total—2	

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

Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of reverting to the order of

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 294—

BY SENATORS MICHOT, DARDENNE AND DEAN
AN ACT

To amend and reenact R.S. 17:45(A), 443, 462, 471, 493(A) and (C), 523, and 533, relative to tenure; to provide relative to the causes for terminating certain permanent school employees in public elementary and secondary schools; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 294 by Senator Michot

AMENDMENT NO. 1

On page 4, line 9, following "of" and before "A(2)" change "Subsection" to "Paragraph"

AMENDMENT NO. 2

On page 4, line 11, following "with" and before "A(2)" change "Subsection" to "Paragraph"

AMENDMENT NO. 3

On page 4, line 17, following "by" and before "A(2)" change "Subsection" to "Paragraph"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 294 by Senator Michot

AMENDMENT NO. 1

On page 2, line 23, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 2

On page 3, line 15, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 3

On page 5, line 5, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 4

On page 6, line 5, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 5

On page 7, line 2, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 6

On page 8, line 22, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 7

On page 10, line 21, after "**department**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 8

On page 11, line 12, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 9

On page 12, line 6, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 10

On page 13, line 4, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

AMENDMENT NO. 11

On page 13, line 24, after "**board**" insert "**after consultation with representatives from all interested employee groups and other interested parties and after a public hearing**"

Motion

Senator Hines moved to return the amended bill to the Involuntary Calendar.

Senator Michot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Jones, C
Bean	Fontenot	Lambert
Cain	Heitmeier	Lentini
Campbell	Hines	Marionneaux
Cravins	Hollis	McPherson
Dupre	Hoyt	Mount
Ellington	Irons	Thomas
Fields, C	Johnson	Ullo
Total—24		

NAYS

Mr. President	Dean	Romero
Barham	Gautreaux	Smith
Boissiere	Jones, B	Theunissen
Chaisson	Malone	
Dardenne	Michot	
Total—13		

ABSENT

Schedler	Tarver
Total—2	

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

Personal Privilege

Senator Boissiere 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 Campbell to Senate Bill No. 294. He voted nay on the amendment 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 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

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 3, 2001

To the Honorable President and Members of the Senate:

May 3, 2001

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. 627—

BY SENATORS MICHOT, CHAISSON, HOLLIS, HOYT, SCHEDLER, SMITH, AND THOMAS, AND REPRESENTATIVES E. ALEXANDER, BRUCE, CAZAYOUX, CLARKSON, CRANE, CROWE, DAMICO, DANIELS, DIEZ, FLAVIN, FRITH, FUTRELL, HEATON, JOHNS, KENNARD, LANCASTER, LEBLANC, MORRELL, NEVERS, PERKINS, PIERRE, SCHWEGMANN, JANE SMITH, SNEED, STRAIN, WALSWORTH, AND WOOTEN

AN ACT

To amend and reenact R.S. 37:2170(A)(1), relative to contractors; to provide relative to exemptions to the residential building contractors licensing law; and to provide for related matters.

Reported with amendments.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 16—

BY SENATOR HOYT

A RESOLUTION

To commend and congratulate former Vermilion Parish Sheriff, Euda Delcambre, on being honored as a "Living Legend" by the Acadian Museum of Erath, Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend Sherman Washington and the Zion Harmonizers on their many contributions to Gospel Music in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Chaisson, Cravins, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Lentini, Malone, Marionneaux, Michot, Mount, Romero, Smith, Theunissen.

Table with 3 columns listing names: Dardenne, Dean, Dupre, Ellington, Johnson, Jones, B, Jones, C, Lambert, Thomas, Ullo.

Total—34

NAYS

Total—0

ABSENT

Table with 3 columns listing names: Campbell, Irons, McPherson, Schedler, Tarver.

Total—5

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

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend the "Meters" for their contribution in defining New Orleans funk and on receiving the 2001 Premier Players Governors Award.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Smith, Theunissen, Thomas, Ullo.

Total—35

NAYS

Total—0

ABSENT

Table with 3 columns listing names: Irons, Jones, B, Schedler, Tarver.

Total—4

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

SENATE CONCURRENT RESOLUTION NO. 91—

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request the Joint Committee on Transportation, Highways, and Public Works to conduct a study of both deep draft and shallow draft ports throughout the state.

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

Messages from the House

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

Message from the House

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

May 3, 2001

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. 226—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:80 and to enact R.S. 14:80.1, relative to the crime of carnal knowledge of a juvenile; to provide for felony carnal knowledge of a juvenile; to create the crime of misdemeanor carnal knowledge of a juvenile; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 364—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 17:416.13 and to enact R.S. 17:416.15, relative to student discipline policies; to require local school boards to adopt policies prohibiting harassment, intimidation, and bullying by students; to provide for definitions; to provide relative to certain immunity for students, employees, and volunteers who report incidents of harassment, intimidation, or bullying; to provide exemptions; to authorize local school boards to adopt and implement certain zero tolerance policies; to authorize the inclusion of certain requirements in such policies; to authorize local school boards to charge fees relative to such requirements; to provide limitations; to provide relative to compliance; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 560—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 49:968(B)(3)(c), to enact Chapter 29 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1251 through 1255, and R.S. 36:209(R)

and 802.17, and to repeal Chapter 28 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2051 through 2056, relative to the Mississippi River Road Commission; to create the commission as a state agency in the Department of Culture, Recreation and Tourism; to repeal provisions for the Mississippi River Road Commission, a political subdivision, and its board of commissioners; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the powers and duties of the department relative to the commission; to provide for legislative oversight of the commission; to provide that the commission is the successor to the former commission and to provide for references to the former commission and for the transfer of funds and property; to provide for the transfer of commission members to the new commission; and to provide for related matters.

HOUSE BILL NO. 608—

BY REPRESENTATIVES DOWNER, BOWLER, BRUNEAU, FLAVIN, FUTRELL, HOPKINS, MCDONALD, MORRISH, NEVERS, PITRE, POWELL, STELLY, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 36:932, 934, and 937, relative to reorganization of the executive branch of state government; to recreate the Joint Legislative Committee on Reorganization of the Executive Branch, including provisions for the organizational meeting of the committee, committee recommendations and reports, and the dissolution of the committee; and to provide for related matters.

HOUSE BILL NO. 818—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(c)(i), relative to core curriculum requirements for eligibility for the Tuition Opportunity Program for Students; to require that the Louisiana Student Financial Assistance Commission provide a waiver procedure through the 2002-2003 school year for certain students unable to meet specified high school core curriculum requirements; to provide guidelines for such waivers; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1063—

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

AN ACT

To amend and reenact R.S. 24:802(B)(1), (2), (3), (8), and (9) and (D), relative to the Louisiana Advisory Commission on Intergovernmental Relations; to provide for the membership and quorum of the commission; and to provide for related matters.

HOUSE BILL NO. 1210—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To enact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 1243—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1, relative to the time within which prosecution may be instituted for certain sex offenses; to add incest and aggravated incest to the list of crimes; to increase the age of the victim when the time limitation begins to run; and to provide for related matters.

HOUSE BILL NO. 1478—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 46:2683(B)(introductory paragraph), relative to licensure of community-based service providers; to exempt councils on aging from fees associated with such licenses; and to provide for related matters.

HOUSE BILL NO. 1590—

BY REPRESENTATIVES RICHMOND AND PRATT
AN ACT

To enact R.S. 22:1117(H), relative to health insurance coverage; to prohibit insurers, agents, and brokers from accepting or processing an application for coverage under a Medicare+Choice plan unless certain requirements are met; and to provide for related matters.

HOUSE BILL NO. 1612—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.567, relative to municipalities in certain parishes; to authorize the governing bodies of two or more municipalities in a parish with a population in excess of twelve thousand but less than thirteen thousand according to the latest federal decennial census to create by local services agreement and intergovernmental contract a special district for industrial, commercial, tourism, and economic development purposes; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:4574.13, relative to a tourist commission in certain parishes; to provide for the creation of a tourist commission in parishes with a population between thirteen thousand five hundred and fourteen thousand persons; to provide for the appointment, powers, and duties of the commission; to authorize, subject to voter approval, the levy and collection of a hotel occupancy tax by the governing authority of the commission for the purpose of funding the activities of the commission; to provide relative to borrowing by the commission and other budgetary matters; and to provide for related matters.

HOUSE BILL NO. 1856—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact Code of Criminal Procedure Article 822(C), relative to amending or modifying sentences; to provide that the amendment or modification of a criminal sentence shall be conducted pursuant to procedures contained in present law; and to provide for related matters.

HOUSE BILL NO. 1876—

BY REPRESENTATIVES DONELON AND JOHNS
AN ACT

To enact R.S. 40:964, Schedule III(G)(1) and to repeal R.S. 40:964, Schedule II(A)(5), relative to controlled dangerous substances; changes the schedule classification of Synthetic Dronabinol; and to provide for related matters.

HOUSE BILL NO. 1959—

BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 33:4574(C)(1)(b)(v), relative to the Baton Rouge Area Convention and Visitors Bureau; to provide relative to the terms of office of the board of commissioners of the bureau; and to provide for related matters.

HOUSE BILL NO. 1018—

BY REPRESENTATIVES GREEN, ANSARDI, AND TOOMY AND SENATOR LENTINI
AN ACT

To enact R.S. 13:2575.1, relative to administrative adjudication; to provide for procedures for Jefferson Parish; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Lambert 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. 226—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:80 and to enact R.S. 14:80.1, relative to the crime of carnal knowledge of a juvenile; to provide for felony carnal knowledge of a juvenile; to create the crime of misdemeanor carnal knowledge of a juvenile; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 364—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 17:416.13 and to enact R.S. 17:416.15, relative to student discipline policies; to require local school boards to adopt policies prohibiting harassment, intimidation, and bullying by students; to provide for definitions; to provide relative to certain immunity for students, employees, and

volunteers who report incidents of harassment, intimidation, or bullying; to provide exemptions; to authorize local school boards to adopt and implement certain zero tolerance policies; to authorize the inclusion of certain requirements in such policies; to authorize local school boards to charge fees relative to such requirements; to provide limitations; to provide relative to compliance; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 560—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 49:968(B)(3)(c), to enact Chapter 29 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1251 through 1255, and R.S. 36:209(R) and 802.17, and to repeal Chapter 28 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2051 through 2056, relative to the Mississippi River Road Commission; to create the commission as a state agency in the Department of Culture, Recreation and Tourism; to repeal provisions for the Mississippi River Road Commission, a political subdivision, and its board of commissioners; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the powers and duties of the department relative to the commission; to provide for legislative oversight of the commission; to provide that the commission is the successor to the former commission and to provide for references to the former commission and for the transfer of funds and property; to provide for the transfer of commission members to the new commission; and to provide for related matters.

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

HOUSE BILL NO. 608—

BY REPRESENTATIVES DOWNER, BOWLER, BRUNEAU, FLAVIN, FUTRELL, HOPKINS, MCDONALD, MORRISH, NEVERS, PITRE, POWELL, STELLY, WINSTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 36:932, 934, and 937, relative to reorganization of the executive branch of state government; to recreate the Joint Legislative Committee on Reorganization of the Executive Branch, including provisions for the organizational meeting of the committee, committee recommendations and reports, and the dissolution of the committee; and to provide for related matters.

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

HOUSE BILL NO. 818—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(c)(i), relative to core curriculum requirements for eligibility for the Tuition Opportunity Program for Students; to require that the Louisiana Student Financial Assistance Commission provide a waiver procedure through the 2002-2003 school year for certain students unable to meet specified high school core curriculum

requirements; to provide guidelines for such waivers; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1018—

BY REPRESENTATIVES GREEN, ANSARDI, AND TOOMY AND SENATOR LENTINI

AN ACT

To enact R.S. 13:2575.1, relative to administrative adjudication; to provide for procedures for Jefferson Parish; and to provide for related matters.

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

HOUSE BILL NO. 1063—

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

AN ACT

To amend and reenact R.S. 24:802(B)(1), (2), (3), (8), and (9) and (D), relative to the Louisiana Advisory Commission on Intergovernmental Relations; to provide for the membership and quorum of the commission; and to provide for related matters.

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

HOUSE BILL NO. 1210—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To enact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

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

HOUSE BILL NO. 1243—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1, relative to the time within which prosecution may be instituted for certain sex offenses; to add incest and aggravated incest to the list of crimes; to increase the age of the victim when the time limitation begins to run; and to provide for related matters.

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

HOUSE BILL NO. 1478—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 46:2683(B)(introductory paragraph), relative to licensure of community-based service providers; to exempt councils on aging from fees associated with such licenses; and to provide for related matters.

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

HOUSE BILL NO. 1590—

BY REPRESENTATIVES RICHMOND AND PRATT
AN ACT

To enact R.S. 22:1117(H), relative to health insurance coverage; to prohibit insurers, agents, and brokers from accepting or processing an application for coverage under a Medicare+Choice plan unless certain requirements are met; and to provide for related matters.

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

HOUSE BILL NO. 1612—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.567, relative to municipalities in certain parishes; to authorize the governing bodies of two or more municipalities in a parish with a population in excess of twelve thousand but less than thirteen thousand according to the latest federal decennial census to create by local services agreement and intergovernmental contract a special district for industrial, commercial, tourism, and economic development purposes; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

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

HOUSE BILL NO. 1852—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:4574.13, relative to a tourist commission in certain parishes; to provide for the creation of a tourist commission in parishes with a population between thirteen thousand five hundred and fourteen thousand persons; to provide for the appointment, powers, and duties of the commission; to authorize, subject to voter approval, the levy and collection of a hotel occupancy tax by the governing authority of the commission for the purpose of funding the activities of the commission; to provide relative to borrowing by the commission and other budgetary matters; and to provide for related matters.

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

HOUSE BILL NO. 1856—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact Code of Criminal Procedure Article 822(C), relative to amending or modifying sentences; to provide that the amendment or modification of a criminal sentence shall be conducted pursuant to procedures contained in present law; and to provide for related matters.

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

HOUSE BILL NO. 1876—

BY REPRESENTATIVES DONELON AND JOHNS
AN ACT

To enact R.S. 40:964, Schedule III(G)(1) and to repeal R.S. 40:964, Schedule II(A)(5), relative to controlled dangerous substances; changes the schedule classification of Synthetic Dronabinol; and to provide for related matters.

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

HOUSE BILL NO. 1959—

BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 33:4574(C)(1)(b)(v), relative to the Baton Rouge Area Convention and Visitors Bureau; to provide relative to the terms of office of the board of commissioners of the bureau; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 3, 2001

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. 128—

BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To recognize June 14, 2001, as National Flag Day in the state of Louisiana and urge the citizens of Louisiana to participate in the National Pause for the Pledge of Allegiance to the Flag on this date.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To recognize June 14, 2001, as National Flag Day in the state of Louisiana and urge the citizens of Louisiana to participate in the National Pause for the Pledge of Allegiance to the Flag on this date.

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

Mr. President	Ellington	Lentini
Bajoie	Fields, C	Malone
Barham	Fields, W	McPherson
Bean	Fontenot	Michot
Boissiere	Gautreaux	Mount
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Irons	Marionneaux
Jones, B	Tarver
Total—4	

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

JUDICIARY B

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

May 3, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 874—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 27:308(A), relative to gaming; to prohibit implementation of certain application packages under certain circumstances; to require promulgation under the Administrative Procedure Act; to require legislative committee oversight; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2044—

BY REPRESENTATIVES MARTINY, BRUCE, BRUNEAU, CAZAYOUX, DEVILLIER, FARRAR, HEATON, HEBERT, LAFLEUR, MORRELL, ROMERO, AND WOOTON AND SENATOR CRAVINS

To amend and reenact R.S. 27:3(4) through (8), 27(A)(introductory paragraph) and (C), 44(6), (7), (18), (19), and (20), 47, 58(9), 68(A), 70(A), 72(A), 74, 75(A), (B), (C), (D), and (E), 81, 91(A), 205(9), (10), (27), (28), and (33), 250, 251, 301(B)(6) and (11), 353(3) and (9), 363(B)(1), and 364(A)(1)(b)(iv), to enact R.S. 27:3(9) through (23), 27(D), 28 through 30.2, and 365(5), and to repeal R.S. 27:44(8), 70(B), and (C), 75(F), 76, 77, 78, 82, 83, 89, 91(D) and (E), 99, 205(11), and (19), 230(A) and (B), 238, 255, 263, 305(B), 311(A)(1) and (F), 361(B)(2), 362, 363(B)(2), (C), and (E) and 375(A), relative to the Louisiana Gaming Control Law; to revise certain statutory provisions regarding the regulation of gaming; to provide for definitions; to provide for suitability standards for certain gaming licensees; to provide for exceptions; to establish fees; to provide for the collection and disposition of fees; to provide for criteria for the issuance of manufacturers, gaming suppliers, and employee permits; to repeal certain duplicative language; to create the crime of false statements related to gaming; to create the crime of unlawful use of state issued identification to gain access to gaming facilities; to provide for penalties; to repeal existing provisions regarding appeals of decisions of the casino gaming corporation board and riverboat gaming commission; to provide for penalties for failure to renew a permit timely; to create the crime of unlawful use of an expired permit; to repeal obsolete local option provisions regarding riverboat gaming in Calcasieu and Ouachita Parishes; to repeal the provision of law requiring not more than sixty percent of video draw poker devices sold or distributed in the state were manufactured by the same manufacturer; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON
LABOR AND INDUSTRIAL RELATIONS

Senator Charles Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 3, 2001

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 220—
BY SENATOR HINES

AN ACT

To enact R.S. 23:1048, relative to workers' compensation; to provide with respect to workers' compensation coverage; to exempt licensed landmen from coverage; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 331—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 23:1035(A), 1063, and 1163(B); relative to workers' compensation; to limit the exemption of a sole proprietor from the workers' compensation provision under certain circumstances; to provide for indemnification of the principal in certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 651—
BY SENATOR HINES

AN ACT

To amend R.S. 23:302 and to enact Part VII of Chapter 3 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:368 and 369, relative to employment; to prohibit discrimination in employment; to provide for genetic information and privacy; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 984—
BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 23:1168(A)(2), relative to workers' compensation; to provide for securing compensation to employees; to eliminate combination policies as a method of securing compensation; to provide for notice and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1088—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 23:1174.1(A), relative to workers' compensation insurance; to provide for contacting; to prohibit discrimination; to provide for criteria; to provide for unfair trade practices; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHARLES D. JONES
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 3, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the office of state parks to conduct a study to determine if certain portions of Bundick Swamp in Beauregard Parish are suitable for inclusion in the state park system.

Reported favorably.

SENATE BILL NO. 1055—
BY SENATOR BARHAM

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries to exchange title to certain described property in Ouachita Parish; to provide for property descriptions; to provide for terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1060—
BY SENATOR ROMERO

AN ACT

To authorize the secretary of the Department of Public Safety and Corrections to exchange certain property in Lafayette Parish with Adrian Vega; to provide for property descriptions; to provide for reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1061—
BY SENATOR ROMERO

AN ACT

To authorize and empower the state land office to sell its one-third undivided interest in a certain parcel of land in St. Martin Parish to the owners of the remaining two-thirds undivided interest; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1073—
BY SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 56:578.11, relative to the labeling of catfish packaging; to provide for the labeling of the country of origin; to define farm-raised; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support legislation to strengthen the rules regarding the safety of natural gas and liquids pipeline operations.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 43—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To memorialize the U.S. Congress to adopt a comprehensive national energy policy.

Reported with amendments.

HOUSE BILL NO. 49—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 56:116(C)(2), relative to hunting wild quadrupeds; to provide for use of magnified scope on muzzleloaders by persons under sixty years of age; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 95—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 56:104(B)(4) and 302.1(G), relative to license issued by the Department of Wildlife and Fisheries; to provide relative to senior licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 159—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 36:607(B), relative to the office of management and finance of the Department of Wildlife and Fisheries; to provide relative to the powers, duties, functions, and responsibilities of that office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 259—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 56:699.6, relative to firearm and hunter education; to exempt certain armed forces personnel and law enforcement officers from the firearm and hunter education requirement; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 315—

BY REPRESENTATIVES JACK SMITH AND FAUCHEUX

AN ACT

To amend and reenact R.S. 41:1702(F), relative to reclamation of lands lost to erosion; to include construction of a marina in the definition of reclamation project; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 427—

BY REPRESENTATIVE HOPKINS

AN ACT

To authorize and provide for the state, through the division of administration to transfer certain tracts of land situated in Caddo Parish to respective lessees; to provide certain terms and conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 450—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 56:108 relative to hunting for deer or turkey; to provide for tags which authorize the taking of deer or turkey; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE JACK SMITH

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1199—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 40:1851, relative to the Louisiana Liquefied Petroleum Gas Commission; to provide relative to a permit holder obtaining a refund for assessments; to provide for the period of time for which an assessment is valid; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1333—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Claiborne Parish to the Louisiana Agricultural Finance Authority from the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

May 3, 2001

HOUSE BILL NO. 1366—

BY REPRESENTATIVE LANDRIEU

AN ACT

To authorize and provide for the state to sell and transfer certain property situated in Orleans Parish to a nonprofit corporation; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1421—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To amend and reenact R.S. 56:104(B)(4), relative to hunting and fishing licenses; to provide for inclusion of WMA hunting permit as a privilege of senior hunting and fishing licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1422—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 56:55.2(A), relative to Department of Wildlife and Fisheries enforcement agents; to provide relative to the power and authority of such agents; to provide that graduates of the Department of Wildlife and Fisheries enforcement training academy shall be vested with general law enforcement powers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1580—

BY REPRESENTATIVE WRIGHT

AN ACT

To enact R.S. 52:5, relative to the jurisdiction over lands sited in the state but within the custody of the United States; to provide that the governor may give concurrent jurisdiction to the United States over lands under administration by the United States Department of Justice; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

May 3, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 201—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:1202(E)(1), relative to extended sick leave for teachers; to specify the applicability of the requirements for certain documentation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 620—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 9:2341(B)(1)(d), R.S. 17:3091(A), the introductory paragraph of 3092, and 3129.4(C)(1) and to enact R.S. 9:2341(B)(3), R.S. 17: 3091(D), 3092(B), 3093(B)(5) and (E), and 3093.1, relative to the Louisiana Higher Education Loan Program; to provide for the creation of the Louisiana Higher Education Loan Program; to provide definitions; to provide relative to the authority and responsibility of the executive director of the office of student financial assistance; to provide relative to the powers of the Louisiana Tuition Trust Authority; to authorize the authority to make, service, and sell primary and secondary student loans and to create obligations and issue bonds in furtherance of that authority; to prohibit the conduct of such activity by any public trust; to provide relative to the status of any obligations issued by the Louisiana Tuition Trust Authority; to specify that no bond, note, or other obligation shall be a debt of the state or subject to the full, faith, and credit of the state; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 702—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:154.4, relative to public school schedules; to require the governing authority of any city, parish, or other local public school system to schedule and conduct an additional instructional day under certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 764—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:525(A), relative to school districts; to continue the applicability of provisions concerning promotion of certain school employees to certain school districts; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 940—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3002(D)(2)(b), relative to school guidance counselors; to provide for responsibilities in the practice of school guidance counseling; to provide definitions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1032—
BY SENATOR MALONE

AN ACT

To authorize school boards in parishes with a population between two hundred fifty-one thousand and two hundred fifty-three thousand to rename stadiums and buildings within those parishes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1035—
BY SENATOR BAJOEI

AN ACT

To enact R.S. 17:416.15, relative to school discipline; to authorize elementary schools to develop and implement youth development and assistance programs for certain students; to provide for program approval; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

**REPORT OF COMMITTEE ON
TRANSPORTATION, HIGHWAYS,
AND PUBLIC WORKS**

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

May 3, 2001

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:

SENATE BILL NO. 119—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 38:2248, relative to public contracts; to provide for issuance of bonds for public works projects; to authorize contractors on public works projects to elect to furnish a retainage bond in lieu of the contracting agency withholding payment on the contract; to place restrictions on the values used in punch lists on public works projects; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 261—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 48:386.1, relative to railroads; to provide for the maintenance of railroad rights-of-way; to provide for notice for failure to maintain rights-of-way; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 392—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 32:763 and to repeal R.S. 32:762, relative to motor vehicle dealers; to delete the requirement for the possession of a Louisiana buyer's identification card to buy salvage vehicles; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 681—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 34:3471(B)(7), 3473(A) and (C), 3476(B), 3479(C)(5) and (9), 3482(B) and (C), and 3483(A)(1), (6), and (14), and to enact R.S. 34:3479(C)(11) and 3487, relative to the Millennium Port Authority; to provide with respect to budgeting; to authorize the funding of various revenues into obligations and the types of obligations; to authorize the authority to expropriate by a declaration of taking or quick-taking property prior to judgment on the amount of compensation due; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 693—
BY SENATOR HOYT

AN ACT

To enact R.S. 30:2544.1, relative to public rights-of-way; to require the removal of signs; to provide for notice to remove; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1026—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 45:841 through 844, relative to railroads; to provide for requirements for railroads crossing public roads; to provide for enforcement and certification by the Louisiana Public Service Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1031—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1726(B), relative to motor vehicles; to provide for the maximum charge for storage of certain unclaimed vehicles; and to provide for related matters.

Reported favorably.

May 3, 2001

SENATE BILL NO. 1044—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 47:463.8(B)(1)(b) and (4), relative to special license plates; to eliminate the regular motor vehicle registration license fee for special license plates for antique motor vehicles and motorcycles; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1054—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 32:383.1(A), relative to motor vehicles; to provide for an exemption, under certain conditions, to the required covering of loads of loose material; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

Motion to Make Special Order

Senator Ellington asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 1046, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Tuesday, May 8, 2001 immediately following the Morning Hour.

Privilege Report of the Committee on
Senate and Governmental Affairs

ENROLLMENTS

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

May 3, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATORS DARDENNE, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HANKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL,

HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To offer the condolences of the members of the legislature, past and present, to the family of Charles William "Bill" Roberts and to gratefully acknowledge his extraordinary career of public service, on behalf of the citizens of the state.

SENATE CONCURRENT RESOLUTION NO. 86—

BY SENATORS W. FIELDS, CRAVINS, AND C.D. JONES AND REPRESENTATIVES HOLDEN, HUDSON, AND PIERRE

A CONCURRENT RESOLUTION

To proclaim Wednesday, May 2, 2001, as Alpha Day in the Louisiana Legislature and to express support of Alpha Phi Alpha Fraternity, Incorporated's and Alpha Kappa Alpha Sorority, Incorporated's efforts to increase awareness of key issues in the African-American community.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 3, 2001

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 321—

BY SENATORS ELLINGTON, BARHAM, BOISSIERE, C. FIELDS, HOLLIS, MICHOT AND SCHEDLER AND REPRESENTATIVES ANSARDI, CLARKSON, FRUGE, GREEN, JOHNS, MCMAINS, PINAC, AND WALSWORTH

AN ACT

To amend and reenact R.S. 19:2(7), relative to expropriation; to authorize domestic or foreign corporations that transmit or distribute electricity and steam for power to expropriate needed property; and to provide for related matters.

SENATE BILL NO. 325—

BY SENATOR HANKEL

AN ACT

To enact R.S. 33:2481(B)(6), relative to the fire and police civil service; to provide that the chief of police for the city of Hammond is placed in the unclassified service; and to provide for related matters.

and they are hereby presented for executive approval.

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 3, 2001

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. 2009—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from the State General Fund to the University of Louisiana Board of Supervisors - Nicholls State University for repairs and improvements to facilities for the New Orleans Saints Training Camp for the Fiscal Year 2000-2001; and to provide for related matters.

HOUSE BILL NO. 70—

BY REPRESENTATIVE POWELL AND SENATORS HAINKEL, SCHEDLER, AND THOMAS
AN ACT

To amend and reenact R.S. 49:166, relative to the official state fruit; and to provide for related matters.

HOUSE BILL NO. 524—

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 3:1894(B)(8) and to enact R.S. 3:1891(29) and (30), 1894(A)(13), (B)(9), and (C), and 1897(7), relative to commercial feeds; to provide for definitions relative to commercial feeds; to provide for labeling requirements for commercial feeds; to prohibit distribution of certain commercial feeds for consumption by ruminants; and to provide for related matters.

HOUSE BILL NO. 923—

BY REPRESENTATIVES PINAC AND DANIEL
AN ACT

To amend and reenact R.S. 47:303(B)(7), relative to the sales and use tax; to provide for the responsibility for collection and remittance of the tax with regard to a motor vehicle lease agreement; and to provide for related matters.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:83(B)(9) and (D), relative to the Oilfield Site Restoration Commission; to provide for the nomination of one member of the commission; to provide relative to meetings of the commission; and to provide for related matters.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:88(F), relative to the Oilfield Site Restoration Program; to provide for exemption from liability for site restoration upon fully funding of site-specific trust account; and to provide for related matters.

HOUSE BILL NO. 1297—

BY REPRESENTATIVE DURAND
AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by the St. Martin Land Company; and to provide for related matters.

HOUSE BILL NO. 1513 (Duplicate of Senate Bill No. 524)—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR SCHEDLER AND COAUTHORED BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 37:1261, 1262(1) and (2), 1266, 1268, 1270(A)(1) and (B)(4), 1271, 1272(5), 1275(A), 1275.1(A), (B)(introductory paragraph) and (4), 1276, 1278, 1280, 1283, 1284, 1285(A)(2), (25), (26), and (29), and 1286(A) and to repeal R.S. 37:1273 and 1285.1, relative to the practice of medicine; to recognize equal professional status and privileges of allopathic and osteopathic physicians; to delete specific references to osteopaths; to provide for meetings and compensation for members of the Louisiana State Board of Medical Examiners; to provide for powers of the board; to delete reference to a specific medical examination and recognize and provide for acceptance of national medical examinations for licensure and permits to practice medicine; to delete reference to a specific date for renewal of medical licensure; to delete exemptions from jury and military services superseded by law; to repeal the requirement for board maintenance of examinations and reference to Laetrile; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Tarver 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, May 7, 2001, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 7, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk