

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTY-SECOND 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

Tuesday, May 8, 2001

The Senate was called to order at 1:30 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, W | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Heitmeier | Michot |
| Boissiere | Hines | Mount |
| Campbell | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Fields, C | Lentini | |
| Total—38 | | |

ABSENT

Cain
Total—1

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

Prayer

The prayer was offered by Senator Irons, 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 Irons, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 8, 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. We advise and suggest the following amendments to the engrossed bills.

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 without amendments.

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 without amendments.

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 without 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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 242 by Representative LeBlanc

AMENDMENT NO. 1

On page 2, at the beginning of line 12, change "(a)" to "(1)"

AMENDMENT NO. 2

On page 2, at the beginning of line 17, change "(b)" to "(2)"

AMENDMENT NO. 3

On page 2, line 18 following "in" and before the comma "," change "Subparagraph (a) of this Paragraph" to "Paragraph (1) of this Subsection"

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "(c)" to "(3)"

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

Reported without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

HOUSE BILL NO. 2044 (Substitute for House Bill No. 1646 by Representative Martiny)—

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

AN ACT

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; to provide for an effective date; 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 Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 8, 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. 103—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 37:3051, 3061, 3062(B), 3063(B), (D), and (E), 3071(E), 3073(B)(1) and (2), and 3077(C)(3)(a), to enact R.S. 37:3063(C)(3), and to repeal R.S. 37:3071(F)(2), relative to the practice of electrology; to provide definitions; to provide for membership of the State Board of Electrolysis Examiners; to change requirements related to the number of meetings and examinations provided per year; to prohibit payments in apprenticeship programs; to provide for renewals of licenses of electrolysis technicians; to delete authorization of a waiver of educational requirements for out-of-state electrologists; and to provide for related matters.

HOUSE BILL NO. 158—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 56:31(C), (D), and (E), relative to penalties and enforcement procedures for certain hunting and fishing violations; to authorize the secretary of the Department of Wildlife and Fisheries to assess adjudicatory costs and a late penalty; to authorize the secretary to institute civil proceedings to enforce rulings regarding class one violations; to provide relative to awarding attorney fees, judicial interest, and costs; and to provide for related matters.

HOUSE BILL NO. 423—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. John the Baptist Parish to the descendants of and buyers from the original owner from the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 845—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 4:707(D)(1)(a), (2), (3), and (4) and to enact R.S. 4:703(10) and 719(E), relative to charitable gaming; to provide with respect to the charitable raffles, bingo, and keno licensing law; to provide for a definition of noncommercial lessor; to provide for commercial and noncommercial lessors and exempt organizations; to remove the domicile requirement for distributors; and to provide for related matters.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 44:1(A)(2) and to enact R.S. 44:4.1, relative to exceptions, exemptions, and limitations to the public records law; to define "public records"; to provide for the incorporation into Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, by citation, various exceptions, exemptions, and limitations to the laws regarding public records; and to provide for related matters.

HOUSE BILL NO. 1381—

BY REPRESENTATIVES HUTTER AND FRITH

AN ACT

To enact R.S. 14:63.11, relative to hunting and fishing; to prohibit hunting or fishing on land of another without permission; to provide for penalties; 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. 103—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 37:3051, 3061, 3062(B), 3063(B), (D), and (E), 3071(E), 3073(B)(1) and (2), and 3077(C)(3)(a), to enact R.S. 37:3063(C)(3), and to repeal R.S. 37:3071(F)(2), relative to the practice of electrology; to provide definitions; to provide for membership of the State Board of Electrolysis Examiners; to change requirements related to the number of meetings and examinations provided per year; to prohibit payments in apprenticeship programs; to provide for renewals of licenses of electrolysis technicians; to delete authorization of a waiver of educational requirements for out-of-state electrologists; 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. 158—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 56:31(C), (D), and (E), relative to penalties and enforcement procedures for certain hunting and fishing violations; to authorize the secretary of the Department of Wildlife and Fisheries to assess adjudicatory costs and a late penalty; to authorize the secretary to institute civil proceedings to enforce rulings regarding class one violations; to provide relative to awarding attorney fees, judicial interest, and costs; and to provide for related matters.

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

HOUSE BILL NO. 423—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. John the Baptist Parish to the descendants of and buyers from the original owner from the Department of Transportation and Development; and to provide for related matters.

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

HOUSE BILL NO. 845—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:707(D)(1)(a), (2), (3), and (4) and to enact R.S. 4:703(10) and 719(E), relative to charitable gaming; to provide with respect to the charitable raffles, bingo, and keno licensing law; to provide for a definition of noncommercial lessor; to provide for commercial and noncommercial lessors and exempt organizations; to remove the domicile requirement for distributors; and to provide for related matters.

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

HOUSE BILL NO. 1173—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 44:1(A)(2) and to enact R.S. 44:4.1, relative to exceptions, exemptions, and limitations to the public records law; to define "public records"; to provide for the incorporation into Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, by citation, various exceptions, exemptions, and limitations to the laws regarding public records; 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. 1381—

BY REPRESENTATIVES HUTTER AND FRITH
AN ACT

To enact R.S. 14:63.11, relative to hunting and fishing; to prohibit hunting or fishing on land of another without permission; 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 Natural Resources.

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 8, 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. 131—

BY REPRESENTATIVE MORRISH AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To commend Jacob Landry of Jefferson Davis Parish upon being named Louisiana High School Student of the Year.

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES E. ALEXANDER, BAUDOIN, LEBLANC, PIERRE, AND PINAC AND SENATORS CRAVINS AND MICHOT
A CONCURRENT RESOLUTION

To commend Brady Scott Higginbotham of Lafayette Parish upon being named Louisiana Elementary School Student of the Year.

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVES E. ALEXANDER, BAUDOIN, LEBLANC, PIERRE, AND PINAC AND SENATORS CRAVINS AND MICHOT
A CONCURRENT RESOLUTION

To commend Philip Cortese of Lafayette Parish upon being named Louisiana Middle School Student of the Year.

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. 131—

BY REPRESENTATIVE MORRISH AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To commend Jacob Landry of Jefferson Davis Parish upon being named Louisiana High School Student of the Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Bajoie, Barham, Bean, Chaisson, Dean, Dupre, Ellington, Total—24.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Boissiere, Fields, C, Malone.

May 8, 2001

| | | |
|----------|-----------|----------|
| Cain | Heitmeier | Michot |
| Campbell | Irons | Schedler |
| Cravins | Johnson | Tarver |
| Dardenne | Lambert | Thomas |
| Total—15 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 132—
 BY REPRESENTATIVES E. ALEXANDER, BAUDOIN, LEBLANC, PIERRE,
 AND PINAC AND SENATORS CRAVINS AND MICHOT
A CONCURRENT RESOLUTION

To commend Brady Scott Higginbotham of Lafayette Parish upon being named Louisiana Elementary School Student of the Year.

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

ROLL CALL

The roll was called with the following result:

| | | |
|---------------|-----------|-------------|
| YEAS | | |
| Mr. President | Fields, W | Lambert |
| Bajoie | Fontenot | Lentini |
| Barham | Gautreaux | Marionneaux |
| Bean | Hines | McPherson |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Dean | Johnson | Smith |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, C | Ullo |
| Total—27 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|-----------|----------|
| Boissiere | Fields, C | Michot |
| Cain | Heitmeier | Schedler |
| Cravins | Irons | Tarver |
| Dardenne | Malone | Thomas |
| Total—12 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 133—
 BY REPRESENTATIVES E. ALEXANDER, BAUDOIN, LEBLANC, PIERRE,
 AND PINAC AND SENATORS CRAVINS AND MICHOT
A CONCURRENT RESOLUTION

To commend Philip Cortese of Lafayette Parish upon being named Louisiana Middle School Student of the Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, W | Lentini |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Hines | Mount |
| Campbell | Hollis | Romero |
| Chaisson | Johnson | Smith |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Total—26 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|-----------|----------|
| Boissiere | Heitmeier | Schedler |
| Cain | Hoyt | Tarver |
| Cravins | Irons | Thomas |
| Dardenne | Malone | |
| Fields, C | Michot | |
| Total—13 | | |

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

**Senate Concurrent Resolutions
on Second Reading**

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

SENATE CONCURRENT RESOLUTION NO. 92—
 BY SENATOR HINES
A CONCURRENT RESOLUTION

To continue and provide with respect to the task force created to study the impact of assisted conception and artificial means of reproduction relative to state law established during the 1999 Regular Session pursuant to Senate Concurrent Resolution No. 141.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Malone |
| Bajoie | Gautreaux | Marionneaux |
| Barham | Hines | McPherson |
| Bean | Hollis | Mount |

| | | |
|-----------|----------|------------|
| Campbell | Hoyt | Romero |
| Chaisson | Johnson | Smith |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, W | Lentini | |
| Total—28 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|-----------|----------|
| Boissiere | Fields, C | Schedler |
| Cain | Heitmeier | Tarver |
| Cravins | Irons | Thomas |
| Dardenne | Michot | |
| Total—11 | | |

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

**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. 154—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33:1559(A) and (B), relative to the compensation of coroners; to permit rather than require the state to provide supplemental compensation to coroners; and to provide for related matters.

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

SENATE BILL NO. 400—
BY SENATOR MALONE

AN ACT

To amend and reenact Louisiana Children's Code Art. 791.1 and the introductory paragraph of Art. 791.2, to enact Louisiana Children's Code Art. 791.5, and to repeal Sections 2 and 3 of Act No. 1372 of the 1999 Regular Session of the Legislature, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in the parish of Bossier; to extend the period of effectiveness for the pilot program; to extend the period for reporting; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 451—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(8)(b) and (c), 209(B) and (C), 1902(14), 1936(A), 1937, 1938(F) and (J)(1), 1946, 1961(2), 1962, 1963, 1965(A), 1966, 1971(2), 1972, 1973, 1975(A), and 1976, to enact R.S. 11:1941(4), 1961(3), 1971(3), and to repeal R.S. 11:1947 and 1967, relative to the Parochial Employees' Retirement System of Louisiana; to increase employee contributions for Plan B and Plan C; to provide with respect to the number of years of creditable service required for a member in Plan B and Plan C to receive disability benefits; to provide with respect to the allowable increases in earnings benefits calculation purposes; to provide with respect to vesting schedules; to provide with respect to cost-of-living adjustments; to provide with respect to earnings on accumulated Deferred Retirement Option Plan fund balances; to provide with respect to offsets against final compensation; to provide with respect to survivor benefits; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 451 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "1902(14)," insert "1928,"

AMENDMENT NO. 2

On page 1, line 15 after "survivor benefits;" insert "to provide for an effective date;"

AMENDMENT NO. 3

On page 2, line 3, after "1902(14)," insert "1928,"

AMENDMENT NO. 4

On page 4, between lines 8 and 9, insert the following:

"§1928. Temporary employment of retirees; permanently employed retirees; membership; calculation of additional benefit; retirees in elected positions

A. Any person who has retired under the provisions of this Chapter may be temporarily employed by an employer ~~covered by this Chapter; participating in this plan, subject to the following limitations, however, if the retiree, who is otherwise eligible, is employed on a permanent basis or is employed during any calendar year for more than sixty days or four hundred eighty hours, his retirement benefit shall be suspended and employee and employer contributions shall resume. If a retiree is under age 65 or has not been retired at least three years, he may be employed no more than 480 hours in a calendar year. If a retiree is age 65 or older and has been retired at least three years, he may be employed no more than 1040 hours in a calendar year. However, if the retiree is employed longer than the maximum hours stated above, his retirement benefit will be reduced by the amount earned after the allowed number of hours.~~

May 8, 2001

B.(1) If the retired member, who is otherwise eligible, becomes permanently employed by an employer participating in this plan, or is employed for more than sixty days or four hundred eighty hours during a calendar year; the retired member and the employer shall immediately notify the board of the retiree's date of employment, the amount of his monthly salary, any changes in salary, number of hours employed per week, estimated duration of employment, and date of termination of employment.

~~(2) If the employer fails to submit the report required by Paragraph (1) of this Subsection, the benefit of the retiree shall be suspended and he shall be considered as returning to active service and employee and employer contributions shall resume. At the time the retired member returns to permanent employment, the benefit of the retiree shall be suspended and he shall be considered as returning to active service and employee and employer contributions shall resume.~~

* * *

AMENDMENT NO. 5

On page 10, after line 5, insert "Section 3. The provisions of this Act shall become effective January 1, 2002."

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

SENATE BILL NO. 666—

BY SENATORS B. JONES, DARDENNE AND GAUTREUX AND REPRESENTATIVES LANCASTER AND MONTGOMERY
AN ACT

To amend and reenact R.S. 47:1516(E) and (G) and to enact R.S. 47:1516(H), relative to taxes; to authorize the secretary to contract with collection agencies to collect in-state tax debts; and to provide for related matters.

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

SENATE BILL NO. (Substitute for Senate Bill 666 by Senator B. Jones, et Al)

BY SENATORS B. JONES, DARDENNE AND GAUTREUX AND REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH
AN ACT

To enact R.S. 47:1516.1, relative to the Department of Revenue; to authorize the secretary to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:1516.1 is hereby enacted to read as follows: §1516.1. In-state debt collection

R.S. 47:1516.1 is all proposed new law.

A.(1) To facilitate the collection of taxes, interest, penalties, and fees due to the Department of Revenue under any provision of this Title, the secretary is authorized to enter into contracts with collection contractors for the purpose of debt collection on behalf of the secretary, pursuant to the provisions of R.S. 39:1481 et seq.

(2)The secretary may only enter into such contracts after the requirements of Paragraph (B) are met.

(3) The criteria to be considered in selecting collection contractors are as follows:

- (a) Fees charged.
- (b) Organizational structure.
- (c) Governmental accounts experience.
- (d) Computer capabilities including the ability to generate reports and formatting.
- (e) Collection methodology.
- (f) Financial stability.
- (g) Personnel resources.

B. Once an obligation has become collectible by distraint and sale, as provided in this Chapter, the secretary shall send a notice to the taxpayer at the address given in the last report filed by said taxpayer, or to any address obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the United States Postal Service or from United States Postal Service certified software informing him of the following:

- (1) That his obligation is a final judgment.
- (2) All the actions the secretary is authorized to take in order to collect the debt.

(3) That if the debt is not paid within sixty days of the date of the notice, a collection fee not to exceed twenty-five percent of the total liability will be charged to the account.

C. The tax debtor shall pay the full amount of any additional charge for the collection of any taxes, interest, penalties, or fees. If an account is referred to a collection contractor, the additional charge shall be paid to the collection contractor.

D. The secretary shall provide information to collection contractors concerning the accounts of individual debtors only to the extent necessary for the collection contractor to fulfill his contractual obligation. The information furnished by the secretary shall be considered confidential and privileged by the collection contractor and members of his staff, to the same extent as provided by R.S. 47:1508. Collection contractors may not take any action which exceeds the authority of the secretary and must follow fair debt collection practices as described in Sections 1692 through 1693r of Title 15 of the United States Code.

E. Prior to entering into any contract authorized pursuant to this Section, the secretary shall require a performance bond from the collection contractor in an amount not to exceed one hundred thousand dollars.

F. With the approval of the secretary, the collection contractor may file suit, at his expense, in the name of the secretary in the courts of this state for the purpose of collecting tax debt.

G. The provisions of this Section shall not be construed to affect in any manner any rights and remedies available to a tax debtor under this Chapter.

H. For purposes of this Section, "collection contractor" means the attorney general or one or more private persons, companies, associations, or corporations who provide debt collection services inside the state.

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 Barham, the committee substitute bill was adopted and becomes Senate Bill No. 1104 by Senator B. Jones, substitute for Senate Bill No. 666 by Senator B. Jones.

SENATE BILL NO. 1104 (Substitute for Senate Bill 666 by Senator B. Jones, et Al)—

BY SENATORS B. JONES, DARDENNE AND GAUTREUX AND REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH

AN ACT

To enact R.S. 47:1516.1, relative to the Department of Revenue; to authorize the secretary to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 687—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(xi) and to enact R.S. 47:820.5(B)(2)(b)(v), relative to the Crescent City Connection Bridge; to provide for the use of toll proceeds; to provide for compensating property owners affected by certain projects; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 687 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 9, after the word "ramp" insert "payable from excess toll revenues from the Crescent City Connection"

AMENDMENT NO. 2

On page 2, at the end of line 21, change the period "." to a colon ":"

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

SENATE BILL NO. 694—

BY SENATOR HOYT

AN ACT

To enact R.S. 47:1414(D), relative to the state Board of Tax Appeals; to provide that qualified, licensed enrolled agents be allowed to represent taxpayers in matters before the board; and to provide for related matters.

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

SENATE BILL NO. 757—

BY SENATOR SCHEDLER

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2702, relative to funding of school-based services for Medicaid eligible recipients; to create the Medicaid Trust Fund for School-Based Services within the treasury; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to provide for the interdepartmental transfer program; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 757 by Senator Schedler

AMENDMENT NO. 1

On page 1, delete lines 4 and 5, and insert "Medicaid school-based administrative claiming; to create the Medicaid School-Based Administrative Claiming Trust Fund within the treasury; to"

AMENDMENT NO. 2

On page 1, line 7, change "interdepartmental" to "intergovernmental"

AMENDMENT NO. 3

On page 1, line 14, after "Chapter 55." delete the remainder of the line and delete line 15, and insert "MEDICAID SCHOOL-BASED ADMINISTRATIVE CLAIMING TRUST FUND"

AMENDMENT NO. 4

On page 2, line 1, after "§2701." delete the remainder of the line and insert "Medicaid School-Based Administrative Claiming Trust Fund"

AMENDMENT NO. 5

On page 2, line 4, after "the" delete the remainder of the line and at the beginning of line 5, delete "Services" and insert "Medicaid School-Based Administrative Claiming Trust Fund"

AMENDMENT NO. 6

On page 2, line 9, change "interdepartmental" to "intergovernmental"

AMENDMENT NO. 7

On page 2, line 15, change "(B)" to "C."

AMENDMENT NO. 8

On page 2, line 16, after "for" delete the remainder of the line and insert "administrative claiming which is"

AMENDMENT NO. 9

On page 2, line 18, change "may" to "shall" and at the end of the line insert "up to fifteen percent"

AMENDMENT NO. 10

On page 2, delete line 19, and insert the following: "for reasonable costs incurred in preparing the application and for implementing and monitoring the"

AMENDMENT NO. 11

On page 2, line 20, delete "interdepartmental" and insert "intergovernmental"

AMENDMENT NO. 12

On page 2, line 20, after the word "Chapter" delete the period and insert "and to support the Medicaid Program. The fifteen percent shall be calculated from the gross Federal Financial Participation generated from the certification of funds and shall be paid to the department from local public funds pursuant to a transfer agreement. The department may increase the reimbursement amount if necessary by promulgating rules in accordance with the Administrative Procedure Act."

AMENDMENT NO. 13

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

"(4) Monies in the fund shall be used to reimburse public schools for the actual costs of administrative outreach provided by the school districts."

AMENDMENT NO. 14

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

AMENDMENT NO. 15

On page 3, between lines 4 and 5, insert the following:

"D. A single provider organization, if such organization is approved by the Health Care Financing Administration, or each school board if the Health Care Financing Administration does not approve a single provider organization, shall enter into a hold harmless agreement with the department. If the Health Care Financing Administration should impose a disallowance upon the department, the single provider organization, if such organization is approved by the Health Care Financing Administration, or each school board if the Health Care Financing Administration does not approve a single provider organization, shall indemnify the department through future payment recoupments or in a lump sum repayment, whichever is deemed appropriate by the department. If the department is not fully indemnified through either of these methods, the remainder of the amount owed shall be paid by funds from the trust fund."

AMENDMENT NO. 16

On page 3, line 5, change "Interdepartmental" to "Intergovernmental"

AMENDMENT NO. 17

On page 3, line 10, change "interdepartmental" to "intergovernmental"

AMENDMENT NO. 18

On page 3, line 15, change "Interdepartmental" to "Intergovernmental" and after "Subcommittee" insert "on Medicaid School-Based Administrative Claiming"

AMENDMENT NO. 19

On page 3, line 16, after "Section." insert "The application shall facilitate a single provider organization as requested by the local school board only if such facilitation is allowed by the Health Care Financing Administration. The Health Care Financing Administration must approve the cost allocation plan and methodology, time study

frequency, and state match certification concepts prior to the drawing of any federal funds."

AMENDMENT NO. 20

On page 3, line 17, change "(2)" to "B.", change "Interdepartmental" to "Intergovernmental" and after "Subcommittee" insert "on Medicaid School-Based Administrative Claiming"

AMENDMENT NO. 21

On page 4, line 2, change "(B)(1)" to "C."

AMENDMENT NO. 22

On page 4, line 4, change "interdepartmental" to "intergovernmental"

AMENDMENT NO. 23

On page 4, delete line 7, and insert the following: "of Medicaid school-based services and administrative claiming as allowed by law."

AMENDMENT NO. 24

On page 4, line 8, change "(C)" to "D."

AMENDMENT NO. 25

On page 4, line 10, change "interdepartmental" to "intergovernmental" and after "program" insert "in accordance with the provisions of this Chapter"

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

SENATE BILL NO. 762—

BY SENATOR MALONE

AN ACT

To enact Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4701 through 4702, relative to irrigation; to create the Drought Protection Trust Fund in the state treasury; to provide for the deposit of monies to the fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 762 by Senator Malone

AMENDMENT NO. 1

On page 2, delete lines 18 and 19, and on line 20, delete "donations or grants." and insert "referred to as the "fund"."

AMENDMENT NO. 2

On page 2, line 20, after "grants." delete the rest of the line and on line 21, delete "of \$15,000,000 to the fund for the purposes set forth herein" and insert the following: "The Department of Agriculture shall transfer \$10,000 to the fund for the initial administration of the fund. The initial transfer by the Department of Agriculture shall be repaid to the Department of Agriculture as soon as the fund solicits and receives monies from any source other than state funds. The

fund shall solicit and receive monies and grants from the federal government and from private sources"

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

SENATE BILL NO. 781—
BY SENATORS HINES, BAJIOIE AND SCHEDLER
AN ACT

To enact R.S. 46:976(A)(5)(d) and (B)(1)(d), relative to the Louisiana Children's Health Insurance Program; to expand coverage to certain parents of Medicaid and LaCHIP eligible children and to certain pregnant women; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 817—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:3370(G), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to change the percentage of the pension fund portfolio which may be invested in equities; and to provide for related matters.

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

SENATE BILL NO. 818—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:3384(B), relative to Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of retirement benefits for members with twenty or more years of service; and to provide for related matters.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 818 by Senator Boissiere

AMENDMENT NO. 1
On page 2, line 2, after "service" delete "and such member"

AMENDMENT NO. 2
On page 2, line 3, delete "attains the age of fifty-five"

AMENDMENT NO. 3
On page 2, line 4, after "year" delete "beyond twenty years of service and after age fifty-"

AMENDMENT NO. 4
On page 2, at the beginning of line 5, delete "five,"

AMENDMENT NO. 5
On page 2, line 6, after "year." delete "If the"

AMENDMENT NO. 6
On page 2, delete lines 7 through 9 in their entirety

AMENDMENT NO. 7
On page 2, at the beginning of line 10, delete "annual compensation for each year or portion of a year."

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

SENATE BILL NO. 819—
BY SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:3384(B), relative to Firefighters' Pension and Relief Fund in the city of New Orleans; to provide with respect to benefits payable to members who earn at least thirty years of service; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 819 by Senator Boissiere

AMENDMENT NO. 1
On page 2, line 2, after "service" delete "and such member"

AMENDMENT NO. 2
On page 2, at the beginning of line 3, delete "attains the age of fifty-five"

AMENDMENT NO. 3
On page 2, line 4, after "year" delete "beyond twenty years of service and after age fifty-"

AMENDMENT NO. 4
On page 2, at the beginning of line 5, delete "five"

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

SENATE BILL NO. 820—
BY SENATOR HOYT
AN ACT

To enact R.S. 11:2257.1 and to repeal R.S. 11:2257, relative to the Firefighters Retirement System of Louisiana; to provide with respect to the Back Deferred Retirement Option Plan; to establish requirements of the Back Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 820 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:2257.1" delete "and to repeal R.S. 11:2257"

AMENDMENT NO. 2

On page 2, line 11, after "creditable service." insert "The Back DROP period will reduce the member's benefit by three and one-third percent per year."

AMENDMENT NO. 3

On page 2, line 22, after "the Back DROP period." insert "This will be the three year period prior to the Back DROP period."

AMENDMENT NO. 4

On page 2, line 23, delete "Employee and employer" and insert "Employer"

AMENDMENT NO. 5

On page 2, line 25, after "fund" insert "." and delete "and not be refundable to the member or to the"

AMENDMENT NO. 6

On page 2, line 26, delete "employer." and insert "The employee contributions received by the retirement fund during the Back DROP period shall be refunded to the employee by having the contributions deposited into the employee's Back DROP account. The interest earned on the employee and employer contributions during the Back DROP period shall be retained by the retirement fund."

AMENDMENT NO. 7

On page 4, delete line 4 in its entirety.

AMENDMENT NO. 8

On page 4, lines 6, delete "Eligibility for entering into the regular DROP shall cease June 30,"

AMENDMENT NO. 9

On page 4, delete lines 7 through 10 in their entirety.

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

SENATE BILL NO. 824—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 11:2260(A)(7), relative to the Firefighters' Retirement System; to provide with respect to cost-of-living adjustments; to establish the rate of interest earnings required to pay a cost-of-living adjustment; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 824 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 13, after "(7)" insert "(a)"

AMENDMENT NO. 2

On page 2, between lines 9 and 10 insert the following

"(b) The authority granted in Subpart (a) to provide cost-of-living adjustments from interest earnings of six percent or less may be exercised only once in each twenty year period."

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

SENATE BILL NO. 838—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:2225(A)(11)(a)(iii), relative to the Municipal Police Employees' Retirement System; to provide with respect to mergers with the system; to authorize the merger of all commissioned employees of any municipal police department that are employed in positions that are defined within a Fire and Police Civil Service classification into the system; to provide for funding of the merger; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 838 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 11:221(A)(2) and to"

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 11:2225(A)(11)(a)(iii)," to "R.S. 11:221(A)(3) and 11:2225(A)(11)(a)(iii),"

AMENDMENT NO. 3

On page 1, line 3, after "System;" insert "to provide with respect to disability retirement, to provide exception to reduction in benefits due to gainful employment;"

AMENDMENT NO. 4

On page 1, line 4, between "all" and "employees" delete "commissioned"

AMENDMENT NO. 5

On page 1, line 7, after "the merger;" insert "to provide for an effective date;"

AMENDMENT NO. 6

On page 1, line 11, after "Section 1." insert "R.S. 11:221(A)(1) is hereby amended and reenacted and"

AMENDMENT NO. 7

On page 1, line 11, change "11:2225(A)(11)(a)(iii) is" to "R.S. 11:221(A)(3) and 11:2225(A)(11)(a)(iii) are"

AMENDMENT NO. 8

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

§221. Authority of retirement boards to modify benefits; earnings statements

(A) * * *

(2) Notwithstanding the provisions of this Subsection, any member of the Municipal Police Employees' Retirement System who was a full-time police officer, who is a disability beneficiary, ~~and whose disability was caused while the police officer suffered a bilateral knee injury disability while the police officer was in the discharge of his duties as a result of an in the line of duty injury,~~ shall not have his benefit be reduced as a result of any earned income attributable to gainful employment. Such earned income shall not be considered or included in any calculation otherwise required by Paragraph (1) of this Subsection.

R.S. 11:221(3) is all proposed new law.

(3) "In the line of duty" means any law enforcement officer acting or engaged in the performance of his job duties, attempting to effect an arrest, proceeding to an ordered call, conducting an investigation, or performing mandatory training.

* * *

AMENDMENT NO. 9

On page 2, line 2, between "Any" and "employee" delete "commissioned"

AMENDMENT NO. 10

On page 2, line 4, after "Service" insert "," and after "system" insert "shall"

AMENDMENT NO. 11

On page 2, line 8 after "with" change "these mergers" to "mergers authorized by R.S. 11:2225(A)(11)(a)(iii)"

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

SENATE BILL NO. 843—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to remove the age limitation for members with twenty or more years of service for purposes of determining benefits eligibility; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 843 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 8, after "year" and before "shall" delete "beyond twenty years of service"

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

SENATE BILL NO. 844—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11: 3385.2(A) and to enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize deferred retirement option plan with a later initial lump sum benefit; and to provide for related matters.

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

SENATE BILL NO. 853—

BY SENATORS MCPHERSON, CAIN, ELLINGTON AND HINES, AND REPRESENTATIVES DEWITT, RIDDLE AND CURTIS

AN ACT

To amend and reenact R.S. 17:1501 and 1501.1 and the heading of Subpart B of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, relative to Louisiana State University at Alexandria; to provide relative to institutions under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to recognize and define Louisiana State University at Alexandria as an institution authorized to offer baccalaureate degrees; to provide for implementation; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

Motion to Make Special Order

Senator McPherson asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 853, which was just advanced to a third reading and final passage, Special Order of the Day No. 2 on Wednesday, May 9, 2001 immediately following the Morning Hour.

SENATE BILL NO. 865—

BY SENATOR THOMAS

AN ACT

To enact R.S. 22:230.5, relative to health insurance coverage; to provide with respect to health insurance benefits and options mandated by law; to provide for actuarial cost analysis and periodic reevaluations of statutory mandates; to provide that statutes mandating such benefits or options shall be null and void unless periodically reenacted by the legislature; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 870—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to create a varying schedule of accrual rates of the retirement benefit for members of the fund; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 870 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 11, after "amount equal to" change "3" to "three"

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

SENATE BILL NO. 871—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; and to provide for related matters.

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

SENATE BILL NO. 872—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of the retirement benefit for a member who has thirty years of service; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 872 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 2, after "service" delete "and such member"

AMENDMENT NO. 2

On page 2, at the beginning of line 3, delete "attains the age of fifty-five"

AMENDMENT NO. 3

On page 2, line 4, after "year" delete "beyond twenty years of service and after age fifty-"

AMENDMENT NO. 4

On page 2, at the beginning of line 5, delete "five,"

AMENDMENT NO. 5

On page 2, line 9, after "equal to" remove the bold and underscore of "three"

AMENDMENT NO. 6

On page 2, line 11, after "a total of" remove the bold and underscore of "three"

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

SENATE BILL NO. 883—
BY SENATOR ELLINGTON

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701, relative to health care; to create the Health Trust Fund within the state treasury; to provide for the appropriation of monies to the fund; to provide for investment and uses of monies in the fund; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 904—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:1512, relative to the powers and duties of the secretary of the Department of Revenue; to provide for the powers and duties of the secretary; to provide for the rates paid to private counsel hired to collect taxes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 904 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 10, change "collector" to "secretary"

AMENDMENT NO. 2

On page 1, delete lines 15 and 16 in their entirety and insert the following: "the amount of ~~ten per centum (10%)~~ **twenty-five per cent (25%)** of the taxes, penalties and interest due of the first two

hundred and fifty thousand dollars per account and per tax year; fifteen per cent (15%) of the taxes, penalties and interest due for amounts over two hundred and fifty-thousand dollars but below one million dollars per account and per tax year; and not to exceed ten per cent (10%) of the taxes, penalties and interest due for amounts over one million dollars per account and per tax year. shall be paid by the tax debtor."

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

SENATE BILL NO. 933—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:1503(8) and to enact R.S. 11:1503(11), relative to Louisiana Clerks of Court Retirement System and Relief Fund; to authorize the inclusion of "per-page transaction" payments to court reporters as salary; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 933 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "and reenact" delete "R.S. 11:1503(8) and to enact R.S. 11:1503(11)," and insert "R.S. 11:1503(4) and to enact R.S. 11:1503(11), 1521.1 and 1562(D),"

AMENDMENT NO. 2

On page 1, line 3, after "Relief Fund;" delete "to" and insert "to define "per-page transcription"; to provide for retirement benefits for court reporters;"

AMENDMENT NO. 3

On page 1, delete line 4 in its entirety

AMENDMENT NO. 4

On page 1, at the beginning of line 5 change "reporters as salary;" to "to provide for an effective date;"

AMENDMENT NO. 5

On page 1, line 8 after "Section 1." delete "R.S. 11:1503(8) is hereby amended and reenacted and R.S." and insert "R.S. 11:1503(4) is hereby amended and reenacted and R.S. 11:1503(11), 1521.1 and 1562(D) are"

AMENDMENT NO. 6

On page 1, line 9 delete "11:1503(11) is"

AMENDMENT NO. 7

On page 1 between lines 14 and 15 insert the following: "(4) "Employee" means any ~~deputy clerk, minute clerk, stenographer, reporter, or other~~ regular employee of a clerk and employees of the Louisiana Clerks of Court Association, the Louisiana Clerks' of Court

Retirement and Relief Fund, and the Louisiana Clerks of Court Insurance Fund, who works more than an average of twenty hours per week."

AMENDMENT NO. 8

On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 9

On page 2, delete lines 1 through 8 in their entirety

AMENDMENT NO. 10

On page 2, line 12, after "each page of" change "testimony" to "court proceeding"

AMENDMENT NO. 11

On page 2, after line 13 insert the following:

"§1521.1. Additional monthly benefit; computation

R.S. 11:1521.1 is all proposed new law.

In addition to the regular retirement benefits provided by 11:1521, upon regular retirement, any member who received per-page transcription payments shall be paid an additional monthly regular retirement benefit computed as follows: the monthly average of the six highest consecutive or joined calendar years during which a member received such payments and was a member of the fund for the full calendar year, multiplied by the number of calendar years that the member received such payments, provided that the credit for any calendar year that such payments were paid shall not exceed the regular retirement credit earned for that calendar year, and further multiplied by the regular retirement accrual rate applicable to the time that the credit for earning such payments was earned. If a member has credit for earning such payments for less than six years, the monthly average of the actual number of calendar years during which the member received such payments shall be used to determine this additional benefit.

* * *

§1562. Employee and employer contributions

* * *

R.S. 11:1562(D) is all proposed new law.

D. Eight and one-quarter percent of all per-page transcription payments shall be deducted monthly from each such payment and that amount, plus the appropriate employer contribution applied to such payments, as otherwise established by law, shall be remitted to the fund on a monthly basis within ten days after the close of each month by the judicial administrator or other appropriate officer of the court for which the transcriptions were made. Such reports shall be distinct and separate from the reports of regular salary otherwise required by law.

Section 2. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later. In order for any member to receive credit for any per-page transcription payments made prior to July 1, 2001, an amount equal to what

would have been the employee and employer contributions on such payments, plus interest at the fund's assumed actuarial valuation interest rate, shall be paid to the fund. Such payments may be made only in a lump sum payment and such payments may be made only until June 30, 2002."

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

SENATE BILL NO. 973—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 813(A)(2), R.S. 9:3402(A), R.S. 14:403.2(E)(8)(a) and (b), R.S. 17:1253(1) and 1517(D)(4), R.S. 18:2(11), 3(A)(1), 101(E)(1)(c), 103(B)(3)(a), 115(A)(2), 151(C), 173(C), 562(C), 1280.22(A), 1300.2(B), 1300.3(A), 1306(E)(1)(f) and (2), 1308(A)(2)(b), and 1400.3(F), R.S. 23:6(1), 11, 183, 1291.1(A)(1), (C)(3), and (D), 1292(A), and 1306(A), R.S. 26:346(A) and (B), 354(I), 359(D), 360, and 373, R.S. 30:2043(D) and (E), R.S. 32:398(C) and 861(A)(3), R.S. 39:79(A), 79(C)(1), 101(A)(1), 114(A) and (B), 461.1(C)(4), 461.4(C)(2), 1410.33(D), 1503(A)(1), (2), and (3), 1556(22), 1593(B), and 1594(I)(2), R.S. 40:1172(A), 1235.2(C)(1)(a), and 1299.40(A)(1), R.S. 45:163.1(A)(1)(b), 173, and 1163.1(A)(1) and (B), R.S. 46:1410(C), R.S. 47:12, 59.1(B)(2), 114(F)(2), 115(A)(4), 166, 287.614(B), 287.651(D), 287.752(B)(3)(a), 299.35, 315(A), 315.1(A), 315.3(A), 635(A)(1)(a) and (b), 640(A)(1) and (2), 720, 823(C), 1006(A), 1034, and 1506.1(A) and (B), R.S. 48:56(A), 93(A), 201,203 224(B), 231, and to enact R.S. 9:3402(B) and (C), R.S. 39:1410.33(D), and 1556(22), relative to electronics; to revise various laws applicable to state agencies; to provide for electronic transactions; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 973 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line, delete lines 3 through 16, and on page 3 delete lines 1 and 2 and insert in lieu thereof the following:

"R.S. 2:813(A)(2), R.S. 4:708(B), R.S. 9:3402, R.S. 12:2(A)(3), R.S. 14:403.2(E)(8)(a) and (b), R.S. 17:1253(1) and 1517(D)(4), R.S. 18:3(A)(1), 101(E)(1)(c), 103(B)(3)(a) and (C)(3)(a), 104(A)(15), 115(A)(2), 173(C), 562(C), 1280.22(A), 1300.2(B), 1300.3(A) and (B), 1300.6(A), 1300.8(B), 1303(A)(12), 1306(E)(1)(f) and (2), and 1308(A)(1)(b) and (2)(b), and 1400.3(F), R.S. 22:2.1(E), R.S. 23:6(1), 11, 183, 1291.1(A)(1), (C)(3) introductory paragraph, and (D), 1292(A) introductory paragraph, and 1306(A) introductory paragraph, R.S. 26:346(A) and (B), 354(I), 355(A), 359(D), 360, 364(C), and 373, R.S. 30:2043(D) and (E), R.S. 32:398(C) and 861(A)(3), R.S. 39:79(A) and (C)(1), 101(A)(1), 114(A) and (B), 461.1(C)(4), 461.4(C)(2), 1503(A)(1), (2), and (3), 1593(B), and

1594(I)(2), R.S. 40:1172(A), 1235.2(C)(1)(a), 1299.40(A)(1), and 2145(B), R.S. 47:12(B)(2)(b) and (c), 59.1(B)(2), 105(G),114(F)(2), 115(A)(4), 166, 287.614(B), 287.651(D), 287.752(B)(3)(a), 299.35, 303(B)(2), 311, 315(A), 315.1(A), 315.3(A), 635(A)(1)(a) and (b), 640(A)(1) and (2), 720, 808(B), 823(C), 1006(A), 1034, and 1506.1(A) and (B), R.S. 48:56(A), 93(A), 201, 203, 224(B), 229(A), 231, and 232, and to enact R.S. 18:2(11), 151(C) and 1400.3(F), and R.S. 39:1410.33(D) and 1556(29), relative to electronics; to revise various"

AMENDMENT NO. 2

On page 2, line 10, delete "(1)"

AMENDMENT NO. 3

On page 2, line 11, delete* " * *"

AMENDMENT NO. 4

On page 2, after line 27, insert the following: "Section 2. R.S. 4:708(B) is hereby amended and reenacted to read as follows:

§708. Application for license * * *

B. In each application there shall be designated an active member or members of the applicant under whom the game or games of chance described in the application are to be held, operated, and conducted, and to the application shall be appended ~~included~~ **included** a statement executed by the applicant and by the member or members, so designated, that he or they will be responsible for the holding, operation, and conduct of such game or games of chance in accordance with the terms of the license and the provisions of said rules and regulations governing the holding, operation, and conduct of such game or games of chance and of this Chapter, if such license is granted.

* * *"

AMENDMENT NO. 5

On page 3, line 1, change "Section 2" to "Section 3"

AMENDMENT NO. 6

On page 3, line 1, delete "9:3402(A)" and insert "9:3402" and on lines 1 and 2 delete "and R.S. 9:3402(B) and (C) are hereby enacted"

AMENDMENT NO. 7

On page 3, delete lines 23 through 27 and insert the following: "(3) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record."

AMENDMENT NO. 8

On page 4, between lines 8 and 9, insert the following: "Section 4. R.S. 12:2(A)(3) is hereby amended and reenacted to read as follows:

§2. Filing methods A. * * *

(3) "Electronic signature" means ~~any letters, characters, or symbols, manifested by electronic or similar means, executed or adopted by a party with an intent to authenticate a writing. A writing is electronically signed if an electronic signature is logically associated with such writing~~ **an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.**

* * *

AMENDMENT NO. 9

On page 4, line 9, change "Section 3" to Section 5" and change "14:403.2(E)(8)(a)(b)" to "14:403.2(E)(8)(a) and (b)"

AMENDMENT NO. 10

On page 5, line 7, change "Section 4" to Section 6"

AMENDMENT NO. 11

On page 6, delete lines 1 through 4 and insert in lieu thereof the following:

"Section 7. R.S. 18:3(A)(1), 101(E)(1)(c), 103(B)(3)(a) and (C)(3)(a), 104(A)(15), 115(A)(2), 173(C), 562(C), 1280.22(A), 1300.2(B), 1300.3(A) and (B), 1300.6(A), 1300.8(B), 1303(A)(12), 1306(E)(1)(f) and (2), and 1308(A)(1)(b) and (2)(b) are hereby amended and reenacted and R.S. 18:2(11), 151(C), and 1400.3(F) are hereby enacted to read as follows:"

AMENDMENT NO. 12

On page 6, line 14, after "required." delete the remainder of the line and delete lines 15 and 16

AMENDMENT NO. 13

On page 7, between lines 3 and 4 and insert the following:

"E. (1) A citizen of the United States residing outside the United States who was domiciled in this state immediately prior to his departure from the United States and who is at least eighteen years of age or will attain that age on or before the next national election, and who is not disfranchised, shall be eligible to register absentee and vote absentee if he meets the following qualifications:

* * *

AMENDMENT NO. 14

On page 11, between lines 20 and 21, insert the following:

"B. The registrar of voters shall honor the written request of any voter who either desires to have his handwritten signature stricken from the petition or desires to have his handwritten signature added to the petition at any time after receipt of the signed petition as provided in R.S. 18:1300.2(C) but prior to certification of the petition or within five days after receipt of such signed petition, whichever is earlier.

* * *

§1300.6. Acts prohibited; penalty

A. It shall be unlawful for any person to circulate recall petitions or seek handwritten signatures to a recall petition within any polling place being used in an election on election day or within any place wherein absentee voting is being conducted, or within a radius of six hundred feet of the entrance to any polling place being used in an election on election day or any place wherein absentee voting is being conducted.

* * *

§1300.8. Voting area

* * *

B. This area is the basis on which to determine whether the handwritten signatures to the recall petition are sufficient and proper; the number of handwritten signatures required is determined

by calculation of the number of electors of the voting area as set forth in R.S. 18:1300.2.

* * *

§1303. Persons entitled to vote in compliance with this Chapter

A. In person. The persons hereafter enumerated, who are otherwise qualified to vote, may vote absentee in person at a place designated by the registrar as provided in R.S. 18:1309(A) and (B):

* * *

(12) A person who declares to the registrar that tenets of his religion require his attendance at religious services on election day, prevent him from affixing his handwritten signature on any ballot or registration rolls on an election day, or otherwise prevent him from casting his ballot on election day.

* * *

AMENDMENT NO. 15

On page 12, delete line 18 and insert in lieu thereof the following:

"A.(1)

* * *

(b) If the voter feels he will not have time to vote timely by mail, the voter may request that the registrar transmit to him by facsimile a ballot, including the affidavit, or a second ballot, as the case may be, and the registrar shall do so if he has a facsimile machine in his office. The voter may then mail his voted ballot, including the affidavit, back to the registrar or transmit it by facsimile if the registrar has a facsimile machine in his office. If the voter transmits his voted ballot to the registrar by facsimile, the transmittal shall contain the following statement: "I understand that by faxing my voted ballot I am voluntarily waiving my right to a secret ballot." This statement shall be followed by the voter's handwritten signature, date, and social security number. Upon receipt of the transmittal, the registrar shall place the voted ballot along with the signed statement and affidavit in an appropriately marked envelope and seal it. The registrar and his staff shall take the steps necessary to keep the voted ballots received by facsimile as confidential as practicable.

* * *

AMENDMENT NO. 16

On page 12, line 19, delete "(a)"

AMENDMENT NO. 17

On page 13, line 19, after "court" insert the following: ", as defined by Subsections D and E of this Section,"

AMENDMENT NO. 18

On page 13, line 20, after "payment" insert the following: "by the most expeditious means possible, including electronic transfer"

AMENDMENT NO. 19

On page 13, between lines 21 and 22, insert the following:

"Section 8. R.S. 22:2.1(E) is hereby amended and reenacted to read as follows:

§2.1. Public records; forms and methods; electronic signatures and filings; timely filing of papers

* * *

E. The commissioner shall promulgate rules to regulate the use of electronic signatures. Such rules may include any or all of the following:

~~(1) Limitations upon which documents may be signed electronically.~~

~~(2) Security requirements, which may include but not be limited to the following:~~

~~(a) The use of alphanumeric or similar codes, fingerprints, or other identifying methods.~~

~~(b) Prohibitions against disclosure of codes or other identifiers to other persons.~~

~~(c) Responsibility of individuals for unauthorized signatures.~~

AMENDMENT NO. 20

On page 13, delete lines 22 and 23 and insert the following:

Section 9. R.S. 23:6(1), 11, 183, 1291.1(A)(1), (C)(3) introductory paragraph, and (D), 1292(A) introductory paragraph, and 1306(A) introductory paragraph are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 21

On page 15, between lines 5 and 6, insert "* * *"

AMENDMENT NO. 22

On page 15, line 14, delete "(1)" and delete line 15

AMENDMENT NO. 23

On page 16, line 20, change "Section 7" to "Section 10" and after "354(I)" insert "355(A)," and after "360," insert "364(C),"

AMENDMENT NO. 24

On page 18, between lines 4 and 5 insert the following:

"§355. Invoices and records of dealers in beverages of high alcoholic content

A. Every manufacturer and every wholesaler of beverages of high alcoholic content shall, at the time of shipping or delivering such beverages, make a true duplicate invoice thereof, showing full and complete details of the sale or delivery of the beverages. They shall also keep a record of the manufacture or purchase of such beverages and shall hold all books, records, and memoranda pertaining to the manufacture and purchase of these beverages subject to the inspection of the secretary or his authorized representative. All **records and** documents required under this Subsection shall be retained for the inspection and use of the secretary or his authorized representative until the taxes to which they relate have prescribed.

* * *

AMENDMENT NO. 25

On page 20, line 12, change "Section 8" to Section 11" and change "(E)(1)" to "(E)"

AMENDMENT NO. 26

On page 21, line 1, delete "the following:" and on line 2 delete "(1)" and change "Limitations" to "Limitations"

AMENDMENT NO. 27

On page 21, line 5, change "Section 9" to Section 12"

AMENDMENT NO. 28

On page 21, between lines 14 and 15, insert the following:

* * *

AMENDMENT NO. 29

On page 21, delete line 17

AMENDMENT NO. 30

On page 21, line 20, between "**statement**" and "that" insert "**containing the date**"

AMENDMENT NO. 31

On page 21, line 26, change "Section 10" to Section 13"

AMENDMENT NO. 32

On page 22, line 1, change "(22)" to "(29)"

AMENDMENT NO. 33

On page 27 delete lines 2 and 3 and insert in lieu thereof the following: "(29) "Sealed bidding" means the receipt of bids protected from inspection prior to bid opening. Bids may be received in any manner specified in the invitation for bids including receipt by mail, by direct delivery, or through any secure electronic interactive environment permitted by rule or regulation."

AMENDMENT NO. 34

On page 28, line 4, change "Section 11" to Section 14" and change "and 1299.40(A)(1)" to ", 1299.40(A)(1), and 2145(B)"

AMENDMENT NO. 35

On page 29, between lines 21 and 22, insert the following:

"§2145. Electronic signatures

* * *

B. The Department of Health and Hospitals shall develop guidelines to regulate the use of electronic signatures which may include, ~~but not be limited to:~~

~~(a) Limitations upon which documents may be signed electronically, but any such limitation shall not prohibit the use of electronic signatures on discharge summaries and attestations.~~

~~(b) Security requirements, which may include, but not be limited to:~~

~~(i) The use of alphanumeric or similar codes, fingerprints, or other identifying methods.~~

~~(ii) Prohibition against disclosure of codes or other identifiers to other persons.~~

~~(iii) Responsibilities of health care providers for unauthorized signatures.~~

* * * "

AMENDMENT NO. 36

On page 29, delete lines 22 through 27, delete page 30, and on page 31 delete lines 1 through 25

AMENDMENT NO. 37

On page 31, delete line 26, and insert in lieu thereof the following:

"Section 15. R.S. 47:12(B)(2)(b) and (c), 59.1(B)(2), 105(G), 114(F) (2), 115(A)(4),"

AMENDMENT NO. 38

On page 31, line 27, after "299.35," insert "303(B)(2), 311,"

AMENDMENT NO. 39

On page 32, line 1, after "720," insert "808(B),"

AMENDMENT NO. 40

On page 32, line 2, after "1506.1(A)" insert "and (B), and 2425(B)"

AMENDMENT NO. 41

On page 32, delete line 5

AMENDMENT NO. 42

On page 32, line 6, delete "(1)"

AMENDMENT NO. 43

On page 32, delete line 8

AMENDMENT NO. 44

On page 32, between lines 20 and 21, insert "* * *"

AMENDMENT NO. 45

On page 32, between lines 25 and 26, insert the following:

"§105. Payment of tax
* * *

G. Form of payment. All payments of taxes under this Chapter shall be made payable to the collector of revenue; and the amount may be paid by check, bank draft, post office money order, ~~or~~ express money order, electronic funds transfer, or credit or debit cards.

* * *

AMENDMENT NO. 46

On page 33, line 1, after "F" insert "."

AMENDMENT NO. 47

On page 33, line 4, after "magnetic media" insert "or other electronic means"

AMENDMENT NO. 48

On page 33, line 6, change "The magnetic media or other" to "These"

AMENDMENT NO. 49

On page 33, line 7, delete "electronic means" and change "requirement" to "requirements"

AMENDMENT NO. 50

On page 34, line 20, after "order," insert "electronic funds transfer, or credit or debit cards."

AMENDMENT NO. 51

On page 34, line 24, change "B(1)" to "B."

AMENDMENT NO. 52

On page 35, between lines 12 and 13 insert the following:

"§303. Collection
* * *

B. Collection of tax on vehicles. The tax imposed by R.S. 47:302(A) on the sale or use of any motor vehicle, automobile,

motorcycle, truck, truck-tractor, trailer, semi-trailer, motor bus, house trailer, or any other vehicle subject to the vehicle registration license tax shall be collected as provided in this Subsection.

* * *

(2) Every vendor of such a vehicle shall furnish to the purchaser at the time of sale a ~~sworn~~ notarized statement showing the serial number, motor number, type, year, and model of the vehicle sold, the total sales price, any allowance for and a description of any vehicle taken in trade, and the total cash difference paid or to be paid by the purchaser between the vehicles purchased and traded in and the sales or use tax to be paid, along with such other information as the collector of revenue may by regulation require. All labor parts, accessories, and other equipment which are attached to the vehicle at the time of sale and which are included in the sale price are to be considered a part of the vehicle.

* * *

§311. Collector's authority to examine records of transportation companies

The collector is specifically authorized to examine at all reasonable hours, the books, records and other documents of all transportation companies, agencies, or firms operating in this state, whether they conduct their business by truck, rail, water, airplane, or otherwise, in order to determine what dealers are importing or are otherwise shipping articles of tangible personal property subject to the tax levied by this Chapter. When any such transportation company refuses to permit the examination of its ~~books records~~, as provided in this Section, the collector may proceed by rule against it, in term time or in vacation, in any court of competent jurisdiction in the parish where such refusals occurred, to show cause why the collector should not be permitted to examine its books, records or other documents. This rule may be tried in open court or in chambers, and in case the rule is made absolute, the same shall be considered a judgment of the court, and every violation thereof shall be considered as a contempt of court and punished according to law.

* * *

AMENDMENT NO. 53

On page 40, between lines 8 and 9 insert the following:

"§808. Reports; deductions in computing tax; revocation of license; flat rate accounts

* * *

B. All interstate users who have furnished a surety bond required under R.S. 47:807 shall ~~file~~ provide a quarterly report ~~with~~ to the secretary of the Department of Revenue. The quarters shall end on March thirty-first, June thirtieth, September thirtieth, and December thirty-first of each year, and the report shall be mailed together with payment of the tax due by the twenty-fifth day of the month following the end of each quarter. Reporting forms shall be prescribed by the secretary of the Department of Revenue and shall show itemized quantities of special fuels purchased along with the fuels purchased and used in all other states and the miles traveled in each state, together with any other information requested by the secretary.

* * *

AMENDMENT NO. 54

On page 41, line 25, after "books" insert "and records"

May 8, 2001

AMENDMENT NO. 55

On page 42, line 18, change "Section 15" to Section 16" and after "224(B)," insert "229(A),"

AMENDMENT NO. 56

On page 43 at the end of line 27 insert the following: "However, if electronic digitizing is utilized, the original source document or microfilm of such source document shall be maintained until such time as electronic digitizing is recognized as an acceptable means of records preservation."

AMENDMENT NO. 57

On page 44, line 9, delete "the following:", on line 10 change "(1) Limitations" to "limitations", and delete line 12 through 18

AMENDMENT NO. 58

On page 46 between lines 10 and 11 insert the following:

"§229. Priority reports on current construction projects
A. Each year, beginning with the fiscal year commencing in 1975, the department shall submit to provide the legislature a program of construction to be commenced in the ensuing fiscal year, which shall be based upon the anticipated revenues to be appropriated by the legislature and listed in an order of priority of projects for each of the twelve functional classifications. The order of priorities shall be based upon the following illustrative, but not exclusive, list of factors which shall be considered:"

AMENDMENT NO. 59

Immediately after the first page numbered "48 of 48" delete pages 41-48 in their entirety

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

SENATE BILL NO. 992—

BY SENATOR ULLO

AN ACT

To amend and reenact Children's Code Art. 791.1, the introductory paragraph of Art. 791.2 and Art. 791.4, to enact Children's Code Art. 791.5, and to repeal Sections 2 and 3 of Act No. 1372 of the 1999 Regular Session of the Legislature, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in certain judicial districts encompassing the parishes of Bossier, Iberia, Lafayette and Ouachita; to extend the period of effectiveness for the pilot program; to extend the period for reporting; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 1000—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 11:565 relative to Louisiana State Employees Retirement System; to authorize judge to purchase credit for service with Capital Area Legal Services Corporation; and to provide for related matters.

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

SENATE BILL NO. 1008—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 11:1312(C), relative to the State Police Pension and Retirement System; to provide with respect to the deferred retirement option plan and criteria applicable to participation therein; and to provide for related matters.

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

SENATE BILL NO. 1029—

BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 49:321(C) and (D)(1) and to enact R.S. 49:321(A)(4), relative to security for deposit of state funds; to authorize the use of deposit guaranty bonds as security for deposits of state funds; and to provide for related matters.

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

SENATE BILL NO. 1041—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 11:153(H), relative to the Municipal Police Employees' Retirement System; to authorize members with a vested military benefit to purchase credit for military service; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 97—

BY REPRESENTATIVES BRUNEAU AND MURRAY
AN ACT

To enact R.S. 11:1352(F), relative to certain judges covered by the Judges' Noncontributory Retirement Plan; to provide with respect to retirement benefits and eligibility for such benefits; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 537—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 11:413(14), relative to the Louisiana State Employees' Retirement System, but only applicable to employees of the New Orleans City Park Improvement Association; to provide with respect to membership, including but not limited to those classes of employees who are not eligible for membership; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1431—

BY REPRESENTATIVES SCHNEIDER, JOHNS, STELLY, DOWNER, AND FLAVIN AND SENATORS BOISSIERE, DUPRE, GAUTREAUX, AND ULLO
AN ACT

To amend and reenact R.S. 11:122(introductory paragraph), 123, 124, and 127(C) and to repeal R.S. 11:122(6), relative to the Public Retirement Systems' Actuarial Committee; to provide with respect to membership and voting requirements, including but not limited to the repeal of the position of independent actuary from the committee; to provide an effective date; and to provide for related matters.

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

Special Order of the Day

The following Senate 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:

SENATE BILL NO. 1046—

BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), and 2110(A)(2), (C), and (E), relative to the ad valorem property tax assessment of public service properties; to require full payment of all taxes as a condition of appeal; to eliminate refunds from escrow accounts and provide for certain credits against future taxes; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 1046 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 19, after "affected." delete the remainder of the line and delete line 20 in its entirety and insert "Such credit shall be deducted by the Louisiana Tax Commission from the assessment of the year"

AMENDMENT NO. 2

On page 2, line 24, after "the" and before "year" delete "third"

AMENDMENT NO. 3

On page 2, line 26, delete "and the previous two years"

AMENDMENT NO. 4

On page 3, line 11, after "upheld" delete the period "."

AMENDMENT NO. 5

On page 3, lines 18 and 19, change "~~to the Louisiana Tax Commission, which shall then forward such amount directly to the state treasurer.~~" to "to the Louisiana Tax Commission, which shall then forward such amount directly to the state treasurer."

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 1046 by Senator Ellington

AMENDMENT NO. 1

On page 6, after line 27, add the following:

"R.S. 47:2110 (F) is all proposed new law.

F. Any taxpayer who has disputed his tax liability pursuant to R.S. 47:1856 or 1857 may appeal an adverse decision of any court as provided in the Code of Civil Procedure; however, a taxpayer shall not be required to post bond or provide other security in connection with such appeal."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Barham | Hines | Mount |
| Boissiere | Hoyt | Romero |
| Campbell | Irons | Smith |
| Chaisson | Johnson | Tarver |
| Cravins | Jones, B | Theunissen |
| Ellington | Jones, C | |
| Gautreaux | McPherson | |
| Total—19 | | |

NAYS

| | | |
|----------|-----------|-------------|
| Bajoie | Dupre | Malone |
| Bean | Fields, W | Marionneaux |
| Dardenne | Fontenot | Michot |
| Dean | Hollis | Ullo |
| Total—12 | | |

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Heitmeier | Schedler |
| Cain | Lambert | Thomas |
| Fields, C | Lentini | |
| Total—8 | | |

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

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

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

**SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR SCHEDLER**

A CONCURRENT RESOLUTION

To establish the Task Force on Local Funding Certification for state match requirements to study and make recommendations regarding resources available to be used as funds for which federal matching funds are allowed.

Reported favorably by the Committee on Finance.

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

SENATE CONCURRENT RESOLUTION NO. 68—

BY SENATOR B. JONES

A CONCURRENT RESOLUTION

To create a state tax structure committee to study certain business inducements and tax credits and report its findings to the legislature by March 1, 2002.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Concurrent Resolution No. 68 by Senator B. Jones

AMENDMENT NO. 1

On page 2, at the end of line 9, insert the following: "The committee shall consult with the Programs and Incentives Task Force of the Department of Economic Development and address their findings in the committee's recommendations."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Hines | Michot |
| Boissiere | Hollis | Mount |
| Campbell | Hoyt | Romero |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, W | Malone | |
| Total—31 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Fields, C | Schedler |
| Cain | Heitmeier | Thomas |
| Cravins | Lentini | |
| Total—8 | | |

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

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

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

SENATE BILL NO. 925—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 14:403(A), 403.2(J)(1), 403.3(D), 403.4(F), and 403.5(E) and to enact R.S. 14:403.6 and 403.7, relative to offenses affecting law enforcement; to provide for cross-reporting cases of animal and human abuse; to require persons responsible for reporting abuse of adults and children to also report abuse and neglect of animals; to require persons responsible for reporting abuse and neglect of animals to report abuse of adults and abuse of children; to require training for such persons in recognizing situations of abuse and neglect; to prohibit persons with a history of abuse or violence from being employed in any care facility; to provide for definitions; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Hines | Michot |
| Boissiere | Hollis | Mount |
| Campbell | Hoyt | Romero |
| Chaisson | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, W | Malone | |
| Total—31 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Fields, C | Schedler |
| Cain | Heitmeier | Thomas |
| Cravins | Lentini | |
| Total—8 | | |

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

SENATE BILL NO. 1011—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:571.35, relative to incarceration; to require the Department of Public Safety and Corrections to establish a pilot program of home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program; to require the promulgation of rules and regulations for the implementation and administration of such program; to require compliance with administrative procedures; to require the inclusion of certain conditions within such rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; and to provide for related matters.

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

SENATE BILL NO. 1016—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:2590.2 and R.S. 42:66(O), relative to public officials; to provide relative to the clerk of court of Jefferson Parish; to provide that the clerk shall also serve as the ex officio clerk of court for a consolidated Justice of the Peace Litter Court of Jefferson Parish; to provide for exemptions from dual office holding; and to provide for related matters.

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

SENATE BILL NO. 1017—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:2562.25, relative to parish courts; to provide with respect to the First and Second Parish Courts for the parish of Jefferson; to authorize the filing of paper by facsimile transmission in civil actions; and to provide for related matters.

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

SENATE BILL NO. 1028—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to criminal history checks conducted by the office of state police, or other authorized agencies, on certain nonlicensed persons and licensed ambulance personnel; to authorize the office of state police or other authorized agency to provide the criminal history records of such persons to certain employers if the records reveal conviction of certain acts; to prohibit such employers from hiring or contracting with such a person if he has been convicted of such offense; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-------------|------------|
| Bajoie | Fontenot | McPherson |
| Barham | Gautreaux | Michot |
| Bean | Hines | Mount |
| Boissiere | Hollis | Romero |
| Campbell | Irons | Smith |
| Chaisson | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dean | Jones, C | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Malone | |
| Fields, W | Marionneaux | |
| Total—31 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Fields, C | Lentini |
| Cain | Heitmeier | Schedler |
| Cravins | Hoyt | |
| Total—8 | | |

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

SENATE BILL NO. 1040—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 13:2105.1(A), relative to the Opelousas City Court; to authorize an increase in the fee collected by the marshal for the service of subpoenas in criminal matters; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1040 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:2105.1(A) and before the "," insert "and to enact R.S. 13:2105.1(D),"

AMENDMENT NO. 2

On page 1, line 4, after "matters;" and before "and" insert "to provide relative to qualifications of the marshal;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" and before "to read" insert "and "R.S. 13:2105.1(D) is hereby enacted"

AMENDMENT NO. 4

On page 1, line 10, after "criminal matters" insert ";qualifications"

AMENDMENT NO. 5

On page 1, between lines 14 and 15 insert the following:

"R.S. 13:2105.1(D) is all proposed new law.

D. The educational requirements set forth in R.S. 13:1880(A)(1) shall not apply to the marshal of the city of Opelousas until January 1, 2003."

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneaux |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Michot |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |
| Dean | Jones, B | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Fields, C | Lentini |
| Cain | Hoyt | Schedler |
| Total—6 | | |

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

SENATE BILL NO. 1048—

BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of Schedule II(D) of R.S. 40:964, 964.1, 966(A)(1), and 967(A)(1), relative to the classification of controlled dangerous substances; to provide for the classification of a controlled substance analogue as a Schedule II controlled dangerous substance; to provide for the treatment of an analogue of a Schedule II controlled dangerous

substance to be the same as such substance; to provide for penalties for distribution and manufacture of controlled substance analogues in both Schedule I and II; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, W, Malone. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Lentini, Schedler. Lists names of senators and their counts for ABSENT.

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

SENATE BILL NO. 1074—

BY SENATOR LAMBERT (BY REQUEST) AN ACT

To amend R.S. 45:1194, relative to contests of public service commission actions; to provide for consideration by the public service commission of additional evidence in certain circumstances; to require a remand for such consideration and to provide for the actions which may be taken upon such remand; 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. 1074 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R.S." insert "and reenact"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, W, Marionneaux. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Irons, Schedler. Lists names of senators and their counts for ABSENT.

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

SENATE BILL NO. 1076—

BY SENATORS HOYT AND SCHEDLER AN ACT

To enact Civil Code Art. 136.1 and Children's Code Art. 1015(8), relative to visitation rights; to provide that if the child was conceived through the commission of a felony rape, the natural parent who committed the felony rape shall be denied visitation rights; to provide that the commission of a felony rape which resulted in the conception of the child shall be grounds for termination of parental rights; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Marionneaux |
| Bajoie | Gautreaux | McPherson |
| Barham | Heitmeier | Michot |
| Bean | Hines | Mount |
| Boissiere | Hollis | Romero |
| Campbell | Hoyt | Smith |
| Chaisson | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dupre | Jones, B | Thomas |
| Ellington | Jones, C | Ullo |
| Fields, C | Lambert | |
| Fields, W | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|---------|----------|
| Cain | Dean | Schedler |
| Cravins | Lentini | |
| Total—5 | | |

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

SENATE BILL NO. 1098—

BY SENATOR MALONE

AN ACT

To enact R.S. 30:29 through 29.3, relative to the water supply of the Sparta Groundwater area; to provide for powers and duties of the office of conservation for such purposes; to provide for procedures for classifying water wells; to provide for funding; and to provide for related matters.

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

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 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 at least a year prior to taking office; to require disclosure; to prohibit participation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Bean | Hollis | Mount |
| Boissiere | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones, B | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Fontenot | Malone | |
| Total—26 | | |

NAYS

| | | |
|----------|-----------|-------------|
| Campbell | Fields, C | Marionneaux |
| Chaisson | Fields, W | |
| Total—5 | | |

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Gautreaux | Romero |
| Cain | Hoyt | Schedler |
| Dean | Lentini | |
| Total—8 | | |

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

Personal Privilege

Senator Hoyt asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 138. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, W | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | Michot |

| | | |
|-----------|-----------|------------|
| Bean | Heitmeier | Mount |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Smith |
| Chaisson | Hoyt | Tarver |
| Cravins | Irons | Theunissen |
| Dardenne | Johnson | Thomas |
| Dupre | Jones, B | Ullo |
| Ellington | Jones, C | |
| Fields, C | Lambert | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|-----------|----------|
| Cain | Lentini | Schedler |
| Dean | McPherson | |
| Total—5 | | |

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

Senator Dardenne in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fields, C | Jones, C |
| Bajoie | Fields, W | Lambert |
| Barham | Fontenot | Malone |
| Bean | Gautreaux | Mount |
| Boissiere | Heitmeier | Romero |
| Campbell | Hines | Smith |
| Chaisson | Hollis | Tarver |
| Cravins | Hoyt | Theunissen |
| Dardenne | Irons | Thomas |
| Dupre | Johnson | Ullo |
| Ellington | Jones, B | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|------------|----------|
| Cain | Marionneau | Schedler |
| Dean | McPherson | |
| Lentini | Michot | |
| Total—7 | | |

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

Senator Ellington in the Chair

SENATE BILL NO. 613—
BY SENATOR FONTENOT

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneau |
| Bean | Gautreaux | Michot |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Smith |
| Cravins | Hoyt | Tarver |
| Dardenne | Irons | Theunissen |
| Dean | Johnson | Thomas |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, C | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-----------|----------|
| Mr. President | Jones, B | Schedler |
| Cain | McPherson | |
| Total—5 | | |

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

SENATE BILL NO. 633—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:752(7), 753(G), 760(A)(1) and (9), 761(A)(1) and (4), 764(A)(2) and (5), 766, 767, 774, 777(A)(24), 780(B)(2), 781(A), 782, 783(B) and (C), 785, 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 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 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 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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 633 by Senator Dardenne

AMENDMENT NO. 1

On page 11, line 18, change "before court" to "or"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 633 by Senator Dardenne

AMENDMENT NO. 1

On page 14, line 5, after "waived" insert "by the board"

AMENDMENT NO. 2

On page 14, line 6, change "in regards to" to "with regard to"

AMENDMENT NO. 3

On page 14, line 9, change "approved" to "determined"

AMENDMENT NO. 4

On page 14, line 9, after "board" insert "to be in compliance with the board's requirements for the administration of anesthesia in said dental facility"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fontenet | Malone |
| Barham | Gautreaux | Marionneaux |
| Bean | Heitmeier | McPherson |
| Boissiere | Hines | Michot |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, C | Thomas |
| Fields, C | Lambert | Ullo |
| Fields, W | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|----------|
| Mr. President | Cravins |
| Cain | Schedler |
| Total—4 | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------|-----------|---------|
| Bajoie | Fields, W | Lentini |
|--------|-----------|---------|

| | | |
|-----------|-----------|-------------|
| Barham | Fontenot | Malone |
| Bean | Gautreaux | Marionneaux |
| Boissiere | Heitmeier | McPherson |
| Campbell | Hines | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, C | Thomas |
| Fields, C | Lambert | Ullo |

Total—36

NAYS

Total—0

ABSENT

| | | |
|---------------|------|----------|
| Mr. President | Cain | Schedler |
| Total—3 | | |

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

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.

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. 697 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 11, after "basis" insert "or for a bonus contingent upon the enactment, defeat, modification, or other outcome of any specific legislative action"

On motion of Senator B. Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 697 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 24:56(E) and to"

AMENDMENT NO. 2

On page 1, line 3, after "basis;" insert " to provide for the conduct of certain state employees relative to lobbying;"

AMENDMENT NO. 3

On page 1, line 5, after "24:56" and before "(F)" insert "(E) is hereby amended and reenacted and R.S. 24:56"

AMENDMENT NO. 4

On page 1, between lines 7 and 8 insert the following: "E. No state employee in his official capacity ~~or~~, on behalf of his employer, ~~or on behalf of any professional association the purpose of which is related to his official capacity or duties~~ shall lobby for or against any matter intended to have the effect of law pending before the legislature or any committee thereof. Nothing herein shall prohibit the dissemination of factual information relative to any such matter or the use of public meeting rooms or meeting facilities available to all citizens to lobby for or against any such matter."

Senator McPherson moved adoption of the amendments.

Senator B. Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-------------|------------|
| Bajoie | Fields, W | McPherson |
| Barham | Gautreaux | Michot |
| Bean | Heitmeier | Mount |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Smith |
| Chaisson | Hoyt | Tarver |
| Cravins | Johnson | Theunissen |
| Dardenne | Jones, C | Thomas |
| Dean | Lambert | Ullo |
| Ellington | Lentini | |
| Fields, C | Marionneaux | |
| Total—31 | | |

NAYS

| | |
|----------|--------|
| Jones, B | Malone |
| Total—2 | |

ABSENT

| | | |
|---------------|----------|----------|
| Mr. President | Dupre | Irons |
| Cain | Fontenot | Schedler |
| Total—6 | | |

The Chair declared the amendments were adopted.

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

May 8, 2001

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fontenot | Malone |
| Bajoie | Gautreaux | Michot |
| Barham | Hines | Mount |
| Campbell | Hollis | Romero |
| Chaisson | Johnson | Smith |
| Dardenne | Jones, B | Theunissen |
| Dean | Lambert | Thomas |
| Ellington | Lentini | Ullo |
| Total—24 | | |

NAYS

| | | |
|-----------|-----------|-------------|
| Bean | Fields, W | Marionneaux |
| Boissiere | Heitmeier | Tarver |
| Cravins | Hoyt | |
| Fields, C | Jones, C | |
| Total—10 | | |

ABSENT

| | | |
|---------|-----------|----------|
| Cain | Irons | Schedler |
| Dupre | McPherson | |
| Total—5 | | |

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

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, C | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Heitmeier | Michot |
| Boissiere | Hines | Mount |
| Campbell | Hollis | Romero |
| Chaisson | Hoyt | Smith |

| | | |
|-----------|----------|------------|
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, C | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|-----------|----------|
| Cain | Jones, B |
| Fields, W | Schedler |
| Total—4 | |

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

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.

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

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 transitional youth; to establish a system of licensure for such 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, C | Lentini |
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneaux |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Michot |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Schedler |
| Cravins | Hoyt | Smith |

| | | |
|-----------|----------|------------|
| Dardenne | Irons | Tarver |
| Dean | Johnson | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|----------|-------|
| Cain | Jones, B | Mount |
| Total—3 | | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | McPherson |
| Barham | Fontenot | Michot |
| Bean | Gautreaux | Mount |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, C | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Lentini | |
| Fields, C | Malone | |
| Total—34 | | |

NAYS

Marionneaux
Total—1

ABSENT

| | |
|---------------|-----------|
| Mr. President | Heitmeier |
| Cain | Jones, B |
| Total—4 | |

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

Senator Lambert in the Chair

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; to provide for the duties of the secretary of the Senate and the clerk of the House of Representatives; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | |
|---------|----------|
| Cain | Jones, B |
| Total—2 | |

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

May 8, 2001

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.

Motion

On motion of Senator W. Fields, Senate Bill No. 1009 was made Special Order of the Day, No. 3 on Wednesday, May 9, 2001 immediately following the Morning Hour.

SENATE BILL NO. 1036—

BY SENATOR BAJOIE

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.

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. 1036 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 25, following "40:2133(A)" and before "by" delete "(2)"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Lentini |
| Barham | Fontenot | Malone |
| Bean | Gautreaux | Marionneaux |
| Boissiere | Heitmeier | McPherson |
| Campbell | Hines | Michot |
| Chaisson | Hollis | Mount |
| Cravins | Hoyt | Romero |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, C | Thomas |
| Fields, C | Lambert | |

Total—35

NAYS

Total—0

ABSENT

Mr. President

Schedler

Cain

Ullo

Total—4

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

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 1036. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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 rescinding the withdrawal; to provide for a form; 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. 1042 by Senator Schedler

AMENDMENT NO. 1

On page 6, line 12 following "and" and before "not" insert "are"

AMENDMENT NO. 2

On page 13, line 27, at the beginning of the line before "under" change "and/or" to "and does not appear to be"

On motion of Senator Lambert, the amendments were adopted.

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

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.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1043 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 14, change "ninety-five" to "one hundred"

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

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

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|-----------|
| Mr. President | Cain | McPherson |
| Bajoie | Fontenot | |
| Total—5 | | |

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | |
|---------------|------|
| Mr. President | Cain |
| Total—2 | |

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

SENATE BILL NO. 1064—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 24:31.10 and 31.11, 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.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 1064 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 11, between "A." and "In" insert "(1)"

AMENDMENT NO. 2

On page 1, line 13, change "legislature" to "Senate"

AMENDMENT NO. 3

On page 2, line 3, change "their" to "his"

AMENDMENT NO. 4

On page 2, delete lines 4 through 14, and insert the following:

"(2) In addition to the amount allowed in Paragraph (1), a member may carry over to a succeeding fiscal year an amount not to exceed three thousand dollars of unused allowance provided in Paragraph (1) from the preceding fiscal year.

B. Payment under the allowance provided in Subsection A may include:

(1) Rent or lease payments for office or offices as provided in R.S. 24:31.4.

(2) Purchase or lease of furniture or equipment used in the conduct of his office.

(3) Utilities in the office or offices described in Paragraph (1).

(4) Stationery and supplies.

(5) Postage.

(6) Photography.

(7) Printing.

(8) Telephone service in the office or offices described in Paragraph (1).

(9) Member travel within his senatorial district in furtherance of the holding or conduct of his office in the amount provided in R.S. 24:31.1.

(10) Other office expenses related to the holding or conduct of his office."

AMENDMENT NO. 5

On page 2, line 18, change "presiding officer" to "president"

AMENDMENT NO. 6

On page 2, line 20, between "same" and the period ".", insert ", signed by the member who shall certify that the expenses were incurred for official state business"

AMENDMENT NO. 7

On page 2, line 23, change "eight" to "eleven"

AMENDMENT NO. 8

On page 2, lines 26 and 27, change "purchasing house of the legislature" to "Senate"

AMENDMENT NO. 9

On page 2, line 27 and page 3, lines 1 and 2, change "presiding officers in accordance with purchasing policies of the Legislative Budgetary Control Council" to "president"

AMENDMENT NO. 10

On page 3, line 3, change "legislature" to "Senate"

AMENDMENT NO. 11

On page 3, line 7, change "legislator" to "member of the Senate"

AMENDMENT NO. 12

On page 3, lines 9 and 10, change "presiding officer of his house" to "president"

AMENDMENT NO. 13

On page 3, line 12, change "presiding officer of either house" to "president"

AMENDMENT NO. 14

On page 3, line 13, change "legislator" to "member of the Senate"

AMENDMENT NO. 15

On page 3, line 14, change "presiding officer or agents of his house" to "president or agents of the Senate"

AMENDMENT NO. 16

On page 3, line 15, change "legislator" to "member of the Senate"

AMENDMENT NO. 17

On page 3, line 18, change "presiding officer of his house" to "president"

AMENDMENT NO. 18

On page 3, between lines 18 and 19, insert the following:

"G. Notwithstanding Subsection A, the amount available to a member whose term begins after the start of a fiscal year shall be prorated by dividing the number of months, in whole and in part, remaining in the fiscal year by twelve. In addition, the amount available to a member in the last fiscal year of a term shall be four thousand two hundred dollars, together with any amount carried over to the member's account from the previous fiscal year."

On motion of Senator Hainkel, 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 Senate Bill No. 1064 by Senator Hainkel

AMENDMENT NO. 1

In Senate Floor Amendment No. 4 proposed by Senator Hainkel and adopted by the Senate on May 8, 2001, on page 1, between lines 29 and 30 thereof, insert: "(10) Clerical and janitorial expense."

AMENDMENT NO. 2

In Senate Floor Amendment No. 4 proposed by Senator Hainkel and adopted by the Senate on May 8, 2001, on page 1, line 30, change "(10)" to "(11)"

Senator Marionneaux moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell Fontenot Marionneaux
Chaisson Heitmeier Michot
Fields, C Hines Thomas
Fields, W Irons
Total—11

NAYS

Barham Gautreaux Malone
Bean Hollis Mount
Boissiere Hoyt Romero
Cravins Johnson Schedler
Dardenne Jones, B Smith
Dean Jones, C Tarver
Dupre Lambert Theunissen
Ellington Lentini Ullo
Total—24

ABSENT

Mr. President Cain
Bajoie McPherson
Total—4

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 1064 by Senator Hainkel

AMENDMENT NO. 1

In Senate Floor Amendment No. 4 proposed by Senator Hainkel and adopted by the Senate on May 8, 2001, on page 1, line 25, between "(1)" and the period insert "in excess of that payable pursuant to the Senate Policy Manual"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields, C Jones, C
Bajoie Fields, W Lambert
Bean Fontenot Malone
Boissiere Gautreaux Marionneaux
Chaisson Heitmeier Schedler
Cravins Hines Smith
Dardenne Hoyt Tarver
Dupre Irons Thomas
Ellington Johnson
Total—26

NAYS

Barham Jones, B Mount
Campbell Lentini Romero
Dean McPherson Theunissen
Hollis Michot Ullo
Total—12

ABSENT

Cain
Total—1

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

SENATE BILL NO. 1075—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 9:3541.1(A), (D) and (E), relative to home solicitation sales; to provide for a consumer's right to cancel mail and check solicitation sales; and to provide for related matters.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Lentini |
| Barham | Fontenot | Malone |
| Bean | Gautreaux | Marionneaux |
| Boissiere | Heitmeier | McPherson |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, B | Theunissen |
| Ellington | Jones, C | Thomas |
| Fields, C | Lambert | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|------|--------|
| Mr. President | Cain | Michot |
| Total—3 | | |

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

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.

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

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.

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. 1101 by Senator Irons

AMENDMENT NO. 1

On page 3, at the end of the line13, following "in" insert "a"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Original Senate Bill No. 1101 by Senator Lentini

AMENDMENT NO. 1

On page 2, delete lines 12 through 22 in their entirety and add the following in lieu thereof:

"R.S. 14:511(A)(2) is all proposed new law.

(2) The charging or collecting of a late fee or late charge, service charge, or another fee or charge on any late or unpaid installment payment, however phrased or denominated, if such fee or charge is more than the greater of:

- (a) Forty-five percentum of the amount of the late or unpaid installment payment; or
- (b) Five dollars.

R.S. 14:511(A)(3) is all proposed new law.

(3) The charging or collecting of any over limit fee on an extension of credit that exceeds the amount of credit previously authorized by a lender by more than the greater of:

- (a) Forty-five percentum of the amount by which the extension of credit exceeds the authorized amount; or
- (b) Five dollars."

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, C | Marionneaux |
| Boissiere | Fields, W | Tarver |
| Campbell | Irons | Thomas |
| Cravins | Johnson | |
| Dean | Jones, C | |

| | | |
|---------------|-----------|------------|
| Total—13 | NAYS | |
| Barham | Heitmeier | Michot |
| Bean | Hines | Mount |
| Chaisson | Hollis | Romero |
| Dardenne | Hoyt | Schedler |
| Dupre | Jones, B | Smith |
| Ellington | Lambert | Theunissen |
| Fontenot | Lentini | Ullo |
| Gautreaux | Malone | |
| Total—23 | ABSENT | |
| Mr. President | Cain | McPherson |
| Total—3 | | |

| | | |
|---------------|-----------|-------------|
| Fields, W | Jones, C | Thomas |
| Fontenot | Lambert | Ullo |
| Total—24 | NAYS | |
| Bean | Ellington | Marionneaux |
| Campbell | Heitmeier | Mount |
| Dean | Jones, B | Romero |
| Dupre | Malone | |
| Total—11 | ABSENT | |
| Mr. President | Fields, C | |
| Cain | McPherson | |
| Total—4 | | |

The Chair declared the amended bill failed to pass.

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

Notice of Reconsideration

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

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.

Personal Privilege

Senator Thomas asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 1101. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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

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.

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.

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

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

ROLL CALL

ROLL CALL

The roll was called with the following result:

The roll was called with the following result:

| | | |
|-----------|-----------|------------|
| YEAS | | |
| Bajoie | Gautreaux | Lentini |
| Barham | Hines | Michot |
| Boissiere | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |

| | | |
|-----------|-----------|-------------|
| YEAS | | |
| Bajoie | Fields, W | Marionneaux |
| Barham | Fontenot | McPherson |
| Bean | Heitmeier | Michot |
| Boissiere | Hines | Mount |
| Campbell | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Cravins | Irons | Smith |
| Dardenne | Johnson | Tarver |

May 8, 2001

| | | |
|-----------|----------|------------|
| Dean | Jones, C | Theunissen |
| Dupre | Lambert | Thomas |
| Ellington | Lentini | Ullo |
| Fields, C | Malone | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|-----------|
| Mr. President | Gautreaux |
| Cain | Jones, B |
| Total—4 | |

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

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 landmen from coverage; 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. 220 by Senator Hines

AMENDMENT NO. 1

On page 1, line 12, before "operating" change "are" to "is"

AMENDMENT NO. 2

On page 1, line 13, following "who" and before "engaged" change "are" to "is"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneaux |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Michot |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |

| | | |
|-----------|----------|------------|
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|------|----------|
| Mr. President | Cain | Jones, B |
| Total—3 | | |

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|----------|
| Campbell | Fields, C | Jones, C |
| Chaisson | Fields, W | Lambert |
| Cravins | Johnson | Romero |
| Total—9 | | |

NAYS

| | | |
|-----------|-------------|------------|
| Barham | Heitmeier | Schedler |
| Bean | Hines | Smith |
| Boissiere | Hollis | Tarver |
| Dardenne | Hoyt | Theunissen |
| Dean | Malone | Thomas |
| Ellington | Marionneaux | Ullo |
| Fontenot | Michot | |
| Gautreaux | Mount | |
| Total—22 | | |

ABSENT

| | | |
|---------------|----------|-----------|
| Mr. President | Dupre | Lentini |
| Bajoie | Irons | McPherson |
| Cain | Jones, B | |
| Total—8 | | |

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Personal Privilege

Senator Marionneaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 261. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

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.

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

SENATE BILL NO. 392— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 32:762 and 763 and to enact R.S. 32:760(A)(8), relative to motor vehicle dealers; to delete the requirement for the possession of a Louisiana buyer's identification card to buy salvage vehicles; to provide for violations relative to transactions at salvage pools; to provide for a recordation charge for each transaction; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Mr. President

Cain

Jones, B

Total—3

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

SENATE BILL NO. 620—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 17:3091(A), the introductory paragraph of 3092, and 3129.4(C)(1) and to enact 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 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.

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. 620 by Senator Hainkel

AMENDMENT NO. 1

On page 6, line 23, following "installment" and before "principal" change "or" to "of"

AMENDMENT NO. 2

On page 10, line 4, following "except" and before "the" insert "as"

On motion of Senator Lambert, the amendments were adopted.

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

May 8, 2001

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Ellington | Malone |
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Heitmeier | Mount |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, C | Thomas |
| Dupre | Lentini | Ullo |
| Total—33 | | |

NAYS

| | | |
|-----------|-----------|--------|
| Fields, C | Fields, W | Michot |
| Total—3 | | |

ABSENT

| | | |
|---------|----------|---------|
| Cain | Jones, B | Lambert |
| Total—3 | | |

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

SENATE BILL NO. 651—

BY SENATORS HINES AND C. JONES

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneaux |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Schedler |
| Cravins | Hoyt | Smith |
| Dardenne | Irons | Tarver |
| Dean | Johnson | Theunissen |
| Dupre | Jones, C | Thomas |

Ellington
Fields, C
Total—35

Lambert
Lentini

Ullo

NAYS

Total—0

ABSENT

Mr. President
Cain
Total—4

Jones, B
Michot

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

SENATE BILL NO. 681—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 34:3471(A) and (B)(7), 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), 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; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 681 by Senator Hainkel

AMENDMENT NO. 1

On page 5, line 17, change "R.S. 39:742" to "R.S. 39:742.2"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, W | Marionneaux |
| Bajoie | Fontenot | McPherson |
| Barham | Gautreaux | Michot |
| Bean | Heitmeier | Mount |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |

| | | |
|-----------|----------|--------|
| Dean | Jones, C | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Lentini | |
| Fields, C | Malone | |
| Total—37 | | |

NAYS

Total—0

ABSENT

| | |
|---------|----------|
| Cain | Jones, B |
| Total—2 | |

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

SENATE BILL NO. 693—
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 48:347(C), 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.

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. 693 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 3, "removal of signs" should be "removal of objects"

On motion of Senator Lambert, the amendments were adopted.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | |
|---------|----------|
| Cain | Jones, B |
| Total—2 | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

May 8, 2001

| | |
|-----------|----------|
| Total—0 | |
| | ABSENT |
| Boissiere | Jones, B |
| Cain | Michot |
| Total—4 | |

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

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 parcel fees and the issuance of debt; and to provide for related matters.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed Senate Bill No. 718 by Senator Hoyt

AMENDMENT NO. 1

On page 4, line 25, change "the" to "an"

AMENDMENT NO. 2

On page 1, line 26, change "33:130.564" to "33:130.565(A)"

On motion of Senator Hoyt, the amendments were adopted.

The bill was read by title. Senator Hoyt 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 |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |

| | | |
|-----------|----------|------------|
| Dean | Johnson | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Fields, C | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|-----------|----------|
| Boissiere | Jones, B |
| Cain | Tarver |
| Total—4 | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fontenot | Marionneaux |
| Barham | Gautreaux | McPherson |
| Bean | Heitmeier | Michot |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Fields, W | Malone | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|----------|
| Mr. President | Cain |
| Boissiere | Jones, B |
| Total—4 | |

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

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.

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

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 historic preservation district or commission decisions; to authorize jurisdiction for appeals of such decisions to the district court; and to provide for related matters.

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

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 funds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, W, Marionneaux, Bajoie, Fontenot, McPherson, Barham, Gautreaux, Michot, Bean, Heitmeier, Mount, Campbell, Hines, Romero, Chaisson, Hollis, Schedler, Cravins, Hoyt, Smith, Dardenne, Johnson, Tarver, Dean, Jones, C, Theunissen, Dupre, Lambert, Thomas, Ellington, Lentini, Ullo, Fields, C, Malone, Total—35

NAYS

Irons

Total—1

ABSENT

Table with 3 columns: Boissiere, Cain, Jones, B, Total—3

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

Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Bill No. 896. She voted nay on the bill and had intended to vote yea. She asked that the Official Journal so state.

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Fields, W, Marionneaux, Barham, Fontenot, McPherson, Bean, Gautreaux, Michot, Boissiere, Heitmeier, Mount, Campbell, Hines, Romero, Chaisson, Hollis, Schedler, Cravins, Hoyt, Smith, Dardenne, Irons, Tarver, Dean, Johnson, Theunissen, Dupre, Jones, C, Thomas, Ellington, Lentini, Ullo, Fields, C, Malone, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Jones, B, Cain, Lambert, Total—4

May 8, 2001

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fields, C | Malone |
| Bajoie | Fields, W | Marionneau |
| Barham | Fontenot | McPherson |
| Bean | Gautreaux | Michot |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Smith |
| Cravins | Hoyt | Theunissen |
| Dardenne | Irons | Thomas |
| Dean | Johnson | Ullo |
| Dupre | Jones, C | |
| Ellington | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|----------|--------|
| Cain | Lambert | Tarver |
| Jones, B | Schedler | |
| Total—5 | | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | Marionneau |
| Barham | Fontenot | McPherson |
| Bean | Gautreaux | Michot |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, C | Thomas |
| Dupre | Lambert | Ullo |
| Ellington | Lentini | |
| Fields, C | Malone | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|----------|
| Mr. President | Hoyt | Schedler |
| Cain | Jones, B | |
| Total—5 | | |

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneau |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Michot |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |

| | | |
|---------------|----------|------------|
| Dean | Johnson | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—36 | | |
| | NAYS | |
| Total—0 | | |
| | ABSENT | |
| Mr. President | Cain | Jones, B |
| Total—3 | | |

| | | |
|-----------|----------|------------|
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—36 | | |
| | NAYS | |
| Total—0 | | |
| | ABSENT | |

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

| | | |
|---------------|------|----------|
| Mr. President | Cain | Jones, B |
| Total—3 | | |

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.

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

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

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.

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.

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

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 1032 by Senator Malone

AMENDMENT NO. 1

On page 2, after line 1, insert the following: "Section 3. The provisions of this Act shall terminate on December 31, 2001."

On motion of Senator Malone, the amendments were adopted.

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

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.

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

ROLL CALL

The roll was called with the following result:

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|-------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | Marionneaux |
| Bean | Gautreaux | McPherson |
| Boissiere | Heitmeier | Michot |

YEAS

| | | |
|-----------|-----------|-----------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | McPherson |
| Bean | Gautreaux | Michot |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Schedler |

May 8, 2001

| | | |
|-----------|----------|------------|
| Cravins | Hoyt | Smith |
| Dardenne | Irons | Tarver |
| Dean | Johnson | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Fields, C | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------------|-------------|
| Mr. President | Jones, B |
| Cain | Marionneaux |
| Total—4 | |

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.

SENATE BILL NO. 1035—

BY SENATORS BAJOIE, DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fields, C | Lentini |
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | McPherson |
| Bean | Gautreaux | Michot |
| Boissiere | Heitmeier | Mount |
| Campbell | Hines | Romero |
| Chaisson | Hollis | Schedler |
| Cravins | Hoyt | Smith |
| Dardenne | Irons | Tarver |
| Dean | Johnson | Theunissen |
| Dupre | Jones, C | Thomas |
| Ellington | Lambert | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|----------|-------------|
| Cain | Jones, B | Marionneaux |
| Total—3 | | |

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

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.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 1044 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:463.8(B)" change "(1)(b) and (4)" to "and (D)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 47:463.8(B)" change "(1)(b) and (4)" to "and (D)"

AMENDMENT NO. 3

On page 1, line 12, after "B. (1)" insert: "(a) Prior to August 15, 1999, the fee for issuing the license plates provided for in this Section shall be a one-time fee of fifty dollars for each plate, ~~which shall be in addition to the regular motor vehicle or motorcycle registration license fee~~, for the special plates for antique motor vehicles or motorcycles, and ~~a one-time fee of fifty dollars a year in addition to the regular motor vehicle registration license fee~~ for the personalized prestige plates for antique motor vehicles."

AMENDMENT NO. 4

On page 2, delete lines 3 through 11, and insert: "(2) The fee for issuing the license plates provided for in this Section to trucks with a gross vehicle weight in excess of six thousand pounds shall be the same as for other antique motor vehicles, ~~except that the regular motor vehicle registration license fee for plates issued prior to August 15, 1999 for such vehicles shall be based on the rate schedule for trucks as provided for by R.S. 47:462(B).~~

~~(3) If antique license plates are used on an antique motor vehicle, the secretary shall issue to the owner a symbol, to be renewed in the same manner as regular license plates, to be placed on the license plates designating the year in which the motor vehicle was registered under this Section.~~

~~(4) (3) A one-time fee of fifty dollars shall be paid for the symbol if issued prior to August 15, 1999, which shall be in addition to the regular motor vehicle registration license fee. After August 15, 1999, a one-time fee of twenty-five dollars shall be paid for the symbol, which shall be in addition to the regular motor vehicle~~

~~registration license fee.~~ The fee for transferring a special license plate for an antique motor vehicle or an antique license plate ~~with a symbol affixed thereto~~ to a subsequent owner of the vehicle shall be three dollars.

(5) (4) Vehicles shall be registered as antique, classic, or vintage, upon application for registration and payment of ~~registration and license fees~~ the one-time fee. When the applicant provides a notarized statement that the vehicle being registered has not been used on a public highway during a period of non-registration, fees and penalties for that period shall not be assessed.

* * *

D. Beginning July 1, 2001, all license plates issued for antique motor vehicles ~~prior to August 15, 1997 shall remain in effect under the terms that were in effect at the time they were issued~~ shall be issued upon payment of a one-time fee. No additional payment of the regular motor vehicle registration license fee shall be necessary for any owner to permanently retain such plate after that date.

AMENDMENT NO. 5

On page 2, at the bottom of the page, insert: "Section 2. This Act shall become effective on July 1, 2001."

On motion of Senator Smith, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | Malone |
| Barham | Fontenot | McPherson |
| Bean | Gautreaux | Mount |
| Boissiere | Heitmeier | Romero |
| Campbell | Hines | Schedler |
| Chaisson | Hollis | Smith |
| Cravins | Hoyt | Tarver |
| Dardenne | Irons | Theunissen |
| Dean | Johnson | Thomas |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, C | Lentini | |
| Total—34 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|-------------|--------|
| Mr. President | Jones, B | Michot |
| Cain | Marionneaux | |
| Total—5 | | |

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

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.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 1054 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 16, delete "within a municipality with a population of ten"

AMENDMENT NO. 2

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 3

On page 2, at the beginning of line 3, insert "and"

Senator Campbell moved adoption of the amendments.

Senator Johnson objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|--------|
| Barham | Ellington | Smith |
| Campbell | Malone | Thomas |
| Cravins | McPherson | |
| Dean | Romero | |
| Total—10 | | |

NAYS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Lambert |
| Bajoie | Gautreaux | Lentini |
| Bean | Heitmeier | Marionneaux |
| Boissiere | Hines | Michot |
| Chaisson | Hollis | Mount |
| Dardenne | Hoyt | Tarver |
| Dupre | Irons | Ullo |
| Fields, C | Johnson | |
| Fields, W | Jones, C | |
| Total—25 | | |

ABSENT

| | |
|----------|------------|
| Cain | Schedler |
| Jones, B | Theunissen |
| Total—4 | |

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—32; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert; Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas.

NAYS

Table listing NAYS: Mr. President, Fields, C, Total—6; Fields, W, Lentini, Marionneaux, Ullo.

ABSENT

Cain Total—1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Mr. President, Bajoie, Barham, Fields, W, Fontenot, Gautreaux, Malone, Marionneaux, McPherson.

Table listing YEAS: Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Total—38; Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Cain Total—1

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cain
Total—1

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 1061 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, after "sell" change "its one-third" to "the state's"

AMENDMENT NO. 2

On page 1, line 3, after "Parish" change "to the owners of" to "at public auction"

AMENDMENT NO. 3

On page 1, line 4, delete "the remaining two-thirds undivided interest"

AMENDMENT NO. 4

On page 1, line 9, change "its one-third" to "the state's"

AMENDMENT NO. 5

On page 1, line 10, change "to the owners of the remaining" to "at public auction"

AMENDMENT NO. 6

On page 1, line 11, delete "two-thirds undivided interest"

AMENDMENT NO. 7

On page 2, at the end of line 18, delete "one-third"

AMENDMENT NO. 8

On page 2, line 19, between "herein" and "," insert "at public auction" and at the end of the line delete ", to the owners of the"

AMENDMENT NO. 9

On page 2, line 20, delete "remaining two-thirds undivided interest"

On motion of Senator Romero, the amendments were adopted.

The bill was read by title. Senator Romero 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 |
| Campbell | Hollis | Romero |
| Chaisson | Hoyt | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|---------|-------|
| Cain | Cravins | Irons |
| Total—3 | | |

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

SENATE BILL NO. 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.

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. 1073 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 3, following "means" and before "the" insert "produced using"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Bean | Hollis | Mount |
| Boissiere | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, C | Theunissen |
| Fields, C | Lambert | Thomas |
| Fields, W | Lentini | Ullo |
| Fontenot | Malone | |
| Total—35 | | |

NAYS

Dean
Total—1

ABSENT

Cain
Total—3

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fontenot | Malone |
| Bajoie | Gautreaux | Marionneaux |
| Barham | Heitmeier | McPherson |
| Bean | Hines | Michot |
| Boissiere | Hollis | Mount |
| Campbell | Hoyt | Romero |
| Chaisson | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |

Dupre
Ellington
Fields, C
Total—36

Jones, C
Lambert
Lentini

Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Cain
Total—3

Cravins

Fields, W

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

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 commissions and similar entities; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1084 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 1, between "Section" and "shall" insert ", and the curriculum related thereto,"

AMENDMENT NO. 2

On page 2, line 2, between "through, the" delete the remainder of the line and insert " local governing authority."

AMENDMENT NO. 3

On page 2, delete lines 3 through 5 in their entirety

AMENDMENT NO. 4

On page 2, at the end of line 7, change "at the" to "developed"

AMENDMENT NO. 5

On page 2, delete lines 8 and 9 and insert in lieu thereof the following: "by the local governing authority in conjunction with the planning commission and shall be subject to the approval of the Louisiana chapter of the American Planning Association."

AMENDMENT NO. 6

On page 2, between lines 17 and 18, insert the following: "E. Members of the planning and zoning commission shall receive training without cost to members."

AMENDMENT NO. 7

On page 2, line 18, change "E." to "F."

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, ABSENT. Lists Cain, Fields, W.

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

SENATE BILL NO. 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.

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. 1088 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 11, following "in" and before "23:1168" insert "R.S."

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 1088 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 15, change "R.S. 23:1191 through 1193" to "R.S. 23:1195"

AMENDMENT NO. 2

On page 2, line 11, delete "and"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Lists Bajoie, Barham, Bean, etc.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, ABSENT. Lists Mr. President, Cain.

The Chair declared the amended 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.

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.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Original Senate Bill No. 1102 by Senator C. Fields

AMENDMENT NO. 1

On page 2, line 12, delete "defection" and insert "deflection"

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1102 by Senator C. Fields

AMENDMENT NO. 1

On page 2, line 7, after "material" delete "which has" and insert the following: "by the regulatory agency. The regulatory agency, or its duly authorized representatives, shall cause products to be analyzed or tested to require that the pier foundation product have a deflection of not more than three-eighths inch under design load. Such testing may be conducted by an independent third party qualified and approved by the agency. Previous testing data submitted in other jurisdictions may be considered by the agency."

AMENDMENT NO. 2

On page 2, delete lines 8 through 12 in their entirety and insert "Where the"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Barham, Campbell, Chaisson, Cravins, Dupre, Fontenot, Hines, Hollis, Hoyt, Johnson, Jones, B, McPherson, Michot, Romero, Smith, Tarver, Thomas

Fields, C
Fields, W
Total—22

Jones, C
Marionneaux

NAYS

Bean
Boissiere
Dardenne
Dean
Ellington
Total—14

Gautreaux
Heitmeier
Irons
Lambert
Lentini
Malone
Mount
Schedler
Theunissen

ABSENT

Mr. President
Total—3

Cain
Ullo

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

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. Senator Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell
Cravins
Total—5
Fields, W
Marionneaux
Michot

NAYS

Mr. President
Bajoie
Barham
Bean
Boissiere
Chaisson
Dardenne
Dean
Dupre
Ellington
Fields, C
Total—32
Gautreaux
Heitmeier
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, C
Lambert
Lentini
Malone
McPherson
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

ABSENT

Cain
Total—2
Fontenot

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

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

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

Called from the Calendar

Senator Hoyt asked that Senate Bill No. 693 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 693— BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 48:347(C), 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.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed Senate Bill No. 693 by Senator Hoyt

AMENDMENT NO. 1

On page 2, line 12, delete "it may determine" and insert "may be agreed upon"

On motion of Senator Hoyt, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Barham, Bean, Gautreaux, Heitmeier, Hines, Lentini, Marionneaux, Mount

Boissiere, Chaisson, Cravins, Dardenne, Dean, Fields, C, Fields, W, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Romero, Schedler, Tarver, Theunissen, Thomas, Ullo

Total—29

NAYS

Campbell, Dupre, Ellington, Malone, McPherson, Smith

Total—6

ABSENT

Mr. President, Cain, Fontenot, Michot

Total—4

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

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 835 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 835— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:756(B)(1) and to repeal R.S. 48:756(B)(2)(d), relative to the Parish Transportation Fund; to provide for funding for mass transit purposes; to provide for changes in funding amounts for certain local governments; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 835 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, after line 17, insert the following: "Section 3. This Act shall become effective on July 1, 2001."

On motion of Senator Heitmeier, the amendments were adopted.

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

May 8, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | | |
|---------------|-------------|----------|
| Mr. President | Fontenot | Schedler |
| Cain | Marionneaux | |
| Total—5 | | |

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

Called from the Calendar

Senator Irons asked that Senate Bill No. 823 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 823—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 3:2093(9) and R.S. 14:102.1(A)(1)(c) and (e), and (B)(1) and (5), to enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, and to repeal R.S. 14:102(7), (8), and (9), and 102.1(B)(2), relative to animal cruelty; to provide for the crime of livestock tampering; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------|-----------|-------------|
| Bajoie | Fields, W | Malone |
| Barham | Gautreaux | Marionneaux |
| Bean | Heitmeier | McPherson |

| | | |
|-----------|----------|------------|
| Boissiere | Hines | Michot |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—36 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|------|----------|
| Mr. President | Cain | Fontenot |
| Total—3 | | |

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 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 by the Committee on Natural Resources.

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 | Fields, W | Malone |
| Bajoie | Gautreaux | McPherson |
| Barham | Heitmeier | Michot |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Schedler |
| Chaisson | Hoyt | Smith |
| Cravins | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones, B | Thomas |
| Dupre | Jones, C | Ullo |
| Ellington | Lambert | |
| Fields, C | Lentini | |

Total—34

NAYS

Total—0

ABSENT

| | | |
|------|-------------|-------|
| Bean | Fontenot | Mount |
| Cain | Marionneaux | |

Total—5

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

HOUSE CONCURRENT RESOLUTION NO. 43—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Concurrent Resolution No. 43 by Representative Pierre

AMENDMENT NO. 1

On page 1, line 17, between "availability," and "utilization," insert "conservation,"

AMENDMENT NO. 2

On page 2, delete lines 10 through 13.

AMENDMENT NO. 3

On page 2, line 16, between "minimal" and "impact" insert "in wetlands"

AMENDMENT NO. 4

On page 2, line 22, between "minimal" and "environmental" insert "offshore"

AMENDMENT NO. 5

On page 2, line 26, delete "critical that this area be included" and insert the following:

"responsible to include the potential of this sale"

AMENDMENT NO. 6

On page 3, line 10, between "delivery," and "and consumption" insert "conservation,"

AMENDMENT NO. 7

On page 3, below line 19, add the following: "BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the President and Vice President of the United States."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

| | | |
|------|------|----------|
| Bean | Cain | Fontenot |
|------|------|----------|

Total—3

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

Rules Suspended

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

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 8, 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:

May 8, 2001

SENATE CONCURRENT RESOLUTION NO. 77—
BY SENATORS W. FIELDS, CRAVINS AND C. JONES AND REPRESENTATIVES HOLDEN, HUDSON AND PIERRE
A CONCURRENT RESOLUTION

To express support of Alpha Phi Alpha Fraternity, Inc.'s Voter Education and Registration Campaign 2001 whereby the fraternity is in the process of educating and registering voters across the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATORS W. FIELDS, CRAVINS, AND C.D. JONES AND REPRESENTATIVES HOLDEN, HUDSON, AND PIERRE
A CONCURRENT RESOLUTION

To proclaim the week of October 7-13, 2001 as Alpha Phi Alpha Fraternity, Inc.'s "Project Alpha Week" and to provide for suitable observance of such week.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR W. FIELDS, CRAVINS, AND C. D. JONES AND REPRESENTATIVES HOLDEN, HUDSON, AND PIERRE
A CONCURRENT RESOLUTION

To express support of Alpha Kappa Alpha Sorority, Incorporated in its efforts to improve voting systems and address the results of the 2000 census as it applies to the to the redistricting.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR W. FIELDS, CRAVINS, AND C. D. JONES AND REPRESENTATIVES HOLDEN, HUDSON, AND PIERRE
A CONCURRENT RESOLUTION

To commend the members of Alpha Kappa Alpha Sorority, Incorporated for their devoted service to promoting Buckle-Up America, a partnership with the National Transportation Safety Board to promote seat belt safety.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR DARDENNE
A CONCURRENT RESOLUTION

To offer the condolences of the members of the legislature, past and present, to the family of Carlos G. Spaht and to acknowledge his extraordinary life and career.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATORS CAMPBELL AND MCPHERSON
A CONCURRENT RESOLUTION

To salute and commend the Louisiana Nursing Home Association and the Hospice Care of Louisiana for their efforts in providing medical equipment, supplies, and funding for the hospice care program at Louisiana State Penitentiary at Angola.

Reported without 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. 19—
BY SENATOR MCPHERSON
A RESOLUTION

To recognize Tuesday, May 8, 2001 as Louisiana Teacher Appreciation Day and to commend teachers throughout the state on this day for their impact in shaping the lives of the children in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Fields, W | Malone |
| Bajoie | Gautreaux | Marionneaux |
| Barham | Heitmeier | McPherson |
| Boissiere | Hines | Michot |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | |
| Total—35 | | |

NAYS

Total—0

ABSENT

| | |
|---------|----------|
| Bean | Fontenot |
| Cain | Ullo |
| Total—4 | |

The Chair declared the Senate had adopted the Senate Resolution.

SENATE CONCURRENT RESOLUTION NO. 105—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To establish a special committee to study all aspects of sportsmanship at youth sporting events and to provide recommendations to the legislature on the feasibility of establishing a policy or program for parents or legal guardians who have children who participate in youth sports activities.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | |
|---------|-------------|
| Bean | Fontenot |
| Cain | Marionneaux |
| Total—4 | |

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to allow states to privatize safety rest areas located on the rights of way of the Interstate highway system.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dupre | Jones, B | Tarver |
| Ellington | Jones, C | Theunissen |
| Fields, C | Lentini | Thomas |
| Fields, W | Malone | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|------|----------|
| Bean | Cain | Fontenot |
| Boissiere | Dean | Lambert |
| Total—6 | | |

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

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To urge and request the U.S. Army Corps of Engineers to increase the water flow at the Old River Control project from the Mississippi River into the Atchafalaya Basin if needed to maintain a minimum stage of twelve feet National Geodetic Vertical Datum (NGVD) at the Butte La Rose gage throughout the spring.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-------------|
| Mr. President | Gautreaux | Marionneaux |
| Bajoie | Heitmeier | McPherson |
| Barham | Hines | Michot |
| Campbell | Hollis | Mount |
| Chaisson | Hoyt | Romero |
| Cravins | Irons | Schedler |
| Dardenne | Johnson | Smith |
| Dean | Jones, B | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Fields, W | Malone | |
| Total—35 | | |

NAYS

Total—0

ABSENT

Bean

Cain

Boissiere

Fontenot

Total—4

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

May 8, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 336— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 13:712(B) and 715(B), relative to courts and judicial procedure; to provide with respect to district courts; to provide for the salary of commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 370— BY SENATOR ELLINGTON

AN ACT

To enact Code of Civil Procedure Art. 1563, relative to exemplary damages; to require the court to order separate trials on the issues of liability and damages; to require a determination of cause in fact relative to the injury, loss or death for compensatory damages; to require a specific determination of facts supporting a finding of wanton and reckless disregard for public safety in the handling, storing, or transporting of certain hazardous or toxic substances; to provide for definition; to provide for limitations on awards of exemplary damages; to provide for a presumption of unreasonableness of certain awards of exemplary damages; to provide for exemplary damage award procedures; to provide relative to interest and suspensive appeals; to provide relative to civil actions, including class actions; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 431— BY SENATOR MICHOT

AN ACT

To amend and reenact Civil Code Art. 2315, relative to liability for acts which cause damage; to provide for the recovery of sales tax paid by the owner of the property damaged; to provide that damages shall include any sales tax paid by the owner on the property damaged; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 456— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 9:311 and 312, relative to child support; to provide for requirements for the reduction or increase in child support payments; to provide for child support accounting; to provide for payment of support obligations; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 630— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:295.1(E), relative to the failure to use safety belts; to provide that the failure to use a safety belt shall be used as evidence to determine comparative negligence, apportionment of fault, or mitigation of damages; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1080— BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and (F), relative to trial courts of limited jurisdiction; to provide for civil jurisdiction for certain city courts; to increase the jurisdictional amount in dispute and value of properties involved in civil suits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 20— BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Code of Civil Procedure Article 42(4), relative to venue in actions against a foreign corporation or foreign limited liability company licensed to do business in this state; to provide for proper venue in the parish designated as the principal business establishment; to provide for proper venue where the primary place of business is located in the state and no specific venue designation is made; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 21—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Code of Civil Procedure Article 4732, relative to eviction procedures; to provide for the effective period for judgments of eviction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 22—

BY REPRESENTATIVES JOHN SMITH AND ILES AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 13:621.30, relative to district judges; to provide for an additional judgeship for the Thirtieth Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 53—

BY REPRESENTATIVES BRUNEAU, DANIEL, AND MCDONALD

AN ACT

To amend and reenact R.S. 13:5108.3 and to enact R.S. 13:5108.4, relative to payment of legal fees and expenses for certain state officials and employees; to provide for conditions under which persons may be eligible for reimbursement or payment of legal expenses incurred in defense of criminal charges brought against them for actions taken in the course of their duties with the state; to provide for the method of payment; to provide for the establishment of a review board; to establish rates for

the reimbursement of legal fees; to provide for the publication of such rates; to provide for a limitation in the amount of legal fees for which the state is liable; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 13:2561.2(A) and 2562.2(A), relative to civil jurisdiction in the First and Second Parish Courts of Jefferson Parish; to increase the jurisdictional amounts in civil actions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 121—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 33:447.5, relative to mayor's courts; to authorize the imposition of additional court costs for the mayor's court in the town of Elton; to provide for limitations on the amount of the costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 123—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:441(A), relative to mayors' courts; to authorize the suspension of sentence or fine and the imposition of probation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 138—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 13:2095.4, relative to the city court of Pineville; to provide for additional fees in certain criminal and traffic matters; to provide for the allocation of certain amounts of the fees for attendance at a substance abuse program or for evaluation for additional treatment; to provide for assessment of a fee for attendance at a driver improvement program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 150—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To enact R.S. 13:756.9, relative to the clerk of court of Bienville Parish; to provide a branch office in Ringgold, Bienville Parish; to provide for the functions of the office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 172—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to nonrefundable fees in civil matters; to require the clerk of the district court in Vermilion Parish to assess an additional fee for support of various nonprofit organizations providing shelter for battered women and their children; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 225—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 15:254.7, relative to law enforcement officers subpoenaed to testify in the City Court of Slidell; to require the clerk of the City Court of Slidell to pay witness fees when off-duty law enforcement officers are subpoenaed to testify; to provide for certification requirements; to provide for maximum allowable fees; and to provide for related matters.

Reported favorably.

May 8, 2001

HOUSE BILL NO. 727—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 13:1907(A), relative to the City Court of Lake Charles; to authorize the transfer of certain unclaimed fees and interest to the general operational fund of the court; to provide for notice to persons due refunds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 979—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 46:236.3(E)(3), relative to income assignment orders; to require the payor to include the case number on any payments collected by the Department of Social Services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1049—

BY REPRESENTATIVES MURRAY, CLARKSON, PRATT, AND SWILLING

AN ACT

To enact Subpart B-1 of Part I of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5633, relative to the acquisition of blighted property; to provide for applicability; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for acquisitive prescription of three years under certain circumstances; to provide certain requisites and procedures for acquiring blighted property; to provide for security interests; to provide for certain causes of action, and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

May 8, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATOR GAUTREAU

A CONCURRENT RESOLUTION

To recognize the Grand Caillou/Dulac Band of Biloxi-Chitimacha, the Isle de Jean Charles Band of Biloxi-Chitimacha, the Lower Lafourche Band of Biloxi-Chitimacha, and the Pointe-aux-Chien Indian tribe as Indian tribes in Louisiana and to recognize the Biloxi-Chitimacha Confederation of Muskogees, Incorporated as a Confederation of Indian Tribes of Louisiana.

Reported with amendments.

SENATE BILL NO. 216—

BY SENATOR CAIN

AN ACT

To enact R.S. 15:828.3, relative to incarceration; to require the secretary of the Department of Public Safety and Corrections to establish a pilot program to determine the cost effectiveness of transferring certain geriatric inmates to private nursing homes; to provide for participating institutions; to require the secretary to promulgate rules, regulations and guidelines for the implementation of the pilot program; to require certain components of such guidelines; to provide for definitions; to require coordination with the Department of Health and Hospitals; to require the Department of Health and Hospitals to continue its authority over nursing homes; to authorize the application for federal funding; to mandate a specific date for implementation of the program; to require a report on the success of and a recommendation for the future of the program by the secretary; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 460—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 46:1906, relative to public welfare and assistance; to provide with respect to the Division of Youth Services; to prohibit local governing authorities from paying detention centers excess costs for juveniles committed to the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 981—

BY SENATOR C. JONES

AN ACT

To enact R.S. 33:4512, relative to public utilities; to require utility companies serving the Ouachita Parish Correctional Facility to include their gross receipts before any computation of franchise fees payable to the town of Richwood; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 654—

BY REPRESENTATIVES HUDSON, ALARIO, E. ALEXANDER, BAYLOR, BROOME, R. CARTER, CAZAYOUX, CRANE, CROWE, DOWNER, DURAND, FAUCHEUX, GALLOT, GLOVER, GREEN, GUILLORY, HILL, L. JACKSON, M. JACKSON, KENNARD, LAFLEUR, LUCAS, MCDONALD, MONTGOMERY, MORRELL, MURRAY, PIERRE, PINAC, POWELL, QUEZAIRE, GARY SMITH, JOHN SMITH, STRAIN, WELCH, AND WOOTON

AN ACT

To amend and reenact R.S. 40:1321(C) and (D), relative to public safety; to establish the Protect and Save our Children Program; to provide for special identification cards for children; to set the fees therefor; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1242—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 15:574.5(B)(1) and (E) and to enact R.S. 15:574.5(F), relative to intensive incarceration and parole supervision of persons held by sheriffs in eligible parishes; to amend the duration of the intensive incarceration; to define "eligible parish"; to provide for reimbursement of not more than three additional dollars for participation in the intensive incarceration program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1471—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 15:574.12(B), relative to information on offenders and ex-offenders; to provide for the release of information to certain persons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1634—

BY REPRESENTATIVES BRUCE, GALLOT, RIDDLE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 40:2264(A)(2) through (4) and to repeal R.S. 40:2264(A)(5), relative to the North Louisiana Criminalistics Laboratory Commission; to provide for the collection of fees on certain nonmoving violations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

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

May 8, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 442—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Evidence Articles 103(A)(2), 404(A), 701, 702, 703 and 803(6) and to enact Code of Evidence Articles 902(11) and 902(12), relative to evidence; to provide for preservation of claims of error for appeal after rulings excluding evidence; to permit use of evidence as to the character of an accused in certain circumstances; to provide for opinion testimony by lay and expert witnesses; to provide for the use of certain hearsay testimony upon certification; to provide for self-authentication of records of regularly conducted activity; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 970—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 40:966(B)(2) and to enact R.S. 40:966(B)(3), relative to controlled dangerous substances; to provide penalties for possession of various quantities of heroin; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1027—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), relative to courts of appeal; to provide with respect to clerks of courts of appeal; to provide for the expenditure of the balance from fees collected by each clerk; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 274—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 13:46(B) and 47, relative to reports of the Judicial Compensation Commission; to authorize the legislature to adopt a concurrent resolution recommending judicial salaries at regular sessions convening in an odd-numbered year and at extraordinary sessions of the legislature; to clarify the effective date of the salaries recommended in the report; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 350—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact Code of Criminal Procedure Article 731, relative to subpoenas; to provide for electronic signatures; to authorize the clerk of court for the Criminal District Court for

the Parish of Orleans to sign subpoenas electronically; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 533—

BY REPRESENTATIVE ANSARDI

AN ACT

To enact R.S. 33:441.1(B)(3), relative to the mayor's court in the city of Kenner; to authorize the clerk of court to utilize an electronic signature, stamp, or other such facsimile of the prosecuting attorney of that court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 534—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 33:441.1(A), relative to the mayor's court in the city of Kenner; to require the city council of the city of Kenner to appoint one or more attorneys as court magistrates upon request of the mayor; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 535—

BY REPRESENTATIVES ANSARDI AND MARTINY AND SENATOR LENTINI

AN ACT

To enact R.S. 33:441.1(C), relative to the mayor's court for the city of Kenner; to create the office of animal hearing officer; to provide for selection and qualifications for office; to provide for the salary of the office; to provide for jurisdiction of the office; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 604—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:41(A) and (B), 42(A)(introductory paragraph), 42.1(A)(introductory paragraph), 43(A)(introductory paragraph), and 107.2(A) and Code of Criminal Procedure Article 571.1, to enact R.S. 14:41(C), and to repeal R.S. 14:2(13)(n) and (o), 43.3, and 43.4 and Children's Code Articles 305(B)(2)(i) and 857(A)(7), relative to offenses against the person; to include oral sexual intercourse within the definition of rape; to provide for a definition of oral sexual intercourse; to repeal oral sexual battery; to repeal aggravated oral sexual battery; to delete references to oral sexual battery and aggravated oral sexual battery from other provisions of law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 665—

BY REPRESENTATIVES ODINET AND WOOTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(J) and R.S. 14:98(D)(1), (E)(1) and (3), (I), (J), and (K) and to enact Code of Criminal Procedure Article 894.2(K) and R.S.

14:98(D)(3) and (E)(4), relative to operating a vehicle while intoxicated (DWI); to require substance abuse treatment for certain DWI offenders; to require home incarceration for certain DWI offenders; to provide for the specific requirements of home incarceration for such offenders; to require the installation of interlock devices and to provide for the issuance of restricted driver's licenses in certain circumstances; to provide for the payment of costs of substance abuse treatment, home incarceration, and court-approved driver improvement programs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 683—

BY REPRESENTATIVES MURRAY AND HEATON

AN ACT

To amend and reenact R.S. 14:62, relative to the crime of burglary; to provide that the crime of simple burglary includes the unauthorized entering of any cemetery with the intent to commit a felony or any theft therein; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 686—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Article 734, relative to subpoenas in criminal matters; to authorize investigators employed by the attorney general to serve subpoenas in criminal matters in which the attorney general is involved; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 752—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to simple rape; to provide for simple rape when intoxicating agents or other causes of abnormal conditions of the mind are involved; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 833—

BY REPRESENTATIVES MARTINY, CROWE, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, PRATT, ROMERO, AND WELCH, AND SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stopper organizations; to provide for an additional cost of court to be imposed on offenders convicted of criminal and traffic violations; to provide for the payment of the funds derived from the additional cost of court to crime stopper organizations; to provide for the use of those funds; and to provide for related matters.

Reported with amendments.

Chairman

HOUSE BILL NO. 887—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Articles 556 and 556.1(A)(introductory paragraph), (B), (D), and (E), relative to pleas of guilty and nolo contendere in felony and misdemeanor cases; to provide that the court must inform the defendant of the charge and its penalty, his rights as a defendant, and the effect of a plea of guilty; to provide that the court must determine if the plea is voluntary; to provide for a record of these proceedings; to provide for harmless error; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 972—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 14:106(A)(1), relative to the crime of obscenity; to provide for its application to prisons and jails; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1102—

BY REPRESENTATIVES LEBLANC AND DEWITT

AN ACT

To enact R.S. 14:71(A)(1)(e), relative to the crime of issuing worthless checks; to provide that persons who issue checks, drafts, or orders to the state for payment of certain obligations are subject to such crime; to provide for criminal penalties; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact Code of Criminal Procedure Article 905.2(A), relative to the scope of admissible evidence in the penalty phase of a capital rape prosecution; to provide that at the sentencing hearing, evidence can be introduced to demonstrate the impact the crime has had on the victim and the victim's family; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1872 (Substitute for House Bill No. 685 by Representative Devillier)—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:37.2(C) and to enact R.S. 14:37.4, relative to aggravated assault with a firearm; to create the crime of aggravated assault with a firearm; to provide for penalties; to provide for penalties for the crime of aggravated assault upon a peace officer with a firearm; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 875 from the Committee on Natural Resources.

SENATE BILL NO. 875—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 56:8(34) and (81), 303.8(A) and (E), 305(B)(4)(c), 325.3, 327(A)(1)(b)(i); and to repeal R.S. 56:305(B)(14), 325.4, 326(A)(3) and (C), 326.4, and 327(E); relative to saltwater gamefish; to provide that the spotted sea trout shall be designated as a saltwater gamefish; to prohibit the sale and purchase of spotted sea trout; to remove authority to set certain seasons, gear requirements, and possession limits; to remove authority for staggered or split seasons; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1038 from the Committee on Judiciary B.

SENATE BILL NO. 1038—

BY SENATOR C. JONES

AN ACT

To authorize the town of Richwood, in Quachita Parish, to call and conduct a referendum election on a proposition to allow the operation of video draw poker devices in that town; and to provide for related matters.

On motion of Senator C. Jones, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 99 from the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public elementary and secondary school to develop, adopt, and implement a policy to provide for the preemployment drug screening and in-service testing of any person employed as a teacher, substitute teacher, bus driver, substitute bus driver, school administrator or any other school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over students.

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

ROLL CALL

The roll was called with the following result:

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

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

Rules Suspended

Senator Dean asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 103 from the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 103—

BY SENATOR DEAN

A CONCURRENT RESOLUTION

To urge and request the Blue Ribbon Commission on Teacher Quality, in consultation with the Louisiana School and District Accountability Advisory Commission, to study and make recommendations to the legislature on the usefulness, value and advisability of providing merit pay to teachers who demonstrate exemplary performance in the classroom and succeed in improving student achievement.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields, W | Malone |
| Barham | Gautreaux | Marionneau |
| Boissiere | Heitmeier | Michot |
| Campbell | Hines | Mount |
| Chaisson | Hollis | Romero |
| Cravins | Hoyt | Schedler |
| Dardenne | Irons | Smith |
| Dean | Johnson | Tarver |
| Dupre | Jones, C | Theunissen |
| Ellington | Lambert | Thomas |
| Fields, C | Lentini | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|---------------|----------|-----------|
| Mr. President | Cain | Jones, B |
| Bean | Fontenot | McPherson |
| Total—6 | | |

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

Rules Suspended

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Irons asked that Senate Concurrent Resolution No. 67 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 67—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To create a special legislative committee to provide oversight over the use of federal TANF funds.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Original Senate Concurrent Resolution No. 67 by Senator Irons

AMENDMENT NO. 1

On page 2, delete lines 21 through 27 in their entirety and insert in lieu thereof the following:

- (1) The chairman of the Senate Committee on Health and Welfare, or his designee.
(2) The vice chairman of the Senate Committee on Health and Welfare, or his designee.
(3) The chairman of the Senate Committee on Finance, or his designee.
(4) The vice chairman of the Senate Committee on Finance, or his designee.
(5) The chairman of the Senate Committee on Education, or his designee.
(6) The vice chairman of the Senate Committee on Education, or his designee.
(7) Two (2) members of the Senate appointed by the President of the Senate.
(8) The chairman of the House Committee on Health and Welfare, or his designee.
(9) The vice chairman of the House Committee on Health and Welfare, or his designee.
(10) The chairman of the House Committee on Appropriations, or his designee.
(11) The vice chairman of the House Committee on Appropriations, or his designee.
(12) The chairman of the House Committee on Education, or his designee.
(13) The vice chairman of the House Committee on Education, or his designee.
(14) Two (2) members of the House of Representatives, appointed by the Speaker of the House.

AMENDMENT NO. 2

Delete Amendment No. 2 proposed by the Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 67 by Senator Irons on May 2, 2001, and adopted by the Senate on May 7, 2001.

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Fields, W, Gautreaux, Heitmeier, Hines, Hollis, Marionneau, Michot, Mount, Romero, Schedler.

Table with 3 columns of names: Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Hoyt, Irons, Johnson, Jones, C, Lambert, Lentini, Malone, Smith, Tarver, Theunissen, Thomas, Ullo.

Total—34

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Cain, Total—5, Fontenet, Jones, B, McPherson.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 8, 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. 1843—

BY REPRESENTATIVES DARTEZ AND KATZ AN ACT

To amend and reenact R.S. 37:1102 and 1103 and to enact R.S. 37:1105(G) and 1116 through 1124, relative to marriage and family therapy; to provide for legislative findings and purpose; to provide for definitions; to create and provide for the Marriage and Family Therapy Advisory Committee and its powers and duties; to provide for licensure of marriage and family therapists and exemptions from licensure; to provide for prohibited acts and penalties; and to provide for related matters.

HOUSE BILL NO. 1905—

BY REPRESENTATIVES LANDRIEU AND RIDDLE AN ACT

To enact R.S. 27:403, relative to elected public officials doing business with certain gaming establishments; to prohibit elected public officials from engaging in any business activity except as a patron or as a performing musician with any owner or operator of a facility which is subject to an Indian gaming compact; to

May 8, 2001

provide for exceptions; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 139—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(I), relative to the Pineville City Court; to increase the jurisdictional amount in civil matters; and to provide for related matters.

HOUSE BILL NO. 345—
BY REPRESENTATIVES KENNARD AND DOWNER
AN ACT

To enact R.S. 11:1302(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to membership of the board of trustees; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 511—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:3200(12)(f), relative to the Firemen's Pension and Relief Fund for the city of Bossier City; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the interest that is payable on Deferred Retirement Option Plan deposits; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 649—
BY REPRESENTATIVE FRUGE
AN ACT

To enact R.S. 13:841.3, relative to the fees charged by clerks of court; to provide for new fees for filing civil suits; to provide that the proceeds shall be used to fund the operation of Electronic Access/Internet systems; and to provide for related matters.

HOUSE BILL NO. 723—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 13:2158(D), relative to the constables of the first and second city courts of New Orleans; to authorize the constables to collect an additional fee in civil matters; and to provide for related matters.

HOUSE BILL NO. 763—
BY REPRESENTATIVES HUNTER, KATZ, MCDONALD, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, ELLINGTON, AND C. D. JONES

AN ACT

To enact R.S. 13:587.2, relative to the Fourth Judicial District Court; to authorize the judges by court rule to assign matters to be heard by specified divisions; and to provide for related matters.

HOUSE BILL NO. 772—
BY REPRESENTATIVES DOWNER, BRUNEAU, DONELON, LANCASTER, FUTRELL, MCDONALD, AND JOHN SMITH AND SENATORS W. FIELDS, HOLLIS, LAMBERT, THEUNISSEN, AND THOMAS
AN ACT

To amend and reenact R.S. 11:153 and to repeal R.S. 11:153.1, relative to all state and statewide public retirement systems; to provide regarding the purchase of credit for military service and

to provide for the duplicate use thereof; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 903—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Sikes; to authorize the governing authority of the village to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

HOUSE BILL NO. 1131—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 11:3005.1, relative to the City of Alexandria Employees' Retirement System; to provide with respect to the creation of a Deferred Retirement Option Plan, including but not limited to eligibility and duration of participation, membership status, employee and employer contributions, compensation and creditable service, cost-of-living increases, benefits and the method for payment of benefits, and employment after participation; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1144—
BY REPRESENTATIVE MORRISH
AN ACT

To enact R.S. 33:423.12, relative to the town of Iowa; to authorize the chief of police to effect certain disciplinary actions; and to provide for related matters.

HOUSE BILL NO. 1153—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Longstreet; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter into a cooperative endeavor for law enforcement services; and to provide for related matters.

HOUSE BILL NO. 1304—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 11:1481(2)(b) and to enact R.S. 11:1481(2)(c) and (d), relative to the Assessors' Retirement Fund; to provide with respect to the payment of contributions, including but not limited to the payment of employee contributions by the board of assessors for the parish of Orleans, procedures for remitting contributions to the fund, liability and penalties related to delinquent contributions, and procedures for notification and collection of delinquent contributions; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1305—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:402(D) and 514 and R.S. 44:201.1 and 231.1, relative to the offices of recorder of mortgages and register of conveyances for the parish of Orleans; to provide that the elections for the offices of recorder of mortgages and register of conveyances for the parish of Orleans shall be conducted at the regular congressional election; to provide for the beginning and ending of the terms for such offices; to provide for the extension of the current terms for such offices; and to provide for related matters.

HOUSE BILL NO. 1345—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:232, relative to all state and statewide retirement systems; to repeal the provisions requiring board approval of retirement benefits; and to provide an effective date.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:143(H), relative to all public retirement or pension systems, funds, or plans; to repeal the restriction against becoming a member of a system from which credit was previously transferred; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1384—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 23:1021(10)(f), relative to workers' compensation; to determine wages when considering income taxes; and to provide for related matters.

HOUSE BILL NO. 1527—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 43:111(A)(7), relative to authorization for advertising within the Department of Culture, Recreation and Tourism; to authorize the executive office of the secretary, the office of cultural development, the office of film and video, the office of the state library, and the office of state museums to advertise when funds have been appropriated for that purpose; and to provide for related matters.

HOUSE BILL NO. 1607—

BY REPRESENTATIVES DOERGE AND DANIEL

AN ACT

To enact R.S. 11:723.1, relative to the Teachers' Retirement System; to provide with respect to membership; to provide with respect to service credit, including but not limited to the purchase of credit for certain service performed while on contract; 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. 139—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(I), relative to the Pineville City Court; to increase the jurisdictional amount in civil matters; 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. 345—

BY REPRESENTATIVES KENNARD AND DOWNER

AN ACT

To enact R.S. 11:1302(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to membership of the board of trustees; to provide 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 Retirement.

HOUSE BILL NO. 511—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:3200(12)(f), relative to the Firemen's Pension and Relief Fund for the city of Bossier City; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the interest that is payable on Deferred Retirement Option Plan deposits; to provide 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 Retirement.

HOUSE BILL NO. 649—

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 13:841.3, relative to the fees charged by clerks of court; to provide for new fees for filing civil suits; to provide that the proceeds shall be used to fund the operation of Electronic Access/Internet systems; and to provide for related matters.

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

HOUSE BILL NO. 723—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 13:2158(D), relative to the constables of the first and second city courts of New Orleans; to authorize the constables to collect an additional fee in civil matters; and to provide for related matters.

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

HOUSE BILL NO. 763—

BY REPRESENTATIVES HUNTER, KATZ, McDONALD, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, ELLINGTON, AND C. D. JONES

AN ACT

To enact R.S. 13:587.2, relative to the Fourth Judicial District Court; to authorize the judges by court rule to assign matters to be heard by specified divisions; 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. 772—

BY REPRESENTATIVES DOWNER, BRUNEAU, DONELON, LANCASTER, FUTRELL, McDONALD, AND JOHN SMITH AND SENATORS W. FIELDS, HOLLIS, LAMBERT, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 11:153 and to repeal R.S. 11:153.1, relative to all state and statewide public retirement systems; to provide regarding the purchase of credit for military service and to provide for the duplicate use thereof; to provide 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 Retirement.

HOUSE BILL NO. 903—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Sikes; to authorize the governing authority of the village to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; 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. 1131—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 11:3005.1, relative to the City of Alexandria Employees' Retirement System; to provide with respect to the creation of a Deferred Retirement Option Plan, including but not limited to eligibility and duration of participation, membership status, employee and employer contributions, compensation and creditable service, cost-of-living increases, benefits and the method for payment of benefits, and employment after participation; to provide 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 Retirement.

HOUSE BILL NO. 1144—

BY REPRESENTATIVE MORRISH
AN ACT

To enact R.S. 33:423.12, relative to the town of Iowa; to authorize the chief of police to effect certain disciplinary actions; 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. 1153—

BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Longstreet; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter into a cooperative endeavor for law enforcement services; 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. 1304—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 11:1481(2)(b) and to enact R.S. 11:1481(2)(c) and (d), relative to the Assessors' Retirement Fund; to provide with respect to the payment of contributions, including but not limited to the payment of employee contributions by the board of assessors for the parish of Orleans, procedures for remitting contributions to the fund, liability and penalties related to delinquent contributions, and procedures for notification and collection of delinquent contributions; to provide 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 Retirement.

HOUSE BILL NO. 1305—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:402(D) and 514 and R.S. 44:201.1 and 231.1, relative to the offices of recorder of mortgages and register of conveyances for the parish of Orleans; to provide that the elections for the offices of recorder of mortgages and register of conveyances for the parish of Orleans shall be conducted at the regular congressional election; to provide for the beginning and ending of the terms for such offices; to provide for the extension of the current terms for such offices; 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. 1345—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To repeal R.S. 11:232, relative to all state and statewide retirement systems; to repeal the provisions requiring board approval of retirement benefits; and to provide an effective date.

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

HOUSE BILL NO. 1347—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To repeal R.S. 11:143(H), relative to all public retirement or pension systems, funds, or plans; to repeal the restriction against becoming a member of a system from which credit was previously transferred; to provide 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 Retirement.

HOUSE BILL NO. 1384—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 23:1021(10)(f), relative to workers' compensation; to determine wages when considering income taxes; 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.

HOUSE BILL NO. 1527—

BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 43:111(A)(7), relative to authorization for advertising within the Department of Culture, Recreation and Tourism; to authorize the executive office of the secretary, the office of cultural development, the office of film and video, the office of the state library, and the office of state museums to advertise when funds have been appropriated for that purpose; 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. 1607—

BY REPRESENTATIVES DOERGE AND DANIEL
AN ACT

To enact R.S. 11:723.1, relative to the Teachers' Retirement System; to provide with respect to membership; to provide with respect to service credit, including but not limited to the purchase of credit for certain service performed while on contract; and to provide for related matters.

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

HOUSE BILL NO. 1843—

BY REPRESENTATIVES DARTEZ AND KATZ
AN ACT

To amend and reenact R.S. 37:1102 and 1103 and to enact R.S. 37:1105(G) and 1116 through 1124, relative to marriage and family therapy; to provide for legislative findings and purpose; to provide for definitions; to create and provide for the Marriage and Family Therapy Advisory Committee and its powers and duties; to provide for licensure of marriage and family therapists and exemptions from licensure; to provide for prohibited acts and penalties; 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. 1905—

BY REPRESENTATIVES LANDRIEU AND RIDDLE
AN ACT

To enact R.S. 27:403, relative to elected public officials doing business with certain gaming establishments; to prohibit elected public officials from engaging in any business activity except as a patron or as a performing musician with any owner or operator of a facility which is subject to an Indian gaming compact; to provide for exceptions; to provide for 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 B.

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 8, 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. 6—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To encourage city, parish, and other local public school systems in the state which have not already done so to implement Help One Student To Succeed (HOSTS) programs for students.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Old Louisiana Highway 54 (Church Street) in Garyville, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to add a third lane on Louisiana Highway 3125 from Louisiana Highway 20 in Gramercy, Louisiana, to King Avenue in Litcher, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVES MCDONALD, KATZ, AND TOWNSEND

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to donate at least twenty percent of reclaimed asphalt to local governments for use on local roads.

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To create and provide for the Bayou Boeuf Advisory Committee to study and make proposals to the Senate and House Committees on Transportation, Highways and Public Works relative to uses of Bayou Boeuf water and the advisability of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Hanks Drive and Airline Highway in East Baton Rouge Parish.

HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To urge and direct the Department of Transportation and Development to install a flashing traffic signal at the corner of Old Hammond Highway and Elwick Drive in East Baton Rouge Parish.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue and commissioner of administration to determine the feasibility of implementing a tax clearance program for persons contracting with the state and for lottery permit renewals.

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To urge and request the Disposition of Pornographic Evidence Committee of the Louisiana State Law Institute to study the tracking, confiscation, limitation of access to, destruction, or other disposition of obscene, video voyeuristic, and pornographic material in the possession of any law enforcement or other agency during the pendency of, and when it is no longer needed as evidence, in criminal, civil, or juvenile cases.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to adopt rules doubling the daily creel limits for disabled recreational fishermen.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVES LEBLANC AND DEWITT

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to activate boards and committees involved in setting Medicaid drug policies and solicit their input on cost-saving measures.

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 18(6) of the Joint Rules of the Senate and House of Representatives to provide that supplemental appropriation bills shall not count against the five-bill introduction limit after pre-filing.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to imprint Louisiana Purchase Bicentennial license plates for private passenger motor vehicles and to issue such plates from January 2002 through December 2003, or until the Department of Public Safety and Corrections depletes its inventory of such plates.

HOUSE CONCURRENT RESOLUTION NO. 88—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to perform drainage improvements on a section of U.S. Highway 61 in LaPlace, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 82—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Economic Development to study the potential benefits of an indigenous entertainment industry in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, through its secretary, to seek waivers to implement the Medicaid-funded adult residential assisted living pilot project.

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to promulgate rules and regulations to prohibit the taking of juvenile male turkeys.

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to avail itself of the potential assistance which the Louisiana Wildlife and Fisheries Foundation offers.

HOUSE CONCURRENT RESOLUTION NO. 86—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize congress to support, with funding, the expeditious implementation of the proposed Maurepas Swamp diversion from the Mississippi River.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVES HUDSON, DURAND, AND DEVILLIER

A CONCURRENT RESOLUTION

To authorize the study by the governing body of the Atchafalaya Basin Program of certain proposals for inclusion in the state master plan for the Atchafalaya Basin.

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To create the Louisiana State Seafood Industry Advisory Board to review the regulatory and business needs of the seafood industry and to make recommendations for the sustainability and enhancement of the industry.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE DURAND AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Commission on Child Abuse Multidisciplinary Teams created during the 2000 Regular Session pursuant to Senate Concurrent Resolution No. 5.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES TOOMY, MARTINY, HUNTER, DARTEZ, FARRAR, FAUCHEUX, GALLOT, M. JACKSON, MURRAY, PRATT, RICHMOND, ROMERO, AND WELCH AND SENATORS C.D. JONES, LENTINI, AND CHAISSON

A CONCURRENT RESOLUTION

To approve the salaries recommended by the Judicial Compensation Commission and to authorize and direct the state treasurer to pay authorized increases in certain judicial salaries.

HOUSE CONCURRENT RESOLUTION NO. 95—

BY REPRESENTATIVE DONELON

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2001 Regular Session of the Legislature the provisions of LAC 4.I.119(C)(1)(c) requiring that any vendor receiving payment through voluntary payroll deductions for state employees have individual product participation which exceeds one thousand participating employees.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVES RICHMOND AND SWILLING

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to install lighting on the northern and southern sides of Chef Menteur Highway from Downman Road to Bullard Avenue in Orleans Parish.

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. 6—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To encourage city, parish, and other local public school systems in the state which have not already done so to implement Help One Student To Succeed (HOSTS) programs for students.

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

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to imprint Louisiana Purchase Bicentennial license plates for private passenger motor vehicles and to issue such plates from January 2002 through December 2003, or until the Department of Public Safety and Corrections depletes its inventory of such plates.

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

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVES RICHMOND AND SWILLING

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to install lighting on the northern and southern sides of Chef Menteur Highway from Downman Road to Bullard Avenue in Orleans Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To urge and request the Disposition of Pornographic Evidence Committee of the Louisiana State Law Institute to study the tracking, confiscation, limitation of access to, destruction, or other disposition of obscene, video voyeuristic, and pornographic material in the possession of any law enforcement or other agency during the pendency of, and when it is no longer needed as evidence, in criminal, civil, or juvenile cases.

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

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES TOOMY, MARTINY, HUNTER, DARTEZ, FARRAR, FAUCHEUX, GALLOT, M. JACKSON, MURRAY, PRATT, RICHMOND, ROMERO, AND WELCH AND SENATORS C.D. JONES, LENTINI, AND CHAISSON

A CONCURRENT RESOLUTION

To approve the salaries recommended by the Judicial Compensation Commission and to authorize and direct the state treasurer to pay authorized increases in certain judicial salaries.

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

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to adopt rules doubling the daily creel limits for disabled recreational fishermen.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Revenue and commissioner of administration to determine the feasibility of implementing a tax clearance program for persons contracting with the state and for lottery permit renewals.

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

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Old Louisiana Highway 54 (Church Street) in Garyville, Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, through its secretary, to seek waivers to implement the Medicaid-funded adult residential assisted living pilot project.

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

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVES LEBLANC AND DEWITT

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to activate boards and committees involved in setting Medicaid drug policies and solicit their input on cost-saving measures.

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

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE DURAND AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Commission on Child Abuse Multidisciplinary Teams created during the 2000 Regular Session pursuant to Senate Concurrent Resolution No. 5.

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

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to add a third lane on Louisiana Highway 3125 from Louisiana Highway 20 in Gramercy, Louisiana, to King Avenue in Lutcher, Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVES MCDONALD, KATZ, AND TOWNSEND

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to donate at least twenty percent of reclaimed asphalt to local governments for use on local roads.

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

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To create and provide for the Bayou Boeuf Advisory Committee to study and make proposals to the Senate and House Committees on Transportation, Highways and Public Works relative to uses of Bayou Boeuf water and the advisability of the creation of a

freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

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

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Hanks Drive and Airline Highway in East Baton Rouge Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to promulgate rules and regulations to prohibit the taking of juvenile male turkeys.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To urge and direct the Department of Transportation and Development to install a flashing traffic signal at the corner of Old Hammond Highway and Elwick Drive in East Baton Rouge Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to avail itself of the potential assistance which the Louisiana Wildlife and Fisheries Foundation offers.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 82—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Economic Development to study the potential benefits of an indigenous entertainment industry in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 86—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize congress to support, with funding, the expeditious implementation of the proposed Maurepas Swamp diversion from the Mississippi River.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 88—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to perform drainage improvements on a section of U.S. Highway 61 in LaPlace, Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVES HUDSON, DURAND, AND DEVILLIER

A CONCURRENT RESOLUTION

To authorize the study by the governing body of the Atchafalaya Basin Program of certain proposals for inclusion in the state master plan for the Atchafalaya Basin.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 18(6) of the Joint Rules of the Senate and House of Representatives to provide that supplemental appropriation bills shall not count against the five-bill introduction limit after prefilng.

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

HOUSE CONCURRENT RESOLUTION NO. 92—

BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To create the Louisiana State Seafood Industry Advisory Board to review the regulatory and business needs of the seafood industry and to make recommendations for the sustainability and enhancement of the industry.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 95—

BY REPRESENTATIVE DONELON

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2001 Regular Session of the Legislature the provisions of LAC 4.I.119(C)(1)(c) requiring that any vendor receiving payment through voluntary payroll deductions for state employees have individual product participation which exceeds one thousand participating employees.

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

Rules Suspended

Senator Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up Senate Concurrent Resolution No. 75 just reported by the Committee on Judiciary B at this time.

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATOR GAUTREAUX

A CONCURRENT RESOLUTION

To recognize the Grand Caillou/Dulac Band of Biloxi-Chitimacha, the Isle de Jean Charles Band of Biloxi-Chitimacha, the Lower Lafourche Band of Biloxi-Chitimacha, and the Pointe-aux-Chien Indian tribe as Indian tribes in Louisiana and to recognize the Biloxi-Chitimacha Confederation of Muskogees, Incorporated as a Confederation of Indian Tribes of Louisiana.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 75 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 3, change "Lower" to "Bayou"

AMENDMENT NO. 2

On page 1, line 4, change "Chien" to "Chenes"

AMENDMENT NO. 3

On page 1, line 10, after "Charles, and" and before "Bayou" delete "Lower"

AMENDMENT NO. 4

On page 1, line 12, change "Point-aux-Chien" to "Pointe-aux-Chenes"

AMENDMENT NO. 5

On page 2, line 13, change "Lower" to "Bayou"

AMENDMENT NO. 6

On page 2, line 14, change "Chien" to "Chenes"

AMENDMENT NO. 7

On page 2, line 16, change "Lower" to "Bayou"

AMENDMENT NO. 8

On page 2, line 17, change "Chien" to "Chenes"

AMENDMENT NO. 9

On page 2, between lines 20 and 21 insert the following:

"BE IT FURTHER RESOLVED that the Grand Caillou/Dulac Band of Biloxi-Chitimachas, the Isle de Jean Charles Band of Biloxi-Chitimachas, the Bayou Lafourche Band of Biloxi-Chitimachas, the Pointe-aux-Chenes Indian tribe, and the Biloxi-Chitimacha Confederation of Muskogees, Incorporated as a Confederation of Indian Tribes of Louisiana, will agree in writing with the governor of the state of Louisiana not to apply in the next ninety-nine years for any gaming license, compact, or permit for any reservation within Louisiana prior to the Resolution being effective.

"BE IT FURTHER RESOLVED that in the event it is not agreed to by the tribe, the Resolution is hereby null and void."

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

The resolution was read by title, ordered engrossed and passed to a third reading.

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 8, 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 Bills have been properly enrolled:

SENATE BILL NO. 679—

BY SENATORS HOLLIS AND SCHEDLER

AN ACT

To enact R.S. 6:534, relative to interstate banking; to provide for legislative purpose; to provide for law applicable to certain interstate banking activities; and to provide for related matters.

SENATE BILL NO. 950—

BY SENATORS ROMERO AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:302.1(C)(2)(a), relative to fishing licenses; to provide for a reduction in fees for certain nonresident licenses; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

May 8, 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. 89—

BY SENATORS BAJOE, HAINKEL AND JOHNSON

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATORS BAJOE, HAINKEL AND JOHNSON

A CONCURRENT RESOLUTION

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

Respectfully submitted,
CHRIS ULLO
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 8, 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 Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 112—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To recognize and salute the Louisiana Dental Association and the Donated Dental Service Program of Louisiana for donating dental treatment to disabled and aged citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 117—

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

A CONCURRENT RESOLUTION

To proclaim the week of October 7-13, 2001, as Alpha Phi Alpha Fraternity, Inc.'s "Project Alpha Week" and to provide for suitable observance of such week.

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To commend Delgado Community College on the occasion of its eightieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE FRITH AND SENATOR HOYT

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana on the death of Toxie Lee Bush, Jr. of Abbeville, who passed away on April 24, 2001.

HOUSE CONCURRENT RESOLUTION NO. 122—

BY REPRESENTATIVES MCMAINS, BROOME, BRUNEAU, CRANE, DANIEL, FUTRELL, HOLDEN, M. JACKSON, KENNARD, MCVEA, PERKINS, AND WELCH AND SENATORS DARDENNE, C. FIELDS, W. FIELDS, FONTENOT, MARIONNEAUX, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Carlos G. Spaht of Baton Rouge.

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE ILES

A CONCURRENT RESOLUTION

To urge the United States Congress to enact the Railroad Retirement and Survivor's Improvement Act of 2001.

May 8, 2001

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to reduce the class size in each fourth and eighth grade class in the schools under the jurisdiction of each to not more than twenty students per class and to request the State Board of Elementary and Secondary Education to revise the Louisiana Educational Assessment Program (LEAP) 21 testing policy to encourage such class-size reduction in order to provide fourth and eighth grade students more opportunities for individualized instruction as they prepare for and take the LEAP 21 tests.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE LUCAS

A CONCURRENT RESOLUTION

To memorialize the United States Congress to recognize the last week in April of every year as Minister Appreciation Week and to commend and honor the ministers of the United States of America.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Cain 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, May 9, 2001, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Wednesday, May 9, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk