

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

TWENTY-EIGHTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 17, 2001

The Senate was called to order at 1:00 o'clock P.M., by Hon. Louis Lambert, President Pro Tem of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Tarver
Total—1

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

Prayer

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

Morning Hour

**Petitions, Memorials and
Communications**

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

STATE OF LOUISIANA
Office of the Governor

May 16, 2001

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed Mr. Stephen B. Mott and Mr. Gregory J. Blache to serve as Bar Pilots for the Port of New Orleans, effective May 15, 2001.

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

Sincerely,
M. J. "MIKE" FOSTER, JR.
Governor

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 17, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 125—

BY SENATOR W. FIELDS

A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mrs. Nancy T. Johnson.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 17, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 11—

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact Code of Criminal Procedure Articles 571, 571.1, and 572, relative to limitations upon the institution of prosecution; to provide that there is no time limitation upon the institution of prosecution for the crime of forcible rape; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 36—

BY REPRESENTATIVES NEVERS, BRUCE, ROMERO, AND THOMPSON

AN ACT

To enact R.S. 14:67.17, relative to misappropriation without violence; to create the crime of theft of anhydrous ammonia; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 69—

BY REPRESENTATIVE PITRE

AN ACT

To enact Part VI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:251 through 258, relative to expropriation by the Lafourche Parish Water District No.1; to authorize the district to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 124—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 14:102.8(B) and to enact R.S. 14:102.8(E), relative to killing or injuring a police animal; to make the crime applicable to dogs in the service of public safety agencies providing fire protection, emergency medical services, emergency preparedness services, or other emergency services; to provide definitions; to provide for restitution; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 160—

BY REPRESENTATIVES DANIEL AND FAUCHEUX

AN ACT

To amend and reenact R.S. 26:71.1(4)(a) and (b) and 271.2(4)(a) and (b), relative to a Class A-Restaurant-Conditional establishment; to extend the hours that such establishment must meet certain licensing requirements; to extend the hours that a person under eighteen years of age may be present at such an establishment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 168—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact Civil Code Article 2713, relative to leases; to provide for a uniform delay between notice or rendition of a judgment of eviction and the execution of that judgment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 176—

BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S. 14:65.2, relative to misappropriation with violence; to create the crime of aggravated robbery; to define serious bodily injury; to provide penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 207—

BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 14:67.17 and to repeal R.S. 27:100 and 264, relative to gaming; to repeal provisions of law with respect to cheating contained in the Louisiana Gaming Control Law; to create the crime of cheating and swindling; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 215—

BY REPRESENTATIVES PITRE, DOWNER, TRICHE, AND WOOTON AND SENATORS CHAISSON AND DUPRE

AN ACT

To amend and reenact R.S. 13:621.17, relative to district judges; to provide for an additional judgeship for the Seventeenth Judicial District Court; to provide for compensation of the additional

judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 222—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:2487.30, relative to the City Court of Slidell; to define "operational expenses" for purposes of the City Court of Slidell; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 223—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:1899(J), relative to costs in criminal cases in city courts; to authorize the use of surplus probation supervision fees in criminal, traffic, and juvenile cases in the City Court of Slidell to be used for the operational expenses of the court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 228—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 13:756.9, relative to the clerk of court of St. John the Baptist Parish; to provide for a branch office on the east bank of the Mississippi River; to provide for the functions of the office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 296—

BY REPRESENTATIVE CLARKSON

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.

Reported without amendments.

HOUSE BILL NO. 298—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:2113, relative to the City Court of Slidell; to authorize filing fees in civil and juvenile matters and additional costs in certain juvenile matters; to provide for the disposition and use of such funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 299—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

To enact R.S. 13:1899(J), relative to the City Court of Slidell; to provide for witness fees in criminal and traffic matters in the City Court of Slidell; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 303—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 13:999.1, relative to the Sixteenth Judicial District Court; to assess an additional fee in criminal and traffic matters; to establish the Parish Juvenile Operational Fund in each of the parishes of Iberia, St. Martin, and St. Mary; to provide for separate accounts; to provide for disposition of the monies in the funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 349—

BY REPRESENTATIVES MCMAINS AND CRANE

AN ACT

To amend and reenact the heading of Part III-B of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:131, 131.1(A), 131.3, 131.4, and 131.6(A), relative to expropriation of property; to authorize the parish of East Baton Rouge and the city of Baton Rouge to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 434—

BY REPRESENTATIVES MURRAY AND HEATON

AN ACT

To amend and reenact R.S. 14:107.3(D), relative to the crime of criminal blighting of property; to provide that the maximum time that an offender convicted of that crime can be sentenced to occupy blighted property is sixty days; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 454—

BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 13:785, relative to clerks of court; to provide with respect to the disposition of the clerk's salary fund at the expiration of a clerk's term of office; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 518—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 40:1798, relative to firearms; to provide for the disposition of firearms which have been seized by or forfeited to law enforcement agencies, the Louisiana Department of Public Safety and Corrections, office of state police, and the Louisiana Department of Wildlife and Fisheries; to provide for the disposition of surplus firearms owned by these agencies or departments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 538—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to city court jurisdiction; to increase the jurisdictional limitation in the city court of Port Allen and the city court of Oakdale; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 542—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 13:970(L) and to enact R.S. 13:961(F)(1)(l), relative to court reporters in the Twenty-Sixth Judicial District Court; to authorize an increase in per page fees charged for transcription of testimony and for copies thereof in civil and criminal cases in Bossier Parish and Webster Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 543—

BY REPRESENTATIVES PITRE, DOWNER, DUPRE, TRICHE, AND WOOTON AND SENATOR CHAISSON
AN ACT

To amend and reenact R.S. 13:961(F)(1)(c), relative to court reporters in the Seventeenth Judicial District Court; to increase the fees charged for transcription of testimony and copies in civil and criminal cases in Lafourche Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 574—

BY REPRESENTATIVES MCDONALD AND WALSWORTH
AN ACT

To enact R.S. 33:1448(I), relative to retired sheriffs and retired sheriffs' deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 614—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:847(F) and (G), relative to the clerk of court in St. John the Baptist Parish; to authorize an additional fee for an extension of time for payment of traffic ticket fine; to authorize an additional fee for every attachment issued to bring witnesses, summons, subpoenas, and court orders for arrest; to authorize a fee for felony and misdemeanor expungement proceedings in the Fortieth Judicial District Court; to provide for exceptions; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 663—

BY REPRESENTATIVE HILL AND SENATOR HINES
AN ACT

To amend and reenact R.S. 13:621.33, relative to district judges; to provide for an additional judgeship for the Thirty-Third Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 725—

BY REPRESENTATIVE MCCALLUM
AN ACT

To enact R.S. 13:847.2, relative to the clerks of court of the Third Judicial District; to authorize the assessment of additional fees in traffic cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 739—

BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 13:1000.6 and 1911, relative to the court-appointed special advocate program (CASA); to provide for the assessment and collection of additional costs in criminal and traffic matters for the support of CASA and children's advocacy center (CAC) programs in the Twenty-First Judicial District Court, the City Court of Hammond, and the City Court of Denham Springs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 813—

BY REPRESENTATIVES BROOME, CRANE, DANIEL, HOLDEN, MCMAINS, AND WELCH
AN ACT

To enact R.S. 13:1632 and 1911, relative to the court-appointed special advocate program (CASA); to provide for the assessment and collection of additional costs in criminal and traffic matters for the support of CASA programs in the City Court of Baton Rouge; to provide for the assessment and

collection of additional costs in delinquency, family in need of services, and traffic cases for the support of CASA programs in the Juvenile Court of East Baton Rouge Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 850—
BY REPRESENTATIVE BRUNEAU AND SENATOR HEITMEIER
AN ACT

To enact R.S. 13:2520 and R.S. 38:307.1, relative to funding of the operations of the Orleans Levee District Police Department; to provide for the assessment of certain costs by the Traffic Court of New Orleans; to establish the Orleans Levee District Police Operations Expense Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 905—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 33:1448(G) and (H), relative to insurance coverage for retired sheriffs and deputy sheriffs in certain parishes; to provide for the age at which certain premiums shall be paid for retired sheriffs and deputy sheriffs in certain parishes; to provide with respect to the Assumption Parish sheriff's office; to provide for group health and life insurance coverage for retired sheriffs and deputies; to exclude their dependents from coverage; to provide for group health and life insurance coverage for presently retired sheriffs, deputies, and their dependents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 944—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:108(B)(1)(c), relative to the crime of resisting an officer; to provide that providing certain false information regarding the identity of the arrested party constitutes obstruction of an officer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 945—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:30(A)(2), relative to first degree murder; to provide that specific intent to kill or to inflict great bodily harm on a fireman, peace officer, or employees of a crime forensic laboratory because of his status is first degree murder; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 982—
BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 13:5105(E), relative to posting of civil bonds; to provide relative to the posting and payment of bonds, cash deposits, or court costs by the state, state agency, or state

employee or the Patients Compensation Fund when demanding a jury trial; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 997—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(B) and 2413(A), relative to garnishment under a writ of fieri facias; to provide for service of garnishment petitions; to provide for notice of contradictory hearings when a garnishee fails to answer; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1018—
BY REPRESENTATIVES GREEN, ANSARDI, AND TOOMY AND SENATOR LENTINI
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1029—
BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1039—
BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to intensive incarceration and intensive parole supervision; to provide for eligibility; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1112—
BY REPRESENTATIVES SCHNEIDER, CROWE, AND STRAIN
AN ACT

To amend and reenact R.S. 13:621.22, relative to district judges; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Reported without amendments.

May 17, 2001

HOUSE BILL NO. 1152—

BY REPRESENTATIVE KATZ

AN ACT

To enact R.S. 13:1000.6 and 1911, relative to the court-appointed special advocate program (CASA); to provide for the assessment and collection of additional costs in criminal and traffic matters for the support of CASA programs in the City Court of Monroe and the Fourth Judicial District Court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1156—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Ruston; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1526—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 9:5161, relative to mortgages; to provide for the cancellation of mortgages; to provide for the reinscription of mortgages; to provide for prescription of reinscription; to provide for the effects of reinscription; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1785—

BY REPRESENTATIVES GREEN AND MURRAY

AN ACT

To amend and reenact R.S. 13:1347(A)(2) and (D)(1), relative to the commissioners of the Criminal District Court for the parish of Orleans; to provide for the salary of the commissioners; to provide relative to the support personnel including minute clerks and stenographers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1841—

BY REPRESENTATIVES SHAW, BRUCE, AND GLOVER

AN ACT

To enact R.S. 13:1000.6 and 1911, relative to court-appointed special advocate (CASA) programs in certain parishes; to provide for the assessment and collection of additional costs in criminal and traffic matters for the support of CASA programs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1859—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 411(A), 412(A), and 413(B) and to repeal Code of Criminal Procedure Article 413(C), relative to drawing of grand jury venire and impaneling a grand jury; to provide for a statewide procedure for

drawing a grand jury venire and impaneling a grand jury; to amend procedures for drawing of grand jury venire in Orleans Parish; to provide procedures for impaneling a grand jury; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1876—

BY REPRESENTATIVES DONELON AND JOHNS

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1891 (Substitute for HB No. 1293 by Representative Schneider)—

BY REPRESENTATIVES SCHNEIDER AND CROWE

AN ACT

To amend and reenact R.S. 13:719(D), (E), and (F) and 720(E) and to repeal R.S. 13:719(G) and R.S. 13:720(I), relative to the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide relative to the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for a written report of the commissioner's findings; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal termination provisions for the office of commissioner; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1897—

BY REPRESENTATIVE PERKINS

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1927—

BY REPRESENTATIVE NEVERS

AN ACT

To amend and reenact R.S. 15:146(B)(1)(introductory paragraph), relative to the funding of the indigent defender programs; to exempt certain additional mayors' courts from the requirement of collecting court costs to fund the program; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 127— BY SENATOR HOLLIS A CONCURRENT RESOLUTION To proclaim Wednesday May 23, 2001, as "Hibernia National Bank Day" in the Louisiana Legislature.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators under the YEAS column: Bean, Boissiere, Cain, Chaisson, Dean, Dupre, Ellington, Fields, C, Fields, W, Fontenot, Total—28.

NAYS

Total—0

ABSENT

Table listing names of senators under the ABSENT column: Mr. President, Bajoie, Barham, Campbell, Total—11.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 17, 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. 1920— BY REPRESENTATIVE DOWNER AN ACT

To amend and reenact R.S. 48:252(L) and to enact R.S. 38:2212.6 and R.S. 39:1594.3, relative to procurement of materials and supplies by public entities; to authorize public entities to reject any bid for materials and supplies manufactured or produced in the People's Republic of China; and to provide for related matters.

HOUSE BILL NO. 1674— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 32:863(C)(1) and 863.1(C)(1)(a), relative to compliance with the compulsory liability insurance law; to authorize mailing of notices of noncompliance by first class mail; and to provide for related matters.

HOUSE BILL NO. 1957— BY REPRESENTATIVE LEBLANC AN ACT

To amend and reenact R.S. 56:1691(C) and (D), to repeal R.S. 56:1691(B)(3), (E), (F), and (G), and to repeal R.S. 56:1691 effective July 1, 2002, relative to monies in the State Parks Land Acquisition Trust Fund; to provide for the investment and use of monies deposited in the fund; to authorize use of monies in the fund for certain promotional activities related to state parks and outdoor recreational activities; to provide for effective dates; and to provide for related matters.

HOUSE BILL NO. 2062 (Substitute for House Bill No. 1699 by Representative Schwegmann)— BY REPRESENTATIVE SCHWEGMANN AN ACT

To enact R.S. 3:2364 and R.S. 36:4(V), relative to animals; to provide definitions; to create the Louisiana Animal Welfare Commission; to provide for membership of the commission; to provide for the power and authority of the commission; to create the Louisiana Animal Welfare Fund; and to provide for related matters.

HOUSE BILL NO. 2063 (Substitute for House Bill No. 1846 by Representative Thompson)— BY REPRESENTATIVE THOMPSON AN ACT

To amend and reenact R.S. 26:2(8) through (18) and to enact R.S. 26:2(19) and 71(A)(5), relative to the Alcoholic Beverage Control Law; to provide for "liquor retail distribution centers"; to provide for permits and fees; and to provide for related matters.

HOUSE BILL NO. 338—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:1151, relative to mineral leases; to provide for change of ownership of newly created water bottoms affected by mineral leases or interests; to provide for continuation of mineral leases on lands or water bottoms affected by subsidence or erosion; and to provide for related matters.

HOUSE BILL NO. 339—

BY REPRESENTATIVE DANIEL

AN ACT

To enact Code of Civil Procedure Article 376, relative to expert witnesses; to provide relative to the immunity of court-appointed expert witnesses; to provide a limitation of immunity for certain actions; and to provide for related matters.

HOUSE BILL NO. 1183—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 39:79(A), 80(A) and (B)(2), and 82(A), relative to sworn statements and fiscal reporting; to specify certain financial information-reporting deadlines; to provide for liquidation of certain obligations after the last day of the fiscal year; and to provide for related matters.

HOUSE BILL NO. 1579—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2412(4.1), (5.2), and (6.1), relative to waste tires and the Waste Tire Management Fund; to provide definitions; to provide fees to be levied on the sale of new tires; to provide size classifications of tires; and to provide for related matters.

HOUSE BILL NO. 245—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 17:440 and R.S. 44:4(29), relative to school employees; to prohibit city, parish, and other local public school boards and the governing authorities of any nonpublic school from using the social security number of a teacher or other school employee as a personal identifier; to provide relative to requirements for and access to social security numbers of teachers and school employees; to exempt the social security numbers of teachers and school employees from the public records law; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 624—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 30:103.1, relative to reporting requirements of operators and producers to owners of unleased mineral interests; to provide for quarterly reporting of the amount of and price received for production and occasional costs of operations; and to provide for related matters.

HOUSE BILL NO. 1041—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Article 10(A)(1) and Children's Code Articles 1109, 1117, and 1122(B)(9) and (F) [Mother's and Father's Surrender Form], relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements; to require that surrendering parent or a prospective adoptive parent be domiciled in this state for at least eight months; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent has been domiciled in this state for no less than eight months; and to provide for related matters.

HOUSE BILL NO. 1308—

BY REPRESENTATIVES ALARIO, K. CARTER, DANIEL, AND TUCKER

AN ACT

To enact Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.11 through 9039.37, relative to the creation of the "Community Development District Act"; to provide for definitions; to provide for the establishment of a community development district; to provide for a board of supervisors; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

HOUSE BILL NO. 1386—

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON

AN ACT

To enact Part I-A of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4511 through 4513, relative to liens and privileges; to provide for privileges for the storage and repair of aircraft; to provide relative to rights and remedies; to provide for notice of privilege; and to provide for related matters.

HOUSE BILL NO. 1584—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 46:811, 812(A), (C), and (D), 813(A)(1) and (5) and (C), to enact R.S. 36:109(J) and R.S. 46:813(D), and to repeal R.S. 36:259(D) and R.S. 46:814, relative to the Biomedical Research and Development Park; to provide for the transfer of the commission to the Department of Economic Development; to provide for its composition and meetings; to provide for the governance of the commission; to provide for the commission's duties, functions, and powers; to repeal the provisions relative to the termination of the commission; and to provide for related matters.

HOUSE BILL NO. 1602—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Children's Code Articles 1124(B) and (C), 1137(D), 1138(C) and (E), and 1139(A) and to enact Children's Code Article 1180(C) and R.S. 46:1402.1, relative to adoptions; to provide for service of notice of opposition to adoption; to provide for the presentation of evidence; to provide for the form of certain affidavits; to provide for the jurisdiction for adoption proceedings; to provide relative to conflict of interests; and to provide for related matters.

HOUSE BILL NO. 1638—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 46:1403.1, relative to children; to provide for the completion of educational courses or other programs offered by the residential home; and to provide for related matters.

HOUSE BILL NO. 1900—

BY REPRESENTATIVES KATZ AND DIEZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to applications for prestige license plates; to change the minimum number of applications required for the design and issuance of prestige license plates after January 1, 2002; and to provide for related matters.

HOUSE BILL NO. 1916—

BY REPRESENTATIVES FRUGE AND RIDDLE

AN ACT

To amend and reenact R.S. 39:51(D) and to enact R.S. 39:51(E), relative to the state operating budget; to require the commissioner of administration to provide certain information on employee positions and costs contained in the General Appropriation Bill to the House Committee on Appropriations; to require approval of the Joint Legislative Committee on the Budget for certain additions of employee positions or increases in employee compensation for certain positions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1960—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:388(A)(3)(b) and 389(D), relative to weights and standards stationary scale police; to provide relative to administrative review of citations issued by weights and standards stationary scale police officers; to require promulgation of rules and regulations; to provide with respect to fines for certain vehicles which fail to stop at stationary weight scales; and to provide for related matters.

HOUSE BILL NO. 1981—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 47:302.27(A), relative to the state sales tax on hotel occupancy in St. Martin Parish; to dedicate a portion of the tax to the St. Martin Parish Enterprise Fund; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Hollis 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. 245—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 17:440 and R.S. 44:4(29), relative to school employees; to prohibit city, parish, and other local public school boards and the governing authorities of any nonpublic school from using the social security number of a teacher or other school employee as a personal identifier; to provide relative to requirements for and access to social security numbers of teachers and school employees; to exempt the social security numbers of teachers and school employees from the public records law; to provide exceptions; 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. 338—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:1151, relative to mineral leases; to provide for change of ownership of newly created water bottoms affected by mineral leases or interests; to provide for continuation of mineral leases on lands or water bottoms affected by subsidence or erosion; 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. 339—

BY REPRESENTATIVE DANIEL

AN ACT

To enact Code of Civil Procedure Article 376, relative to expert witnesses; to provide relative to the immunity of court-appointed expert witnesses; to provide a limitation of immunity for certain actions; 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. 624—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 30:103.1, relative to reporting requirements of operators and producers to owners of unleased mineral interests; to provide for quarterly reporting of the amount of and price received for production and occasional costs of operations; 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. 1041—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Article 10(A)(1) and Children's Code Articles 1109, 1117, and 1122(B)(9) and (F) [Mother's and Father's Surrender Form], relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements; to require that surrendering parent or a prospective adoptive parent be domiciled in this state for at

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least eight months; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent has been domiciled in this state for no less than eight months; 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. 1183—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 39:79(A), 80(A) and (B)(2), and 82(A), relative to sworn statements and fiscal reporting; to specify certain financial information-reporting deadlines; to provide for liquidation of certain obligations after the last day of the fiscal year; and to provide for related matters.

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

HOUSE BILL NO. 1308—

BY REPRESENTATIVES ALARIO, K. CARTER, DANIEL, AND TUCKER

AN ACT

To enact Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.11 through 9039.37, relative to the creation of the "Community Development District Act"; to provide for definitions; to provide for the establishment of a community development district; to provide for a board of supervisors; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments; to provide for fees and charges; to provide for termination of the district; 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. 1386—

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON

AN ACT

To enact Part I-A of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4511 through 4513, relative to liens and privileges; to provide for privileges for the storage and repair of aircraft; to provide relative to rights and remedies; to provide for notice of privilege; 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. 1579—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2412(4.1), (5.2), and (6.1), relative to waste tires and the Waste Tire Management Fund; to provide definitions; to provide fees to be levied on the sale of new tires; to provide size classifications of tires; and to provide for related matters.

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

HOUSE BILL NO. 1584—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 46:811, 812(A), (C), and (D), 813(A)(1) and (5) and (C), to enact R.S. 36:109(J) and R.S. 46:813(D), and to repeal R.S. 36:259(D) and R.S. 46:814, relative to the Biomedical Research and Development Park; to provide for the transfer of the commission to the Department of Economic Development; to provide for its composition and meetings; to provide for the governance of the commission; to provide for the commission's duties, functions, and powers; to repeal the provisions relative to the termination of the commission; and to provide for related matters.

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

HOUSE BILL NO. 1602—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Children's Code Articles 1124(B) and (C), 1137(D), 1138(C) and (E), and 1139(A) and to enact Children's Code Article 1180(C) and R.S. 46:1402.1, relative to adoptions; to provide for service of notice of opposition to adoption; to provide for the presentation of evidence; to provide for the form of certain affidavits; to provide for the jurisdiction for adoption proceedings; to provide relative to conflict of interests; 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. 1638—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 46:1403.1, relative to children; to provide for the completion of educational courses or other programs offered by the residential home; 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. 1674—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:863(C)(1) and 863.1(C)(1)(a), relative to compliance with the compulsory liability insurance law; to authorize mailing of notices of noncompliance by first class mail; and to provide for related matters.

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

HOUSE BILL NO. 1900—

BY REPRESENTATIVES KATZ AND DIEZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to applications for prestige license plates; to change the minimum number of applications required for the design and issuance of prestige license plates after January 1, 2002; and to provide for related matters.

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

HOUSE BILL NO. 1916—

BY REPRESENTATIVES FRUGE AND RIDDLE
AN ACT

To amend and reenact R.S. 39:51(D) and to enact R.S. 39:51(E), relative to the state operating budget; to require the commissioner of administration to provide certain information on employee positions and costs contained in the General Appropriation Bill to the House Committee on Appropriations; to require approval of the Joint Legislative Committee on the Budget for certain additions of employee positions or increases in employee compensation for certain positions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1920—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 48:252(L) and to enact R.S. 38:2212.6 and R.S. 39:1594.3, relative to procurement of materials and supplies by public entities; to authorize public entities to reject any bid for materials and supplies manufactured or produced in the People's Republic of China; and to provide for related matters.

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

HOUSE BILL NO. 1957—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 56:1691(C) and (D), to repeal R.S. 56:1691(B)(3), (E), (F), and (G), and to repeal R.S. 56:1691 effective July 1, 2002, relative to monies in the State Parks Land Acquisition Trust Fund; to provide for the investment and use of monies deposited in the fund; to authorize use of monies in the fund for certain promotional activities related to state parks and outdoor recreational activities; to provide for effective dates; and to provide for related matters.

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

HOUSE BILL NO. 1960—

BY REPRESENTATIVE FUTRELL
AN ACT

To amend and reenact R.S. 32:388(A)(3)(b) and 389(D), relative to weights and standards stationary scale police; to provide relative to administrative review of citations issued by weights and standards stationary scale police officers; to require promulgation of rules and regulations; to provide with respect to fines for certain vehicles which fail to stop at stationary weight scales; and to provide for related matters.

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

HOUSE BILL NO. 1981—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 47:302.27(A), relative to the state sales tax on hotel occupancy in St. Martin Parish; to dedicate a portion of the tax to the St. Martin Parish Enterprise Fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2062 (Substitute for House Bill No. 1699 by Representative Schwegmann)—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 3:2364 and R.S. 36:4(V), relative to animals; to provide definitions; to create the Louisiana Animal Welfare Commission; to provide for membership of the commission; to provide for the power and authority of the commission; to create the Louisiana Animal Welfare Fund; and to provide for related matters.

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

HOUSE BILL NO. 2063 (Substitute for House Bill No. 1846 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 26:2(8) through (18) and to enact R.S. 26:2(19) and 71(A)(5), relative to the Alcoholic Beverage Control Law; to provide for "liquor retail distribution centers"; to provide for permits and fees; 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.

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 17, 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:

May 17, 2001

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVES CLARKSON, WINSTON, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, AND WELCH AND SENATORS BAJOIE, IRONS, AND MOUNT

A CONCURRENT RESOLUTION

To commend Louisiana's own Corrine Claiborne "Lindy" Boggs, upon the occasion of the Eleventh Annual Southern Women in Public Service conference and the presentation of the Lindy Boggs Award to recognize a woman from the South who has demonstrated the ideals of patriotism, courage, integrity, and leadership through public service which so characterized the life and public service career of Lindy Boggs.

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

House Concurrent Resolutions

Senator Campbell 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. 159—

BY REPRESENTATIVES CLARKSON, WINSTON, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, AND WELCH AND SENATORS BAJOIE, IRONS, AND MOUNT

A CONCURRENT RESOLUTION

To commend Louisiana's own Corrine Claiborne "Lindy" Boggs, upon the occasion of the Eleventh Annual Southern Women in Public Service conference and the presentation of the Lindy Boggs Award to recognize a woman from the South who has demonstrated the ideals of patriotism, courage, integrity, and leadership through public service which so characterized the life and public service career of Lindy Boggs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Johnson	Smith
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields, C	Malone	
Fields, W	Marionneaux	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Jones, B
Barham	Heitmeier	Tarver
Cravins	Irons	
Total—8		

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

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

May 17, 2001

To the President and Members of the Senate:

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

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 575—

BY REPRESENTATIVE NEVERS

AN ACT

To enact Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.23, to provide for titling and registering boats and outboard motors; to provide for declaration of policy; to provide for the use of funds; to provide for definitions; to provide for registration and certificates of title; to provide for fees; to provide for cancellation and surrender of certificates of title; to provide for security interests; to provide for rules; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 678—

BY REPRESENTATIVE JACK SMITH

AN ACT

To authorize and provide for the lease of certain state property in Jefferson Parish from the division of administration to the adjacent landowner; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1351—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer or lease of certain property to the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1481—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 56:322(A) and (B), relative to the saltwater and freshwater division; to provide for the boundary of the saltwater and freshwater division; to provide for specific water bodies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1606—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 56:430.1 and to repeal R.S. 56:430(A), relative to oyster leases; to require the submission of certain production information; to delete certain cultivation requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1795—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 56:428.1(A), relative to oyster leases; to provide for annual determination by the Department of Natural Resources of projected impact areas of coastal restoration projects where leases may be renewed for less than fifteen years; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1824—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Richland Parish to the adjacent landowner from the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

**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. 396—

BY SENATOR FONTENOT

AN ACT

To repeal Subpart E of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:421 through 427, to repeal provisions relative to the prohibition of below cost sales; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 396 by Senator Fontenot

AMENDMENT NO. 1

May 17, 2001

On page 1, line 2, after "To" delete the remainder of the line and insert "enact"

AMENDMENT NO. 2

On page 1, delete line 3, and insert "R.S. 51:426(10)"

AMENDMENT NO. 3

On page 1, line 4, delete "repeal provisions" and after "sales" insert "of petroleum products; to provide for certain exemptions"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line and delete lines 8 and 9 and insert the following:

"R.S. 51:426(10) is hereby amended and reenacted to read as follows:

§426. Exemptions

The provisions of this Sub-part shall not apply to sales at retail or sales at wholesale:

* * *

R.S. 51:426(10) is all proposed new law

(10) Where the merchandise sold is any petroleum product, including the sale of motor fuel."

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

SENATE BILL NO. 592—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 44:2, relative to public records; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 592 by Senator Cain

AMENDMENT NO. 1

Change the author to Senator Michot

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 44:2" to "R.S. 44:1(A)(2)"

AMENDMENT NO. 3

On page 1, line 2, between "records;" and "and" insert "to provide that security features of a public body's electronic systems are not public records;"

AMENDMENT NO. 4

On page 1, line 5, change "R.S. 44:2" to "R.S. 44:1(A)(2)"

AMENDMENT NO. 5

On page 1, delete lines 7 through 15, on page delete lines 1 through 4, and insert the following:

"§1. General definitions

A. * * *

(2)(a) All books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of this state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of this state, are "public records," except as otherwise provided in this Chapter or as otherwise specifically provided by law.

R.S. 44:1(A)(2)(b) is all proposed new law.

(b) Notwithstanding Subparagraph (a), any documentary material of a security feature of a public body's electronic data processing system, information technology system, telecommunications network, or electronic security system, including hardware or software security, password, or security procedure, process, configuration, software, and code is not a "public record".

* * *

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

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

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

HOUSE BILL NO. 15—

BY REPRESENTATIVES BRUNEAU AND FARRAR

AN ACT

To enact R.S. 42:5(D), relative to public comment at meetings of public bodies; to require public bodies to provide opportunity for public comment at their meetings; and to provide for related matters.

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

HOUSE BILL NO. 18—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, LANCASTER, SCALISE, HOPKINS, PITRE, SNEED, AND WELCH AND SENATORS HOLLIS, DUPRE, AND ELLINGTON

AN ACT

To amend and reenact Part I of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:18 through 20, R.S. 18:23(A)(4) and (E)(1), 31, 44(B)(introductory paragraph) and (2), 45(A), 431.1(B), 552(A)(1), 574(A)(3), 1302(3), 1353, 1372, 1392(B), 1400.6(B) and (C), and 1402(C), R.S. 36:741(C), R.S. 42:62(6), and R.S. 44:4(23); to enact R.S. 36:744(R); and to repeal R.S. 36:4(A)(15) and 8(E)(2)(d), Chapter 16 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:661 through 663, R.S. 39:291(C)(4)(c), and R.S. 49:191(11)(i) and 968(B)(7), relative to the commissioner of elections and the Department of Elections and Registration; to provide for the appointment in lieu of election of the commissioner of elections; to provide, pursuant to Article IV, Section 20 of the Constitution of Louisiana, for the merger and consolidation of the Department of Elections and Registration with the Department of State and for the transfer of such department and its powers, duties, functions, and responsibilities to the Department of State; to provide for implementation; and to provide for related matters.

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

HOUSE BILL NO. 84—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 22:1475, relative to life and health insurance sales quotas; to provide for prohibitions against sales quotas; to provide for insurers; and to provide for related matters.

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

HOUSE BILL NO. 152—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 9:4751(2) and R.S. 23:1021(11), relative to occupational therapists; to include "occupational therapist" in certain definitions of "health care provider"; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 248—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 22:1193(J), relative to continuing education credits for insurance agents; to provide for qualified graduate-level national designation programs; to provide for tests; and to provide for related matters.

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

HOUSE BILL NO. 268—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1505.2(H)(7)(a), to establish the aggregate limits on contributions a candidate may accept from political committees; and to provide for related matters.

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

HOUSE BILL NO. 270—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 42:1132(B)(1)(a) and to repeal R.S. 42:1132(B)(4)(h), relative to the Board of Ethics; to remove certain provisions relative to the nomination and selection of members of the Board of Ethics; and to provide for related matters.

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

HOUSE BILL NO. 271—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 24:53(I), relative to the annual lobbyist registration fee; to provide for an annual lobbyist registration fee; to remove the fee for filing supplemental registration forms; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 271 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 12 after "hundred" insert "ten"

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

HOUSE BILL NO. 272—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1483(11) and to enact R.S. 18:1483(7)(e), relative to the definition of district office and major office for purposes of the Campaign Finance Disclosure

Act; to provide that certain elected judicial seats are included in the definition of "district office"; to provide that certain elected judicial seats are included in the definition of "major office"; and to provide for related matters.

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 42:1157(B), relative to when the ethics board staff shall send delinquency notices; to change the number of days following a report due date that the ethics board staff must send a delinquency notice; and to provide for related matters.

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

HOUSE BILL NO. 306—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1532, relative to the information required on election day expenditure reports; to remove the requirement to include certain persons' social security numbers; and to provide for related matters.

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

HOUSE BILL NO. 307—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1505.2(D)(1), relative to the permissible use of contributions by certain political committees; to provide that an expenditure by a political committee, other than a principal campaign committee or subsidiary committee of a candidate, for the administrative costs and operating expenses of the committee is not a prohibited use; and to provide for related matters.

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

HOUSE BILL NO. 371—

BY REPRESENTATIVES GREEN, BRUNEAU, LANCASTER, AND PITRE
AN ACT

To enact R.S. 18:1505.2(O), relative to limitations on the expenditure of campaign funds; to prohibit the use of campaign funds to pay fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 404—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 37:2406(A) and to enact R.S. 37:2406(C), relative to the maximum fees to be assessed by the Louisiana Board of Physical Therapy Examiners; to provide for the maximum fee that the board may assess for application, reinstatement, annual license renewal, license verification, duplicate wall license, and duplicate wallet license; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 430—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to repeal R.S. 18:1491.9, relative to campaign finance disclosure; to remove certain provisions requiring that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if the committee makes any contribution or expenditure in support of or in opposition to a candidate or proposition in a Louisiana election.

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

HOUSE BILL NO. 438—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 23:691, relative to loans by employers; to exempt certain financial institutions from interest rate requirements; and to provide for related matters.

Reported favorably by the Committee on Commerce and Consumer Protection. 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. 531—

BY REPRESENTATIVES WELCH AND BAYLOR
AN ACT

To amend and reenact R.S. 40:2116(E)(4), relative to the facility need review program; to provide an extension for the completion of certain approved but unbuilt nursing home beds; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 546—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 37:1279, relative to the recordation of medical licenses; to eliminate the requirement that medical licenses be recorded with the clerk of court for each parish in which the licensed person practices; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 560—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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

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

HOUSE BILL NO. 631—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 22:39, relative to domestic insurers; to provide for the keeping of books and records; to provide for securities; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 656—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:175(D), relative to the registrar of voters providing a monthly update of the official list of registered voters to the clerk of court; to require that a monthly update of the official list of registered voters be provided by the

registrar of voters to the clerk of court at his request and at no charge or remuneration; and to provide for related matters.

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

HOUSE BILL NO. 657—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:433(B)(6) and (7) and 434(B)(6), (7), and (8) and to enact R.S. 18:433(B)(8) and 434(B)(9), relative to the selection process for commissioners and commissioners-in-charge; to provide that the parish board of election supervisors may opt to select the commissioner-in-charge of any precinct without using the selection process; to provide that the parish board of election supervisors may opt to select one commissioner for each precinct without using the selection process; to provide that the parish board of election supervisors must vote unanimously for each precinct for which it makes such a selection of a commissioner-in-charge or commissioner; and to provide for related matters.

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

HOUSE BILL NO. 724—

BY REPRESENTATIVE SHAW
AN ACT

To enact R.S. 1:58.1, relative to the remembrance of special days; to designate August 16 as "National Airborne Day" in Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 799—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:1, relative to the Louisiana Insurance Code; to expand the code to encompass all of Title 22 of the Louisiana Revised Statutes of 1950; and to provide for related matters.

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

HOUSE BILL NO. 800—

BY REPRESENTATIVES DONELON AND FLAVIN
AN ACT

To amend and reenact R.S. 32:900(L), relative to automobile liability policies; to provide for the named insured; to provide for exclusions; to provide for agreements; to provide for legislative intent; to legislatively overrule certain case law; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 800 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 11, after "L." insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 4 and 5, insert the following:

"(2)The form signed by the insured or his legal representative which excludes a named person from coverage shall remain valid for the life of the policy and shall not require the completion of a new driver exclusion form when a renewal, restatement, substitute, or amended policy is issued to the same named insured by the same insurer or any of its affiliates."

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

HOUSE BILL NO. 864—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1428(A)(2) and (4) and to enact R.S. 40:1428(D), relative to insurance fraud; to provide for fee assessments; to provide for exemptions; to provide relative to the disposition of fees collected; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 864 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S.40:1428(A)(2)" insert ", (3),"

AMENDMENT NO. 2

On page 1, line 7, after "R.S.40:1428(A)(2)" insert ", (3),"

AMENDMENT NO. 3

On page 1, delete line 18, and insert the following:

"(3) On and after January 1, ~~2002~~ 2003, if the fee assessed for the previous year exceeds by five percent of the cumulative costs of the previous year of operating the insurance fraud programs to which funds are allocated, the fee assessment for the next year shall be reduced by the amount of the excess in proportion to the assessment."

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

HOUSE BILL NO. 880—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 40:2144(H)(3), relative to the Hospital Records and Retention Act; to provide for rules related to verbal orders; to provide that promulgated rules related to orders given verbally or transmitted electronically grant a health care provider up to ten days to sign or countersign an electronically transmitted order; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 942—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to compulsory motor vehicle liability security; to provide relative to certain sanctions for violations of the motor vehicle liability security provisions; to reduce certain reinstatement fees for certain violations; and to provide for related matters.

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

HOUSE BILL NO. 946—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(b), relative to the Department of Social Services, including provisions to provide for the re-creation of the Department of Social Services and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 947—

BY REPRESENTATIVES BROOME, DURAND, ILES, SCHWEGMANN, AND WELCH

AN ACT

To amend and reenact R.S. 46:237, relative to the Grandparent Subsidy Program; to rename the program as the Kinship Care Subsidy Program; to expand the program to include aunts and uncles in addition to grandparents and step-grandparents; to allow families participating in the program up to a year in which to obtain legal custody or guardianship; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 948—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To repeal Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 and 2802, relative to long-term care assistance; repeals the Long-Term Care Assistance Program administered by the Office of Elderly Affairs.

Reported favorably by the Committee on Health and Welfare. 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. 949—

BY REPRESENTATIVES R. ALEXANDER, R. CARTER, PERKINS, SHAW,
STRAIN, AND WELCH
AN ACT

To amend and reenact R.S. 40:2199(A)(1) and to enact R.S. 40:2006(A)(2)(m) and (E)(2)(l) and Part VI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2175 through 2180, relative to health care facilities; to provide for the licensing of outpatient abortion facilities by the Department of Health and Hospitals; to provide for the establishment of rules, regulations, and minimum standards for licensing; to provide for fees, license, and penalties for such facilities; to provide for licensing enforcement; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 949 by Representative R. Alexander, et al

AMENDMENT NO. 1

On page 2, line 23, after "any" insert "surgical"

AMENDMENT NO. 2

On page 5, line 23, delete "only" and after "issued" delete the remainder of the line and at the beginning of line 24, delete "renewal and"

AMENDMENT NO. 3

On page 6, line 7, after "issued," delete the remainder of the line and delete line 8 in its entirety

AMENDMENT NO. 4

On page 6, delete lines 11 and 12 in their entirety and insert the following:

"G. The procedure of denial, suspension, or revocation of a license, and appeal therefrom, shall be the same as provided for the licensing of hospitals as contained in R.S. 40:2110."

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

HOUSE BILL NO. 1118—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:3715.1(J) and R.S. 37:2804(A), 2805(B)(1) (introductory paragraph) and (f) and (g), 2809(A)(1) and (4), 2814, and 2816(B), to enact R.S. 37:2802(G), 2804(J), and 2805(B)(2), and to repeal R.S. 37:2816(A)(16), relative to chiropractors and the Louisiana State Board of Chiropractic Examiners; to provide for additional powers and duties of the board; to provide for removal of non-participating board members; to provide for alternative examination requirements; to provide for an increase in license application and renewal fees; to provide for waiver of renewals while on active duty in the military; to provide for an increase in fines for suspended and revoked licenses; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 1207—

BY REPRESENTATIVES MONTGOMERY AND SCALISE
AN ACT

To enact R.S. 27:3(9), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana firm", or "Louisiana corporation"; to provide exceptions; and to provide for related matters.

Reported favorably by the Committee on Commerce and Consumer Protection. 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. 1219—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 44:13(D), relative to limitations on the disclosure of certain records of a publicly funded library; to provide that information may be released to appropriate law enforcement officers investigating criminal activity in the library; to provide for the definition of "criminal activity in the library"; to provide for the definition of "information"; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1219 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 16, after "library" insert "witnessed by an employee or patron of the library and reported by the administrative librarian to the appropriate law enforcement officials"

AMENDMENT NO. 2

On page 2, line 12, after "library" delete the remainder of the line and delete line 13, and insert a "."

May 17, 2001

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

HOUSE BILL NO. 1236—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:333(A)(1) and (6), (F)(11), and (I)(1) and to enact R.S. 6:333(A)(2.1) and (11) and (F)(15), relative to banks; to provide for definitions; to provide for disclosure of certain records by banks; to limit liability for disclosure of certain information; and to provide for related matters.

Reported favorably by the Committee on Commerce and Consumer Protection. 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. 1253—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:2(I), relative to the commissioner of insurance; to provide for confidential documents; and to provide for related matters.

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

HOUSE BILL NO. 1558—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:2(7), 101(D)(introductory paragraph), 109, 152(C)(2)(b), 157, 193(F), 196(C)(2), 435(A)(1) and (B), 443.2 (introductory paragraph), 521(B)(2), 533(E), 562(A)(2) and (B)(1), (2), and (3)(c), 564(D)(2), 565(B), 571(11), 1300(C)(2), 1307(A)(introductory paragraph) and (5) and (B)(1), 1309(A)(3), (D) and (E)(2) and (3), 1310(A), 1311(D)(3) and (4)(a), 1312(E), 1313(A), 1315(C)(2) and (3), 1354(B)(5), 1363(A)(introductory paragraph) and (B), 1399(C)(2) and (D)(2), 1400.1(C)(2), 1400.6(B), and 1461(C)(1), and to enact R.S. 18:111(C), 173(E), 553(E), 1307(A)(6), (7), and (8) and (F), 1309(A)(4) and (E)(4), 1334(D), 1363(C), (D), and (E), 1400.3(D)(4) and (E)(5) and (6), 1400.4(D)(3), and 1495.7, and to repeal R.S. 18:1363(A)(5) and (6), relative to the election code; to make technical changes to the election code; to provide for the definition of "immediate family"; to change the time frame for a voter to vote in Louisiana after he has changed his residence; to limit the requirement for a registrar of voters to send registration information to an inactive voter; to provide for a voter who has become physically unable to sign his name; to change certain references from custodian of voting machines to the contractor authorized to deliver voting machines; to provide for the delivery of the supplemental list of voters to the precinct; to allow the registrar of voters to use information in obituary notices to remove deceased persons from the voting rolls; to except the presidential preference primary from the requirement for publication of the inactive list of voters; to provide for the registrar to make changes in the voter rolls based upon information in the address confirmation card as the

application to vote absentee by mail; to provide for the manner of appointment of watchers; to change the percentage registration for certain political party organizational requirements; to provide with regard to leases of private property for polling places; to provide for identification of voters at the polls and when voting absentee in person; to provide for the delivery of supplemental lists of absentee voters and updates to the precinct registers; to provide for certain election documents to be placed in the registrar of voters envelope; to require the registrar of voters envelope be sealed; to provide for the revision of propositions and questions submitted at an election; to provide for the application to vote absentee by mail; to provide for non-commercial hand delivery of an application to vote absentee by mail; to provide for the address to which a voter may request an absentee ballot be sent; to allow the registrar of voters to use law enforcement officers to maintain order; to require an inactive voter to complete an address confirmation card; to allow voter to have registrar of voters fill in some information on the absentee ballot certificate; to provide for the manner of voting absentee provided by law to be superseded in the event of a change in voting equipment; to require the registrar of voters to contact the commissioner-in-charge at a precinct upon receipt of certain types of absentee ballots on election day; to repeal the requirement to retain certain absentee ballot affidavits; to provide for the appointment of absentee commissioners; to provide for an exception to the prohibition against electioneering at a nursing home; to provide for the number for voting machines allocated to each precinct; to provide with regard to voting machine tally sheets; to provide for the fee for recording a proces verbal with the secretary of state; to provide that law enforcement officers are an election expense; to provide for interest on overdue billings for elections costs; to provide for additional penalties for certain elections offenses; to provide for a voter protection zone around a polling place; to provide with respect to certain fundraising activities; and to provide for related matters.

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

HOUSE BILL NO. 1736—

BY REPRESENTATIVE SCALISE

AN ACT

To enact Subpart H of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.11 through 300.13, relative to technology; to provide for definitions; to prohibit the registration and resale of certain domain names; to provide for certain exemptions; to provide for civil remedies; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1736 by Representative Scalise

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "Subpart H" and insert "Subparts H and I"

AMENDMENT NO. 2

On page 1, line 4, after "300.13" insert "and R.S. 51:300.21 through 300.22, respectively"

AMENDMENT NO. 3

On page 1, line 6, after "remedies;" insert "to prohibit certain other actions and provide for remedies;"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete "Subpart H" and insert "Subparts H and I"

AMENDMENT NO. 5

On page 1, line 11, after "300.13" delete ", is" and insert "and R.S. 51:300.21 through 300.22, respectively, are"

AMENDMENT NO. 6

On page 4, between lines 7 and 8, insert the following:

"SUBPART I. ADDITIONAL DOMAIN NAME PROTECTION

§300.21. Prohibited activities; exceptions

A. In addition to the activities prohibited by R.S. 51:300.12(A), no person shall register a domain name that consists of the name of another living person or an alias or nickname by which such person is commonly known, or a name substantially and confusingly similar to such name, without the person's consent.

B. Nothing in this Subpart shall prohibit the registration of a domain name as provided for in R.S. 51:300.12(C).

C. No domain name registrar, domain name registry, or any other domain name registration authority shall be subject to any penalties or liable for any damages under this Subpart for the registration or maintenance of a domain name for another absent a showing of bad faith intent to register the domain name without the consent of the person whose domain name has been taken.

§300.22. Violations; private actions

A. A violation of this Subpart shall be a deceptive and unfair trade practice in the same manner provided for in R.S. 51:300.13(A).

B. In addition to the attorney general's right to bring an action for injunctive relief, an aggrieved person may also bring such action, and if a court awards injunctive relief, it may order the forfeiture or cancellation of the domain name or the transfer of the domain name to the aggrieved person.

C. The court may award costs to the attorney general or other law enforcement authority in the same manner provided for in R.S. 51:300.13(D).

D.(1) Additionally, no person shall attempt to resell or resell the domain name that consists of the name of another living person or an alias or nickname by which such person is commonly known, or a name substantially and confusingly similar to such name, without the person's consent, for a price in excess of the registration cost paid by the original registrant.

(2) Nothing in this Subpart shall prohibit the transfer by the original registrant of a domain name that is the name of another living person or an alias or nickname by which such person is commonly known, or is substantially or confusingly similar to such name, to the

person whose name has been registered as long as the cost of the transfer does not exceed the registration cost paid by the original registrant."

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

HOUSE BILL NO. 1779—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 37:3554(B), 3558, and 3562 and to enact R.S. 37:3559(E) and (F), relative to massage establishments; to provide for membership of the board; to provide relative to the issuance of licenses and certificates of registration; to provide for fees; to provide for annual audits; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1779 by Representative Fauchaux

AMENDMENT NO. 1

On page 6, line 10, after "E." delete the remainder of the line and delete lines 11 through 15 and insert the following:

"All funds received and expended by the board shall be audited annually in accordance with R.S. 24:513. The annual audit shall be submitted annually to the Joint Legislative Committee on the Budget."

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

HOUSE BILL NO. 1792—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:1267(B), (C), and (D), relative to surplus line broker licenses; to provide for denial; to provide for refusal to renew or reinstate; to provide for fines; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1838—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 40:1234(A)(1)(b) and (c) and (F) and to enact R.S. 40:1231(22) and 1234(A)(1)(d), relative to emergency medical technicians; to provide training and certification to allow all emergency medical technicians to carry and administer epinephrine; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. 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. 1871 (Substitute for House Bill No. 269 by Representative Lancaster)—
BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 42:1141(B)(1), relative to the notification provided to a person who files a complaint with the Board of Governmental Ethics; to provide that a person who files a non-sworn complaint shall be provided only a notification of disposition of the complaint; and to provide for related matters.

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

Mr. President in the Chair

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. 632—

BY SENATOR DARDENNE

AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99.1 through 99.20, relative to tobacco settlement financing; to provide legislative findings and intent; to provide for definitions; to create the Tobacco Settlement Financing Corporation and to provide for a board; to provide for staffing of the corporation; to provide for tax exemptions; to provide for bond validation actions; to provide for the sale of certain tobacco assets; to provide for the issuance of bonds and for the security for payment of bonds; to provide for ancillary contracts and swaps; and to provide for related matters.

Motion

On motion of Senator Dardenne, Senate Bill No. 632 was made Special Order of the Day, No. 1 on Monday, May 21, 2001 immediately following the Morning Hour.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 502—

BY SENATORS SCHEDLER AND DARDENNE

AN ACT

To amend and reenact R.S. 46:153.3(B) and (C), relative to the medical assistance drug program; to authorize the Department of Health and Hospitals to implement a drug formulary in the medical assistance drug program; to delete the mandate that the

department provide reimbursement for any drug prescribed by a physician which the physician considers appropriate; to provide for rulemaking; to create the Medicaid Pharmaceutical and Therapeutics Committee; to abolish the Medicaid Drug Program Committee; to provide for 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. 502 by Senators Schedler and Dardenne

AMENDMENT NO. 1

On page 1, line 9, after "Committee;" insert "to extend the date for reporting on a pilot project on weight control therapies and exercise counseling; to require the department to develop peer-based prescribing and dispensing practice patterns and to develop a process to promote such practice patterns;"

AMENDMENT NO. 2

On page 3, lines 3 and 5, change "may" to "shall"

AMENDMENT NO. 3

On page 4, line 17, change "2001" to "2002"

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 502 by Senators Schedler and Dardenne

AMENDMENT NO. 1

On page 1, line 7, after "appropriate;" insert "to provide for utilization of a prior approval process and criteria related thereto; to require the department to develop peer-based prescribing and dispensing practice patterns and to develop a process to promote such practice patterns;"

AMENDMENT NO. 2

On page 1, line 8, after "Committee" insert "and to provide for its duties and responsibilities;"

AMENDMENT NO. 3

On page 2, line 16, after "**program.**" insert the following:

"At a minimum any prior approval process shall meet all of the following criteria:

(i) Provide for a response by telephone or other form of telecommunication device within a maximum of twenty-four hours of a request for prior authorization.

(ii) Provide for the dispensing of a minimum of a seventy-two hour supply of a covered outpatient prescription drug in an emergency situation as provided by federal rule or regulation.

(iii) Comply with federal laws, rules, and regulations.

(iv) Involve medical personnel, including but not limited to pharmacists, pharmacy technicians, nurses, and physicians.

(v) Assure that a qualified, licensed physician is available for consultation during the prior approval process.

(b) The department may enter into contractual arrangements to perform the prior approval function with a school of medicine, a school of pharmacy, the fiscal intermediary for the Medicaid program, or such other qualified contractor that it deems appropriate."

AMENDMENT NO. 4

On page 2, at the beginning of line 23, change "(b)" to "(c)"

AMENDMENT NO. 5

On page 3, lines 3 and 5, change "may" to "shall"

AMENDMENT NO. 6

On page 4, line 21, change "fifteen" to "seventeen"

AMENDMENT NO. 7

On page 4, line 23, after "confirmation" insert a period "." and delete the remainder of the line and delete line 24 in its entirety

AMENDMENT NO. 8

On page 6, between lines 10 and 11, insert the following:

"(n) A member of the Senate who has expertise in the area of medicine or pharmacology appointed by the president of the Senate.

(o) a member of the House of Representative who has expertise in the are of medicine or pharmacology appointed by the speaker of the House of Representatives."

AMENDMENT NO. 9

On page 6, between lines 14 and 15, insert the following:

"(4) Members of the committee shall be governed by either the State Code of Ethics or the code of ethics governing their respective profession.

(5) The committee shall be responsible for developing and maintaining a pharmacopoeia established in conjunction with a prior approval process as provided in Subsection(B)(2)(a) of this Section. The pharmacopoeia shall comply with all applicable state and federal laws, rules, and regulations. The committee shall also advise the secretary of the department on policy recommendations related to the prudent administration of the Medicaid drug program. The secretary shall assure that all actions of the committee comply with applicable state and federal laws, rules, and regulations prior to implementation or modification of the pharmacopoeia."

On motion of Senator Schedler, the amendments were adopted.

Motion

Senator Hines moved to table the entire subject matter.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Bean	Fields, W	McPherson
Boissiere	Gautreux	Michot
Cravins	Heitmeier	
Ellington	Hines	
Total—13		

NAYS

Mr. President	Fontenot	Marionneaux
Barham	Hollis	Mount
Cain	Hoyt	Romero
Campbell	Johnson	Schedler
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Dupre	Malone	
Total—23		

ABSENT

Irons	Smith	Tarver
Total—3		

The Chair declared the Senate refused to table the entire subject matter.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 502 by Senator Schedler

AMENDMENT NO. 1

On page 6, between lines 14 and 15, insert the following:

"(4) Notwithstanding the provisions of this Section, the committee shall review any drug approved by the Federal Drug Administration within ninety days or less from such approval."

On motion of Senator Cain, the amendments were adopted.

Motion

Senator Dardenne moved the previous question on the entire subject matter.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hollis	Romero
Barham	Hoyt	Schedler
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Mount	Ullo
Total—15		

NAYS

Bajoie	Fields, C	Jones, C
Bean	Fields, W	Lentini
Boissiere	Fontenot	Malone
Cain	Gautreaux	Marionneaux
Campbell	Heitmeier	McPherson
Cravins	Hines	Michot
Dupre	Irons	
Ellington	Johnson	
Total—22		

ABSENT

Smith	Tarver
Total—2	

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 502 by Senator Schedler

AMENDMENT NO. 1

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

"(c) Notwithstanding the provisions of this Section, the committee shall include in its formulary any new drug approved by the Federal Drug Administration which has been proven to have an increased effectiveness relative to existing drugs currently on such formulary."

Senator Bajoie moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Johnson
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Bean	Fields, W	Jones, C
Boissiere	Fontenot	McPherson
Cain	Gautreaux	Michot
Campbell	Heitmeier	Ullo
Cravins	Hines	
Ellington	Irons	
Total—19		

NAYS

Mr. President	Hollis	Marionneaux
Barham	Hoyt	Mount
Chaisson	Jones, B	Romero
Dardenne	Lambert	Schedler
Dean	Lentini	Theunissen
Dupre	Malone	Thomas
Total—18		

ABSENT

Smith	Tarver
Total—2	

The Chair declared 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. 502 by Senator Schedler

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 7 and delete Senate Floor Amendment No. 9, in the set designated as SFASB502 BROUSSAD3, proposed by Senator Schedler and adopted by the Senate on May 17, 2001.

AMENDMENT NO. 2

Delete Senate Floor Amendment Nos. 1 through 3, in the set designated as SFASB502 BROUSSAD1, proposed by Senator Schedler and adopted by the Senate on May 17, 2001.

AMENDMENT NO. 3

On page 1, line 7, after "rulemaking;" delete the remainder of the line and delete line 8 and on line 9, delete "the Medicaid Drug Program Committee;"

AMENDMENT NO. 4

On page 4, line 18, after "C.(1)" delete the remainder of the line and on line 19, delete "Therapeutics" and insert "The Medicaid Drug Program"

AMENDMENT NO. 5

On page 6, line 4, after "pharmacy." insert the following:

"(j) Two members of the Pharmaceutical Manufacturers Association representing the pharmaceutical industry."

AMENDMENT NO. 6

On page 6, between lines 14 and 15, insert the following:

"Section 2. Any legislation passed during the 2001 Regular Session of the legislature regarding medical assistance drug programs or Medicaid shall be studied by the Medicaid Drug Program Committee and such findings shall be submitted to the legislature sixty days prior to the 2003 Regular Session. Such studies shall include, but not be limited to, raising generic drug rebates to the equivalent of brand name rebates, adjusting the state maximum allowable cost, removing the co-pay on generic prescriptions for Medicaid patients, strengthening Drug Utilization Review to identify and stop fraud and abuse, expanding Disease State Management programs, a pharmacopoeia established in conjunction with a prior approval process, or any other process or combination of processes that reduces costs in the medical assistance drug program."

AMENDMENT NO. 7

On page 6, line 15, change "Section 2" to "Section 3"

Senator McPherson moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields, C Irons
Bean Fields, W Johnson
Campbell Gautreaux Jones, C
Cravins Heitmeier McPherson
Ellington Hines Michot
Total—15

NAYS

Mr. President Fontenot Mount
Barham Hollis Romero
Boissiere Hoyt Schedler
Cain Jones, B Theunissen
Chaisson Lambert Thomas
Dardenne Lentini Ullo
Dean Malone
Dupre Marionneaux
Total—22

ABSENT

Smith Tarver
Total—2

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Mount
Barham Hollis Romero
Cain Hoyt Schedler
Campbell Jones, B Theunissen
Chaisson Lambert Thomas
Dardenne Lentini Ullo
Dean Malone
Dupre McPherson
Total—22

NAYS

Bajoie Fields, C Irons
Bean Fields, W Johnson
Boissiere Gautreaux Jones, C
Cravins Heitmeier Marionneaux
Ellington Hines Michot
Total—15

ABSENT

Smith Tarver
Total—2

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

Rules Suspended

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage, 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 Gautreaux asked that Senate Bill No. 8 be called from the Calendar at this time.

SENATE BILL NO. 8— BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to hunting licenses and fees; to provide that holders of lifetime hunting licenses shall be exempt from payment of wildlife management area hunting fees; and to provide for related matters.

On motion of Senator Gautreaux, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Campbell asked that Senate Bill No. 23 be called from the Calendar at this time.

SENATE BILL NO. 23—

BY SENATORS CAMPBELL, MCPHERSON, MOUNT, FONTENOT, IRONS, W. FIELDS, HEITMEIER, MCPHERSON AND SCHEDLER AND REPRESENTATIVES ILES, CAZAYOUX, JANE SMITH, DUPRE, ANSARDI AND DURAND

AN ACT

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

On motion of Senator Campbell, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Michot asked that Senate Bill No. 629 be called from the Calendar at this time.

SENATE BILL NO. 629—

BY SENATORS MICHOT, FONTENOT, HOYT, SCHEDLER, SMITH, AND THOMAS, AND REPRESENTATIVES E. ALEXANDER, BRUCE, CLARKSON, CRANE, CROWE, DAMICO, DANIELS, DIEZ, ERDEY, FLAVIN, FRITH, FUTRELL, HEATON, JOHNS, KATZ, KENNARD, LANCASTER, LEBLANC, McDONALD, McMAINS, MORRELL, NEVERS, PERKINS, PIERRE, POWELL, SCHNEIDER, SCHWEGMANN, JANE SMITH, SNEED, STRAIN, WALSWORTH, WELCH, WINSTON, AND WOOTEN

AN ACT

To amend and reenact R.S. 9:2771, 2772(A)(introductory paragraph) and (B), 3144(A)(3), and 3146, relative to contractors; to provide relative to the liability of contractors for certain actions; to provide relative to peremptive periods for recovery of damages; to provide relative to a builder's warranty of a home and actions to enforce such warranties; 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.

Called from the Calendar

Senator Smith asked that Senate Bill No. 876 be called from the Calendar at this time.

SENATE BILL NO. 876—

BY SENATORS SMITH, HOYT AND THOMAS

AN ACT

To amend and reenact R.S. 3:3391.3(5) and (7), and 3391.5(B), relative to the Formosan termite initiative; to revise certain definitions; to provide for the commissioner of agriculture's powers and duties; to regulate certain infested materials; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 982 be called from the Calendar at this time.

SENATE BILL NO. 982—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:1749.23(A), (B) (introductory paragraph), (C), and (E) and to repeal R.S. 40:1749.23(D), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide for enforcement; to provide for rules to implement a procedure for reporting and investigating violations through a centralized complaint processing center; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 983 be called from the Calendar at this time.

SENATE BILL NO. 983—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:1749.17(B)(1) and 1749.24(A) and (D), and to enact R.S. 40:1749.20(C), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to require excavators to notify emergency personnel when they damage underground utilities; to provide for punishment of violations that do not occur in the presence of a law enforcement officer; to provide for disbursement of civil penalties; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and withdrawn from the files of the Senate.

Called from the Calendar

Senator Hines asked that Senate Bill No. 996 be called from the Calendar at this time.

SENATE BILL NO. 996—

BY SENATOR HINES

AN ACT

To enact R.S. 47:301(7)(i) and (10)(t), relative to local sales and use taxes; to exclude the sale, lease, or rental of tangible personal property by a person if such sale, lease, or rental is covered under the provisions of Medicare; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 804 from the Committee on Judiciary A.

HOUSE BILL NO. 804—

BY REPRESENTATIVE ANSARDI AND SENATOR ELLINGTON
AN ACT

To amend and reenact Civil Code Article 1826, relative to subrogation; to provide for the effects of subrogation; to provide for the right of preference for the balance of a partially paid debt; to prohibit the waiver of the right of preference in certain circumstances; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 457, was read by title and referred to the Legislative Bureau.

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 17, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and parish and municipal governments to remove dead animals from roads, highways, and rights-of-way in an expeditious manner.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATORS HINES, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to take the necessary steps to name the clinical sciences research building, located at the Louisiana State University Health Sciences Center at New Orleans, the Dr. Mervin L. Trail Clinical Sciences Research Building.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR LAMBERT (BY REQUEST)

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to use the powers at its disposal to encourage the United States Department of Energy to establish a national energy policy which will remove barriers to and provide incentives for the immediate exploration and production of natural gas.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to make available a subject index of pending legislation on their Internet web page.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to redesignate the Pointe au Chien Wildlife Management Area to the Pointe-aux-Chenes Wildlife Management Area.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request that the Louisiana Wildlife and Fisheries Commission authorize senior citizens to use two recreational hoop nets.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to establish a recreational hunting season and daily bag and possession limits for bobcats if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATORS MCPHERSON AND MALONE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to establish a recreational hunting season on nutria if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to increase federal aid to Louisiana farmers.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To create and provide for a joint legislative committee to study and make recommendations with respect to the prevention of childhood death and injury through accidental access to handguns stored in the home or personal vehicle.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to apply for a federal grant to study the feasibility of establishing and implementing an optional categorically needy Medicaid eligibility group for working individuals with disabilities, commonly referred to as the "Medicaid Buy-In Program".

Reported without amendments.

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

Message from the House

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

May 17, 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. 429—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO

AN ACT

To enact R.S. 49:191(12)(j) and to repeal R.S. 49:191(11)(i), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 437—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 22:1117(A), relative to prohibitions of insurers, agents, and brokers; to provide for distribution of profits; and to provide for related matters.

HOUSE BILL NO. 758—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 15:574.10, relative to conviction of a felony while on parole; to remove potential liability of the state for lost income due to improper revocation of parole; and to provide for related matters.

HOUSE BILL NO. 1447—

BY REPRESENTATIVES CROWE AND HOLDEN

AN ACT

To repeal R.S. 17:154.3(B), (C), and (D), relative to staff development days; to repeal the provisions requiring teachers to work three additional days for staff development; and to provide for related matters.

HOUSE BILL NO. 1459—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 14:102.5(C), relative to the crime of dogfighting; to increase the penalties for violations of that crime; and to provide for related matters.

HOUSE BILL NO. 1815—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 24:523, relative to notifications to the legislative auditor and district attorney; to require that agency heads notify the legislative auditor and district attorney of the misappropriation of public funds or assets; and to provide for related matters.

HOUSE BILL NO. 1883—

BY REPRESENTATIVE L. JACKSON

AN ACT

To enact R.S. 17:1855(C), relative to the Board of Supervisors of Southern University and Agricultural and Mechanical College; to authorize the board to impose certain program fee amounts; to provide limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1904—

BY REPRESENTATIVE DARTEZ

AN ACT

To enact R.S. 27:43(C), relative to riverboat gaming; to provide that the Intracoastal Waterway includes all of Bayou Boeuf situated within St. Mary Parish; and to provide for related matters.

HOUSE BILL NO. 2005—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact Code of Criminal Procedure Article 734, relative to subpoenas in criminal matters; to authorize investigators employed by the district attorney for the Nineteenth Judicial District for East Baton Rouge Parish to

serve subpoenas in criminal matters in which the district attorney is involved; 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. 429—
 BY REPRESENTATIVE LANCASTER AND SENATOR ULLO
 AN ACT

To enact R.S. 49:191(12)(j) and to repeal R.S. 49:191(11)(i), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; 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. 437—
 BY REPRESENTATIVE PINAC
 AN ACT

To amend and reenact R.S. 22:1117(A), relative to prohibitions of insurers, agents, and brokers; to provide for distribution of profits; and to provide for related matters.

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

HOUSE BILL NO. 758—
 BY REPRESENTATIVE DURAND
 AN ACT

To amend and reenact R.S. 15:574.10, relative to conviction of a felony while on parole; to remove potential liability of the state for lost income due to improper revocation of parole; 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. 1447—
 BY REPRESENTATIVES CROWE AND HOLDEN
 AN ACT

To repeal R.S. 17:154.3(B), (C), and (D), relative to staff development days; to repeal the provisions requiring teachers to work three additional days for staff development; 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. 1459—
 BY REPRESENTATIVE DONELON
 AN ACT

To amend and reenact R.S. 14:102.5(C), relative to the crime of dogfighting; to increase the penalties for violations of that crime; and to provide for related matters.

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

HOUSE BILL NO. 1815—
 BY REPRESENTATIVE TRICHE
 AN ACT

To enact R.S. 24:523, relative to notifications to the legislative auditor and district attorney; to require that agency heads notify the legislative auditor and district attorney of the misappropriation of public funds or assets; 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. 1883—
 BY REPRESENTATIVE L. JACKSON
 AN ACT

To enact R.S. 17:1855(C), relative to the Board of Supervisors of Southern University and Agricultural and Mechanical College; to authorize the board to impose certain program fee amounts; to provide limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1904—
 BY REPRESENTATIVE DARTEZ
 AN ACT

To enact R.S. 27:43(C), relative to riverboat gaming; to provide that the Intracoastal Waterway includes all of Bayou Boeuf situated within St. Mary Parish; and to provide for related matters.

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

HOUSE BILL NO. 2005—
 BY REPRESENTATIVE KENNARD
 AN ACT

To amend and reenact Code of Criminal Procedure Article 734, relative to subpoenas in criminal matters; to authorize investigators employed by the district attorney for the Nineteenth Judicial District for East Baton Rouge Parish to serve subpoenas in criminal matters in which the district attorney is involved; 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.

Messages from the House

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

May 17, 2001

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 17, 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. 160— BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To commend State Fire Marshal V. J. Bella upon being selected as the "Fire Official of the Year 2000" by the National Burglar and Fire Alarm Association.

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

House Concurrent Resolutions

Senator Gautreaux 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. 160— BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To commend State Fire Marshal V. J. Bella upon being selected as the "Fire Official of the Year 2000" by the National Burglar and Fire Alarm Association.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—31

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Dean, Dupre, Ellington, Hollis, Marionneaux, Smith, Tarver, Total—8

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

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

May 17, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 116— BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish a group to review the utilization by students of and eligibility requirements for the TOPS-Tech Award and to offer recommendations to the legislature for its redesign to ensure that the award is made available to those students who have meritoriously achieved in high school and who desire to pursue postsecondary education.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 118— BY SENATR DARDENNE

A CONCURRENT RESOLUTION

To establish a special committee to study the feasibility and advisability of providing incentives to nontraditional students who pursue career or technical training at Louisiana's community and technical colleges in employment areas that have been designated by the secretary of the Department of Labor as areas of "critical need" and to provide recommendations to the legislature.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 121— BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish a special committee to study the merits of and need for tenure as a benefit for public elementary and secondary classroom teachers and other public school employees and to

make any recommendations to the Senate and House committees on education.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To direct the governing authorities of public high schools to allow students who have completed the required minimum units of credit for graduation and all other graduation requirements as mandated by the State Board of Elementary and Secondary Education, but have failed to pass the high school graduation exit exam, to participate in all senior graduation activities and ceremonies occurring in the Spring of 2001, except actual receipt of a diploma.

Reported with amendments.

SENATE BILL NO. 162—
BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 9, 10, and 13(B) and (C) and to repeal Section 13(D) of the Constitution of Louisiana, relative to the existence of city, parish, and other local public schools systems; to recognize certain systems; to require the enactment of provisions of law for the establishment of additional systems; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 256—
BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR

AN ACT

To enact Subpart A-2 of Part II of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:74.1 through R.S. 17:74.8; to provide for the authorization to establish a school system; to provide definitions; to provide relative to the initiation and petitioning necessary to establish a school system; to provide for an election to address the question of whether a school system should be established; to provide for a temporary school board and the appointment of an interim school board; to provide for the election of a permanent school board; to establish the authority and requirements of each type of school board; to provide for and require judicial validation; to provide for the land, facilities, and funding of a newly established school system; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 367—
BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 29:36.1(D), relative to the postsecondary education tuition exemption program provided at state public colleges and universities for eligible members of the Louisiana National Guard; to provide for program definitions for certain purposes;

to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 794—
BY REPRESENTATIVE THOMPSON AND SENATOR C. JONES

AN ACT

To amend and reenact R.S. 17:3991(B)(1)(b)(ii), relative to charter school enrollment requirements; to provide relative to requirements for enrolling at-risk pupils in Types 2, 3, and 4 charter schools in certain parishes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—
BY REPRESENTATIVES WOOTON, CLARKSON, DOWNER, AND MCDONALD AND SENATORS HAINKEL AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3991(B)(1)(a), relative to charter school enrollment requirements; to exempt from such requirements certain charter schools established with the mission of meeting the needs of children of military personnel; to provide conditions and exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 818—
BY REPRESENTATIVE CRANE

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1282—
BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3983(A)(1)(introductory paragraph), (3)(a), (4)(c) and (d), and (B)(1), 3995(A)(2) and (4), (E), and (F), and 3996(B)(4) and to enact R.S. 17:3983(A)(4)(f), 3994, and 3996(G) and (H), all relative to charter schools; to provide relative to the chartering process, approval time lines, procedures for application and budget submission, funding adjustments and allocations, litigation costs, pupil counts, and exemptions; and to provide for related matters.

Reported with amendments.

May 17, 2001

HOUSE BILL NO. 1534—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e), relative to the Tuition Opportunity Program for Students high school core curriculum requirements specified for certain awards; to provide for the number of units that must be successfully completed by students for program eligibility; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2007—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 17:3351(A)(introductory paragraph) and to enact R.S. 17:3351(A)(5)(b)(vi), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to authorize the public postsecondary education management boards to establish and adjust tuition and mandatory attendance fee amounts applicable to students who are Louisiana residents; to provide limitations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 17, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 956—

BY SENATOR MICHOT

AN ACT

To enact Title 7 of the Louisiana Revised Statutes of Louisiana of 1950, consisting of R.S. 7:1 through 19, relative to electronic governmental transactions; to provide for definitions; to provide for the applicability of electronic records and electronic signatures in governmental transactions; 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 the creation, retention, acceptance, distribution, and interoperability of electronic records by governmental agencies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 201—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 33:3837, relative to certain revenues in a parishwide waterworks district in DeSoto Parish; to prohibit diversion of such revenues; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 399—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 33:3813(K), relative to Waterworks District No. 3 of the Parish of Rapides, State of Louisiana; to provide for the membership of the board of commissioners; to provide for implementation of the Act; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1136—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 41:1338(A) and to enact R.S. 41:1338(D), relative to the transfer of property by certain political subdivisions; to provide relative to the sale of certain property by reservoir districts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE STELLY

AN ACT

To enact Subpart B-4 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.71 through 130.73, relative to creation of the Ward One Economic Development Board of Calcasieu Parish to promote, encourage, and participate in economic development activities in the Ward One area of Calcasieu Parish; to provide for the composition, powers, and functions of the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1157—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i), relative to derelict structures; to authorize the governing authority of the parish of Bossier to compel or require property owners to repair or demolish such structures and to charge the property owners therefor; to provide for the collection of such charges and enforcement thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1220—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 33:4341.2 and R.S. 46:1064.2, relative to hospital service districts in Jefferson Parish; to provide relative to the sale or lease of any hospital owned by a hospital service district in Jefferson Parish; to provide relative to approval of any such sale or lease; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1279—

BY REPRESENTATIVE HEATON

AN ACT

To enact R.S. 33:2826, relative to the parish of Orleans and the city of New Orleans; to establish the Oak Street Economically Disadvantaged Enterprise Zone; to specify the boundaries of the zone; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1300—

BY REPRESENTATIVES SNEED, GREEN, AND LANCASTER

AN ACT

To amend and reenact R.S. 33:172.1, relative to municipal annexation procedures in Jefferson Parish; to provide relative to requirements for annexation; to provide relative to petitioning to annex territory in Jefferson Parish and requirements for petitions; to provide requirements relative to areas to be annexed; to provide relative to approval of annexation; to provide relative to suits to contest proposed extensions of corporate limits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1301—

BY REPRESENTATIVES BOWLER, ANSARDI, GREEN, AND LANCASTER AND SENATOR LENTINI

AN ACT

To amend and reenact Part XV of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:1420.11 through 1420.15, relative to special districts and subdistricts in Jefferson Parish; to provide relative to general authority for the establishment, creation, merger, consolidation, or abolition of special districts and subdistricts in Jefferson Parish; to provide relative to the powers and authorities of such special districts and subdistricts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1612—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.567, relative to municipalities in certain parishes; to authorize the governing bodies of two or more municipalities in a parish with a population in excess of twelve thousand but less than thirteen thousand according to the latest

federal decennial census to create by local services agreement and intergovernmental contract a special district for industrial, commercial, tourism, and economic development purposes; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE THOMPSON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1865—

BY REPRESENTATIVES TUCKER AND BROOME

AN ACT

To enact R.S. 33:9033.3(N), relative to financing of economic development projects in certain parishes; to authorize sales tax increment financing of economic development projects in parishes with a population between four hundred thousand and four hundred seventy-five thousand; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1880—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 33:4562.3, relative to recreation districts; to authorize the governing authority of Evangeline Parish to create the Evangeline-Ville Platte Recreation District; to provide for boundaries; to provide for the objects and purposes of the district; to provide for the powers and governance of the district; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

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

May 17, 2001

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

May 17, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate Louisiana Highway 96 within St. Martin Parish as a Blue Star Memorial Highway in honor of the citizens of St. Martin Parish who have served, are now serving, or will serve in the future in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

Reported favorably.

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.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVES ODINET AND RICHMOND
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study of the replacement project for the Inner Harbor Navigation Canal lock in Orleans Parish to determine projected problems and the most feasible type of bridges or tunnels to be built in connection with the project.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

To memorialize the United States Congress to urge the United States Army Corps of Engineers to replace the proposed St. Claude Avenue Bridge and the Claiborne Avenue Bridge in Orleans Parish with tunnels or fixed high-rise bridges in conjunction with a project to replace the Inner Harbor Navigation Canal lock.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 165—
BY REPRESENTATIVES DIEZ, CAZAYOUX, FRITH, HAMMETT, JOHNS,
AND PINAC AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 38:2212(E), relative to contracts for public works let by publicly owned utilities; to remove required bidding procedures applicable to work done for the contract limit or less; to authorize public entities to use certain maintenance employees for certain projects; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 295—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 34:3269(8), relative to the Cane River Waterway Commission; to authorize the commission to levy an annual tax not to exceed six mills for capital outlay and for maintenance and operation of the waterway; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 388—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:171(F), relative to railroad grade crossings; to provide with respect to penalties; to require persons who violate laws relating to railroad crossing signals and warning devices to attend an Operation Lifesaver Course; to require the Operation Lifesaver Program to design a safe driver's course; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 606—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:256.1(A) and (D) and to repeal R.S. 48:256 and 256.1(B) and (C), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to retained amounts for department contracts; to provide relative to retainage bonds; to provide for the dedication of certain funds; to provide relative to payment by the department of retained amounts to a contractor; to repeal provisions relative to escrow agreements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 610—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 32:125, relative to motor vehicles; to provide for the operation of vehicles when approaching a parked emergency vehicle; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 628—

BY REPRESENTATIVE HUDSON

AN ACT

To enact R.S. 32:216(C) and (D), relative to pedestrians on highways; to prohibit pedestrians from crossing interstate highways; to provide relative to penalties for certain violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 637—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 32:1524, relative to motor vehicles; to provide relative to for-hire motor carriers transporting railroad employees; to provide for definitions; to provide for driving time requirements; to require for-hire carrier companies to maintain certain records; to authorize state police to inspect certain records; to require the department to promulgate rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 674—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:1652(C)(20) and R.S. 34:1652.1 and to enact R.S. 34:1652(C)(21) and (22) and (D), relative to the Greater Lafourche Port Commission; to provide relative to the rights and powers of the commission; to authorize the commission to enter into certain agreements to make certain highway and bridge improvements; to authorize the commission to receive certain monetary assistance for certain highway and bridge improvements; to authorize the commission to utilize new and innovative funding mechanisms for certain highway and bridge improvements; to authorize the commission to exercise

certain powers relative to airports within the geographical jurisdiction of the commission; to provide relative to port and harbor police; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 786—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:532.1(A)(7)(c) and (C), relative to public license tag agents; to provide relative to the maximum amount of convenience fees authorized to be collected for certain transactions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 962—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:507, relative to the placement of motor vehicle license plates; to provide for the placement of permanent registration license plates; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE DIEZ

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1177—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 40:1843, relative to the Liquefied Petroleum Gas Commission; to increase per diem for members; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE SCHWEGMANN AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 38:336(B)(2)(b), relative to property of the Orleans Levee District along Lake Pontchartrain; to exempt a specified piece of property from dedication to use as green space; to provide for sale or lease of such property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1263—

BY REPRESENTATIVES CLARKSON AND TUCKER

AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along certain levees in Orleans Parish; and to provide for related matters.

May 17, 2001

Reported favorably.

HOUSE BILL NO. 1477—

BY REPRESENTATIVES PITRE AND DIEZ
AN ACT

To enact R.S. 36:509(D) and Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2061 through 2067, relative to the Louisiana Investment in Infrastructure for Economic Prosperity Commission; to provide for the placement of the commission within the Department of Transportation and Development; to create the Louisiana Investment in Infrastructure for Economic Prosperity Commission; to provide relative to the commission's purpose and declaration of findings; to provide for the membership, qualifications, selection, terms, vacancies, and compensation of the commission; to provide relative to the commission's officers, meetings, and voting; to provide relative to the rights and powers of the commission; to provide relative to criteria for the ranking and prioritization of certain projects; to authorize the promulgation of rules and regulations; to provide relative to funding provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1512—

BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, GREEN,
HUTTER, ODINET, TOOMY, TUCKER, AND WOOTON
AN ACT

To authorize certain vehicles occupied by one or more persons to use the designated "HOV2" or "High Occupancy Vehicle 2" lanes on the Crescent City Connection for a limited time; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1551—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:853(A)(1)(a), 871(A) and (D), 872(A), (C)(2) and (3), and (D), 874(B), 875, 876, 877, and 879 and to repeal R.S. 32:874(D), relative to motor vehicle accidents; to provide relative to abstracts of operating records; to authorize the submission of certain written reports under certain circumstances; to provide relative to certain damages; to provide relative to liability security; to provide relative to reinstatement of driver's license under certain circumstances; to repeal provisions relative to transmission of certain information for nonresidents; to provide relative to registration of certain motor vehicles following an accident; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1609—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 47:463.4(A)(7), (B), (E)(3), (G)(5), and (J) and to repeal R.S. 47:463.4(H), relative to mobility-impaired license plates, hang tags, and identification cards; to provide relative to eligibility and renewal; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1836—

BY REPRESENTATIVES QUEZAIRE AND KATZ
AN ACT

To amend and reenact R.S. 48:271, relative to signs; to authorize the Department of Transportation and Development to erect historical markers; to provide relative to certain other directional signs; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

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

May 17, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 50—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 23:1143(B)(1) relative to maximum attorney fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 719—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 23:1201(F), relative to workers' compensation; to provide with respect to benefits; to provide for penalties and attorney fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 596—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to workers' compensation; to allow motions for new trial in workers' compensation hearings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 597—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 23:1201.2, relative to workers' compensation; to provide penalties for the wrongful discontinuance of workers' compensation payments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 951—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:161(10)(b), relative to employment of minors; to correct an erroneous reference to federal law, the Fair Labor Standards Act; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 954—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:111(E) and to enact R.S. 23:111(F), relative to private employment services; to limit the amount of fees private employment services can collect from an applicant's gross wages in any given pay period; to prohibit contracts which exceed the collection limit provided; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 956—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:1535(A), relative to employment security; provides for the variation from the standard rates of contributions paid by employers in the unemployment system; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 957—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 23:1554, relative to quarterly wage and contribution reports; to require employers to round to the next nearest dollar individual employee wages on wage reports and total wages for all employees on contribution reports provided to the Department of Labor on a quarterly basis; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

**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 17, 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. 19 (Duplicate of House Bill No. 167)—

BY SENATOR THEUNISSEN AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 2:902(C), relative to the General Aviation and Reliever Airport Maintenance Grant Program; to provide for grants from the program; to increase the maximum annual grant amount an airport can receive under certain conditions; and to provide for related matters.

SENATE BILL NO. 419 (Duplicate of House Bill No. 416)—

BY SENATOR SCHEDLER AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3077(C)(2), relative to instructors of electrology; to change the number of hours of study and practice needed for licensure as an instructor of electrology; to change the categories of hours needed; to authorize the State Board of Electrolysis Examiners to provide for granting credit for completion of college-level courses; and to provide for related matters.

SENATE BILL NO. 497—

BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER

AN ACT

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

SENATE BILL NO. 698—

BY SENATORS CRAVINS AND MCPHERSON

AN ACT

To amend and reenact R.S. 4:707(D)(1)(a), (2), (3), and (4) and 717 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 non-commercial lessor; to provide for commercial and non-commercial lessors and exempt organizations; and to provide for related matters.

May 17, 2001

SENATE BILL NO. 713—

BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER
AN ACT

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

SENATE BILL NO. 760—

BY SENATOR MICHOT
AN ACT

To authorize and provide for the state, through the division of administration, to transfer certain tracts of land situated in Lafayette Parish to Our Lady of Lourdes Regional Medical Center; to provide for preparation of documents; to provide certain terms and conditions; to provide for effective date; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 17, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 12—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 18:444(G), relative to the composition and election of members of parish executive committees of recognized political parties; to provide for the election of certain members from the districts or wards from which members of the parish governing authority are elected; and to provide for related matters.

HOUSE BILL NO. 23—

BY REPRESENTATIVES BRUNEAU AND HEATON
AN ACT

To amend and reenact R.S. 18:451, relative to the qualifications of candidates; to provide with regard to residency and domicile requirements for candidates; and to provide for related matters.

HOUSE BILL NO. 829—

BY REPRESENTATIVES JOHNS AND KENNARD AND SENATOR BEAN
AN ACT

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

state insurance pool established to comply with the federal Health Insurance Portability and Accountability Act; and to provide for related matters.

HOUSE BILL NO. 885—

BY REPRESENTATIVES LEBLANC AND WALSWORTH AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 24:38(A)(1), relative to the Legislative Budgetary Control Council; to provide for the membership on the council; and to provide for related matters.

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.

HOUSE BILL NO. 932 (Duplicate of Senate Bill No. 382)—

BY REPRESENTATIVES JOHNS AND SENATOR ELLINGTON AND COAUTHORED BY REPRESENTATIVE ANSARDI
AN ACT

To enact Chapter 3-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:141 through 146, relative to overhead electric utility lines; to provide for restrictions and prohibited activities; to provide for temporary security of lines; to provide for liability for damages; to provide for certain exemptions; and to provide for related matters.

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.

HOUSE BILL NO. 1095—

BY REPRESENTATIVE CLARKSON
AN ACT

To enact R.S. 37:1469, relative to real estate; to require contracts of sale or lease to contain certain notices; to provide for prospective application; and to provide for related matters.

HOUSE BILL NO. 1129 (Duplicate of Senate Bill No. 629)—

BY REPRESENTATIVE PINAC AND SENATOR MICHOT AND COAUTHORED BY REPRESENTATIVES E. ALEXANDER, BRUCE, CLARKSON, CRANE, CROWE, DAMICO, DANIEL, DIEZ, ERDEY, FLAVIN, FRITH, FUTRELL, HEATON, JOHNS, KATZ, KENNARD, LANCASTER, LEBLANC, MCDONALD, MCMAINS, MORRELL, NEVERS, PERKINS, PIERRE, POWELL, SCHNEIDER, SCHWEGMANN, JANE SMITH, SNEED, STRAIN, WALSWORTH, WELCH, WOOTON, AND WINSTON AND SENATORS FONTENOT, HOYT, SCHEDLER, SMITH, AND THOMAS
AN ACT

To amend and reenact R.S. 9:2771, 2772(A)(introductory paragraph) and (B), 3144(A)(3), and 3146, relative to contractors; to provide relative to the liability of contractors for certain actions; to provide relative to preemptive periods for recovery of

damages; to provide relative to a builder's warranty of a home and actions to enforce such warranties; and to provide for related matters.

HOUSE BILL NO. 1252—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:175(B)(7), relative to life insurance; to provide for group life insurance; to provide for spouses and children; and to provide for related matters.

HOUSE BILL NO. 1284—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:1947(A)(9) and to enact R.S. 17:1943(12), relative to special education and related services for children with exceptionalities; to provide relative to responsibilities of local educational agencies in the provision of special education and related services to such children; to provide for definitions relative to residency of such children; and to provide for related matters.

HOUSE BILL NO. 1315—

BY REPRESENTATIVE DAMICO

AN ACT

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

HOUSE BILL NO. 1324—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1070, relative to insurer's annual report; to provide for signatures; and to provide for related matters.

HOUSE BILL NO. 1328—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:8(A) and R.S. 36:681(C)(1) and 688, relative to the office of insurance rating; to provide for the name of the office; and to provide for related matters.

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.

HOUSE BILL NO. 1430 (Duplicate of Senate Bill No. 8)—

BY REPRESENTATIVE PIERRE AND SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to lifetime hunting licenses; to add the WMA hunting permit to the privileges included under lifetime licenses; and to provide for related matters.

HOUSE BILL NO. 1509—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:15, relative to the Department of Insurance; to change the CAIRE Council; to create the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for ad hoc committees; to provide for duties and responsibilities; to provide for transacting business; to provide for appointees and employees; to provide for compensation; and to provide for related matters.

HOUSE BILL NO. 65—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:303(D), 303.4, and 306.4(A)(2), relative to commercial fishing licenses; to provide for the locations for the sale of commercial fishing licenses; to eliminate the requirement for a "Commercial Fisherman's Sale Card"; and to provide for related matters.

HOUSE BILL NO. 150—

BY REPRESENTATIVES R. ALEXANDER AND GALLOT

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.

HOUSE BILL NO. 170—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 32:429(A), relative to office of motor vehicles field offices; to provide relative to the authorized fee for certain transactions at such field offices; to increase the authorized fee collected by the governing authority of a local governmental subdivision for support of local office of motor vehicles field offices; and to provide for related matters.

HOUSE BILL NO. 216—

BY REPRESENTATIVE PITRE

AN ACT

To designate Louisiana Highway 3162 from Highway 1 to Highway 3235 as "Tarpon Pass"; to designate Louisiana Highway 3161 from Highway 1 to Highway 3235 as "Cote Blanche Connection"; to designate Louisiana Highway 657 from Highway 1 to Highway 3235 as "Larose Link"; to provide for signs; and to provide for related matters.

HOUSE BILL NO. 333—

BY REPRESENTATIVES POWELL, ERDEY, AND MCMAINS

AN ACT

To designate Louisiana Highway 43 in Livingston Parish from its intersection with Louisiana Highway 42, north through the village of Albany, Louisiana, to its intersection with U.S. Highway 190 as Veterans Highway; and to provide for related matters.

HOUSE BILL NO. 445—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 36:610(B)(8) and R.S. 56:331, relative to crab fishing; to create the Crab Task Force; to provide for its membership and responsibilities; and to provide for related matters.

HOUSE BILL NO. 475—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH AND
SENATOR CAMPBELL
AN ACT

To amend and reenact R.S. 33:4574.1-A(H)(2) and R.S. 47:302.3, relative to the avails of certain taxes on hotel occupancy; to expand the uses of such monies; and to provide for related matters.

HOUSE BILL NO. 480—

BY REPRESENTATIVE ODINET AND SENATOR DEAN
AN ACT

To enact R.S. 36:610(B)(8) and R.S. 56:333.2, relative to mullet fishing; to create the Mullet Task Force; to provide for its membership and responsibilities; and to provide for related matters.

HOUSE BILL NO. 566—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 17:87.6, relative to school board property; to require local school boards to maintain, repair, and care for unused school property until disposal of such property; to provide relative to compliance with certain state and local regulations; and to provide for related matters.

HOUSE BILL NO. 572—

BY REPRESENTATIVE MCCALLUM
AN ACT

To authorize and provide for the transfer of certain state property in Union Parish to the Union Parish Police Jury from the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 603—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 32:387.15, relative to interstate highways; to provide for a special permit for movement of certain boats on interstates; and to provide for related matters.

HOUSE BILL NO. 619—

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 parish council of St. John the Baptist Parish from the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 651—

BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S. 17:427.1, and 427.2 relative to the Critical Teacher Shortage Incentive Program; to provide for the creation and purpose of such program; to provide for program definitions,

contracts, administration, implementation, reporting, and funding; to provide relative to legislative findings and intent; and to provide for related matters.

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, PRATT, 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.

HOUSE BILL NO. 735—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact the title of Chapter 5-E of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.21, 380.22(A), 380.23(B)(5) and (C)(1), 380.24, 380.25(A), (B), (C)(1), (2)(b)(iii), and (3), and 380.26, and R.S. 36:744(N) and 801.9(A) and (C), relative to the Caddo Pine Island Oil and Historical Museum; to rename the museum; and to provide for related matters.

HOUSE BILL NO. 993—

BY REPRESENTATIVES HAMMETT AND DANIEL
AN ACT

To amend and reenact R.S. 39:128(B)(1), relative to capital outlay budget execution; to exempt from inclusion in the capital outlay budget certain projects for certain higher education institutions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1032—

BY REPRESENTATIVE LEBLANC
AN ACT

To repeal R.S. 38:2216(A)(2) and 2218(B), relative to the Public Bid Law; to delete the countersignature requirements on bonds for the construction or doing of any public works by resident agents; to delete the bid bond countersignature requirement from certain public contract bids.

HOUSE BILL NO. 1050—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 47:520.1, relative to temporary motor vehicle registration license plates; to provide for the proper display and maintenance of temporary registration license plates; and to provide for related matters.

HOUSE BILL NO. 1091—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 17:3141.2(1)(n), relative to proprietary schools; to exclude certain test preparation schools and business enterprises from the definition of a proprietary school; and to provide for related matters.

HOUSE BILL NO. 1204—

BY REPRESENTATIVE DURAND

AN ACT

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

HOUSE BILL NO. 1352—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 17:3351.4, relative to deferred compensation; to provide that postsecondary education management boards and their employees may establish deferred salary agreement programs; to provide for the investment of monies on behalf of the employees; to provide for creation of certain trusts; to authorize the implementation of pension and insurance plans; and to provide for related matters.

HOUSE BILL NO. 1407—

BY REPRESENTATIVE ODINET AND SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:333(F) and to repeal R.S. 56:333(I), relative to mullet fishery regulation; to provide relative to penalties imposed on violators of fishery laws and regulations; and to provide for related matters.

HOUSE BILL NO. 1416—

BY REPRESENTATIVE ODINET AND SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to trawling vessels in Breton and Chandeleur Sounds; to provide for description of the boundaries of Breton and Chandeleur Sounds; and to provide for related matters.

HOUSE BILL NO. 1417—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 56:8(101) and 320(C) and to enact R.S. 56:8(9.1) and (61.1), relative to fishing; to provide for definitions; to prohibit taking fish by certain methods; to prohibit possession of illegally taken fish; and to provide for related matters.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 56:325.2(A) and 326(E)(1)(a) and (2), relative to size and possession limits for finfish; to provide for size and possession requirements for shark and tuna; to provide for violations and penalties; and to provide for related matters.

HOUSE BILL NO. 1423—

BY REPRESENTATIVE ODINET AND SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:424(E)(1), relative to taking of oysters; to prohibit the harvesting, possession, sale, barter, or exchange of, or the attempt to sell, barter, trade, or exchange oysters taken from closed or unapproved waters; to provide that all oysters found on board a vessel harvesting in closed or unapproved waters shall be deemed to have been taken from closed or unapproved waters; to provide relative to penalties; and to provide for related matters.

HOUSE BILL NO. 1424—

BY REPRESENTATIVE ODINET AND SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:406(A)(3)(a), relative to use of nets in Breton Sound and near the Chandeleur Islands; to delete the exclusion of islands from the identification of land near which nets may not be used; and to provide for related matters.

HOUSE BILL NO. 1460—

BY REPRESENTATIVES L. JACKSON, GLOVER, AND FRITH AND SENATOR JOHNSON

AN ACT

To enact Subpart F of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2881.1 through 2881.4, relative to property adjudicated more than five years previously to a parish or municipality; to provide a means by which a political subdivision may acquire such adjudicated property; to provide for notice to registered owners and other interested parties; to authorize political subdivisions to sell or donate such properties; to provide for definitions; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1461—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 25:349(A) and (B)(1), relative to commercial leases in New Orleans by the board of directors of the Louisiana State Museum; to authorize such board of directors to lease commercial space within property in the French Quarter for which it has custody or title; and to provide for related matters.

HOUSE BILL NO. 1676—

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 56:326(A)(12)(a) and (c), relative to size and possession limits; to provide for stone crab size limits; to provide for holding live stone crabs while on board a vessel; and to provide for related matters.

HOUSE BILL NO. 1678—

BY REPRESENTATIVES HUNTER, WALSWORTH, AND KATZ AND SENATOR B. JONES

AN ACT

To enact R.S. 33:2737.76, relative to authority for the Monroe City School Board to levy and collect an additional sales and use tax, including but not limited to the amount authorized, entities through which the sales and use tax is levied and collected, submission of questions of the imposition of the tax to the electors and the voting requirements for approval, and the time and manner for collection; and to provide for related matters.

HOUSE BILL NO. 1692—

BY REPRESENTATIVES TRICHE, FAUCHEUX, AND HEATON AND SENATOR ULLO

AN ACT

To enact R.S. 49:170.6, relative to state symbols; to designate the spotted sea trout (*Cynoscion nebulosus*) as the official state saltwater fish; and to provide for related matters.

May 17, 2001

HOUSE BILL NO. 1697—

BY REPRESENTATIVES ERDEY

AN ACT

To amend and reenact R.S. 22:1072(A), relative to insurers; to provide with respect to penalties payable to the commissioner of insurance for delinquent filing of annual premium reports or delinquent payment of license taxes by insurers; and to provide for related matters.

HOUSE BILL NO. 1745—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 22:1922(A)(1)(o), (p), and (q), relative to the Advisory Committee on Equal Opportunity in the Department of Insurance; to provide for nominees; to provide for appointment; and to provide for related matters.

HOUSE BILL NO. 1754—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1404(3)(c) and (d)(i) and (iii) and to repeal R.S. 22:1404(3)(d) as enacted by Acts 1984, No. 872, relative to automobile insurance rates; to provide for defensive driving; to provide for rate reduction; and to provide for related matters.

HOUSE BILL NO. 2043 (Substitute Bill for House Bill No. 1280 by Representative Donelon)—

BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 22:1138.1, relative to insurance licenses; to provide for specialty limited lines credit insurance producer licenses; to provide for commissions; to provide for applications; to provide for fees; to provide for employees and representatives; to provide for penalties; to provide for rules; and to provide for related matters.

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.

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.

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.

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.

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.

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.

HOUSE BILL NO. 187—

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:127(A)(3) and to enact R.S. 3:125(9), relative to agricultural cooperative associations; to provide for the perpetual existence of cooperative marketing associations; and to provide for related matters.

HOUSE BILL NO. 192—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:421.6(C), relative to salary adjustments for certain public school teachers holding certificates issued by the National Board for Professional Teaching Standards; to provide conditions for receiving the adjustment; and to provide for related matters.

HOUSE BILL NO. 221—

BY REPRESENTATIVES CRANE AND JANE SMITH AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:7(6)(b)(i), relative to teacher certification requirements; to extend the length of time for which certain out-of-state teachers are granted nonrenewable provisional teaching certificates; to exempt eligible out-of-state teachers from certain teacher certification requirements; and to provide for related matters.

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.

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.

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.

HOUSE BILL NO. 677—

BY REPRESENTATIVE GARY SMITH

AN ACT

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

HOUSE BILL NO. 679—

BY REPRESENTATIVES MCMAINS, WALSWORTH, AND CLARKSON AND SENATOR DARDENNE

AN ACT

To amend and reenact all of Chapter 9 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 6 and consisting of R.S. 10:9-101 through 9-605, to be comprised of Parts 1 through 7 and consisting of R.S. 10:9-101 through 9-710, to amend and reenact R.S. 3:207 and 3652(14), R.S. 6:312(E) and 664(E), R.S. 9:3306(26), 3342(B), 4865(A)(2), 4870(B)(3), 4888(B)(4), 5001(A), 5551(A) and (C), R.S. 10:1-105(2)(e), 1-201(9),(32), and (37), R.S. 10:4-210(c)(1), R.S. 10:7-503(1), R.S. 10:8-103(f), 8-106(d) and (f), 8-110(e), 8-301(a), 8-302(a), and 8-510, R.S. 12:702(A) and (B), R.S. 23:1546(A), R.S. 32:708(B)(2)(b), 710, and 728(9), R.S. 37:218(A), R.S. 39:1421(2), R.S. 40:2601(1), R.S. 46:236.16(A), and Code of Civil Procedure Articles 2721(C) and 2725(B); to enact R.S. 10:5-118 and R.S. 39:1430.1; to repeal R.S. 9:2737, 3101 through 3112, 4321 through 4391, 4421, and 5351 through 5373, R.S. 12:704, and R.S. 32:704(B), all relative to secured transactions under Louisiana Commercial Laws; to revise the entirety of Chapter 9 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for applicability; to provide for effectiveness of security agreements and attachment of security interests; to provide for perfection and priority of security interests; to provide for rights of a bank and of third parties; to provide for duties and operation of filing offices; to provide for uniform form of financing statements and amendments; to provide for fees; to provide for maintenance and destruction of records; to provide for default and enforcement of security interests; to provide for contents and form of notification before

disposition of collateral; to provide relative to remedies for noncompliance; to provide for additional default remedies; to provide for transitional provisions; to provide for territorial application of Title 10; to define buyer in the ordinary course of business, purchase, and security interest; to provide relative to the security interest of collecting bank; to provide for the security interest of issuer or nominated person; to provide for document of title to goods defeated in certain cases; to provide for the effects of a commodity contract; to provide for determination of control of a security entitlement; to provide for determination of a securities intermediary's jurisdiction and when possession occurs; to provide for rights of purchaser in certain cases; to provide for conforming amendments; to repeal provisions relative to the schedule of fees; to repeal provisions relative to the assignment of accounts receivable; to repeal provisions relative to certain incorporeal rights and securitized financings; to repeal provisions relative to crop pledges; to repeal provisions relative to the pledge or assignment of secured instruments; to repeal provisions relative to chattel mortgages; to repeal provisions relative to the mortgage of movables used in commercial or industrial activity; to repeal provisions relative to certain mortgages executed by corporations operating natural gas pipelines; to repeal provisions relative to the sale and chattel mortgaging of vehicles; and to provide for related matters.

HOUSE BILL NO. 992—

BY REPRESENTATIVES HAMMETT, ALARIO, DARTEZ, DURAND, FARRAR, FAUCHEUX, HEATON, HUNTER, L. JACKSON, M. JACKSON, LANDRIEU, MONTGOMERY, AND ODINET

AN ACT

To enact the Louisiana Tax Delinquency Amnesty Act; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in this Act; to provide for terms and conditions of the program; to provide for an effective date; and to provide for related matters.

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.

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.

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.

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.

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.

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.

HOUSE BILL NO. 1611 (Duplicate of Senate Bill No. 983)—

BY REPRESENTATIVE FAUCHEUX AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 40:1749.17(B)(1) and 1749.24(A) and (D) and to enact R.S. 40:1749.20(C), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to require excavators to notify emergency personnel when they damage underground utilities; to provide for punishment of violations that do not occur in the presence of a law enforcement officer; to provide for disbursement of civil penalties; and to provide for related matters.

HOUSE BILL NO. 1659 (Duplicate of Senate Bill No. 982)—

BY REPRESENTATIVE FAUCHEUX AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 40:1749.23, relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide for enforcement; to provide for rules to implement a procedure for reporting and investigating violations through a centralized complaint processing center; and to provide for related matters.

HOUSE BILL NO. 1711 (Duplicate of Senate Bill No. 876)—

BY REPRESENTATIVE THOMPSON AND SENATOR SMITH AND COAUTHORED BY SENATORS HOYT AND THOMAS
AN ACT

To amend and reenact R.S. 3:3391.3(5) and (7) and 3391.5(B), relative to the Formosan Termite Initiative; to provide for definitions; to provide for powers and duties of the commissioner; and to provide for related matters.

HOUSE BILL NO. 79—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 56:409, relative to recreational fishing; to provide for take, size, and possession limits on the Toledo Bend Reservoir and the Sabine River; and to provide for related matters.

HOUSE BILL NO. 85—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 56:302.3(B)(2) and (D) and 320(A)(1), relative to recreational fishing gear; to authorize the use of hoop nets; and to provide for related matters.

HOUSE BILL NO. 126—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:274.3(A)(3), (C), and (D), relative to interstate highways; to provide relative to the placement of major shopping area guide signs; to provide for certain definitions; and to provide for related matters.

HOUSE BILL NO. 135—

BY REPRESENTATIVES RICHMOND AND SWILLING
AN ACT

To designate Chef Menteur Highway in Orleans Parish as Chef Menteur Boulevard; and to provide for related matters.

HOUSE BILL NO. 164—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 32:393.2, relative to traffic violations and motor vehicle accidents; to provide relative to reports of traffic violations and motor vehicle accidents involving certain persons with federal diplomatic privileges; to require law enforcement officers to report certain violations and accidents to the Department of Public Safety and Corrections; to require the Department of Public Safety and Corrections to report such information to the United States Department of State; to provide for certain deadlines; and to provide for related matters.

HOUSE BILL NO. 175 (Duplicate of Senate Bill No. 23)—

BY REPRESENTATIVE ILES AND SENATOR CAMPBELL AND COAUTHORED BY REPRESENTATIVES E. ALEXANDER, ANSARDI, BAUDOIN, BROOME, CAZAYOUX, DURAND, FRITH, KENNEY, LAFLEUR, MORRELL, SCHNEIDER, GARY SMITH, JANE SMITH, THOMPSON AND SENATORS DUPRE, W. FIELDS, HEITMEIER, FONTENOT, HOLLIS, IRONS, C. JONES, MCPHERSON, AND MOUNT
AN ACT

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

HOUSE BILL NO. 217—

BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(d), relative to the Department of Culture, Recreation and Tourism, including provisions to provide for the re-creation of the Department of Culture, Recreation and Tourism and the

statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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.

HOUSE BILL NO. 239—
BY REPRESENTATIVES WADDELL AND BRUNEAU

AN ACT

To amend and reenact R.S. 18:461(A), 463(D), 470(A)(1), 492, and 1472(B) and (D) and to enact R.S. 18:463(A)(1)(c) and (4), relative to the manner of filing a notice of candidacy; to authorize a candidate to file in person, by certified mail or commercial carrier, or by an agent; to prohibit an agent from filing on behalf of a candidate without the candidate's authorization; to provide penalties; to provide for the dissemination of informational packets and certified copies of notices of candidacy to candidates who do not qualify in person; and to provide for related matters.

HOUSE BILL NO. 246—
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 32:424, relative to issuance of drivers' licenses; to provide relative to examinations of suspected incompetents; to prohibit the disclosure of certain information; to provide for certain exceptions; to provide liability for damages for certain violations; to authorize the release of the identity of the individual making the report under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 256—
BY REPRESENTATIVES DOWNER, BRUNEAU, CLARKSON, DONELON, FUTRELL, ILES, MONTGOMERY, GARY SMITH, JANE SMITH, AND JOHN SMITH AND SENATORS HAINKEL, W. FIELDS, THEUNISSEN, AND SCHEDLER

AN ACT

To amend and reenact R.S. 32:404(C), (D), and (E), relative to drivers' licenses; to provide relative to the authority of certain resident military personnel to drive in Louisiana without possession of a Louisiana driver's license; and to provide for related matters.

HOUSE BILL NO. 301—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(f), relative to the Department of Transportation and Development; to provide for the re-creation of the Department of Transportation and Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 329—
BY REPRESENTATIVES ODINET AND SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:333(C) and to enact R.S. 56:322(F), relative to fishing; to provide for the classification of a portion of the Intracoastal Waterway as both fresh and salt water; to provide for commercial fishing of mullet in portions of the Intracoastal Waterway and Lake Pontchartrain; and to provide for related matters.

HOUSE BILL NO. 347—
BY REPRESENTATIVES MCDONALD, MCMAINS, ANSARDI, BRUCE, CRANE, DONELON, HILL, JOHNS, KENNEY, MARTINY, MCVEA, RIDDLE, SCHWEGMANN, SNEED, STRAIN, AND WOOTON

AN ACT

To enact R.S. 49:170.6, relative to the adoption of state symbols; to provide for the official tartan of the state of Louisiana; and to provide for related matters.

HOUSE BILL NO. 402—
BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:149 and 150, relative to architectural license fees; to provide for fees for initial licensure and registration; to provide for license renewal fees; to provide for delinquent license renewal fees; and to provide for related matters.

HOUSE BILL NO. 425—
BY REPRESENTATIVES FUTRELL AND CLARKSON

AN ACT

To enact R.S. 48:443(C)(4), relative to expropriation of property; to provide for the availability of certain information; to require the Department of Transportation and Development to provide copies of estimates used in expropriating property; and to provide for related matters.

HOUSE BILL NO. 484—
BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 44:19, relative to photographs, video, or other visual images, in whatever form, of or relating to an autopsy conducted under the authority of the office of the coroner; to provide that such images are confidential; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 727—
BY REPRESENTATIVE FLAVIN AND SENATOR MOUNT

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.

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.

HOUSE BILL NO. 830—

BY REPRESENTATIVES JOHNS, MORRISH, SCHNEIDER, AND WALSORTH AND SENATOR BEAN
AN ACT

To amend and reenact R.S. 22:250.11, relative to individual health insurance coverage; to provide relative to limitations on the use of preexisting medical conditions, including allowing exclusions for specific preexisting medical conditions for specified periods longer than twelve months under certain circumstances; to provide relative to adding a newborn child to individual health insurance coverage; to provide relative to coordination of benefits; and to provide for related matters.

HOUSE BILL NO. 856—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 17:81(N), relative to school boards; to require city, parish, or other local public school boards to adopt policies for disclosing education records to state and local law enforcement officials and other officials within the juvenile justice system; to provide guidelines and limitations; and to provide for related matters.

HOUSE BILL NO. 961—

BY REPRESENTATIVE DIEZ
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Tammany Parish to the Department of Transportation and Development from the division of administration; and to provide for related matters.

HOUSE BILL NO. 1557—

BY REPRESENTATIVE BOWLER
AN ACT

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

HOUSE BILL NO. 1630—

BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:2024(B)(3)(b), relative to fees collected for health maintenance organizations; to increase fees for unauthorized late filings; and to provide for related matters.

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

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 17, 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. 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. 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. 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. 151—

BY REPRESENTATIVE NEVERS

A CONCURRENT RESOLUTION

To honor the foster parents and foster workers of the year 2001 in each region and to express the appreciation of the legislature for their valuable contribution to strengthen family life in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVES MCCALLUM AND GALLOT AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of John T. "Jack" Baldwin of Bernice.

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:

Tarver 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, May 21, 2001, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 21, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk