

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

SEVENTH DAY'S PROCEEDINGS

Thirty-First Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 4, 2002

The Senate was called to order at 3:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Holden
Total—2

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

April 4, 2002

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. 17—

BY REPRESENTATIVES SCALISE, BEARD, BROOME, CURTIS, FAUCHEUX, GALLOT, GUILLORY, PIERRE, RICHMOND, SCHWEGMANN, AND SWILLING AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 47:1123(4) and (5) and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 61—

BY REPRESENTATIVES JOHNS AND HEBERT
AN ACT

To amend and reenact R.S. 32:900(L)(2), relative to automobile liability policies; to provide for driver exclusions; to provide for agreements; to provide relative to application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 103—

BY SENATOR DARDENNE AND REPRESENTATIVES LEBLANC, DEWITT AND HAMMETT
AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for deposit into and use of monies in the fund; 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. 29—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request all state departments to comply with the state's existing policies, allowing state employees to continue their educational leave under certain conditions.

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

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATORS HINES AND MARIONNEAUX AND REPRESENTATIVES CARTER, CAZAYOUX, AND RIDDLE

A CONCURRENT RESOLUTION

To authorize the study of certain proposals to be submitted by the governing authorities of Avoyelles and Pointe Coupee parishes to the governing body of the Atchafalaya Basin Program for possible inclusion in the state master plan for the Atchafalaya Basin.

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

April 4, 2002

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	Holden	Tarver
Total—3		

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

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATORS MCPHERSON AND ELLINGTON

A CONCURRENT RESOLUTION

To memorialize Congress to authorize and direct the U.S. Army Corps of Engineers to perform certain work on the Larto Lake Diversion Canal in Catahoula Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Holden	Tarver
Total—2	

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

**Senate Resolutions
on Second Reading to be Referred**

The following Senate Resolutions were read and referred to committees as follows:

SENATE RESOLUTION NO. 18—
BY SENATOR BARHAM

A RESOLUTION

To urge and request that all health-care providers receiving public tax funds, including but not limited to G.B. Cooley Services in Ouachita Parish, to end the practice of escorting or transporting clients or patients to casinos or other gaming establishments when the sole purpose of the trip is to gamble.

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

SENATE RESOLUTION NO. 19—
BY SENATOR IRONS

A RESOLUTION

To urge and request the appropriate officials from the Orleans Parish School Board to report to the Senate Committee on Education on the steps that have been taken to make early childhood education pursuant to R.S. 17:24.10 available to the maximum number of children in the parish and on the means by which parents of four-year old children have been notified of the benefits and availability of the program.

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

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**

April 4, 2002

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. 1—
BY REPRESENTATIVE BRUCE AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 39:551.7(B), relative to the DeSoto Parish Industrial District; to increase the membership of the board of commissioners; to authorize the board to appoint its own treasurer; and to provide for related matters.

HOUSE BILL NO. 5—
BY REPRESENTATIVES DOWNER, FAUCHEUX, PRATT, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT
AN ACT

To amend and reenact R.S. 29:38(A) and 403(9) and to enact R.S. 29:403(3.1) and (3.2), relative to military affairs; to provide for reemployment rights of persons called to duty in the national guard of this state and of any other state; to define certain terms under the Military Service Relief Act; and to provide for related matters.

HOUSE BILL NO. 30—

BY REPRESENTATIVES SCALISE, BRUNEAU, CAPELLA, CLARKSON, CRANE, DANIEL, DURAND, FAUCHEUX, JOHNS, AND TUCKER AND SENATOR MICHOT

AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 40—

BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS

AN ACT

To enact R.S. 33:9091.1, relative to crime prevention and security in the Lake Vista area of Orleans Parish; to create the Lake Vista Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of the city of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds of the district; and to provide for related matters.

HOUSE BILL NO. 68—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 36:4(Y) and R.S. 47:463.60, relative to motor vehicles; to provide for the creation of the "Animal Friendly" prestige license plate; to provide for the charge of the plate; to provide relative to the minimum number of applicants for such plate; to create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the adoption of policies and procedures; and to provide for related matters.

HOUSE BILL NO. 75—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; and to provide for related matters.

HOUSE BILL NO. 85—

BY REPRESENTATIVES MARTINY, DEWITT, CLARKSON, FRUGE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 13:5101(B), R.S. 15:1172(B) and (C), 1177(A)(introductory paragraph) and (1) and (C), 1179, 1184(A)(2) and (D), 1186(A) and (B), to enact R.S. 15:1172(D) and (E), 1177(A)(10), and 1184(F) and (G), and to repeal R.S. 49:964(G)(7), relative to civil claims of prisoners; to provide with respect to the initiation and limitation of administrative remedies; to provide with respect to dismissal of claims; to provide liberative prescription for certain actions; to provide for judicial review; to exempt delictual actions from judicial review under the Corrections Administrative Remedy Procedure Act; to provide proper venue for prisoner suits; to provide for the proper party defendant in certain claims; to provide for proceeding in forma pauperis; to repeal certain provisions providing for service of process on the secretary of the Department of Public Safety and Corrections; and to provide for related matters.

HOUSE BILL NO. 97—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), 2014(D), 2195(B), and 2289.1(D), relative to fees paid to the Department of Environmental Quality; to authorize an increase of fees paid into the Environmental Trust Fund; to authorize an increase of fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; and to provide for related matters.

HOUSE BILL NO. 129—

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL

AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(a), to enact R.S. 11:502.2(A)(3) and (B)(1)(c), and to repeal Section 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended by Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for eligibility for participation in such plan; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

HOUSE BILL NO. 134—

BY REPRESENTATIVES SCHNEIDER AND DANIEL

AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior fiscal year; and to provide for related matters.

HOUSE BILL NO. 168—

BY REPRESENTATIVES LEBLANC AND MURRAY AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

HOUSE BILL NO. 12—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

HOUSE BILL NO. 13—

BY REPRESENTATIVES PERKINS, BEARD, BROOME, CROWE, FUTRELL, M. JACKSON, AND NEVERS AND SENATOR CAIN

AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer and meditation in schools; to require that prayer or meditation authorized for students and teachers be silent prayer or meditation; and to provide for related matters.

HOUSE BILL NO. 21—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:221(F) and to enact R.S. 17:221(I), relative to school attendance; to provide relative to eligibility, guidelines, and procedures permitting certain students to attend alternative education programs or vocational-technical programs; to provide relative to participation by certain students in adult education programs that are approved by the State Board of Elementary and Secondary Education, including that such participation shall be considered as compliance by a parent, tutor, or other person responsible for the school attendance of such a student with specified compulsory school attendance requirements; to provide for effective dates; and to provide for related matters.

HOUSE BILL NO. 22—

BY REPRESENTATIVE JANE SMITH
AN ACT

To enact R.S. 17:2115.11, relative to voluntary student prayer; to provide relative to participation by students in Bossier Parish public schools in voluntary, student-led prayer; to provide conditions; and to provide for related matters.

HOUSE BILL NO. 31—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 41:1338(A) and to repeal R.S. 41:1338(D), relative to public property; to exempt property acquired or transferred by the city of Shreveport or Caddo Parish from the requirement that if property which was acquired by the state or a political subdivision of the state is to be transferred to a third party, that property shall first be offered to the person from whom it was originally transferred; and to provide for related matters.

HOUSE BILL NO. 33—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 42:1102(22)(d)(iii), relative to the definition of "thing of economic value"; to exclude certain fees for educational and informational seminars and conferences from such definition; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 56:1855(L), relative to scenic rivers; to authorize the Department of Wildlife and Fisheries to permit certain activities on Bayou Trepagnier in St. Charles Parish; to provide for the procedures to be followed when permitting those activities; and to provide for related matters.

HOUSE BILL NO. 56—

BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; to provide for effective dates; and to provide for related matters.

HOUSE BILL NO. 63—

BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 15:542(C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for annual update to the registration information; to provide for an annual registration fee; to provide for written notification of an address change of an offender; to provide for criminal penalties for failure to register; and to provide for related matters.

HOUSE BILL NO. 64—

BY REPRESENTATIVES LEBLANC, DURAND, AND KATZ
AN ACT

To amend and reenact R.S. 46:460.6(A) and (E), relative to the individual development account program; to allow persons who meet income eligibility requirements to participate in the individual development account program; and to provide for related matters.

HOUSE BILL NO. 66—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:173.1(C)(1), relative to annuities; to provide for minimum interest rates; and to provide for related matters.

HOUSE BILL NO. 83—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:403, 423(E), 424(C)(1), 551(B)(1)(introductory paragraph) and (2), (C), (D), and (E), 553(A), 571, 572(A), 573(A), (B), (C), (D), and (E)(1), 574(A)(1) and (2) and (B)(6), 1300.2(B), 1300.11, 1302(6), 1306(B), (C)(1), and (F), 1307(A)(3), 1308(A)(1)(b) and (2)(b), 1309(E)(2) and (3) and (F), 1310(A), 1311(C)(1), 1313(B), (F)(1), (2), (4), (5), (6), and (9), (G), and (I)(1), (2)(c), (3), and (4), 1315(B) and (C), 1317, 1353(B) and (C)(2) and (3), 1354(C), 1355(16) and (17), 1361(B), 1363(A)(introductory paragraph), 1373(B), 1374, 1376(A) and (B)(1), and 1433; to enact R.S. 18:531.1, 553.1, 1302(7), 1306(G) and (H), 1309(H), 1309.1, 1313(F)(10), 1333(H), 1351(12), 1361(C), 1363(F), 1364, and 1365; and to repeal R.S. 18:1307(F), 1309(E)(4), and Part V of Chapter 8 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:1391 through 1399, all relative to elections; to provide relative to voting machines and absentee counting equipment; to provide relative to the composition and preparation of ballots; to provide relative to procedures for absentee voting; to provide relative to commissioners and duties of commissioners; to provide relative to polling places; to provide for the retention of certain records; to provide relative to certain election documents which require a handwritten signature; to provide for the powers, duties, functions, and compensation of certain election officials; and to provide for related matters.

HOUSE BILL NO. 91—

BY REPRESENTATIVES R. ALEXANDER, DURAND, ILES, KATZ, AND SCHWEGMANN
AN ACT

To amend and reenact R.S. 40:31.16(A), relative to an immunization tracking registry; to delete the requirement that a child's parent or guardian provide written consent for a child's information to be entered into an immunization registry; to provide that general consent for treatment and information sharing shall be considered parental consent for sharing historical, current, and future information; to require immunization providers to provide certain information to parents; to waive consent for mass immunizations in declared public health emergencies; and to provide for related matters.

HOUSE BILL NO. 93—

BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 42:66(L)(1), relative to dual officeholding; to allow a deputy sheriff to hold the office of mayor or alderman of a municipality with a population of two thousand five hundred or less; and to provide for related matters.

HOUSE BILL NO. 102—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To authorize and provide for the transfer or lease of certain state properties in St. Tammany Parish to the St. Tammany Parish School Board from the Department of Health and Hospitals and

the Department of Culture, Recreation and Tourism; and to provide for related matters.

HOUSE BILL NO. 138—
BY REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY,
AND SNEED AND SENATORS HAINKEL AND HEITMEIER
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 94—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1952(B)(10), relative to procedures for hearings and appeals with respect to children with exceptionalities; to provide relative to the use of review panels and hearing officers under certain circumstances in such procedures; and to provide for related matters.

HOUSE BILL NO. 96—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1943(12), relative to children with exceptionalities; to provide relative to the definition of "resident" as it applies to such children; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 123—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:21(B)(1)(d), relative to fees charged by the office of conservation, Department of Natural Resources; to authorize the commissioner of conservation to increase application fees; to authorize the adoption and increase of new application fees; to provide special effective dates; and to provide for related matters.

HOUSE BILL NO. 136—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to establish certain program fee amounts and increase certain tuition and attendance fee amounts, including amounts for the School of Allied Health Professions at the Louisiana State University Health Sciences Centers in Shreveport and in New Orleans, the dentistry and medicine programs at the Louisiana State University Health Sciences Center in New Orleans, and the Master of Nursing, Nurse Anesthetist Program of the School of Nursing at the Louisiana State University Health Sciences Center in New Orleans; to authorize proportional amounts for part-time students and for summer sessions; to provide for waivers of authorized amounts in cases of financial hardship; to provide limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 141—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and nonresident attendance fee amounts for students in future entering classes at the Paul M. Hebert Law Center; to authorize proportional amounts for part-time students and for summer sessions; to provide limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 4, 2002

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. 28—
BY SENATOR DEAN
A CONCURRENT RESOLUTION

To urge and request local governing authorities, in cooperation with local school boards, to furnish appropriate public facilities for the provision of youth water safety education programs and swimming instruction to students in public schools.

Reported without amendments.

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. 1—
BY REPRESENTATIVE BRUCE AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 39:551.7(B), relative to the DeSoto Parish Industrial District; to increase the membership of the board of commissioners; to authorize the board to appoint its own treasurer; and to provide for related matters.

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

HOUSE BILL NO. 5—
BY REPRESENTATIVES DOWNER, FAUCHEUX, PRATT, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT
AN ACT

To amend and reenact R.S. 29:38(A) and 403(9) and to enact R.S. 29:403(3.1) and (3.2), relative to military affairs; to provide for reemployment rights of persons called to duty in the national guard of this state and of any other state; to define certain terms under the Military Service Relief Act; 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.

April 4, 2002

HOUSE BILL NO. 12—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the Wildlife and Fisheries Commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the Cypress-Black Bayou Recreation and Water Conservation District Commission to maintain public access to both reservoirs; and to provide for related matters.

On motion of Senator Lambert, the bill which is a duplicate of Senate Bill No. 102 was read by title and lies over under the rules.

HOUSE BILL NO. 13—
BY REPRESENTATIVES PERKINS, BEARD, BROOME, CROWE, FUTRELL,
M. JACKSON, AND NEVERS AND SENATOR CAIN
AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer and meditation in schools; to require that prayer or meditation authorized for students and teachers be silent prayer or meditation; 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. 21—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:221(F) and to enact R.S. 17:221(I), relative to school attendance; to provide relative to eligibility, guidelines, and procedures permitting certain students to attend alternative education programs or vocational-technical programs; to provide relative to participation by certain students in adult education programs that are approved by the State Board of Elementary and Secondary Education, including that such participation shall be considered as compliance by a parent, tutor, or other person responsible for the school attendance of such a student with specified compulsory school attendance requirements; 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 Education.

HOUSE BILL NO. 22—
BY REPRESENTATIVE JANE SMITH
AN ACT

To enact R.S. 17:2115.11, relative to voluntary student prayer; to provide relative to participation by students in Bossier Parish public schools in voluntary, student-led prayer; to provide conditions; 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. 30—
BY REPRESENTATIVES SCALISE, BRUNEAU, CAPELLA, CLARKSON,
CRANE, DANIEL, DURAND, FAUCHEUX, JOHNS, AND TUCKER AND
SENATOR MICHOT
AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill which is a duplicate of Senate Bill No. 98 was read by title and lies over under the rules.

HOUSE BILL NO. 31—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 41:1338(A) and to repeal R.S. 41:1338(D), relative to public property; to exempt property acquired or transferred by the city of Shreveport or Caddo Parish from the requirement that if property which was acquired by the state or a political subdivision of the state is to be transferred to a third party, that property shall first be offered to the person from whom it was originally transferred; and to provide for related matters.

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

HOUSE BILL NO. 33—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 42:1102(22)(d)(iii), relative to the definition of "thing of economic value"; to exclude certain fees for educational and informational seminars and conferences from such definition; 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. 39—
BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 56:1855(L), relative to scenic rivers; to authorize the Department of Wildlife and Fisheries to permit certain activities on Bayou Trepagnier in St. Charles Parish; to provide for the procedures to be followed when permitting those activities; and to provide for related matters.

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

HOUSE BILL NO. 40—
BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS
AN ACT

To enact R.S. 33:9091.1, relative to crime prevention and security in the Lake Vista area of Orleans Parish; to create the Lake Vista Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of the city of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds 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. 56—
BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 13:2618, relative to the LaSalle Parish justice of the peace courts; to provide for the territorial jurisdiction of such courts; to provide relative to the election to the offices of justice of the peace and constable; 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 Judiciary A.

HOUSE BILL NO. 63—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 15:542(C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for annual update to the registration information; to provide for an annual registration fee; to provide for written notification of an address change of an offender; to

provide for criminal penalties for failure to register; and to provide for related matters.

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

HOUSE BILL NO. 64—
BY REPRESENTATIVES LEBLANC, DURAND, AND KATZ
AN ACT

To amend and reenact R.S. 46:460.6(A) and (E), relative to the individual development account program; to allow persons who meet income eligibility requirements to participate in the individual development account program; 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. 66—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:173.1(C)(1), relative to annuities; to provide for minimum interest rates; 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. 68—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 36:4(Y) and R.S. 47:463.60, relative to motor vehicles; to provide for the creation of the "Animal Friendly" prestige license plate; to provide for the charge of the plate; to provide relative to the minimum number of applicants for such plate; to create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the adoption of policies and procedures; 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. 75—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; 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. 83—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:403, 423(E), 424(C)(1), 551(B)(1)(introductory paragraph) and (2), (C), (D), and (E), 553(A), 571, 572(A), 573(A), (B), (C), (D), and (E)(1), 574(A)(1) and (2) and (B)(6), 1300.2(B), 1300.11, 1302(6), 1306(B), (C)(1), and (F), 1307(A)(3), 1308(A)(1)(b) and (2)(b), 1309(E)(2) and (3) and (F), 1310(A), 1311(C)(1), 1313(B), (F)(1), (2), (4), (5), (6), and (9), (G), and (I)(1), (2)(c), (3), and (4), 1315(B) and (C), 1317, 1353(B) and (C)(2) and (3), 1354(C), 1355(16) and (17), 1361(B), 1363(A)(introductory paragraph), 1373(B), 1374, 1376(A) and (B)(1), and 1433; to enact R.S. 18:531.1, 553.1, 1302(7), 1306(G) and (H), 1309(H), 1309.1, 1313(F)(10), 1333(H), 1351(12), 1361(C), 1363(F), 1364, and 1365; and to repeal R.S. 18:1307(F), 1309(E)(4), and Part V of Chapter 8 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of

R.S. 18:1391 through 1399, all relative to elections; to provide relative to voting machines and absentee counting equipment; to provide relative to the composition and preparation of ballots; to provide relative to procedures for absentee voting; to provide relative to commissioners and duties of commissioners; to provide relative to polling places; to provide for the retention of certain records; to provide relative to certain election documents which require a handwritten signature; to provide for the powers, duties, functions, and compensation of certain election officials; 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. 85—
BY REPRESENTATIVES MARTINY, DEWITT, CLARKSON, FRUGE, JOHNS,
AND WALSWORTH
AN ACT

To amend and reenact R.S. 13:5101(B), R.S. 15:1172(B) and (C), 1177(A)(introductory paragraph) and (1) and (C), 1179, 1184(A)(2) and (D), 1186(A) and (B), to enact R.S. 15:1172(D) and (E), 1177(A)(10), and 1184(F) and (G), and to repeal R.S. 49:964(G)(7), relative to civil claims of prisoners; to provide with respect to the initiation and limitation of administrative remedies; to provide with respect to dismissal of claims; to provide liberative prescription for certain actions; to provide for judicial review; to exempt delictual actions from judicial review under the Corrections Administrative Remedy Procedure Act; to provide proper venue for prisoner suits; to provide for the proper party defendant in certain claims; to provide for proceeding in forma pauperis; to repeal certain provisions providing for service of process on the secretary of the Department of Public Safety and Corrections; 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. 91—
BY REPRESENTATIVES R. ALEXANDER, DURAND, ILES, KATZ, AND
SCHWEGMANN
AN ACT

To amend and reenact R.S. 40:31.16(A), relative to an immunization tracking registry; to delete the requirement that a child's parent or guardian provide written consent for a child's information to be entered into an immunization registry; to provide that general consent for treatment and information sharing shall be considered parental consent for sharing historical, current, and future information; to require immunization providers to provide certain information to parents; to waive consent for mass immunizations in declared public health emergencies; 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. 93—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 42:66(L)(1), relative to dual officeholding; to allow a deputy sheriff to hold the office of mayor or alderman of a municipality with a population of two thousand five hundred or less; 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. 94—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1952(B)(10), relative to procedures for hearings and appeals with respect to children with exceptionalities; to provide relative to the use of review panels and hearing officers

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under certain circumstances in such procedures; 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. 96—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1943(12), relative to children with exceptionalities; to provide relative to the definition of "resident" as it applies to such children; 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. 97—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), 2014(D), 2195(B), and 2289.1(D), relative to fees paid to the Department of Environmental Quality; to authorize an increase of fees paid into the Environmental Trust Fund; to authorize an increase of fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; 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. 102—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To authorize and provide for the transfer or lease of certain state properties in St. Tammany Parish to the St. Tammany Parish School Board from the Department of Health and Hospitals and the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

HOUSE BILL NO. 123—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:21(B)(1)(d), relative to fees charged by the office of conservation, Department of Natural Resources; to authorize the commissioner of conservation to increase application fees; to authorize the adoption and increase of new application fees; to provide special 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 Natural Resources.

HOUSE BILL NO. 129—
BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL
AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(a), to enact R.S. 11:502.2(A)(3) and (B)(1)(c), and to repeal Section 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended by Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for eligibility for participation in such plan; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

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

HOUSE BILL NO. 134—
BY REPRESENTATIVES SCHNEIDER AND DANIEL
AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior 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 Retirement.

HOUSE BILL NO. 136—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to establish certain program fee amounts and increase certain tuition and attendance fee amounts, including amounts for the School of Allied Health Professions at the Louisiana State University Health Sciences Centers in Shreveport and in New Orleans, the dentistry and medicine programs at the Louisiana State University Health Sciences Center in New Orleans, and the Master of Nursing, Nurse Anesthetist Program of the School of Nursing at the Louisiana State University Health Sciences Center in New Orleans; to authorize proportional amounts for part-time students and for summer sessions; to provide for waivers of authorized amounts in cases of financial hardship; to provide limitations; to provide for effectiveness; 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. 138—
BY REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED AND SENATORS HAINKEL AND HEITMEIER
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill which is a duplicate of Senate Bill No. 113 was read by title and lies over under the rules.

HOUSE BILL NO. 141—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and nonresident attendance fee amounts for students in future entering classes at the Paul M. Hebert Law Center; to authorize proportional amounts for part-time students and for summer sessions; to provide limitations; to provide for effectiveness; 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. 168—
BY REPRESENTATIVES LEBLANC AND MURRAY AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use

of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

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

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

April 4, 2002

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. 19— BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To request the Office of State Parks of the Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Wildlife and Fisheries to develop a plan for establishing state parks with rental cabins in wildlife management areas.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 19— BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To request the Office of State Parks of the Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Wildlife and Fisheries to develop a plan for establishing state parks with rental cabins in wildlife management areas.

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

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 42— BY REPRESENTATIVE MCDONALD AN ACT

To amend and reenact R.S. 33:1448(I), relative to retired sheriffs and retired sheriff's 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.

Under the provisions of Joint Rule No. 5, the bill, was declared a duplicate of Senate Bill No. 42.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Barham to Engrossed House Bill No. 42 by Representative McDonald (Duplicate of Senate Bill No. 64)

AMENDMENT NO. 1

On page 1, line 11, change "I." to "I.(1)"

AMENDMENT NO. 2

On page 1, line 15, between "retired" and "with" insert the following: "prior to July 1, 2002"

AMENDMENT NO. 3

On page 1, line 15, change "twenty" to "fifteen"

AMENDMENT NO. 4

On page 1, delete lines 16 and 17 and insert in lieu thereof the following:

"service who are at least fifty-five years of age.

R.S. 33:1448(I)(2) is all proposed new law.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, in the parish of Ouachita, the premium costs of group hospital, surgical, and medical expense contracted for under the provisions of this Section shall be paid in full from the sheriff's general fund for all sheriffs and deputy sheriffs retired on or after July 1, 2002 with at least twenty years of service with the Ouachita Parish Sheriff's Department."

On motion of Senator Barham, the amendments were adopted.

The amended bill was read by title and referred to the Legislative Bureau.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 4, 2002

To the President and Members of the Senate:

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

HOUSE BILL NO. 99— BY REPRESENTATIVE DAMICO AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

April 4, 2002

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

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

April 4, 2002

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE LEBLANC
A CONCURRENT RESOLUTION

To encourage Louisiana lawyers, judges, and law professors to participate in the legal conferences and meetings within the world Francophone community and particularly those events taking place in Belgium and France in 2002 sponsored by the Francophone Section of the Louisiana State Bar Association.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES WADDELL AND BRUNEAU
A CONCURRENT RESOLUTION

To include the Professional Civil Law Notary Association of North Louisiana and any other interested notary organization or individual as participants in the study conducted by the secretary of state pursuant to House Concurrent Resolution No. 81 of the 2001 Regular Session on the feasibility of statewide commissions for non-attorney notaries.

Reported favorably.

HOUSE BILL NO. 24—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 9:203(D), relative to justices of the peace; to provide relative to the authority to perform marriage ceremonies in certain parishes; to provide authority to justices of the peace within the parishes of DeSoto, Bossier, Caddo, Bienville, Webster, or Red River to perform marriage ceremonies within these parishes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 25—

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 13:621.26, relative to district judges; to provide for an additional judgeship for the Twenty-Sixth 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 favorably.

HOUSE BILL NO. 28—

BY REPRESENTATIVES GALLOT AND MCCALLUM
AN ACT

To enact R.S. 13:2583.2, relative to justice of the peace courts in Union Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 29—

BY REPRESENTATIVE CURTIS
AN ACT

To enact R.S. 13:1899(C)(15), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal and traffic violation cases for the purpose of defraying the expenses of office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 55—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing, and construction of a new courthouse; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 69—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide for minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the employment and delegation of authority to a claims manager; to provide certain procedures for the filing of claims; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

April 4, 2002

To the President and Members of the Senate:

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

SENATE BILL NO. 3—
BY SENATORS DUPRE AND GAUTREAUX
AN ACT

To amend and reenact R.S. 34:2201(A) and (D), relative to the Terrebonne Parish Port Commission; to provide for the membership of the commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 26—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), 2212(D)(2) and the introductory paragraph of 2212(O), R.S. 38:2212.1(A)(1)(b), 2212.1(B)(1) and 2212.1(M), R.S. 38:2237(A)(6), and R.S. 38:2238.2(A)(2)(a) and (b), relative to public contracts; to authorize certain advertisements by electronic media; to provide for electronic bids and digital signatures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 51—
BY SENATOR CAMPBELL
AN ACT

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

Reported with amendments.

SENATE BILL NO. 52—
BY SENATOR CAMPBELL
AN ACT

To amend and reenact R.S. 32:169(E), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; to authorize agreements between railroad companies and the Department of Transportation and Development concerning such control devices; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 4—
BY REPRESENTATIVE DARTEZ
AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 41—
BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES
AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 100—
BY REPRESENTATIVE DAMICO
AN ACT

To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 148—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**REPORT OF COMMITTEE ON
EDUCATION**

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

April 4, 2002

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. 22—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to request the appropriate officials at the United States Department of Education to review the federal laws and guidelines with respect to assuring that the approved use of Title I funds to address the educational needs of students is not jeopardized in cases in which the management and implementation of such funds by a local education agency are being examined.

Reported with amendments.

SENATE BILL NO. 101—
BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 110—
BY SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 17:64(E) and 72(G), relative to the powers of certain school boards; to authorize the Zachary Community School Board and the Baker School Board to borrow money to fund budgeted expenditures for fiscal year 2002-2003; to authorize the board to execute notes or other evidences of indebtedness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 113—
BY SENATORS HEITMEIER AND HAINKEL AND REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish

April 4, 2002

president and football director; to provide limitations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

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

April 4, 2002

To the President and Members of the Senate:

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

SENATE BILL NO. 102—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 38:2501 and to enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the district commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the commission to maintain public access to both reservoirs; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to allow individuals to continue to use their existing camps on the Reserve Relief Canal and Mississippi Bayou in the Maurepas Wildlife Management Area until July of 2003.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVES WALSWORTH AND KATZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge the Theodore Roosevelt National Wildlife Refuge.

Reported favorably.

HOUSE BILL NO. 109—
BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

April 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To establish a small business task force to study the various programs, incentives, credits, inducements, and other assistance programs available to small businesses in Louisiana.

Reported favorably.

SENATE BILL NO. 71—

BY SENATORS B. JONES AND DARDENNE
AN ACT

To enact R.S. 51:935.1, relative to economic development activities; to require the Department of Economic Development to issue biennial reports on certain economic development activities in the state; to require the division of administration to prepare the report; to provide for review and certification of the report; to provide for certain performance audits by the legislative auditor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 114—

BY SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 25:315(A), relative to the Louisiana Music Commission; to provide for the domicile of the Louisiana Music Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 58—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 62—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 51:911.22(11) and 911.24(I), relative to the Louisiana Manufactured Housing Commission; to provide for definitions; to authorize the collection of criminal history record information on applicants for licensure; to provide for fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 116—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 47:843(D)(2)(f), relative to tobacco tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 118—

BY REPRESENTATIVES GLOVER, HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR, HILL, L. JACKSON, MONTGOMERY, AND ODINET
AN ACT

To amend and reenact R.S. 51:1784(C) and Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature, relative to economic development activities of the state; to provide for the source of data used in applying criteria for qualifying for the enterprise zone program; to provide for certain tax credits available to employers for new jobs created in the state; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

April 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 44—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 47:322.45 and 332.51, relative to the disposition of certain sales tax collections on hotel occupancy in Lafourche Parish; to establish the Lafourche Parish Association for Retarded Citizens (ARC) Training and Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of the monies in the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 127—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:306(A)(1)(c) and to enact R.S. 47:306(A)(1)(d), relative to the sales tax filing requirements of the state through any department, agency, board, commission, or other state entity; to provide that the state and local sales tax returns shall be filed annually; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 128—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4), relative to the compensation allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers for remitting sales taxes; to provide that compensation shall be allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers who timely remit taxes to the secretary of the Department of Revenue; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT J. BARHAM
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:

April 4, 2002

To the President and Members of the Senate:

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

HOUSE BILL NO. 11—

BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 33:1236(65), relative to the governing authority of Franklin Parish; to authorize the governing authority to enact an ordinance requiring the clerk of court to collect an additional fee in certain cases; to provide for uses of the fee; to require the fee be remitted to the parish, to authorize the clerk of court to retain a percentage of the fee to defray costs; to require the police jury to hold public hearings prior to enacting the ordinance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 32—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 33:9075(A), (C), (E), (F)(1)(a) and (b), and (H), relative to the Lake Oaks Subdivision Improvement District; to change the name of the district; to provide relative to the purpose and powers of the district and the plan for the district; to change the method for imposing a parcel fee in the district; to provide relative to the election to authorize such fee and the term of the fee; to provide for redesignation of the law relative to the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 43—

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Section 1 of Article 2 of Act 189 of the 1954 Regular Session of the Legislature, relative to the Bossier City-Parish Metropolitan Planning Commission; to increase the membership of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 49—

BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 33:2476.3, relative to the compensation of members of the fire and police civil service board in the city of Hammond; to provide for compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

Reported favorably.

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HOUSE BILL NO. 77—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 33:2738.83, relative to the creation of a hospital sales tax district in Vermilion Parish; to create Hospital Sales Tax District No. 2; to provide relative to the governing authority of the sales tax district; to authorize the governing authority of the sales tax district to levy and collect a sales and use tax, subject to voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 150—
BY REPRESENTATIVE PRATT AND SENATOR BAJOIE
AN ACT

To amend and reenact R.S. 33:9092(A), (D)(2), and (F)(1), relative to neighborhood security districts; to change the name of the Garden District's Security Special Taxing District; to change the qualifications for membership on the board of directors of the district; to authorize the renewal of the district's special tax or fee; to provide for the term of the district's special tax or fee; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

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

SENATE BILL NO. 3—
BY SENATORS DUPRE AND GAUTREAUX
AN ACT

To amend and reenact R.S. 34:2201(A) and (D), relative to the Terrebonne Parish Port Commission; to provide for the membership of the commission; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed Senate Bill No. 3 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 2, delete "(A) and (D)"

AMENDMENT NO. 2
On page 1, line 3, delete "for the membership of" and insert "with respect to appointment and removal of members to"

AMENDMENT NO. 3
On page 1, line 6, delete "(A) and (D) are" and insert "is"

AMENDMENT NO. 4
On page 1, line 9, after "A." insert "(1)"

AMENDMENT NO. 5
On page 1, line 13, change "31" to "31 43"

AMENDMENT NO. 6

On page 1, delete line 14, and insert "Article ~~XIV~~ VI of the Constitution of the State state of Louisiana for the"

AMENDMENT NO. 7
On page 1, line 15, delete "year 1921"

AMENDMENT NO. 8
On page 2, line 3, before "The" insert "(2)" and delete "continue to"

AMENDMENT NO. 9
On page 2, delete line 4, and insert "members appointed for six-year"

AMENDMENT NO. 10
On page 2, line 6, change "(1)" to "(+ (a))"

AMENDMENT NO. 11
On page 2, line 7, change "(2)" to "(2) (b)"

AMENDMENT NO. 12
On page 2, line 10, change "(3)" to "(3) (c)"

AMENDMENT NO. 13
On page 2, line 13, change "(4)" to "(d)"

AMENDMENT NO. 14
On page 2, line 16, before "The" insert "(3)"

AMENDMENT NO. 15
On page 2, delete lines 17 through 19, and insert "presently in office on the date this Act becomes effective shall continue to serve the balance"

AMENDMENT NO. 16
On page 2, at the end of line 20, change "present" to "present such"

AMENDMENT NO. 17
On page 3, delete line 3, and insert:

"B. Each commissioner shall be a citizen of the United States and a qualified voter of Terrebonne Parish and the State state of Louisiana. No person who holds an elective public office of any kind in the federal, state, or local governments shall be appointed or serve as a member of the commission. Any member of the commission who, during his term of office, is elected to any such public office shall be deemed to have resigned from the commission by virtue of being elected to such public office.

C. Any member of the commission may be removed therefrom by a vote of the parish governing authority in which two-thirds of the membership of the governing authority which appointed the member vote in favor of removal; provided, however, that the governing authority may only remove a member appointed by the parish president upon recommendation of the president. The parish governing authority shall first give the member thirty days written notice of its intention to act upon his removal."

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

SENATE BILL NO. 26—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), 2212(D)(2) and the introductory paragraph of 2212(O), R.S. 38:2212.1(A)(1)(b), 2212.1(B)(1) and 2212.1(M), R.S. 38:2237(A)(6), and R.S. 38:2238.2(A)(2)(a) and (b), relative to public contracts; to authorize certain advertisements by electronic media; to provide for electronic bids and digital signatures; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 26 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:2212(A)(3)(a)," delete the remainder of the line and delete lines 3 and 4 and insert "2212.1(B)(1), 2237(A)(6), and 2238.2(A)(2)(a) and (b)."

AMENDMENT NO. 2

On page 1, line 6, after "media;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete lines 9 through 11, and insert:

"Section 1. R. S. 38:2212(A)(3)(a), 2212.1(B)(1), 2237(A)(6), and 2238.2(A)(2)(a) and (b) are hereby amended"

AMENDMENT NO. 4

On page 2, delete lines 8 through 27, and on page 3, delete lines 1 through 10

AMENDMENT NO. 5

On page 3, delete lines 13 through 23

AMENDMENT NO. 6

On page 4, delete lines 4 through 9

AMENDMENT NO. 7

On page 5, line 7, change "**This**" to "**In addition to the newspaper advertisement, this**"

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

SENATE BILL NO. 51—

BY SENATOR CAMPBELL

AN ACT

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

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 51 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 14, after "highway" insert "which does not have a warning device or which has only a passive warning device"

AMENDMENT NO. 2

On page 1, line 15, after "the view of" insert "oncoming railroad traffic by"

AMENDMENT NO. 3

On page 1, line 16, after "highways" insert: "to the extent that the obstruction presents a danger to the pedestrians and vehicle operators"

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

SENATE BILL NO. 52—

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 32:169(E), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; to authorize agreements between railroad companies and the Department of Transportation and Development concerning such control devices; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 71—

BY SENATORS B. JONES AND DARDENNE

AN ACT

To enact R.S. 51:935.1, relative to economic development activities; to require the Department of Economic Development to issue biennial reports on certain economic development activities in the state; to require the division of administration to prepare the report; to provide for review and certification of the report; to provide for certain performance audits by the legislative auditor; 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. 71 by Senators B. Jones and Dardenne

AMENDMENT NO. 1

On page 1, line 14, after "prepared by" delete the remainder of the line and delete line 15, and on line 16, delete "resources of" and insert: "an independent economist selected by and under contract with the division of administration, who shall approve the methodologies and assumptions used in preparation of the report, and where it is appropriate, after consultation with the Louisiana Economic Development Council,"

AMENDMENT NO. 2

On page 2, line 5, after "Estimating Conference," insert "and" and on line 6, after "office" delete ", and the legislative auditor"

AMENDMENT NO. 3

On page 2, line 9, after "conference" delete the comma "," and insert "or" and after "office" delete ", or auditor"

AMENDMENT NO. 4

On page 2, delete lines 11 through 14, and insert:

"(c) No employer, whether participating in economic development programs or otherwise, shall be required to supply any additional report, information, or data necessary to prepare the report."

AMENDMENT NO. 5

On page 2, line 21, after "administration shall" delete "make a" and insert:

"provide the following by November 15, 2003 to the individuals and library specified in Paragraph (A)(2):

(a) A list of all the state economic development programs which shall be included in the report, as recommended by the Louisiana

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Economic Development Council and the division, and submitted only after it has been subjected to public comment at a public meeting held before November 1, 2003.

(b) A"

AMENDMENT NO. 6

On page 2, line 23, after "Section" insert a period "." and delete the remainder of the line and delete line 24

AMENDMENT NO. 7

On page 4, at the end of line 7, delete "as" and insert a period "." and delete line 8

AMENDMENT NO. 8

On page 4, line 10, change "two" to "three"

AMENDMENT NO. 9

On page 4, line 15, after "shall prepare" insert: ", in consultation with the Louisiana Economic Development Council,"

AMENDMENT NO. 10

On page 5, line 2, after "audit" insert "designed to evaluate the management controls, accuracy, and reliability of the reported information"

AMENDMENT NO. 11

On page 5, line 3, at the beginning of the line after "programs" insert "as defined in this Section"

AMENDMENT NO. 12

On page 5, line 6, after "provide" delete "him with"

AMENDMENT NO. 13

On page 5, line 7, change "he" to "the auditor"

AMENDMENT NO. 14

On page 5, line 12, after "require," insert: "and only where such programs require that such data be reported,"

AMENDMENT NO. 15

On page 5, line 17, after "requires," insert:

"and only where such departments oversee economic development programs that require such data be reported,"

AMENDMENT NO. 16

On page 5, line 21, change "his" to "the" and after "audit" change "an opinion" to "a conclusion"

AMENDMENT NO. 17

On page 6, line 6, after "in the state" delete the remainder of the line and delete lines 7 through 9, and insert:

"for the purpose of retaining and creating jobs and growing the state's economy. Such programs may include grants, loan guarantees, and training programs. It may include tax exemptions, exclusions, credits, or rebates, but only to the extent that such tax benefits are used by an identifiable employer or group of employers in the same or a similar business."

AMENDMENT NO. 18

On page 6, line 13, change "an employer's payroll" to "the payroll of the employer who is participating in the economic development program"

AMENDMENT NO. 19

On page 6, line 14, after "payroll of" change "an" to "such"

AMENDMENT NO. 20

On page 6, line 19, change "an employer's payroll" to "the payroll of the employer who is participating in the economic development program"

AMENDMENT NO. 21

On page 6, line 20, after "payroll of" change "an" to "such"

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. 101—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

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

SENATE BILL NO. 102—

BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 38:2501 and to enact R.S. 38:2607, relative to the Cypress-Black Bayou Recreation and Water Conservation District; to authorize the district commission to prohibit the use of nets and traps for fishing purposes in Cypress Bayou Reservoir and Black Bayou Reservoir; to require the commission to maintain public access to both reservoirs; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 102 by Senator Malone

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 38:2501 and to"

AMENDMENT NO. 2

On page 1, line 4, change "district commission" to "Wildlife and Fisheries Commission"

AMENDMENT NO. 3

On page 1, line 6, change "commission" to "Cypress-Black Bayou Recreation and Water Conservation District Commission"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1. R.S." delete the remainder of the line in its entirety

AMENDMENT NO. 5

On page 1, delete lines 11 through 16 in their entirety

AMENDMENT NO. 6

On page 2, delete line 1 in its entirety

AMENDMENT NO. 7

On page 2, line 4, change "board of commissioners" to "Wildlife and Fisheries Commission"

AMENDMENT NO. 8

On page 2, line 7, after "commissioners" insert "of the Cypress-Black Bayou Recreation and Water Conservation District"

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

SENATE BILL NO. 110—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 17:64(E) and 72(G), relative to the powers of certain school boards; to authorize the Zachary Community School Board and the Baker School Board to borrow money to fund budgeted expenditures for fiscal year 2002-2003; to authorize the board to execute notes or other evidences of indebtedness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 110 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 5, change "board" to "boards"

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

SENATE BILL NO. 113—

BY SENATORS HEITMEIER AND HAINKEL AND REPRESENTATIVES ANSARDI, ALARIO, DAMICO, GREEN, MARTINY, AND SNEED
AN ACT

To enact R.S. 17:85.1, relative to naming a high school athletic field house; to authorize the parish school board in certain parishes to name a high school athletic field house in honor of a former parish president and football director; to provide limitations; and to provide for related matters.

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

SENATE BILL NO. 114—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 25:315(A), relative to the Louisiana Music Commission; to provide for the domicile of the Louisiana Music Commission; and to provide for related matters.

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

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

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

HOUSE BILL NO. 4—

BY REPRESENTATIVE DARTEZ

AN ACT

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl "Tuttum" Bergeron and Janet Marcel Bridge; and to provide for related matters.

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

HOUSE BILL NO. 11—

BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 33:1236(65), relative to the governing authority of Franklin Parish; to authorize the governing authority to enact an ordinance requiring the clerk of court to collect an additional fee in certain cases; to provide for uses of the fee; to require the fee be remitted to the parish, to authorize the clerk of court to retain a percentage of the fee to defray costs; to require the police jury to hold public hearings prior to enacting the ordinance; and to provide for related matters.

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 9:203(D), relative to justices of the peace; to provide relative to the authority to perform marriage ceremonies in certain parishes; to provide authority to justices of the peace within the parishes of DeSoto, Bossier, Caddo, Bienville, Webster, or Red River to perform marriage ceremonies within these parishes; and to provide for related matters.

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

HOUSE BILL NO. 25—

BY REPRESENTATIVE JANE SMITH

AN ACT

To amend and reenact R.S. 13:621.26, relative to district judges; to provide for an additional judgeship for the Twenty-Sixth 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 favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 28—

BY REPRESENTATIVES GALLOT AND MCCALLUM

AN ACT

To enact R.S. 13:2583.2, relative to justice of the peace courts in Union Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

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

HOUSE BILL NO. 29—

BY REPRESENTATIVE CURTIS

AN ACT

To enact R.S. 13:1899(C)(15), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal and traffic violation cases for the purpose of defraying the expenses of office; and to provide for related matters.

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

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HOUSE BILL NO. 32—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 33:9075(A), (C), (E), (F)(1)(a) and (b), and (H), relative to the Lake Oaks Subdivision Improvement District; to change the name of the district; to provide relative to the purpose and powers of the district and the plan for the district; to change the method for imposing a parcel fee in the district; to provide relative to the election to authorize such fee and the term of the fee; to provide for redesignation of the law relative to the district; and to provide for related matters.

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

HOUSE BILL NO. 41—
BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES
AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

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

HOUSE BILL NO. 43—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Section 1 of Article 2 of Act 189 of the 1954 Regular Session of the Legislature, relative to the Bossier City-Parish Metropolitan Planning Commission; to increase the membership of the commission; and to provide for related matters.

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

HOUSE BILL NO. 44—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 47:322.45 and 332.51, relative to the disposition of certain sales tax collections on hotel occupancy in Lafourche Parish; to establish the Lafourche Parish Association for Retarded Citizens (ARC) Training and Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of the monies in the fund; and to provide for related matters.

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

HOUSE BILL NO. 49—
BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 33:2476.3, relative to the compensation of members of the fire and police civil service board in the city of Hammond; to provide for compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing, and construction of a new courthouse; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 55 by Senator Fields

AMENDMENT NO. 1
On page 1, line 2, change "13:1312(D)" to "13:992(B) and 1312(D)"

AMENDMENT NO. 2
On page 1, line 3, after "Orleans" delete "and" and insert a comma ","

AMENDMENT NO. 3
On page 1, line 4, after "Orleans" insert ", and the Nineteenth Judicial District Court"

AMENDMENT NO. 4
On page 1, line 8, change "13:1312(D)" to "13:992(B) and 1312(D)" and change "is" to "are"

AMENDMENT NO. 5
On page 1, between lines 8 and 9, insert the following:

"§992. Judicial expense fund; disbursements
* * *
B. The judges, en banc, may utilize the monies in the judicial expense fund to pay all or any part of the cost of planning, designing, and constructing a new courthouse for the parish of East Baton Rouge.
* * *"

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

HOUSE BILL NO. 58—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 12:1364(A)(4) and (B)(4), relative to limited liability companies; to increase filing fees for annual reports; and to provide for related matters.

Reported favorably by the Committee on Commerce and Consumer Protection. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 62—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 51:911.22(11) and 911.24(I), relative to the Louisiana Manufactured Housing Commission; to provide for definitions; to authorize the collection of criminal history record information on applicants for licensure; to provide for fees; 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. 69—
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide for minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the employment and delegation of authority to a claims manager; to provide certain procedures for the filing of claims; and to provide for related matters.

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

HOUSE BILL NO. 77—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:2738.83, relative to the creation of a hospital sales tax district in Vermilion Parish; to create Hospital Sales Tax District No. 2; to provide relative to the governing authority of the sales tax district; to authorize the governing authority of the sales tax district to levy and collect a sales and use tax, subject to voter approval; and to provide for related matters.

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

HOUSE BILL NO. 99—
BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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. 100—
BY REPRESENTATIVE DAMICO

AN ACT

To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

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

HOUSE BILL NO. 116—
BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 47:843(D)(2)(f), relative to tobacco tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for an effective date; 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. 118—BY REPRESENTATIVES GLOVER, HAMMETT, DEWITT, PINAC, ALARIO,
BAYLOR, HILL, L. JACKSON, MONTGOMERY, AND ODINET

AN ACT

To amend and reenact R.S. 51:1784(C) and Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature, relative to economic development activities of the state; to provide for the source of data used in applying criteria for qualifying for the enterprise zone program; to provide for certain tax credits available to employers for new jobs created in the state; to provide for an effective date; 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. 127—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:306(A)(1)(c) and to enact R.S. 47:306(A)(1)(d), relative to the sales tax filing requirements of the state through any department, agency, board, commission, or other state entity; to provide that the state and local sales tax returns shall be filed annually; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 128—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4), relative to the compensation allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers for remitting sales taxes; to provide that compensation shall be allowed to dealers, manufacturers, wholesalers, jobbers, and suppliers who timely remit taxes to the secretary of the Department of Revenue; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 143—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2412(1) and to enact R.S. 30:2412(1.1), (9.1), and (24.1) and 2418(M), relative to the disposal of waste tires; to provide for definitions; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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.

April 4, 2002

HOUSE BILL NO. 148—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

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

HOUSE BILL NO. 150—

BY REPRESENTATIVE PRATT AND SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 33:9092(A), (D)(2), and (F)(1), relative to neighborhood security districts; to change the name of the Garden District's Security Special Taxing District; to change the qualifications for membership on the board of directors of the district; to authorize the renewal of the district's special tax or fee; to provide for the term of the district's special tax or fee; and to provide for related matters.

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To request submission of insurance company balance sheets for review by the legislative insurance committees and review by such committees of Insurance Rating Commission practices in approving rate increases.

Reported unfavorably by the Committee on Insurance.

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

Senator Lambert in the Chair

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 15—

BY SENATOR DUPRE

AN ACT

To enact R.S. 44:1(A)(4) and 4(36), relative to public records; to provide for definitions; to exempt from public records any vulnerable assessment plans of publicly owned water utility companies developed due to possible terrorist attacks; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Names (Bajoie, Barham, Bean, etc.), Fields, and Malone. Total YEAS: 32.

NAYS

Table with 1 column: Names (Dean). Total NAYS: 1.

ABSENT

Table with 3 columns: Names (Mr. President, Heitmeier, Holden, Lambert, Marionneaux, Tarver). Total ABSENT: 6.

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

SENATE BILL NO. 27—

BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to enact Article X, Section 25.1 of the Constitution of Louisiana, relative to state or local public officials or employees; to require that the legislature provide by law for the removal of a state or local public official or employee upon conviction of a felony; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 27 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, change the first "or" to "and" and delete "officials or"

AMENDMENT NO. 2

On page 1, lines 5, delete "official or"

AMENDMENT NO. 3

On page 1, line 13, change "or Local Public Officials or" to ", District, Parochial, Ward, or Municipal"

AMENDMENT NO. 4

On page 1, line 15, change "constitution" to "Article"

AMENDMENT NO. 5

On page 2, line 1, change "or local public official or" to ", district, parochial, ward, or municipal"

AMENDMENT NO. 6

On page 2, line 2, change "upon" to "for commission or"

AMENDMENT NO. 7

On page 2, at the end of line 3, add the following: "Conviction", as used in this Section, means a conviction that is final and all appellate review of the original trial court proceedings is exhausted."

AMENDMENT NO. 8

On page 2, line 12, delete "official or", on line 14, change "or office, upon" to "for commission or", and on line 15, delete "or office"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Heitmeier	Holden	Tarver
Total—3		

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

SENATE BILL NO. 65—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 18:532.1(H), relative to precincts; to allow parish governing authorities to consolidate certain precincts; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneau
Barham	Gautreaux	McPherson
Bean	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo

Ellington
Total—32

Malone
NAYS

Total—0

ABSENT

Mr. President
Boissiere
Fields
Total—7

Heitmeier
Holden
Jones, C
Tarver

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

Mr. President in the Chair

SENATE BILL NO. 66—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 44:4(36), relative to public records; to provide relative to the confidentiality of supplemental rebate information contained in the records of the Department of Health and Hospitals and its agents; to provide an exemption of such information from the Public Records Act; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hollis	Mount
Barham	Hoyt	Schedler
Boissiere	Johnson	Smith
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	McPherson	
Heitmeier	Michot	
Total—22		

NAYS

Bean	Dupre	Jones, C
Cain	Fields	Malone
Campbell	Gautreaux	Marionneau
Cravins	Hines	Romero
Dean	Irons	
Total—14		

ABSENT

Bajoie	Holden	Tarver
Total—3		

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

SENATE BILL NO. 74—

BY SENATOR MOUNT AND REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 42:66(L)(1), relative to dual officeholding; to allow a deputy sheriff to hold the office of mayor or alderman of a municipality with a population of two thousand five hundred or less; and to provide for related matters.

April 4, 2002

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux and Fontenot to Engrossed Senate Bill No. 74 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 42:66(L)(1)" insert "and to enact R.S. 42:1123(32)"

AMENDMENT NO. 2

On page 1, line 2 after "relative to" delete "dual office holding" and insert "public officers and employees"

AMENDMENT NO. 3

On page 1, line 4 after "or less;" insert " to provide exceptions for members of certain political governing authorities with a population of one hundred thousand or less;"

AMENDMENT NO. 4

On page 1, after line 16 insert the following:

"Section 2. R.S. 42:1123(32) is hereby enacted to read as follows: §1123 Exceptions This Part shall not preclude: * * *

R.S. 42:1123(32) is all proposed new law.

(32) A member of a planning or zoning commission or municipal or parish governing authority in a parish with a population not in excess of one hundred thousand, according to the latest federal decennial census, or member of his immediate family, or legal entity in which he has a controlling interest from making application to a planning or zoning commission or governing authority for approval of the subdivision or resubdivision of property, provided that the member files a written notice with the Board of Ethics and the body of which he is a member prior to any hearing pertaining to the application and provided that the member recuses himself from any vote of the commission or governing authority related to such application. An appointed member of a board or commission shall have the ability to recuse himself for the purpose of complying with this Paragraph."

AMENDMENT NO. 5

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

On motion of Senator Marionneaux, the amendments were adopted.

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

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, Dean, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen.

Table with 3 columns: Dupre, Ellington, Total—36, Jones, C, Lambert, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Total—3, Holden, Tarver.

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

SENATE BILL NO. 76— BY SENATOR C. JONES

AN ACT

To amend and reenact Chapter 4-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1021 through 1024, relative to the Tri-State Delta Economic Compact; to modify such compact; to provide for an alliance between states; to provide for economic development in regions of poverty and high unemployment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Holden, Jones, B, Total—4, Lentini, Tarver.

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

SENATE BILL NO. 77— BY SENATOR C. JONES

AN ACT

To enact R.S. 6:124.1(C)(4) and (D) and Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1030 through 1031, 1035 through 1037, and 1040, relative to the creation of a strategic plan to combat poverty; to provide for priorities in investment of public funds; to provide for the definition of a financial institution; to provide for statewide application; to provide for the inclusion of certain parishes within the plan; to provide for creation of priority economic development

zones; to provide for creation of priority health care zones; to provide for creation of utility economic development and conservation; to provide for economic and tax relief within certain parishes; to provide for the renewal of communities; to provide for criterion; to provide for the office of community programs; to provide for reports to the legislature; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 77 by Senator C. Jones

AMENDMENT NO. 1

On page 4, line 5, following "and" and before "proven", change "well coordinated, has" to "well-coordinated, have"

AMENDMENT NO. 2

On page 8, line 15, following "census" and before "which", change "track" to "tract"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed Senate Bill No. 77 by Senator C. Jones

AMENDMENT NO. 1

On page 6, between lines 26 and 27, insert the following:

"(5) The Louisiana Workforce Commission shall aid in the development and implementation of the Strategic Plan to Combat Poverty by coordinating and integrating a workforce development system.

(6) The Louisiana Board of Regents shall aid in the development and implementation of the Strategic Plan to Combat Poverty in an attempt to reduce poverty by improving educational opportunities."

AMENDMENT NO. 2

On page 8, line 22, between "all" and "parishes" insert "census tracks or"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Malone; Bajoie, Fontenot, Marionneaux; Barham, Gautreaux, McPherson; Bean, Heitmeier, Michot; Boissiere, Hines, Mount; Cain, Hollis, Romero; Campbell, Hoyt, Schedler; Chaisson, Irons, Smith

Table with 3 columns: Cravins, Johnson, Theunissen; Dardenne, Jones, B, Thomas; Dean, Jones, C, Uilo; Dupre, Lambert; Ellington, Lentini; Total—37

NAYS

Total—0

ABSENT

Table with 2 columns: Holden, Tarver; Total—2

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

SENATE BILL NO. 78— BY SENATOR C. JONES

AN ACT

To enact Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1030 through 1031, relative to the creation of a strategic plan to combat poverty; to provide for economic and tax relief within certain parishes; to provide for the renewal of communities; to provide for criterion; to provide for the office of community programs; to provide for reports to the legislature; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 78 by Senator C. Jones

AMENDMENT NO. 1

On page 3, line 25, following "census" and before "which" change "track" to "tract"

AMENDMENT NO. 2

On page 3, line 27, following "tenths" and before "or" insert "percent"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Malone; Bajoie, Fontenot, Marionneaux; Barham, Gautreaux, McPherson; Bean, Heitmeier, Michot; Boissiere, Hines, Mount; Cain, Hollis, Romero; Campbell, Hoyt, Schedler; Chaisson, Irons, Smith; Cravins, Johnson, Theunissen; Dardenne, Jones, B, Thomas; Dean, Jones, C, Uilo; Dupre, Lambert; Ellington, Lentini; Total—37

NAYS

April 4, 2002

Total—0 ABSENT
Holden Tarver
Total—2

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

SENATE BILL NO. 79— BY SENATOR C. JONES

AN ACT

To enact Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1030 through 1033, relative to the creation of a strategic plan to combat poverty through health care services and economic development; to provide for statewide application; to provide for the inclusion of certain parishes; to provide for creation of priority economic development zones; to provide for creation of priority health care zones; to provide for coordination from the Department of Economic Development and the Department of Health and Hospitals; to provide for creation of utility economic development and conservation; to provide for reports to the legislature; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0 ABSENT
Holden Tarver
Total—2

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

Senator Lambert in the Chair

SENATE BILL NO. 97— BY SENATOR CAIN

AN ACT

To enact R.S. 18:1505.2(Q), relative to campaign finance; to prohibit the contribution, loan, expenditure, transfer, or other use of certain funds; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 97 by Senator Cain

AMENDMENT NO. 1

On page 2, line 4, after "effective" delete the remainder of the line and delete lines 5 through 9 and insert "on December 31, 2003."

Senator Fontenot moved adoption of the amendments.

Senator Ellington objected.

ROLL CALL

The roll was called with the following result:

YEAS

Chaisson Hoyt Smith
Cravins Lentini Theunissen
Dean Malone Thomas
Fontenot Michot
Total—11

NAYS

Barham Gautreaux Lambert
Bean Heitmeier Marionneaux
Cain Hines McPherson
Campbell Hollis Mount
Dardenne Johnson Romero
Ellington Jones, B Schedler
Fields Jones, C Ullo
Total—21

ABSENT

Mr. President Dupre Tarver
Bajoie Holden
Boissiere Irons
Total—7

The Chair declared the amendments were rejected.

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. 97 by Senator Cain

AMENDMENT NO. 1

On page 1, line 11, between "funds" and "which" insert "contributed" and delete "derived from contributions"

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 97 by Senator Cain

AMENDMENT NO. 1

On page 2, line 3, after "candidacy." insert the following:

"Notwithstanding any provision of law to the contrary, no person shall contribute to the political campaign of a candidate running for office in this state unless that person can vote for that candidate in that election."

Senator Heitmeier asked for a ruling from the Chair as to whether the amendment was germane to the call.

The Chair ruled that the amendment was not germane to the call.

The amendment was withdrawn.

Motion

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

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	Michot
Bean	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Jones, B	Smith
Ellington	Jones, C	Theunissen
Fields	Malone	
Fontenot	Marionneaux	
Total—22		

NAYS

Bajoie	Dean	Lentini
Boissiere	Dupre	McPherson
Cain	Heitmeier	Thomas
Dardenne	Hines	Ullo
Total—12		

ABSENT

Mr. President	Johnson	Tarver
Holden	Lambert	
Total—5		

The Chair declared the previous question was called on the entire subject matter.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Jones, C
Bajoie	Heitmeier	Lambert
Bean	Hines	Marionneaux
Boissiere	Hollis	McPherson
Cain	Hoyt	Romero
Campbell	Irons	Smith
Chaisson	Johnson	Ullo
Ellington	Jones, B	

Total—23

NAYS

Barham	Fields	Mount
Cravins	Fontenot	Schedler
Dardenne	Lentini	Theunissen
Dean	Malone	Thomas
Dupre	Michot	

Total—14

ABSENT

Holden	Tarver
Total—2	

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

SENATE BILL NO. 112—

BY SENATORS HOLLIS, HAINKEL, LENTINI, HEITMEIER AND ULLO AND REPRESENTATIVES ANSARDI, BOWLER, GREEN, SCALISE, SNEED AND TOOMY

AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iv), R.S. 47:820.2(B)(3)(d), and to enact R.S. 39:1367(E)(2)(a)(v), relative to the state debt limit; to provide for the use of funds subject to the state debt limit; to provide for the definition of net state tax supported debt; to authorize the Department of Transportation and Development to enter into cooperative endeavor agreements with certain local governing authorities for completion of certain projects; to authorize certain reimbursements from the TIMED program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
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—35		

NAYS

Total—0

ABSENT

Mr. President	Malone
Holden	Tarver
Total—4	

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

April 4, 2002

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVE GALLOT A CONCURRENT RESOLUTION

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to study the practice of excluding named persons from coverage of automobile liability policies.

Reported favorably by the Committee on Insurance.

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

HOUSE CONCURRENT RESOLUTION NO. 31— BY REPRESENTATIVE BROOME A CONCURRENT RESOLUTION

To memorialize the United States Congress to support the Act to Leave No Child Behind.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original House Concurrent Resolution No. 31 by Representative Broome

AMENDMENT NO. 1

On page 1, line 15, delete "Temporary Assistance for Needy Families (TANF)" and insert "cash assistance"

AMENDMENT NO. 2

On page 1, line 16, delete "TANF" and insert "cash assistance"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Bajoi, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dean, Dupre, Ellington, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President Dardenne Total—5 Holden Schedler Tarver

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

HOUSE CONCURRENT RESOLUTION NO. 32— BY REPRESENTATIVES THOMPSON AND WELCH A CONCURRENT RESOLUTION

To urge and request the Children's Cabinet Advisory Board to examine the six YouthBuild programs currently existing in Louisiana, to determine which are the most successful and why, to make recommendations for the expansion of the YouthBuild program to other areas of the state, and to report its findings to the legislature prior to the convening of the 2003 Regular Session.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Bajoi, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President Holden Total—4 Tarver Theunissen

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

Mr. President in the Chair

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

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

Called from the Calendar

Senator Dardenne asked that House Bill No. 104 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 104—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR,
GLOVER, HILL, L. JACKSON, AND MONTGOMERY
AN ACT

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to
provide for exclusions from the tax for certain capital expenditures
by biotechnology companies; to provide an effective date; and to
provide for related matters.

On motion of Senator Dardenne, the bill, which is a duplicate of
Senate Bill No. 91 was read by title and returned to the Calendar,
subject to call.

Called from the Calendar

Senator Lambert asked that House Bill No. 105 be called from the
Calendar at this time for its final passage.

HOUSE BILL NO. 105—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, K.
CARTER, DANIEL, DURAND, FARRAR, HILL, L. JACKSON,
MONTGOMERY, ODINET, AND TOWNSEND
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised
Statutes of 1950, to be comprised of R.S. 51:2351 through 2354,
relative to providing for the Technology Commercialization Credit
Program; to provide legislative findings and purposes; to provide
definitions; to provide for the establishment of the Technology
Commercialization Credit Program; to provide for the technology
commercialization credit; to provide for an effective date; and to
provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of
Senate Bill No. 88 was read by title and returned to the Calendar,
subject to call.

Called from the Calendar

Senator Lambert asked that House Bill No. 106 be called from the
Calendar at this time for its final passage.

HOUSE BILL NO. 106—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, HILL,
MONTGOMERY, AND ODINET
AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the
Department of Economic Development to award certain tax credits
to qualified taxpayers for increasing research activities; to provide
for certain rules and procedures for awarding credits; to provide for
the maximum amount of the tax credits awarded; and to provide
for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of
Senate Bill No. 96 was read by title and returned to the Calendar,
subject to call.

Called from the Calendar

Senator Bajoie asked that House Bill No. 46 be called from the
Calendar at this time for its final passage.

HOUSE BILL NO. 46—
BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER,
HEATON, AND CLARKSON
AN ACT

To amend and reenact R.S. 47:322.38, relative to the state sales and use
tax on hotel occupancy levied in Orleans Parish; to provide for the
use of the avails of the tax; to provide for an effective date; and to
provide for related matters.

Senator Lambert in the Chair

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill
No. 46 by Representative Murray

AMENDMENT NO. 1

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

"D. No monies shall be appropriated from the State General Fund
for the provisions of this Act."

AMENDMENT NO. 2

On page 7, line 1, after "2." delete the remainder of the line and insert
the following:

"Notwithstanding any provision of law to the contrary, the
Louisiana Stadium and Exposition District shall cease and desist
providing grants as authorized in R.S. 47:322.38, which are payable
from funds generated during the 2002 fiscal year, on the effective date
of this Section. Notwithstanding any provision to the contrary, the
Louisiana Stadium and Exposition District shall use and expend any
surplus carryover funds of the district which are not otherwise
encumbered, to the extent necessary to fund any shortfall in the
contractual obligations of the state to any National Football League or
National Basketball Association franchise located in Orleans or
Jefferson Parishes. The Louisiana Stadium and Exposition District may
use and expend any unobligated and unencumbered funds allocated
from New Orleans Area Tourism and Economic Development Fund for
the grant program on the effective date of this Section to provide for the
contractual obligations, if and only if, monies from any surplus
carryover funds of the district which are not otherwise encumbered are
insufficient to fund such obligations. Any remaining grant funds may
be used in accordance with the provisions of R.S. 47:322.38.

Section 3. Section 1 of this Act shall become effective on July 1,
2002. Sections 2 and 3 of 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."

Senator Bajoie moved adoption of the amendments.

Senator Gautreaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, Fontenot, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lentini, Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Uilo

April 4, 2002

Dupre Total—35	Lambert NAYS	
Gautreaux Total—1	ABSENT	
Holden Total—3	Marionneaux	Tarver

The Chair declared the amendments were adopted.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Reengrossed House Bill No. 46 by Representative Murray

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 2 through 6 proposed by the Senate Committee on Finance and adopted by the Senate on April 2, 2002.

AMENDMENT NO. 2

On page 3, delete lines 26 and 27, and delete pages 4 through 6 and insert the following:

"in a fiscal year shall be transferred by the treasurer into the state general fund for as many fiscal years as may be necessary to reimburse the state for the amount expended on the capital outlay project for planning and construction of the New Orleans training facility, related facilities and equipment provided for in that Act which originated as House Bill No. 67 in the 2002 First Extraordinary Session of the legislature.

(c)(i) After satisfying the requirement of Subparagraph (b) of this Paragraph, the remainder of such unexpended and unencumbered monies in a fiscal year shall be deposited by the treasurer into the New Orleans Professional Athletic Development Fund, a special fund hereby created in the state treasury. The monies in the fund shall be appropriated each year by the legislature solely for the purposes provided in Item (ii).

(ii) The monies in the fund shall be used solely and exclusively for expansion of professional athletics in the city of New Orleans.

(iii) The monies in the fund shall be invested by the state treasurer in the manner provided by law for state funds and all interests earned on such monies shall be deposited in the fund after satisfying the requirements of Article VII, Section 9(B). All unexpended and unencumbered monies in the fund at the end of the year shall remain in the fund."

Senator Gautreaux moved adoption of the amendments.

Senator Bajoie objected.

ROLL CALL

The roll was called with the following result:

YEAS

Gautreaux	Malone	Theunissen
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Hines Hoyt Total—7	Marionneaux Smith NAYS
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Mr. President	Dardenne	Lentini
Bajoie	Dean	Mount
Barham	Heitmeier	Romero
Bean	Hollis	Schedler
Boissiere	Irons	Thomas
Cain	Johnson	Ullo
Chaisson	Jones, B	
Cravins	Jones, C	
Total—22	ABSENT	

Campbell	Fontenot	Michot
Dupre	Holden	Tarver
Ellington	Lambert	
Fields	McPherson	
Total—10		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones, C
Bajoie	Ellington	Lambert
Barham	Heitmeier	Lentini
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Theunissen
Cravins	Johnson	Ullo
Total—24		

NAYS

Campbell	Gautreaux	McPherson
Dardenne	Jones, B	Smith
Dean	Malone	Thomas
Fontenot	Marionneaux	
Total—11		

ABSENT

Fields	Michot
Holden	Tarver
Total—4	

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills

and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 118—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 23:1660(G), relative to employment records and reports; to provide for data sharing among agencies for the purposes of performance accountability and reporting; to provide for confidentiality of data; to provide for penalties for breach of confidentiality; and to provide for related matters.

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

Messages from the House

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

Message from the House

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

April 4, 2002

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. 146—
BY REPRESENTATIVE NEVERS

AN ACT

To authorize and provide for the transfer or lease of certain state property in Washington Parish to the city of Bogalusa from the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 152—
BY REPRESENTATIVES PIERRE, DEWITT, AND DANIEL

AN ACT

To amend and reenact R.S. 30:21(B)(1)(a), relative to fees charged by the office of conservation, Department of Natural Resources; to increase the maximum amount which may be generated by certain fees on oil and gas production; and to provide for related matters.

HOUSE BILL NO. 157—
BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; and to provide for related matters.

HOUSE BILL NO. 159—
BY REPRESENTATIVE JACK SMITH

AN ACT

To repeal Act No. 142 of the 2001 Regular Session and to authorize and provide for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration; and to provide for related matters.

HOUSE BILL NO. 164—
BY REPRESENTATIVES DANIEL AND DEWITT

AN ACT

To amend and reenact R.S. 31:149(A) and to repeal R.S. 31:149(B)(3), (C), and (D) and 149.1 through 151, relative to prescription of mineral rights; to provide for the imprescriptibility of mineral rights on land acquired by government agencies or other specified nongovernmental entities; and to provide for related matters.

HOUSE BILL NO. 167—
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; and to provide for related matters.

HOUSE BILL NO. 163—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH

AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

HOUSE BILL NO. 154—
BY REPRESENTATIVES PIERRE, DEWITT, DANIEL, BAYLOR, FRITH, AND HUDSON

AN ACT

To amend and reenact R.S. 30:124, 125, 126, 127(C), 128(A), 129(A), 130, 136.3(B), and 209(2) and (4), relative to functions of the office of mineral resources, Department of Natural Resources; to authorize the office to perform certain functions and to charge a fee for performance of such functions; to provide for the deposit of such fees; and to provide for related matters.

HOUSE BILL NO. 60—
BY REPRESENTATIVES WALSWORTH, DURAND, GUILLORY, L. JACKSON, KATZ, MCDONALD, AND SCHWEGMANN

AN ACT

To amend and reenact R.S. 40:2009.20(B)(1) and to enact R.S. 14:403.2(D)(4), relative to reporting incidents of abuse or neglect; to require agencies to notify local law enforcement of certain reports of abuse or neglect; and to provide for related matters.

HOUSE BILL NO. 47—
BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails in Louisiana be returned to the state where convicted for release in that state; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 161—
BY REPRESENTATIVE POWELL

AN ACT

To authorize and provide for the transfer or lease of certain state property in Tangipahoa Parish to the city of Hammond from the Southeastern Louisiana University; and to provide for related matters.

HOUSE BILL NO. 114—
BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:602(A), 603(A) and (B), and 604(B) and (C), relative to the Louisiana State Employees' Retirement System; to provide with respect to the public safety services component thereof; to establish additional retirement eligibility requirements; to provide with respect to disability retirement benefits; to provide with respect to survivor benefits; and to provide for related matters.

HOUSE BILL NO. 50—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 56:643(B) and to enact R.S. 56:302.2(C), relative to recreational fishing licenses; to exempt Louisiana residents on active military duty from the requirement for purchase of a basic recreational fishing license and a saltwater license; 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. 47—

BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails in Louisiana be returned to the state where convicted for release in that state; to provide for definitions; to provide for exceptions; 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. 50—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 56:643(B) and to enact R.S. 56:302.2(C), relative to recreational fishing licenses; to exempt Louisiana residents on active military duty from the requirement for purchase of a basic recreational fishing license and a saltwater license; and to provide for related matters.

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

HOUSE BILL NO. 60—

BY REPRESENTATIVES WALSWORTH, DURAND, GUILLORY, L. JACKSON, KATZ, MCDONALD, AND SCHWEGMANN
AN ACT

To amend and reenact R.S. 40:2009.20(B)(1) and to enact R.S. 14:403.2(D)(4), relative to reporting incidents of abuse or neglect; to require agencies to notify local law enforcement of certain reports of abuse or neglect; and to provide for related matters.

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

HOUSE BILL NO. 114—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:602(A), 603(A) and (B), and 604(B) and (C), relative to the Louisiana State Employees' Retirement System; to provide with respect to the public safety services component thereof; to establish additional retirement eligibility requirements; to provide with respect to disability retirement benefits; to provide with respect to survivor benefits; and to provide for related matters.

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

HOUSE BILL NO. 146—

BY REPRESENTATIVE NEVERS
AN ACT

To authorize and provide for the transfer or lease of certain state property in Washington Parish to the city of Bogalusa from the Department of Health and Hospitals; and to provide for related matters.

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

HOUSE BILL NO. 152—

BY REPRESENTATIVES PIERRE, DEWITT, AND DANIEL
AN ACT

To amend and reenact R.S. 30:21(B)(1)(a), relative to fees charged by the office of conservation, Department of Natural Resources; to increase the maximum amount which may be generated by certain fees on oil and gas production; and to provide for related matters.

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

HOUSE BILL NO. 154—

BY REPRESENTATIVES PIERRE, DEWITT, DANIEL, BAYLOR, FRITH, AND HUDSON
AN ACT

To amend and reenact R.S. 30:124, 125, 126, 127(C), 128(A), 129(A), 130, 136.3(B), and 209(2) and (4), relative to functions of the office of mineral resources, Department of Natural Resources; to authorize the office to perform certain functions and to charge a fee for performance of such functions; to provide for the deposit of such fees; and to provide for related matters.

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

HOUSE BILL NO. 157—

BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; 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. 159—

BY REPRESENTATIVE JACK SMITH
AN ACT

To repeal Act No. 142 of the 2001 Regular Session and to authorize and provide for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration; and to provide for related matters.

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

HOUSE BILL NO. 161—

BY REPRESENTATIVE POWELL
AN ACT

To authorize and provide for the transfer or lease of certain state property in Tangipahoa Parish to the city of Hammond from the Southeastern Louisiana University; 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. 163—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
AN ACT

To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

On motion of Senator Lambert, the bill which is a duplicate of Senate Bill No. 101 was read by title and lies over under the rules.

HOUSE BILL NO. 164—
BY REPRESENTATIVES DANIEL AND DEWITT
AN ACT

To amend and reenact R.S. 31:149(A) and to repeal R.S. 31:149(B)(3), (C), and (D) and 149.1 through 151, relative to prescription of mineral rights; to provide for the imprescriptibility of mineral rights on land acquired by government agencies or other specified nongovernmental entities; and to provide for related matters.

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

HOUSE BILL NO. 167—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; 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.

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted House Bill No. 60 from the Committee on Judiciary C to the Committee on Health and Welfare.

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**

April 4, 2002

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. 45—
BY REPRESENTATIVE CLARKSON
A CONCURRENT RESOLUTION

To commend Colonel John Francis Mulholland, Jr. for his remarkable term of military service.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 45—
BY REPRESENTATIVE CLARKSON
A CONCURRENT RESOLUTION

To commend Colonel John Francis Mulholland, Jr. for his remarkable term of military service.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, C	
Ellington	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Marionneau	Tarver
Holden	Michot	
Total—5		

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

Rules Suspended

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

**Senate Resolutions
on Second Reading to be Referred,
Subject to Call**

The following Senate Resolutions were read and referred, subject to call to committees as follows:

Called from the Calendar

Senator Barham asked that Senate Resolution No. 18 be called from the Calendar at this time.

SENATE RESOLUTION NO. 18—
BY SENATOR BARHAM
A RESOLUTION

To urge and request that all health-care providers receiving public tax funds, including but not limited to G.B. Cooley Services in Ouachita Parish, to end the practice of escorting or transporting

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clients or patients to casinos or other gaming establishments when the sole purpose of the trip is to gamble.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Original Senate Resolution No. 18 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, delete "health-care providers" and insert "care providers for the developmentally disabled"

AMENDMENT NO. 2

On page 1, line 4, after "patients" insert "in publicly owned vehicles"

AMENDMENT NO. 3

On page 1, line 12, delete "health-care providers" and insert "care providers for the developmentally disabled"

AMENDMENT NO. 4

On page 1, line 14, delete "health-care providers" and insert "care providers for the developmentally disabled"

AMENDMENT NO. 5

On page 1, line 16, after "provided" insert "publicly owned"

AMENDMENT NO. 6

On page 2, line 7, after "transporting" insert "in publicly owned vehicles"

AMENDMENT NO. 7

On page 2, line 10, delete "health-care providers" and insert "care providers for the developmentally disabled"

AMENDMENT NO. 8

On page 2, line 11, after "escort," delete "provide transportation" and insert "provide publicly owned transportation"

AMENDMENT NO. 9

On page 2, line 14, delete "health-care providers" and insert "care providers for the developmentally disabled"

On motion of Senator Hines, the amendments were adopted.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

April 4, 2002

To the President and Members of the Senate:

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

SENATE BILL NO. 116—

BY SENATORS CAIN AND IRONS

AN ACT

To enact R.S. 18:1505.2(P), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to require disclosure of the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 15—

BY REPRESENTATIVES DOWNER, FUTRELL, FAUCHEUX, AND PRATT

AN ACT

To amend and reenact R.S. 29:422, relative to the Military Service Relief Act; to provide for benefits and rights of persons called to service in the uniformed services; to provide for applicability; to provide for notice requirements; and to provide for related matters.

Reported with amendments.

Respectfully submitted, CHRIS ULLO Chairman

REPORT OF COMMITTEE ON

FINANCE

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

April 4, 2002

To the President and Members of the Senate:

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

SENATE BILL NO. 28—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 49:316.1(A), relative to user charges on credit cards; to authorize the establishment of a fee by the state treasurer for payment of state charges by credit cards, debit cards or similar payment devices; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 106—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Paragraph (P)(1) and (2) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Louisiana Stadium and Exposition District; to provide for the allocation of funds derived by the district; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 109—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to

establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 132—
BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT
AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 158—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for deposit and use of such monies; to provide for appropriations for certain tourism purposes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 160—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:2(11.1) and 75(A)(3) and to enact R.S. 39:2(5.1) and (48), relative to the avoidance of budget deficits; to provide for certain definitions; to provide for the budget status report; to provide for the presentation of the CAFR of the state to the committee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 162—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:1835(B) and 1838(4), relative to the Tax Commission Expense Fund; to provide that certain unexpended and unencumbered monies shall remain in the fund at the close of each fiscal year; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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

SENATE BILL NO. 28—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 49:316.1(A), relative to user charges on credit cards; to authorize the establishment of a fee by the state treasurer for payment of state charges by credit cards, debit cards or similar payment devices; and to provide for related matters.

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

SENATE BILL NO. 106—
BY SENATOR DARDENNE
AN ACT

To amend and reenact Paragraph (P)(1) and (2) of Article 14, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16 of the 1974 Constitution of Louisiana, relative to the Louisiana Stadium and Exposition District; to provide for the allocation of funds derived by the district; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 106 by Senator Dardenne

AMENDMENT NO. 1
On page 2, line 6, change the second "and" to a comma ","

AMENDMENT NO. 2
On page 2, line 8, between "Foundation" and the comma "," insert "and such amount necessary to fund contractual obligations of the state to any National Football League or National Basketball Association franchise, or both, located in Orleans Parish"

AMENDMENT NO. 3
On page 2, at the end of line 9, add "The surplus shall be distributed in the following order:"

AMENDMENT NO. 4
On page 3, line 12, delete (2) and insert "(2) (a)"

AMENDMENT NO. 5
On page 3, after line 26, insert the following:

"(b) After satisfying the requirements of Paragraph (2)(a) of this Section, any remaining surplus shall be distributed on a pro rata basis as follows:

- (1) An amount equal to one and thirteen-one-hundredths percent annually of the hotel occupancy tax to Jefferson Parish for tourism promotion.
- (2) Two million two hundred thousand dollars annually to the city of New Orleans to be used solely and exclusively by the New Orleans Recreation Department (NORD), or its successor.
- (3) Two hundred fifty thousand dollars annually to Xavier University.
- (4) Two hundred fifty thousand dollars annually to Southern University -New Orleans to be used solely and exclusively for the Small Business Center; however, any such monies received shall not supplant, replace, or displace any monies received or otherwise made available from the state by appropriation or otherwise.
- (5) Five hundred thousand dollars annually for the Westbank Sports and Civic Center in Jefferson Parish.
- (6) Two hundred fifty thousand dollars to the University of New Orleans to be used solely to elevate the school of Hotel, Restaurant, and Tourism Administration into a Louisiana Center for Excellence in Hospitality Education, and to provide for the operation and maintenance thereof; however, any such monies received by the University of New Orleans from this source shall not supplant, replace, or displace any monies made available by the state by way of appropriation or otherwise.
- (7) Three hundred fifty thousand dollars annually to the New Orleans Visitors and Information Center.
- (8) In the event the amount available is not sufficient to fully fund the distributions in Subsubparagraphs (1) through (7), the amount available shall be distributed on a pro rata basis."

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

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SENATE BILL NO. 109—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; and to provide for related matters.

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

SENATE BILL NO. (Substitute for Senate Bill 109 by Senator Theunissen)

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:99, relative to the disposition of certain monies accruing to city, parish, and other local public school systems; to require the state treasurer to enter into contracts to invest such monies on behalf of such school boards; to provide for the obligations of the state treasurer; to provide for the obligation of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:99 is hereby enacted to read as follows:

§99. Investment contracts; definitions; obligations of state treasurer; obligations of participating school boards; contractual requirements

R.S. 39:99 is all proposed new law.

A. As used in this Section the following terms shall have the meanings provided in this Subsection unless the context clearly requires otherwise:

(1) "Earnings" means the amount accruing to the credit of each participating local school board as a result of the investment strategies of the state treasurer.

(2) "Local school board" means any city, parish, or other local public school board.

(3) "Principal" means the amount of tobacco money each participating local school board entrusts to the treasurer for investment.

(4) "Tobacco money" means all monies accruing to the credit of each city, parish, or other local school board in the 2001-2002 Fiscal Year as a result of the operation of the provisions of Article VII, Section 10.8(A)(1)(d).

B. The state treasurer shall:

(1) Offer each local school board the opportunity to enter into a contract to have its tobacco money invested and managed on its behalf by the treasurer's office.

(2) Establish within his office the means to collectively invest such money to gain the maximum earnings for each local school board entering into a contract.

(3) In administering any such contracts, maintain separate accounts for each local school board entering into a contract pursuant to this Section.

(4) Develop a contractual agreement, reviewed and approved by the office of the attorney general, which establishes the obligations of the treasurer and each participating school board as provided in this Section.

(5) Provide each participating school board with quarterly reports regarding the results of investments and the school boards balance to that time.

(6) Transmit principal or earning amounts attributable to any participating local school board upon the warrant of that board in conformity with the contract and the requirements of this Section.

(7) Charge only such investment and administrative fees to any account that are prorated to reflect the variation in balances among

accounts and only such as are established and approved in the same manner as required for such fees charged to the Millennium Trust.

(8) Adopt such rules as are required or necessary for the efficient and effective administration of the contracts provided for in this Section.

C. Each contract entered into pursuant to this Section shall contain:

(1) A guarantee of at least the maintenance of the principal amount entrusted by the participating local school board, less any principal amounts withdrawn by the contracting school board as permitted in this Section and by terms of the contract.

(2) The authority necessary for the treasurer to invest any money entrusted to his investment pursuant to this Section with the same authority and limitations applicable to his investment of the monies in the Louisiana Education Quality Trust Fund.

(3) A clear statement of the obligations of the local school board as provided in this Section at the time the contract is confected.

D. Each local school board which wishes to enter into such a contract shall agree to:

(1) Withdraw and expend monies from its account only as provided in this Paragraph and in the following order of priority:

(a) Withdraw and expend earnings and principal, if necessary, to stabilize the amount received in each year to be not less than that necessary to equal the total amount of money allocated and distributed to such school board pursuant to Article VII, Section 10.8 in the previous year.

(b) If, after withdrawing earnings pursuant to Subparagraph (a) of this Paragraph, any earnings remain, withdraw and expend earnings to provide or enhance the provision of age-appropriate early childhood education for four-year-old children at least equal to that provided pursuant to the early childhood education program requirements in the 2001-2002 school year of the program funded with Louisiana Education Quality Trust Fund money who would be eligible to attend kindergarten in a school over which the board has jurisdiction who are at risk of academic failure until all such children are provided such services.

(c) If, after withdrawing earnings pursuant to Subparagraphs (a) and (b) of this Paragraph, any earnings remain, withdraw and expend earnings only for any purpose consistent with the limitations for the expenditure of Education Excellence Fund monies in Article VII, Section 10.8 of the constitution.

(2) Submit a plan for approval as required in Article VII, Section 10.8 of the constitution which provides for entering into a contract with the state treasurer as provided in this Section and the expenditure of funds consistent with the provisions of this Section.

E. All monies in the account of any contracted local school boards shall remain to the credit of such local school board.

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 Dardenne, the committee substitute bill was adopted and becomes Senate Bill No. 117 by Senator Theunissen, substitute for Senate Bill No. 109 by Senator Theunissen.

SENATE BILL NO. 117 (Substitute for Senate Bill 109 by Senator Theunissen)

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:99, relative to the disposition of certain monies accruing to city, parish, and other local public school systems; to require the state treasurer to enter into contracts to invest such monies on behalf of such school boards; to provide for the obligations of the state treasurer; to provide for the obligation of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

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

SENATE BILL NO. 116—
 BY SENATORS CAIN AND IRONS
 AN ACT

To enact R.S. 18:1505.2(P), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to require disclosure of the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; 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. 116 by Senator Cain

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert the following:

"To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and delete lines 9 through 10 in their entirety and insert the following:

"R.S. 18:1505.3(B) is hereby amended and reenacted and R.S. 18:1505.3 is hereby enacted to read as follows:
 §1505.3. Subterfuge to avoid compliance with Chapter "

AMENDMENT NO. 3

On page 1, delete lines 12 through 14 in their entirety and insert the following:

"B. As more specifically provided in R.S. 18:1491.2(B) no political committee shall dissolve and reorganize under a modified name, charter, or organizational structure as a subterfuge to avoid the reporting and other requirements of this Chapter. **No political action committee, whether the political action committee is**"

AMENDMENT NO. 4

On page 1, line 16, delete "by"

AMENDMENT NO. 5

On page 2, delete lines 1 through 3 in their entirety and insert the following:

"shall be formed as a subterfuge to avoid accurately reporting the actual source of contributions received by said committees or corporations. The chairman of any committee(s) **or corporations** which violates the provisions of said Subsection B shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

* * *

R.S. 18:1505.3(E) is all proposed new law

E. Should a violation of Subsection B of this Section occur twenty-nine days prior to an election, an action can be instituted in a court of competent jurisdiction and venue by filing a petition and by posting a copy of the petition in a conspicuous place at the entrance of the office of the clerk of court. A trial shall be conducted in the manner set forth in R.S. 18:1406(C). If the court finds that Subsection B of this Section has been violated, the court may order the defendant to immediately and accurately disclose the required documents to the petitioner and the Board of Ethics."

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**

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

HOUSE BILL NO. 15—
 BY REPRESENTATIVES DOWNER, FUTRELL, FAUCHEUX, AND PRATT
 AN ACT

To amend and reenact R.S. 29:422, relative to the Military Service Relief Act; to provide for benefits and rights of persons called to service in the uniformed services; to provide for applicability; to provide for notice requirements; 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. 15 by Representative Downer

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert the following: "R.S. 29:38(A), 403(9) and 422 and to enact R.S. 29:403(3.1) and (3.2), relative to military affairs;"

AMENDMENT NO. 2

On page 1, line 5, after the semicolon ";" and before "and" insert "to provide for reemployment rights of persons called to duty in the national guard of this state and of any other state; to define certain terms under the Military Service Relief Act;"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 29:422 is" to "R.S. 29:38(A), 403(9), and 422 are"

AMENDMENT NO. 4

On page 1, line 7, after "reenacted" and before "to" insert "and R.S. 29:403(3.1) and (3.2) are hereby enacted"

AMENDMENT NO. 5

On page 1, between lines 8 and 9 insert the following:

"§38. Reemployment of persons called to duty in state military forces and national guard of other states

A. Any person who is called or ordered to active duty ~~by the this state, whether such person is a member in the service of the national guard of the this state or of any other state,~~ the state militia or any other military force of this state and who has performed satisfactorily, shall, upon his release and return from such military duty or recovery from disease or injury resulting therefrom, under honorable conditions, be reinstated in or restored to the same or comparable position of employment, except a temporary position, which he held at the time he was called to such duty. Such person shall report to his place of employment within seventy-two hours after his release from duty or recovery from disease or injury resulting therefrom, as the case may be, and his employer or his employer's successor, whether an agency of the state or its political subdivision or a private employer, shall reinstate or restore such person in the same or comparable position which he left at the time of his call to duty at no less compensation than that which he was receiving at the time of his call to duty or to a position of like seniority, status, benefits, and pay. However, if such person is not

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qualified to perform the or capable of performing the essential functions and duties of the same position by reason of disability sustained during his call to duty, but is otherwise qualified by reason of education, training, or experience to perform another position in the employ of the employer or his successor, the employer or his successor shall employ such person in another that other or comparable position, the essential functions and duties of which he is physically capable and qualified to perform, that will provide like seniority, status, benefits, and pay or the nearest approximation thereof consistent with the circumstances of the case provided the employment does not pose a direct threat or significant risk to the health and safety of the individual or others that cannot be eliminated by reasonable accommodation. Any such person called to duty shall, if he has performed satisfactorily and has been released under honorable conditions, be entitled to a certificate to that effect, signed by such person's commanding officer.

* * *

§403. Definitions

As used in this Part, the following terms shall have the definitions ascribed in this Section unless the context clearly requires otherwise:

* * *

(3.1) "Disability" means a physical or mental impairment, which substantially limits one or more of the major life activities, or a record of such impairment. Major life activities include caring for one's self, walking, hearing, speaking, breathing, learning, performing manual tasks, and working.

(3.2) "Essential functions" means the fundamental job duties of the employment position the disabled person held or desires.

* * *

(9) "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time national guard duty, and a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty. "Service in the uniformed services" also means service in the armed forces of the United States pursuant to authorization by the United States Congress or presidential proclamation pursuant to the War Powers Resolution (50 U.S.C. 1541 et seq.). "Service in the uniformed service services" also means state active duty by members of the national guard who are activated pursuant to a call of the governor of this state or of any other state as provided for by law.

* * *

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. 132—

BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT
AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 132 by Representative LeBlanc

AMENDMENT NO. 1

On page 2, line 7, delete ", up to an amount appropriated by the legislature,"

On motion of Senator Dardenne, 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. 158—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for deposit and use of such monies; to provide for appropriations for certain tourism purposes; and to provide for related matters.

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

HOUSE BILL NO. 160—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:2(11.1) and 75(A)(3) and to enact R.S. 39:2(5.1) and (48), relative to the avoidance of budget deficits; to provide for certain definitions; to provide for the budget status report; to provide for the presentation of the CAFR of the state to the committee; and to provide for related matters.

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

HOUSE BILL NO. 162—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:1835(B) and 1838(4), relative to the Tax Commission Expense Fund; to provide that certain unexpended and unencumbered monies shall remain in the fund at the close of each fiscal year; and to provide for related matters.

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

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 48 from the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 48—

BY REPRESENTATIVE BALDONE AND SENATORS DUPRE AND GAUTREAUX
AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

On motion of Senator Lambert, the bill which is a duplicate of Senate Bill No. 3 was read by title and lies over under the rules.

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:

April 4, 2002

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 19—
BY SENATORS SMITH, BARHAM, CAIN, ELLINGTON, HINES, MCPHERSON AND ROMERO AND REPRESENTATIVE FARRAR
A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of Veterans Affairs to keep the Veterans Affairs Medical Center in Pineville open, and to reinstate those programs and services which have been reduced or eliminated at the hospital during the past several years.

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation and the United States Congress to support the Act to Leave No Child Behind.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR SCHEDLER AND REPRESENTATIVE STRAIN
A CONCURRENT RESOLUTION

To designate March as Louisiana Nutrition Month.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATORS CRAVINS AND HINES AND REPRESENTATIVES HUDSON, DURAND AND BAUDOIN
A CONCURRENT RESOLUTION

To commend and congratulate Joey and Denise Olivier of Arnaudville on being awarded the "Young Farmer and Rancher Achievement Award" by the Louisiana Farm Bureau in July, 2001 and by the American Farm Bureau in January, 2002.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATORS HINES

A CONCURRENT RESOLUTION

To urge and request that funding be included in the budget for Fiscal Year 2002-2003 for the prevention and treatment of stroke in Louisiana, as recommended by the Louisiana Stroke Treatment Task Force.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATORS BAJOE, IRONS, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO
A CONCURRENT RESOLUTION

To commend Ms. Halle Berry, on her historical win of an Academy Award for an actress in a leading position for her role in "Monster's Ball"; the first such award made to an African-American woman.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 4, 2002

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. 35—
BY REPRESENTATIVE DOWNER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to empower the Department of Transportation and the United States Postal Service to work together to establish uniform standards for the construction and placement of mailboxes along highways across America.

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVE DOWNER
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to work with the United States Postal Service to develop uniform standards regarding the placement and design of curbside mailboxes along state and federal highways, and to request that the Department of Transportation and Development create a pamphlet regarding such mailboxes, and to request otherwise relative to such mailboxes.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE L. JACKSON
A CONCURRENT RESOLUTION

To recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine by declaring March thirtieth as Doctors Day and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

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.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

April 4, 2002

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. 2—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:5108.4(A)(9), relative to payment of legal expenses of state officials and employees; to provide for membership of the Attorney Fee Review Board; and to provide for related matters.

HOUSE BILL NO. 16—
BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
AN ACT

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

April 4, 2002

HOUSE BILL NO. 27—
BY REPRESENTATIVES JOHNS, BOWLER, AND CLARKSON
AN ACT

To amend and reenact R.S. 9:315.9(A) and 315.20, relative to child support; to provide for the calculation of child support obligations in shared custodial arrangements, to provide a worksheet for the calculation of shared custody; and to provide for related matters.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

HOUSE BILL NO. 38—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact Children's Code Article 1243(A)(introductory paragraph), relative to intrafamily adoptions; to specify that stepparents and stepgrandparents are eligible petitioners in intrafamily adoptions; and to provide for related matters.

HOUSE BILL NO. 45—
BY REPRESENTATIVES ALARIO, MURRAY, LANDRIEU, K. CARTER, AND HEATON
AN ACT

To amend and reenact Sections 20 and 23 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, and Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; and to provide for related matters.

HOUSE BILL NO. 51—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 47:302.53, 322.45, and 332.51, relative to the disposition of certain sales tax collections in Concordia Parish; to establish the Concordia Parish Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for the use of such monies; and to provide for related matters.

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

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Holden 1 Day Tarver 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, April 8, 2002, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Monday, April 8, 2002.