

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

---

**NINTH 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

Tuesday, April 9, 2002

The Senate was called to order at 9:30 o'clock A.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	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Total—36		

**ABSENT**

Hines	Johnson	Romero
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

**Prayer**

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

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

April 9, 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. 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 or private facilities 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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 125—**

BY REPRESENTATIVES SCHNEIDER AND DANIEL

AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(b), to enact R.S. 11:502.2(A)(3), and to repeal Section 3 of 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 participation in such plan by members of the Executive Career Service; to provide for procedures and time limitations for application for participation in such plan; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 130—**

BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL  
AN ACT

To amend and reenact R.S. 11:416, relative to the Louisiana State Employees Retirement System; to provide for the reemployment of retirees; to provide for the benefits paid to such retirees; to provide relative to accrual of credit for service; to provide for employer contributions; to provide an option for regaining membership in the system; to provide for reporting; to provide penalties for failure to report; to provide for retirees reemployed pursuant to Act No. 455 of the 2001 Regular Session of the Legislature and for employees who retired prior to the effective date of such Act; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 145—**

BY REPRESENTATIVE BROOME  
AN ACT

To repeal R.S. 11:411(10), relative to membership in the Louisiana State Employees' Retirement System; to repeal provisions making employees of the East Baton Rouge Parish Housing Authority members of the system and providing for related matters; to provide that neither the East Baton Rouge Parish Housing Authority nor any employee thereof shall be required or allowed to make contributions to the system pursuant to Act No. 404 of the 2001 Regular Session of the Legislature; and to provide for related matters.

Reported without amendments.

**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.

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.

**House Bills and Joint Resolutions  
on Second Reading**

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

**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.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 74, was read by title and referred to the Legislative Bureau.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 21—**

BY SENATORS SCHEDLER AND ULLO  
AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and (c), and (B) and R.S. 40:1300.52(B)(2), and to enact R.S. 15:598, relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to criminal history checks; to provide for fees for civil applicant processing; to create the Criminal Identification and Information Fund in the state treasury; to provide for the purpose, appropriation, and investment of monies in the fund; and to provide for related matters.

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

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to engrossed Senate Bill No. 21 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 15:598" and before the comma "," insert "and R.S. 40:1300.52(B)(3)"

AMENDMENT NO. 2

On page 1, line 8, after "fund;" and before "and" insert "to provide a maximum fee for applicants for employment with a nursing home or a group home;"

AMENDMENT NO. 3

On page 4, line 12, after "fee" and before "to" insert "established by rule pursuant to the Administrative Procedure Act"

AMENDMENT NO. 4

On page 4, between lines 13 and 14, insert the following:

"(3) Notwithstanding any provision of law to the contrary, the fee for an applicant for employment with a nursing home or a group home shall not exceed ten dollars."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 21 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 11, following "15:598" and before "hereby" change "is" to "and R.S. 40:1300.52(B)(3) are"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Downer to engrossed Senate Bill No. 21 by Senator Schedler

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 4 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on April 4, 2002.

AMENDMENT NO. 2

Delete the Legislative Bureau Amendment proposed by the Legislative Bureau and adopted by the House on April 4, 2002.

AMENDMENT NO. 3

On page 2, line 3, after "individuals." delete the remainder of the line and insert the following: "A fee of twenty-six dollars"

AMENDMENT NO. 4

On page 2, line 4, delete "Administrative Procedure Act"

AMENDMENT NO. 5

On page 2, line 10, after "individuals." delete the remainder of the line and insert the following: "A fee of twenty-six dollars"

AMENDMENT NO. 6

On page 2, line 24, after "B." delete the remainder of the line

AMENDMENT NO. 7

On page 2, line 25, delete "Procedure Act, the" and insert "The"

AMENDMENT NO. 8

On page 2, line 25, after "a" and before "processing" delete "reasonable" and after "fee" delete "not"

AMENDMENT NO. 9

On page 2, line 25, delete "to exceed seventy-five" and insert "of twenty-six"

AMENDMENT NO. 10

On page 4, at the end of line 11, delete "reasonable"

AMENDMENT NO. 11

On page 4, line 12, after "fee" and before "to" insert "of twenty-six dollars"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bean	Heitmeier	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lentini	Ullo
Total—27		

NAYS

Total—0

ABSENT

Bajoie	Fontenot	Lambert
Barham	Gautreaux	Marionneaux
Cravins	Hines	Romero
Ellington	Johnson	Thomas
Total—12		

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

**SENATE BILL NO. 80—**

BY SENATORS C. JONES AND CRAVINS  
AN ACT

To amend and reenact R.S. 40:966(B)(2) and 967(F)(3)(c) and to enact R.S. 40:966(B)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain violations of the Uniform Controlled Dangerous Substances Law; to revise the sentence for

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distribution or possession with intent to distribute marijuana; to provide with respect to the crime of and applicable sentence for possession of gamma hydroxybutyric acid (GHB); to provide for the effectiveness of such changes; and to provide for related matters.

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

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 80 by Senator C. Jones

**AMENDMENT NO. 1**

On page 2, line 9, after "of" and before "probation," insert "parole"

Senator C. Jones moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Jones, C
Barham	Gautreaux	Marionneau
Bean	Heitmeier	McPherson
Boissiere	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Irons	Tarver
Dupre	Jones, B	Theunissen
Total—21		

**NAYS**

Cain	Lentini	Ullo
Dean	Malone	
Hoyt	Smith	
Total—7		

**ABSENT**

Bajoie	Fontenot	Romero
Campbell	Hines	Schedler
Cravins	Johnson	Thomas
Ellington	Lambert	
Total—11		

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

**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. 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.

Reported favorably by the Committee on Finance.

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	Fontenot	Malone
Bean	Gautreaux	Marionneau
Boissiere	Heitmeier	McPherson
Cain	Holden	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Fields	Lentini	Ullo
Total—30		

**NAYS**

Total—0

**ABSENT**

Bajoie	Ellington	Lambert
Barham	Hines	Romero
Cravins	Johnson	Thomas
Total—9		

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

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

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

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

BY SENATORS THEUNISSEN AND SCHEDLER

**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 obligations of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

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

**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. 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 by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Holden	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lentini	Ullo
Total—30		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fontenot	Lambert
Barham	Hines	Romero
Ellington	Johnson	Thomas
Total—9		

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

**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 by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lentini	Ullo
Total—27		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fontenot	Lambert
Barham	Hines	Malone
Cravins	Hoyt	Romero
Ellington	Johnson	Thomas
Total—12		

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

**HOUSE CONCURRENT RESOLUTION NO. 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 by the Committee on Judiciary A.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson

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Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Ullo
Dupre	Lentini	
Fields	Malone	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Hines	Romero
Cravins	Johnson	Thomas
Ellington	Lambert	
Total—8		

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

**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 by the Committee on Judiciary A.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Ullo
Ellington	Lentini	
Fields	Malone	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Hines	Romero
Cravins	Johnson	Thomas
Dupre	Lambert	
Total—8		

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

**House Concurrent Resolutions  
on Second Reading  
Reported by Committees,  
Subject to Call**

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

**Called from the Calendar**

Senator B. Jones asked that House Concurrent Resolution No. 14 be called from the Calendar at this time.

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Johnson	Thomas
Cravins	Lambert	
Hines	Romero	

Total—7

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

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

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

**HOUSE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Holden	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Hines	Romero
Cravins	Johnson	Thomas
Total—6		

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

**HOUSE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Campbell	Hoyt	Tarver
Cravins	Jones, C	Ullo
Dardenne	Lambert	
Dean	Lentini	
Total—28		

NAYS

Chaisson	Irons	Marionneaux
Fields	Jones, B	
Total—5		

ABSENT

Dupre	Johnson	Theunissen
Hines	Romero	Thomas
Total—6		

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

**HOUSE BILL NO. 103—**

BY REPRESENTATIVES LEBLANC, MURRAY, AND WELCH  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 2001-2002 Fiscal Year; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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Mr. President	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones, B	Ullo
Dean	Jones, C	
Dupre	Lambert	
Total—34		

NAYS

McPherson  
Total—1

ABSENT

Hines	Romero
Johnson	Thomas
Total—4	

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS		
Mr. President	Fields	Lentini	
Bajoie	Fontenot	Malone	
Barham	Gautreaux	Marionneaux	
Boissiere	Heitmeier	McPherson	
Cain	Holden	Michot	
Chaisson	Hollis	Mount	
Cravins	Hoyt	Schedler	
Dardenne	Irons	Smith	
Dean	Jones, B	Tarver	
Dupre	Jones, C	Theunissen	
Ellington	Lambert	Ullo	
Total—33			

NAYS

Total—0

ABSENT

Bean	Hines	Romero
Campbell	Johnson	Thomas
Total—6		

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

**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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS		
Mr. President	Ellington	Lentini	
Bajoie	Fields	Malone	
Barham	Fontenot	Marionneaux	
Bean	Gautreaux	McPherson	
Boissiere	Heitmeier	Michot	
Cain	Holden	Mount	
Campbell	Hollis	Schedler	
Chaisson	Hoyt	Smith	
Cravins	Irons	Tarver	
Dardenne	Jones, B	Theunissen	
Dean	Jones, C	Ullo	
Dupre	Lambert		
Total—35			

NAYS

Total—0

ABSENT



Hines  
Johnson  
Total—4

Romero  
Thomas

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hines  
Total—3

Johnson  
Romero

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Ullo
Dean	Lambert	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Hines  
Irons  
Total—5

Johnson  
Romero  
Thomas

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler

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Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—35		

NAYS

Dean  
Total—1

ABSENT

Johnson	Romero	Thomas
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bean	Romero
Johnson	Thomas
Total—4	

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

**Appointment of Conference Committee  
on Senate Bill No. 21**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 21: Senators Schedler, Ullo and Lentini.

**Recess**

On motion of Senator Lambert, the Senate took a recess until 4:00 o'clock P.M.

**After Recess**

The Senate was called to order at 4:00 o'clock P.M. by the 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	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

ABSENT

Johnson  
Total—1

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

**Senate Business Resumed**

**Rules Suspended**

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

April 9, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 30—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 47:463.108, relative to motor vehicles license plates; to provide for a special prestige license plate for breast cancer awareness; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:553(17) and 559(3), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership of certain employees of the traffic courts for the parish of Orleans; to authorize credit in the judicial retirement plan of the Louisiana State Employees' Retirement System for service as a judicial administrator for the traffic courts for the parish of Orleans and each deputy of the administrator; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 7—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To authorize and empower the Terrebonne Parish School Board to lease certain described property in Terrebonne Parish to the Department of Wildlife and Fisheries; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 11—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 47:302.36(B), relative to the Allen Parish Capital Improvements Fund; to provide for the disposition of monies in the fund; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 14—

BY SENATORS THEUNISSEN, DARDENNE, HOYT, B. JONES AND MOUNT

AN ACT

To amend and reenact R.S. 17:10.3 and Section 10 of Act No. 1185 of the 2001 Regular Session of the Legislature, relative to the School and District Accountability Fund; to delete such fund from a general repeal of certain funds effective July 1, 2002; to limit the use of the fund to the provision of rewards to public schools earning monetary rewards as part of the school and district accountability system; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 17—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 46:1053(D)(1), relative to the Washington Parish Hospital Service District Number One; to increase the membership of the board of commissioners for the district; to add a member from the active medical staff of the Riverside Medical Center; to provide for the manner of appointment; to provide for the term of service; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 18—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Section 3 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, relative to the Bayou Lafourche Freshwater District; to provide relative to per diem and mileage for board members; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 29—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to provide an effective date; and to provide for related matters.

Reported with amendments.

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 9, 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. 34— BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the United States Postal Service to issue a Louisiana Purchase Bicentennial Stamp and to include on such stamp the official Louisiana Purchase Bicentennial logo.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 35— BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Wiltz Trahan.

Reported without amendments.

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.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 21— BY SENATOR HOYT

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. James Joseph Camel of Kaplan.

On motion of Senator Hoyt, 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 9, 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. 156—

BY REPRESENTATIVE HILL AND SENATOR HINES AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

HOUSE BILL NO. 169—

BY REPRESENTATIVES LEBLANC AND FAUCHEUX AN ACT

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.5, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provides for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

HOUSE BILL NO. 175—

BY REPRESENTATIVE JOHNS AN ACT

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; and to provide for related matters.

**HOUSE BILL NO. 174—**

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLEUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRES, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON

**AN ACT**

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; and to provide for related matters.

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

**House Bills and Joint Resolutions**

Senator Smith 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. 156—**

BY REPRESENTATIVE HILL AND SENATOR HINES  
**AN ACT**

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; 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. 169—**

BY REPRESENTATIVES LEBLANC AND FAUCHEUX  
**AN ACT**

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.5, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provides for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to

adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; 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. 174—**

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLEUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRES, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON

**AN ACT**

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; 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. 175—**

BY REPRESENTATIVE JOHNS  
**AN ACT**

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; 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.

**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 9, 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. 49—**

BY REPRESENTATIVE FRITH  
**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to resurface a portion of Louisiana Highway 335 in Vermilion Parish; to enter the resurfacing project into the

Highway Priority Program, and to give the road a high priority rating.

**HOUSE CONCURRENT RESOLUTION NO. 41—**  
BY REPRESENTATIVES PITRE, DEWITT, AND WALSWORTH  
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to coastal restoration and make specific recommendations for limiting the liability of the state.

**HOUSE CONCURRENT RESOLUTION NO. 50—**  
BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Louisiana Highway 693 from its intersection with Louisiana Highway 335 to its intersection with Louisiana Highway 82 in Vermilion Parish prior to the commencement of the 2003 Regular Session; to request that the resurfacing of Louisiana Highway 693 be added to the Highway Priority Program and receive a high priority ranking.

**HOUSE CONCURRENT RESOLUTION NO. 51—**  
BY REPRESENTATIVES DEWITT AND BRUNEAU  
A CONCURRENT RESOLUTION

To commend the Republic of China on Taiwan for its contributions to promoting world health and to support its bid to obtain observer status in the World Health Organization at the annual summit of the World Health Assembly in May of 2002 in Geneva, Switzerland.

**HOUSE CONCURRENT RESOLUTION NO. 52—**  
BY REPRESENTATIVE DANIEL  
A CONCURRENT RESOLUTION

To request the House and Senate Natural Resources Committees to study the Artificial Reef Development Program in the Department of Wildlife and Fisheries.

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

**House Concurrent Resolutions**

Senator Ellington 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. 41—**  
BY REPRESENTATIVES PITRE, DEWITT, AND WALSWORTH  
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to coastal restoration and make specific recommendations for limiting the liability of the state.

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

**HOUSE CONCURRENT RESOLUTION NO. 49—**  
BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface a portion of Louisiana Highway 335 in Vermilion Parish; to enter the resurfacing project into the Highway Priority Program, and to give the road a high priority rating.

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

**HOUSE CONCURRENT RESOLUTION NO. 50—**  
BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Louisiana Highway 693 from its intersection with Louisiana Highway 335 to its intersection with Louisiana Highway 82 in Vermilion Parish prior to the commencement of the 2003 Regular Session; to request that the resurfacing of Louisiana Highway 693 be added to the Highway Priority Program and receive a high priority ranking.

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

**HOUSE CONCURRENT RESOLUTION NO. 51—**  
BY REPRESENTATIVES DEWITT AND BRUNEAU  
A CONCURRENT RESOLUTION

To commend the Republic of China on Taiwan for its contributions to promoting world health and to support its bid to obtain observer status in the World Health Organization at the annual summit of the World Health Assembly in May of 2002 in Geneva, Switzerland.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Lambert	
Total—29		

**NAYS**

Total—0

**ABSENT**

Bean	Fontenot	Tarver
Campbell	Jones, C	Ullo
Chaisson	Lentini	
Cravins	Marionneaux	
Total—10		

Respectfully submitted,  
KEN HOLLIS  
Chairman

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

**HOUSE CONCURRENT RESOLUTION NO. 52—**  
BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To request the House and Senate Natural Resources Committees to study the Artificial Reef Development Program in the Department of Wildlife and Fisheries.

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

**Reports of Committees**

The following reports of committees were received and read:

**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 9, 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:

**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.

Reported favorably.

**HOUSE BILL NO. 89—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; and to provide for related matters.

Reported favorably.

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 9, 2002

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 40—**  
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To praise the National Family Resiliency Program as a unique organization teaching divorced and separated parents ways to make child-focused decisions and to ensure loving parent-child relationships.

Reported favorably.

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

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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 9, 2002

To the President and Members of the Senate:

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

**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 with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 4—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To authorize and request the Louisiana State Law Institute to review certain statutory provisions and change references in the Insurance Code and other titles of the Louisiana Revised Statutes of 1950 due to the enactment of Act No. 158 of the 2001 Regular Session.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 149 (Substitute for House Bill No. 59 by Representative Hebert)—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to limit the number of filings; to provide changes in rates; to provide for limits; to provide for approval; to provide for the Louisiana Insurance Rating Commission; to provide for actuarial justification; to provide for notice; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER

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 9, 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. 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.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOIE

Chairwoman

**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 9, 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:

**HOUSE CONCURRENT RESOLUTION NO. 18—**

BY REPRESENTATIVE LEBLANC

**A CONCURRENT RESOLUTION**

To extend the time for the Louisiana Advisory Commission on Intergovernmental Relations to report its findings to the legislature on what services government should provide and the responsibilities of state and local government to provide and fund such services to 2003.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
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 9, 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:

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE CROWE

**AN ACT**

To enact R.S. 47:463.108 and 463.109, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate and to provide for the creation of a 4-H prestige license plate; to provide for the issuance of such plates; to provide for the style and color of the 4-H prestige license plate; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties assessed against employers of such drivers under certain circumstances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 92—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

**AN ACT**

To amend and reenact R.S. 48:461.4(a)(1), relative to outdoor advertising; to provide relative to the classification of certain illuminated signs; to require certain illuminated signs to be classified as on-premise signs by the Department of Transportation and Development; to provide for certain exemptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

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

April 9, 2002

To the President and Members of the Senate:

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

**SENATE BILL NO. 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.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

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

**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.

Reported with amendments by the Committee on Labor and Industrial Relations.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 118 by Senator Theunissen

AMENDMENT NO. 1

On page 1, delete line 13 in its entirety and insert "G. (1) The Governor's Office of the Workforce Commission, the Division of Administration, or any contractor working on behalf of either of them,"

AMENDMENT NO. 2

On page 1, line 14, delete "state agency,"

AMENDMENT NO. 3

On page 2, line 5, after "agencies" delete the remainder of the line and on line 6, delete "makers"

AMENDMENT NO. 4

On page 2, line 7, after "statistics" delete the remainder of the line and insert "for education and training"

AMENDMENT NO. 5

On page 2, line 24, after "sanction" insert ",as provided for in Subparagraph (c) of this Paragraph,"

AMENDMENT NO. 6

On page 3, delete line 1 in its entirety and insert "the Governor's Office of the Workforce Commission, the Division of Administration, or any contractor acting on behalf of either of them"

AMENDMENT NO. 7

On page 3, line 2, delete "agency"

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

**HOUSE BILL NO. 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.

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. 3—**

BY REPRESENTATIVE CROWE  
**AN ACT**

To enact R.S. 47:463.108 and 463.109, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate and to provide for the creation

of a 4-H prestige license plate; to provide for the issuance of such plates; to provide for the style and color of the 4-H prestige license plate; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; 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 Reengrossed House Bill No. 3 by Representative Crowe

##### AMENDMENT NO. 1

On page 3, delete lines 1 through 7, and insert:

“B. The background of the plate shall be white and there shall be a thin green border around the perimeter of the plate. The top of the plate shall bear the word “Louisiana” in red. The 4-H logo shall appear on the left side of the plate beneath the words “LSU AgCenter” written in green. The bottom of the plate shall bear the words “Support 4-H Youth Development” in green letters and the alpha numeric registration license code and numbers shall also be green.”

On motion of Senator Heitmeier, 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. 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.

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. 60—

BY REPRESENTATIVES WALSWORTH, DURAND, GUILLORY, L. JACKSON, KATZ, MCDONALD, SCHWEGMANN, HUNTER, THOMPSON, AND BRUCE

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.

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

##### HOUSE BILL NO. 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.

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

##### HOUSE BILL NO. 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.

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

##### HOUSE BILL NO. 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.

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. 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.

Reported with amendments by the Committee on Insurance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 75 by Representative Hebert

April 9, 2002

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:" and before "1078(B)(3)(a)," insert "5(13),"

AMENDMENT NO. 2

On page 1, at the end of line 5, insert the following: to provide for insurance premiums; to provide for the definition of premium;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 22:" and before "1078(B)(3)(a)", insert "5(13),"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert the following:

§5. General definitions

In this Code, unless the context otherwise requires, the following definitions shall be applicable:

\* \* \*

(13) "Premium" as used in this Code means all sums charged, received or deposited as consideration for the purchase or continuance of insurance for a definitely stated term, and shall include any assessment, membership, policy, survey, inspection, service or similar fee or charge made by an insurer as a part of the consideration for the purchase or continuance of insurance. **The term premium, as used in R.S. 22:636(D) and 637(B), shall not include any assessment, membership, policy, survey, inspection, service or similar fee or charge made by an insurer as part of the consideration for the purchase or continuance of insurance.**

\* \* \*

On motion of Senator Tarver, 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. 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.I, 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.

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

HOUSE BILL NO. 84—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties assessed against employers of such drivers under certain circumstances; 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 Reengrossed House Bill No. 84 by Representative Diez

AMENDMENT NO. 1

On page 3, at the end of line 10, change "five" to "ten thousand" and on line 11, delete "hundred"

On motion of Senator Heitmeier, 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. 89—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; 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. 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.

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

**HOUSE BILL NO. 92—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 48:461.4(a)(1), relative to outdoor advertising; to provide relative to the classification of certain illuminated signs; to require certain illuminated signs to be classified as on-premise signs by the Department of Transportation and Development; to provide for certain exemptions; 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. 149 (Substitute for House Bill No. 59 by Representative Hebert)—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to limit the number of filings; to provide changes in rates; to provide for limits; to provide for approval; to provide for the Louisiana Insurance Rating Commission; to provide for actuarial justification; to provide for notice; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 149 by Representative Hebert

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 22:1401(J)," insert "and 1403(B),"

**AMENDMENT NO. 2**

On page 1, line 6, after "notice;" insert "to provide for rate filings by certain insurers with the commission;"

**AMENDMENT NO. 3**

On page 1, line 8, after "R.S. 22:22:1401(J)" delete "is" and insert "and 1403(B) are"

**AMENDMENT NO. 4**

On page 2, line 14, delete "the thirty days" and insert in lieu thereof the following: "thirty days of receipt of the written notification by the insurer"

**AMENDMENT NO. 5**

On page 2, line 25, delete "the thirty days" and insert in lieu thereof the following:

"thirty days of receipt of the written notification by the insurer"

**AMENDMENT NO. 6**

On page 3, at the end of line 10, insert the following:

"§1403. Scope of rate regulation

A. This Part applies to fire, marine and transportation (inland marine), title insurance and casualty insurance risks or operations in this state.

B.(1) For the purpose of this Part, fire insurance includes insurance coverage as defined in paragraphs (10), (11b), and (12) of R.S. 22:6, and such other coverages as are usually written by fire insurers other than motor vehicle insurance; marine and transportation (inland marine) insurance includes personal floater insurance and the kinds of insurance defined in paragraph (13) of R.S. 22:6 and such other inland marine coverages as may be so established by interpretation, by ruling of the commission, or by general customs of the business; title insurance includes the kind of insurance coverage as defined in paragraph (9) of R.S. 22:6, and casualty insurance includes the kinds of casualty insurance defined in paragraphs (3), (4), (5), (6), except personal property floater, (7), (8), (11a) of R.S. 22:6, and such other coverages as are usually written by casualty insurers.

**(2) Notwithstanding any other law to the contrary, any authorized insurer or approved unauthorized insurer providing liability coverage for public carrier vehicles, as defined by R.S. 45:200.2(2), shall be subject to the provisions of this Part.**

\* \* \*

On motion of Senator Tarver, 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 Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

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

**HOUSE BILL NO. 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.

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

April 9, 2002

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Ellington	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Romero
Campbell	Holden	Smith
Chaisson	Hoyt	Tarver
Cravins	Lambert	Ullo
Dupre	Lentini	
Total—23		

NAYS

Mr. President	Hollis	Schedler
Dardenne	Malone	Theunissen
Dean	Mount	Thomas
Total—9		

ABSENT

Bajoie	Irons	Jones, C
Fields	Johnson	
Fontenot	Jones, B	
Total—7		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 30 by Representative Scalise

AMENDMENT NO. 1

Delete Senate Floor Amendment No.1 proposed by Senator Hollis and adopted by the Senate on April 4, 2002.

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Johnson	Thomas
Total—2	

The Chair declared the amended 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.

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.

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

HOUSE BILL NO. 41—

BY REPRESENTATIVES R. ALEXANDER AND THOMPSON 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Fontenot	Heitmeier	Johnson
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot

Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

**NAYS**

Total—0

**ABSENT**

Johnson
Total—1

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

**HOUSE BILL NO. 43—**

BY REPRESENTATIVES JANE SMITH AND MONTGOMERY  
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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Dean
Total—1

**ABSENT**

Bean	Johnson
------	---------

Total—2

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

HOUSE BILL NO. 44—

BY REPRESENTATIVES TRICHE, BALDONE, DOWNER, AND WOOTON 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson  
Total—1

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

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.

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

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

NAYS

Total—0

ABSENT

Johnson  
Total—1

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.

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.

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	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler



Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields	Lentini	Ullo
Total—36		

NAYS

Dean  
Total—1

ABSENT

Bajoie  
Total—2

Johnson

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.

**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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	

Gautreaux  
Total—34

Marionneaux

NAYS

Total—0

ABSENT

Bajoie  
Campbell  
Total—5

Cravins  
Fontenot

Johnson

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Lentini
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Michot
Bean	Holden	Romero
Cain	Hollis	Smith
Campbell	Hoyt	Tarver
Chaisson	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—27		

NAYS

Dean  
Dupre  
Fontenot  
Total—7

Irons  
Malone  
McPherson

Mount

ABSENT

Boissiere  
Cravins  
Total—5

Fields  
Johnson

Schedler

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

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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.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed House Bill No. 62 by Representative Pinac.

AMENDMENT NO. 1

On page 1, line 15, after the word "individuals" insert a "." and delete the remainder of line 15 and delete 16.

AMENDMENT NO. 2

On page 2, delete lines 4 through 7 and insert the following:

I. The commission shall have the authority to:

(1) Request and obtain from the Department of Public Safety and Corrections, Bureau of Criminal Identification and Information, criminal history record information as defined in R.S. 51:911.22(11) on any person applying for any license which the commission is authorized by law to issue and shall pay a fee as specified in R.S. 15:587.

Senator Fontenot moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS.

NAYS

Dean

Total—1

ABSENT

Fields

Johnson

Total—2

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Johnson

Total—1

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

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.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 63 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 2, after "15:542" and before "(C)" insert "(B)(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 9, after "15:542" and before "(C)" insert "(B)(introductory paragraph),"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"B. The person and the juvenile sex offender shall, within twenty-one days of establishing residence in Louisiana, or if a current resident, within twenty-one days after conviction or release from confinement, provide the sheriff and the police chief, or if residence is in a parish with a population in excess of four hundred fifty thousand, the police department with the following information: his name, address, and place of employment; the crime for which he was convicted; the date and place of such conviction; any aliases used by the person; a description of every vehicle registered to the sex offender, including license plate number; and the person's social security number. Excluding the juvenile sex offender, the person shall also:

\* \* \*

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

Total—36

NAYS

Total—0

ABSENT

Table listing names of members who were 'ABSENT': Ellington, Johnson, McPherson.

Total—3

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, Michot, Mount, Smith, Theunissen, Thomas, Ullo. Total—34.

NAYS

Total—0

ABSENT

Table listing names of members who were 'ABSENT': Johnson, McPherson, Romero, Schedler, Tarver. Total—5.

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

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

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sales tax district to levy and collect a sales and use tax, subject to voter approval; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Dean  
Total—1

**ABSENT**

Johnson	Jones, B	McPherson
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Schedler

Boissiere	Hollis	Smith
Cain	Hoyt	Tarver
Campbell	Irons	Theunissen
Chaisson	Jones, C	Thomas
Cravins	Lambert	Ullo
Dardenne	Lentini	
Dean	Malone	
Total—31		

**NAYS**

Total—0

**ABSENT**

Ellington	Holden	McPherson
Fields	Johnson	Romero
Fontenot	Jones, B	
Total—8		

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

**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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Bajoie	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas

Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Dean  
Total—1

ABSENT

Barham	Johnson
Gautreaux	McPherson
Total—4	

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

**Personal Privilege**

Senator Gautreaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 109. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 13:2158(D), relative to constables of the First City Court of the city of New Orleans; to provide for the fees of office that the constables may charge in civil matters; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Heitmeier sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 115 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 2, after “First” insert “and Second”

AMENDMENT NO. 2

On page 1, line 8, after “Orleans” delete the remainder of the line and delete line 9

AMENDMENT NO. 3

On page 1, line 12, after “First” insert “or Second”

Senator Heitmeier moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Bajoie	Gautreaux	Michot
Bean	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields	Malone	
Total—32		

NAYS

Barham	Dean
Total—2	
ABSENT	

Boissiere	Johnson	McPherson
Irons	Lentini	
Total—5		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Romero
Bean	Hines	Schedler
Cain	Holden	Smith
Chaisson	Irons	Tarver
Cravins	Jones, C	Theunissen
Dupre	Lambert	Thomas
Fields	Lentini	Ullo
Fontenot	Marionneaux	
Gautreaux	Mount	
Total—25		

NAYS

Mr. President	Dean	Jones, B
Barham	Ellington	Michot
Dardenne	Hoyt	
Total—8		

ABSENT

Boissiere	Hollis	Malone
Campbell	Johnson	McPherson
Total—6		

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The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Malone, Bajoie, Fontenot, Marionneaux, Barham, Gautreaux, McPherson, Bean, Heitmeier, Michot, Boissiere, Hines, Mount, Cain, Holden, Romero, Campbell, Hollis, Schedler, Chaisson, Hoyt, Smith, Cravins, Irons, Tarver, Dardenne, Jones, B, Theunissen, Dean, Jones, C, Thomas, Dupre, Lambert, Ullio, Ellington, Lentini, Total—38

NAYS

Total—0

ABSENT

Johnson Total—1

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lentini, Barham, Fontenot, Malone, Bean, Gautreaux, Marionneaux, Boissiere, Heitmeier, Michot, Cain, Hines, Mount, Campbell, Holden, Romero, Chaisson, Hollis, Schedler, Cravins, Hoyt, Smith, Dardenne, Irons, Tarver, Dean, Jones, B, Theunissen, Dupre, Jones, C, Thomas, Ellington, Lambert, Ullio, Total—36

NAYS

Total—0

ABSENT

Bajoie Johnson McPherson Total—3

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

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.

The bill was read by title. Senator B. 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, Fontenot, Marionneaux, Bajoie, Gautreaux, McPherson, Barham, Heitmeier, Michot

Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	

Total—37

NAYS

Total—0

ABSENT

Fields	Johnson
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Total—2

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Johnson	McPherson	Michot
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Total—3

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

**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.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Engrossed House Bill No. 132 by Representative LeBlanc

AMENDMENT NO. 1

On page 3, lines 3 and 4, change "Sixty-eight Million Nine Hundred Twenty-six Thousand Five Hundred Seventy-four and 31/100 (\$68,926,574.31)" to "Fifty Million and no/100 (\$50,000,000)"

AMENDMENT NO. 2

On page 3, line 6, between "as" and "satisfaction" insert "partial"

AMENDMENT NO. 3

On page 3, line 8, between "Center" and the period "." insert "and Eighteen Million Nine Hundred Twenty-six Thousand Five Hundred Seventy-four and 31/100 (\$18,926,574.31) Dollars for appropriation as a salary supplement to the following employees employed according to object and function codes provided as reported to the state Department of Education and reported annually by the department in the Summary of Reported Personnel and District Salaries:

Education media services personnel in function code 2259, contained in object code 110; food service personnel in function code 3100, contained in object code 111; all clerical and secretarial and other personnel in all function codes, except 2620 and 2844, contained in object code 114; all aides and other personnel in all function codes, except 1310 and 2211, contained in object code 115; all transportation, service workers, janitors, lunchroom workers, and other personnel in all function codes, except 1110, 2113, and 3300, contained in object code 116; all craftsman and mechanics and other employees in all function codes, except 2250, 2253, 2259, 2530, 2610, 2660, 2690, and 4500 contained in object code 117; all personnel in all function codes, except function codes 1210, 1300, 1600, 2113, 2122, 2123, 2134, 2144, 2190, 2220, 2252, 2253, 2254, 2255, 2259, 2290, 2312, 2510, 2520, 2640, 2710, 2830, 2839, 2840, 2844, 2849, 3200, and 4500, contained in object code 119.

However no such employee whose entire salary on June 30, 2002 is paid exclusively out of federal funds shall receive a salary supplement from such reserved funds."

AMENDMENT NO. 4

On page 3, on line 15, before "Self" insert the following:

"State General Fund for satisfaction of any remaining debt owed to the State General Fund by the Health Care Service Division of the Louisiana State University Health Sciences Center and then to the"

Senator Hines moved adoption of the amendments.

Senator Dean objected.

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, Dupre, Ellington, Fields, Fontenot, Total—35; Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Jones, B, Jones, C, Lambert, Lentini, Malone; Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Dean Total—1

ABSENT

Mr. President Dardenne Johnson Total—3

The Chair declared the amendments were adopted.

Motion

Senator Dardenne moved to return the amended bill to the Calendar.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dardenne Theunissen

Campbell Chaisson Total—8

Dean Jones, B

Thomas

NAYS

Bajoie Barham Bean Boissiere Cain Cravins Dupre Ellington Fields Fontenot Total—30

Gautreaux Heitmeier Hines Holden Hollis Hoyt Irons Jones, C Lambert Lentini

Malone Marionneaux McPherson Michot Mount Romero Schedler Smith Tarver Ullo

ABSENT

Johnson Total—1

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Barham Bean Boissiere Cain Campbell Chaisson Cravins Dardenne Dupre Ellington Fields Total—36

Fontenot Gautreaux Heitmeier Hines Holden Hollis Hoyt Irons Jones, B Jones, C Lambert Lentini

Malone Marionneaux McPherson Michot Mount Romero Schedler Smith Tarver Theunissen Thomas Ullo

NAYS

Dean Total—1

ABSENT

Mr. President Johnson Total—2

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



**HOUSE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Hollis	Johnson	Michot
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Johnson
Total—1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas

April 9, 2002

Dupre Lambert Ullo  
Ellington Lentini  
Total—35

NAYS

Dean  
Total—1

ABSENT

Irons Johnson Marionneaux  
Total—3

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson  
Total—1

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Dean  
Total—1

ABSENT

Bajoie Johnson Lambert  
Total—3

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

**HOUSE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—37

**NAYS**

Total—0

**ABSENT**

Bajoie Johnson

Total—2

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

**HOUSE BILL NO. 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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—37

**NAYS**

Total—0

**ABSENT**

Johnson Marionneaux

Total—2

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

**HOUSE BILL NO. 165—**

BY REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—36

**NAYS**

Mr. President

Total—1

**ABSENT**

Johnson Marionneaux  
Total—2

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

**HOUSE BILL NO. 166—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To enact R.S. 51:2453(1)(a)(xvi), relative to the Louisiana Quality Jobs Program Act; to add to the list of industries which may qualify for benefits; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	McPherson
Bajoie	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Dardenne	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—26		

**NAYS**

Barham	Fontenot	Michot
Bean	Irons	Smith
Campbell	Jones, B	
Dean	Malone	
Total—10		

**ABSENT**

Gautreaux	Johnson	Marionneaux
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Johnson	Marionneaux
Total—2	

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

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

April 9, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 21 by Senator Schedler:

Representatives Downer, Martiny and Thompson.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

April 9, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 33—**

BY SENATORS B. JONES AND ULLO  
AN ACT

To amend and reenact R.S. 17:24.10(A), (B), (C)(1)(a) and (c), (6), (7), and (8), (D)(1)(a) and (b), and (2), (E)(2), (F), (G), (H)(3), (4), and (5), (I)(1)(a) and (b), (3), (5)(b)(i), (ii), (v), and (6), and (J), to enact R.S. 17:24.10(D)(6) and to repeal R.S. 17:24.10(I)(1)(d), relative to early childhood development and enrichment activity classes; to provide relative to the reference to such classes; to provide relative to waivers for certain aspects of such classes; to provide relative to space and facilities for such classes; to provide relative to notice regarding certain aspects of such classes; to provide relative to partial participation in such classes; to provide relative to the funding for such classes and the expenditure of funds made available; to provide relative to funding preferences; to provide relative to annual renewal of participants; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 41—**

BY SENATORS MOUNT, DUPRE AND SCHEDLER  
AN ACT

To amend and reenact R.S. 33:172(A)(1) and (D), relative to annexations by municipalities; to provide a procedure for annexation of vacant land when there are no resident property owners; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 48—**

BY SENATORS SCHEDLER AND THOMAS  
AN ACT

To amend and reenact R.S. 33:9039.4(A)(3) and (4), relative to the East Florida Parishes Retirement District; to provide certain criteria for approved retirement community development areas; to clarify the authority of the district and the parishes to determine eligibility for certain local sales and use tax refunds; to provide for the procedure in which tax refunds are made; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 105—**

BY SENATORS BOISSIERE AND BAJOE  
AN ACT

To enact R.S. 33:9038, relative to cooperative economic development; to create the World Trade Center Taxing District as a special taxing and tax increment financing district in the parish of Orleans; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect a tax upon hotel occupancy within the district and to engage in tax increment financing; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 107—**

BY SENATORS SCHEDLER, BOISSIERE AND HAINKEL  
AN ACT

To enact R.S. 9:2795.2, relative to civil liability; to provide for the limitation of liability for the Audubon Commission, the city of New Orleans, and any other entity which operates any facilities of the Audubon Commission; to provide for the limitation of liability for any loss or damage that results from the use of Hurst Walk in Audubon Park; to provide for exceptions; to provide for required warning signs; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 108 (Substitute for Senate Bill No. 86 by Senators Dardenne, Barham and Hollis)—**

BY SENATORS DARDENNE, BARHAM, HOLLIS, IRONS AND SCHEDLER  
AN ACT

To amend and reenact R.S. 47:6007, relative to the motion picture investor tax credit; to provide for definitions; to provide for productions eligible for the credit and the amount of such credit; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 34—**

BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 33:4067, relative to the merger of the Cameron Parish Sewerage District No. 1 and the Cameron Parish Waterworks District No. 1; to create the Cameron Parish Water and Wastewater District No. 1; to rename the Cameron Parish Sewerage and Water Board for District No. 1; to provide for the assets, debts, employees, and governing bodies of the merged districts; to provide for the district's governing authority and its powers, duties, and functions; to authorize the levy of taxes by election within the district; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 35—**

BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:525(A), relative to the promotion of certain school employees in certain school systems; to reinstate provisions providing for the probationary period in the position

to which an employee is promoted; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 38—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact Sections 1 and 2 of Act 484 of the 2001 Regular Session of the Legislature which authorizes and empowers the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 39—**  
BY SENATOR BAJOE

AN ACT

To amend Sections 2 and 8 of Act 22 of the 2001 Regular Session of the Legislature, relative to the capital outlay budget; to provide for certain exemptions relative to contractual obligations established prior to the execution of the cooperative endeavor agreement; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 44—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 35:408, relative to notaries public; to authorize the appointment of Crescent City Connection police officers as ex officio notaries public for certain official functions; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 46—**  
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 9:2799(A)(1), relative to limitation of liability for damages from donated food; to provide with respect to the donation of food by a food service establishment or restaurant without incurring liability for damages; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 72—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 33:9093, relative to crime prevention and security districts; to create the Audubon Area Security District in Orleans Parish; to provide for the boundaries and purpose of the district; to provide for the governance of the district by the Audubon Area Zoning Association; to provide for a taxing authority of the district; to provide for the establishment of a plan specifying the public improvements, facilities, and services proposed on behalf of the district; to provide for a budget; and to provide for related matters.

Reported without amendments.

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

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 22—**  
BY SENATORS MARIONNEAUX

A RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to maintain the current gun and archery deer season in Area 6 and in Iberville, Pointe Coupee, and West Baton Rouge parishes.

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

**SENATE RESOLUTION NO. 23—**  
BY SENATOR LAMBERT

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Mr. Crawford Alexander Bishop, member of the Board of Commissioners of the River Region Cancer Screening and Early Detection District.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Campbell	Johnson	Marionneau
Total—3		

The Chair declared the Senate had adopted the Senate Resolution.

**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 9, 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. 173—**  
BY REPRESENTATIVE CRANE

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.

**HOUSE BILL NO. 171—**  
BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 33:9032, 9033, 9034, 9035, and 9036, to enact R.S. 33:9037(Q) and 9038, and to repeal R.S. 33:9033.1, 9033.2, 9033.3, 9034.1, 9034.2, 9034.3, and 9035.1, relative to cooperative economic development; to consolidate, revise, and add provisions relative to tax increment financing; to authorize increases in ad valorem, sales, and hotel occupancy taxes; 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. 171—**  
BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 33:9032, 9033, 9034, 9035, and 9036, to enact R.S. 33:9037(Q) and 9038, and to repeal R.S. 33:9033.1, 9033.2, 9033.3, 9034.1, 9034.2, 9034.3, and 9035.1, relative to cooperative economic development; to consolidate, revise, and add provisions relative to tax increment financing; to authorize

increases in ad valorem, sales, and hotel occupancy taxes; 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. 173—**  
BY REPRESENTATIVE CRANE

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 which is a duplicate of Senate Bill No. 118 was read by title and lies over under the rules.

**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 9, 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. 53—**  
BY REPRESENTATIVES DOWNER, BALDONE, AND DARTEZ AND SENATORS DUPRE AND GAUTREAU

A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers to reexamine plans relative to the Morganza to the Gulf Hurricane Protection Project, particularly with respect to certain areas in Terrebonne Parish.

**HOUSE CONCURRENT RESOLUTION NO. 54—**  
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Curtis McCoy upon the historic occasion of his recent election as mayor of the city of Mansfield.

**HOUSE CONCURRENT RESOLUTION NO. 55—**  
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Eursla Hardy upon the occasion of her recent election to the Caddo Parish School Board.

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

House Concurrent Resolutions

Senator Lentini 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. 53— BY REPRESENTATIVES DOWNER, BALDONE, AND DARTEZ AND SENATORS DUPRE AND GAUTREAUX A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers to reexamine plans relative to the Morganza to the Gulf Hurricane Protection Project, particularly with respect to certain areas in Terrebonne Parish.

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

HOUSE CONCURRENT RESOLUTION NO. 54— BY REPRESENTATIVE GLOVER A CONCURRENT RESOLUTION

To commend Curtis McCoy upon the historic occasion of his recent election as mayor of the city of Mansfield.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fontenot, McPherson, Bajoie, Gautreaux, Michot, Barham, Heitmeier, Mount, Bean, Hines, Romero, Boissiere, Holden, Schedler, Cain, Hollis, Smith, Cravins, Hoyt, Tarver, Dardenne, Irons, Theunissen, Dean, Jones, C, Thomas, Dupre, Lambert, Ellington, Lentini, Fields, Malone, Total—34

NAYS

Total—0

ABSENT

Table with 3 columns: Campbell, Johnson, Marionneaux, Chaisson, Jones, B, Total—5

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

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE GLOVER A CONCURRENT RESOLUTION

To commend Eursla Hardy upon the occasion of her recent election to the Caddo Parish School Board.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lentini, Bajoie, Fontenot, Malone, Barham, Gautreaux, McPherson, Bean, Heitmeier, Michot, Cain, Hines, Mount, Chaisson, Holden, Romero, Cravins, Hollis, Schedler, Dardenne, Hoyt, Tarver, Dean, Irons, Theunissen, Dupre, Jones, C, Thomas, Ellington, Lambert, Ullo, Total—33

NAYS

Total—0

ABSENT

Table with 3 columns: Boissiere, Johnson, Marionneaux, Campbell, Jones, B, Smith, Total—6

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

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

April 9, 2002

To the President and Members of the Senate:

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



**HOUSE CONCURRENT RESOLUTION NO. 27—**

BY REPRESENTATIVE CURTIS

**A CONCURRENT RESOLUTION**

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 30—**

BY REPRESENTATIVES CROWE AND NEVERS

**A CONCURRENT RESOLUTION**

To memorialize congress to adopt and submit to the states for ratification a proposed amendment to the United States Constitution permitting prayer and recognition of religious beliefs on public property, including schools.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**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.

Reported favorably.

Respectfully submitted,  
GERALD J. THEUNISSEN  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

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

April 9, 2002

To the President and Members of the Senate:

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

**HOUSE BILL NO. 53—**

BY REPRESENTATIVES DOWNER, E. ALEXANDER, R.ALEXANDER, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CLARKSON, CRANE, CURTIS, DARTEZ, DIEZ, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, HAMMETT, HEATON, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, LANDRIEU, MCCALLUM, MCDONALD, MONTGOMERY, NEVERS, PINAC, POWELL, PRATT, QUEZAIRE, SHAW, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, WADDELL, WALSWORTH, WOOTON, AND WRIGHT

**AN ACT**

To amend and reenact R.S. 14:30(A)(1), R.S. 15:1308(A)(introductory paragraph), and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:128.1 and 128.2, and R.S. 15:1308(A)(2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative

to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

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

April 9, 2002

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 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.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 42—**

BY REPRESENTATIVE LEBLANC

**A CONCURRENT RESOLUTION**

To approve the Atachafalya Trace Heritage Area Management Plan and extends the existence of the Atachafalya Trace Commission for six years.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 44—**

BY REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to adopt rules and regulations to allow the use of air boats in the Maurepas Wildlife Management Area, including the tributaries and canals leading to Blind River, except during hunting and rutting season.

Reported with amendments.

**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.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 50—**  
BY REPRESENTATIVES BALDONE, DOWNER, ROMERO, AND THOMPSON  
AN ACT

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

Reported with amendments.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

Respectfully submitted,  
CRAIG F. ROMERO  
Chairman

House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees

Senator Lentini 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. 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.

Reported favorably by the Committee on Education. 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. 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.

Reported favorably by the Committee on Education. 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. 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.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 22 by Representative Jane Smith

AMENDMENT NO. 1  
On page 1, line 4, after "conditions;" insert "to provide relative to certain costs;"

AMENDMENT NO. 2

On page 1, line 10, before "No" insert "A."

AMENDMENT NO. 3  
On page 1, after line 14, insert the following:

"B. In the case of any challenge to the constitutionality of this Section, all costs incurred toward defending against such a challenge shall be borne by the Bossier Parish School System."

On motion of Senator Theunissen, 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. 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.

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. 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.

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. 50—**  
BY REPRESENTATIVES BALDONE, DOWNER, ROMERO, AND THOMPSON  
AN ACT

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to exempt Louisiana residents on active military duty from the requirement for purchase of a basic recreational fishing license, a saltwater license, and all state hunting licenses and permits; 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 Reengrossed House Bill No. 50 by Representative Baldone

AMENDMENT NO. 1

On page 1, delete lines 3 through 5, and insert in lieu thereof the following: "to provide for hunting and fishing licenses for nonresident military personnel on active duty in Louisiana; to provide for reduced fishing and hunting license fees for Louisiana residents on active military duty; and to"

AMENDMENT NO. 2

On page 1, line 15, change "Green Identification Card" to "military identification card"

AMENDMENT NO. 3

On page 2, line 5, change "Green Identification Card" to "military identification card"

AMENDMENT NO. 4

On page 2, delete lines 8 through 18 in their entirety and insert in lieu thereof the following:

"(2) Any Louisiana resident who is issued a military identification card from the armed forces of the United States that signifies that he is currently on active duty shall, upon request, be issued a resident active military license for a fee of five dollars. This license shall be in lieu of basic hunting, big game, bow, muzzleloader, and waterfowl licenses, turkey hunting stamps, WMA hunting permits, and the basic and saltwater fishing licenses, and must be in the possession of the licensee when the licensee is engaged in hunting or fishing activities. No commission shall be paid by the department to any license vendor for the issuance of this license. The resident shall have his military identification card, his resident active military license and his Louisiana driver's license on his person at all times when he is engaged in hunting and fishing activities. The resident active military license shall be valid from June first through June thirtieth of the following year."

On motion of Senator Romero, 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. 53—**

BY REPRESENTATIVES DOWNER, E. ALEXANDER, R. ALEXANDER, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CLARKSON, CRANE, CURTIS, DARTEZ, DIEZ, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, HAMMETT, HEATON, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, LANDRIEU, MCCALLUM, MCDONALD, MONTGOMERY, NEVERS, PINAC, POWELL, PRATT, QUEZAIRE, SHAW, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, WADDELL, WALSWORTH, WOOTON, AND WRIGHT

## AN ACT

To amend and reenact R.S. 14:30(A)(1), R.S. 15:1308(A)(introductory paragraph), and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:128.1 and 128.2, and R.S. 15:1308(A)(2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current

law; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 53 by Representative Downer

AMENDMENT NO. 1

On page 1, line 3, after "enact" add "R.S. 14:2(13)(ff) and"

AMENDMENT NO. 2

On page 2, at the end of line 20, add "R.S. 14:2(13)(ff) and"

AMENDMENT NO. 3

On page 2, line 22, after "128.2," change "is" to "are"

AMENDMENT NO. 4

On page 2, between lines 23 and 24, insert the following:

"§2. Definitions

In this Code the terms enumerated shall have the designated meanings:

\* \* \*

(13) "Crime of violence" means an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon. The following enumerated offenses and attempts to commit any of them are included as "crimes of violence":

\* \* \*

(ff) Terrorism"

AMENDMENT NO. 5

On page 4, line 14, after "including" add ", but not limited to,"

AMENDMENT NO. 6

On page 4, line 15, after the period "." delete the remainder of the line and delete lines 16 through 20 in their entirety.

AMENDMENT NO. 7

On page 4, at the end of line 24, add "in any act of terrorism or"

AMENDMENT NO. 8

On page 4, at the beginning of line 25, delete "in either"

AMENDMENT NO. 9

On page 5, at the end of line 3, "by the offender"

AMENDMENT NO. 10

On page 5, line 5, after "believed" add "by the offender"

AMENDMENT NO. 11

On page 5, line 8, after "believed" add "by the offender"

AMENDMENT NO. 12

On page 5, line 27, after "except" change "medicine" to "the provision of medical attention by a licensed health care provider"

AMENDMENT NO. 13

On page 6, line 5, after "general," delete the remainder of the line and add in lieu thereof "or any deputy or"

AMENDMENT NO. 14

On page 6, line 6, after "general" add "acting pursuant to the written authorization of the attorney general" and after "district attorney" add "or any assistant district attorney acting pursuant to the written authorization of the district attorney"

AMENDMENT NO. 15

On page 6, line 8, after "attorney" add "or authorized assistant district attorney"

AMENDMENT NO. 16

On page 6, line 9, after "general" delete the remainder of the line and add in lieu thereof "or authorized deputy or assistant attorney general may"

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

**HOUSE BILL NO. 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.

Reported favorably by the Committee on Education. 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. 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.

Reported favorably by the Committee on Education. 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. 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.

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. 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.

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. 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.

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

**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.

Reported favorably by the Committee on Education. 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. 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.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 146 by Representative Nevers

AMENDMENT NO. 1

On page 1, line 6, between "Hospitals" and "," insert "and the Commissioner of Administration"

AMENDMENT NO. 2

On page 1, line 7, change "is" to "are"

AMENDMENT NO. 3

On page 1, line 17, change "East" to "West"

AMENDMENT NO. 4

On page 2, line 6, change "West 307.00 feet and" to "East 307.00 feet to"

AMENDMENT NO. 5

On page 2, line 10, between "Hospitals" and "," insert "and the Commissioner of Administration"

AMENDMENT NO. 6

On page 2, line 11, change "is" to "are"

On motion of Senator Romero, 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. 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.

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. 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.

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. 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.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 157 by Representative Crane

AMENDMENT NO. 1

On page 1, line 2, change "98.1(E)" to "99" and delete "authorize" and insert "provide relative to the disposition of certain monies accruing to city, parish, and other local public school systems; to require"

AMENDMENT NO. 2

On page 1, line 3, after "to" delete the remainder of the line and delete lines 4 through 10 and insert the following: "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;"

AMENDMENT NO. 3

On page 1, line 11, delete "risk children for school;"

AMENDMENT NO. 4

On page 1, line 13, change "98.1(E)" to "99"

AMENDMENT NO. 5

On page 1, delete lines 14 and 15 and delete pages 2 and 3 and on page 4, delete lines 1 through 8 and insert the following:

"§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 executed.

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."

On motion of Senator Theunissen, 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. 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.

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. 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.

Reported favorably by the Committee on Education. 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. 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.



Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 164 by Representatives Daniel and DeWitt

AMENDMENT NO. 1

On page 2, at the end of line 11, add the following: "When lands are acquired under the provisions of this Section for the principle purpose of facilitating the development, design, and implementation of coastal restoration projects, the secretary of the Department of Natural Resources may contemporaneously enter into an agreement with the transferor of such lands with respect to the ownership of subsurface minerals as provided in R.S. 41:1702(D)(2)(a)."

On motion of Senator Romero, 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.

**Motion to Recommit**

Senator Romero asked for and obtained a suspension of the rules and recommitted House Bill No. 156 from the Committee on Transportation, Highways, and Public Works to the Committee on Natural Resources.

**Rules Suspended**

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

**Senate Concurrent Resolutions to be Adopted, Subject to Call**

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Bajoie asked that Senate Concurrent Resolution No. 13 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 13—**

BY SENATOR BAJOIE AND REPRESENTATIVE K. CARTER

**A CONCURRENT RESOLUTION**

To create a subcommittee of the Senate Local and Municipal Affairs Committee and the House of Representatives Municipal, Parochial and Cultural Affairs Committee to study the feasibility of selling or leasing the Louis Armstrong International Airport and report its findings to the legislature by March 1, 2003.

**Floor Amendments Sent Up**

Senator Bajoie sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bajoie to Original Senate Concurrent Resolution No. 13 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 28, after "Senate." insert "One member shall be the chairman of the Senate Committee on Transportation, Highways and Public Works or his designee and the other member shall be a senator representing the city of Kenner."

On motion of Senator Bajoie, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Malone
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Holden	Smith
Cravins	Hollis	Tarver
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—31		

**NAYS**

Total—0

**ABSENT**

Mr. President	Johnson	McPherson
Campbell	Jones, B	Schedler
Chaisson	Marionneaux	
Total—8		

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

**Reports of Committees**

The following reports of committees were received and read:

**Privilege Report of the Legislative Bureau**

April 9, 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. 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.

Reported without amendments.

**HOUSE BILL NO. 3—**  
BY REPRESENTATIVE CROWE  
AN ACT

To enact R.S. 47:463.108 and 463.109, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate and to provide for the creation of a 4-H prestige license plate; to provide for the issuance of such plates; to provide for the style and color of the 4-H prestige license plate; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

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

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties assessed against employers of such drivers under certain circumstances; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 89—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 92—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:461.4(a)(1), relative to outdoor advertising; to provide relative to the classification of certain illuminated signs; to require certain illuminated signs to be classified as on-premise signs by the Department of Transportation and Development; to provide for certain exemptions; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 149 (Substitute for House Bill No. 59 by Representative Hebert)—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to limit the number of filings; to provide changes in rates; to provide for limits; to provide for approval; to provide for the Louisiana Insurance Rating Commission; to provide for actuarial justification; to provide for notice; 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.

**Privilege Report of the  
Legislative Bureau**

April 9, 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. 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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 53—**

BY REPRESENTATIVES DOWNER, E. ALEXANDER, R.ALEXANDER, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CLARKSON, CRANE, CURTIS, DARTEZ, DIEZ, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, HAMMETT, HEATON, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, LANDRIEU, MCCALLUM, MCDONALD, MONTGOMERY, NEVERS, PINAC, POWELL, PRATT, QUEZAIRE, SHAW, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, WADDELL, WALSWORTH, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 14:30(A)(1), R.S. 15:1308(A)(introductory paragraph), and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:128.1 and 128.2, and R.S. 15:1308(A)(2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

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.

**Privilege Report of the  
Legislative Bureau**

April 9, 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. 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.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 50—**

BY REPRESENTATIVES BALDONE, DOWNER, ROMERO, AND THOMPSON  
AN ACT

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

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

**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.

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.

**Rules Suspended**

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

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

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

**Called from the Calendar**

Senator Dupre asked that Senate Bill No. 3 be called from the Calendar at this time.

**SENATE BILL NO. 3—**

BY SENATORS DUPRE AND GAUTREUX  
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 Dupre, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Johnson asked that Senate Bill No. 56 be called from the Calendar at this time.

**SENATE BILL NO. 56—**

BY SENATOR HOLLIS  
AN ACT

To enact R.S. 9:3572.2(B)(9) relative to loan brokers; to exempt authorized e-file providers from the definition of loan broker; and to provide for related matters.

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

**Called from the Calendar**

Senator Barham asked that Senate Bill No. 64 be called from the Calendar at this time.

**SENATE BILL NO. 64—**

BY SENATOR BARHAM  
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; to provide relative to effectiveness; and to provide for related matters.

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

**Called from the Calendar**

Senator Bajoie asked that Senate Bill No. 81 be called from the Calendar at this time.

**SENATE BILL NO. 81—**

BY SENATORS BAJOIE, BOISSIERE, IRONS AND JOHNSON  
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.

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

**Called from the Calendar**

Senator Ellington asked that Senate Bill No. 83 be called from the Calendar at this time.

**SENATE BILL NO. 83—**

BY SENATORS ELLINGTON AND SMITH  
AN ACT

To enact Part III of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4671 through 4676 and to amend R.S. 56:578.11, relative to the sale of certain farm products for consumption; to provide for the labeling and advertisement of certain catfish products produced by farmers;

to require that certain records be maintained by such farmers as to sales; to provide penalties for violations; to provide for enforcement; and to provide relative thereto.

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

**Called from the Calendar**

Senator Irons asked that Senate Bill No. 84 be called from the Calendar at this time.

**SENATE BILL NO. 84—**  
BY SENATOR IRONS

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.

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

**Called from the Calendar**

Senator Hollis asked that Senate Bill No. 98 be called from the Calendar at this time.

**SENATE BILL NO. 98—**  
BY SENATORS HOLLIS AND DARDENNE  
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 Hollis, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator B. Jones asked that Senate Bill No. 100 be called from the Calendar at this time.

**SENATE BILL NO. 100—**  
BY SENATOR B. JONES  
AN ACT

To amend and reenact R.S. 11:62(3) and 103(C)(2)(b)(i) and (c), relative to the Firefighters' Retirement System; to provide for an equal cost-sharing relationship between the employee, employer, and the state with regard to employee and employer contributions; to authorize possible supplemental funding; to provide for an effective date; and to provide for related matters.

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

**Called from the Calendar**

Senator Heitmeier asked that Senate Bill No. 113 be called from the Calendar at this time.

**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.

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

**Called from the Calendar**

Senator Theunissen asked that Senate Bill No. 117 be called from the Calendar at this time.

**SENATE BILL NO. 117— (Substitute for Senate Bill 109 by  
Senator Theunissen)**  
BY SENATORS THEUNISSEN AND SCHEDLER  
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 obligations of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

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

**Rules Suspended**

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

**House Bills and Joint Resolutions  
on Second Reading to be Referred,  
Subject to Call**

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

**HOUSE BILL NO. 135—**  
BY REPRESENTATIVE STRAIN AND SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 33:172, relative to municipal annexation procedures; to provide relative to annexation procedures in certain municipalities; to authorize the use of operating agreements between certain municipalities and certain parishes

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to govern annexation procedures; 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.

**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 9, 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 Bills have been properly enrolled:

**SENATE BILL NO. 10 (Duplicate of House Bill No. 131)**—  
BY SENATOR HOYT AND REPRESENTATIVE THOMPSON AND  
COAUTHORED BY REPRESENTATIVES MORRISH AND PINAC  
AN ACT

To enact R.S. 40:4(A)(2)(b)(iv) and 4.10, relative to medical waste; to require landowners, lessees, and occupants who store infectious medical waste to notify the public; to provide for promulgation of rules and regulations; to provide for notice to certain public agencies; to provide for a penalty for violation of the notice requirement; and to provide for related matters.

**SENATE BILL NO. 16 (Duplicate of House Bill No. 8)**—  
BY SENATOR THEUNISSEN AND REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

**SENATE BILL NO. 19**—  
BY SENATORS HOYT, MARIONNEAUX, SCHEDLER AND THOMAS  
AN ACT

To amend and reenact R. S. 17:3091(A) and (C), 3092(11), 3095(E)(1), the introductory paragraph of 3096(A)(1), (A)(1)(b), (D), (E)(1) and (2), and 3099(E), relative to the Louisiana Student Tuition Assistance Revenue Trust Program, referred to as START; to conform references to such plans with the federal law; to provide relative to the use that may be made of START account funds; to revise the definition of tuition; to provide for certain residency requirements; to provide that accounts that are invested in equities are eligible for earnings enhancements; to provide relative to the full funding of accounts; to provide relative to the payment of earnings enhancements; and to provide for related matters.

**SENATE BILL NO. 20**—  
BY SENATOR DARDENNE  
AN ACT

To enact R.S. 17:3396.4(D), relative to the Research Park Corporation; to authorize the establishment of an executive committee of the board of directors; to specify membership; to provide for the powers and functions of the executive committee; and to provide for related matters.

**SENATE BILL NO. 32**—  
BY SENATORS B. JONES, BARHAM, MCPHERSON, SCHEDLER AND  
ULLO AND REPRESENTATIVES DEWITT, FARRAR AND GALLOT  
AN ACT

To amend and reenact Children's Code Art. 791.1, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in that judicial district encompassing the parishes of Lincoln, Union and Rapides; and to provide for related matters.

**SENATE BILL NO. 47**—  
BY SENATOR BARHAM AND REPRESENTATIVES KATZ AND  
MCDONALD  
AN ACT

To enact R.S. 40:1300.143(3)(a)(vii), relative to the Rural Preservation Act; to provide for changes to the criteria used to define rural hospitals; to provide for retroactive application; and to provide for related matters.

**SENATE BILL NO. 55 (Duplicate of House Bill No. 71)**—  
BY SENATOR CHAISSON AND REPRESENTATIVE GARY SMITH AND  
COAUTHORED BY SENATORS FONTENOT, LAMBERT, LENTINI AND  
SCHEDLER AND REPRESENTATIVES ALARIO, ANSARDI, DAMICO,  
DANIEL, FAUCHEUX, LANCASTER, MARTINY, POWELL, SCALISE,  
SNEED, STRAIN, TOOMY, WALSWORTH AND WINSTON  
AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit, to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward for a specified period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 63 (Duplicate of House Bill No. 7)**—  
BY SENATORS BARHAM AND REPRESENTATIVE GALLOT AND  
COAUTHORED BY SENATOR MALONE  
AN ACT

To enact R.S. 33:381(C)(26), relative to the village of Lisbon; to authorize the village governing authority to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

**SENATE BILL NO. 69 (Duplicate of House Bill No. 135)**—  
BY SENATORS SCHEDLER AND REPRESENTATIVE STRAIN AND  
COAUTHORED BY SENATOR THOMAS  
AN ACT

To amend and reenact R.S. 33:172, relative to annexation by municipalities; to provide for annexation of property by



municipalities; to provide for growth management agreements; and to provide for related matters.

**SENATE BILL NO. 85 (Duplicate of House Bill No. 78)—**  
BY SENATOR DARDENNE AND REPRESENTATIVE HAMMETT AND  
COAUTHORED BY SENATORS BARHAM, HOLLIS AND IRONS AND  
REPRESENTATIVES CLARKSON AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:1123(4) and (5), 1124, and 1125 and to enact R.S. 47:301(10)(a)(v), relative to the state sales and use tax; to provide for a state sales tax exclusion for certain purchases by a motion picture production company; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 80—**  
BY SENATORS C. JONES AND CRAVINS  
AN ACT

To amend and reenact R.S. 40:966(B)(2) and 967(F)(3)(c) and to enact R.S. 40:966(B)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain violations of the Uniform Controlled Dangerous Substances Law; to revise the sentence for distribution or possession with intent to distribute marijuana; to provide with respect to the crime of and applicable sentence for possession of gamma hydroxybutyric acid (GHB); to provide for the effectiveness of such changes; and to provide for related matters.

Respectfully submitted,  
CHRIS ULLO  
Chairman

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

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

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

April 9, 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. 5—**  
BY SENATOR SCHEDLER AND REPRESENTATIVE KATZ  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to promulgate rules to afford residents of private Intermediate Care Facilities for the Mentally Retarded (ICF/MR) opportunities to move to a more integrated setting.

**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.

**SENATE CONCURRENT RESOLUTION NO. 27—**  
BY SENATORS JOHNSON, HOYT, MICHOT, MOUNT AND THEUNISSEN  
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.

**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.

**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.

**SENATE CONCURRENT RESOLUTION NO. 32—**  
BY SENATORS FONTENOT, HAINKEL, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO  
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Thomas Greenwood Clausen, former state superintendent of education.

**SENATE CONCURRENT RESOLUTION NO. 33—**  
BY SENATORS HOLDEN AND FIELDS  
A CONCURRENT RESOLUTION

To commend and congratulate the Girl Scouts of the U.S.A. on the 90th anniversary of girl scouting.

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 9, 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. 31—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend Gina Allain of Whispering Forest Elementary School in St. Tammany Parish upon her receipt of the 2001 Presidential Award for Excellence in Mathematics and Science Teaching.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE RIDDLE AND SENATOR HINES

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jules P. Bordelon, Jr. of Moreauville.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a state or local government retirement system.

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 9, 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. 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.

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:

Table with 4 columns: Name, Days, Name, Days. Rows: Hines (1/2 Day), Johnson (1 Day), Romero (1/2 Day), Thomas (1/2 Day)

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, April 10, 2002, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, April 10, 2002.

MICHAEL S. BAER, III Secretary of the Senate

GAYE F. HAMILTON Journal Clerk