

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

THIRTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 29, 2003

The Senate was called to order at 1:30 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Bean	Smith	Tarver
Total—3		

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

Prayer

The prayer was offered by Rev. Delmar Taylor, 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 Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

The following messages from the Governor were received and read as follows:

STATE OF LOUISIANA
Office of the Governor

May 28, 2003

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through May 16, 2003. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I hereby present them for review.

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

Acadia

Peggy Gossen
1001 W. Branche
Rayne, La 70578

Beauregard

Frances M. Fontenot
160 Hoffpaur Rd.
Ragley, La 70657

James R. Lestage
P.O. Box 151
Deridder, La 70634

Kathy Burks Poteet
3181 Highway 171
Deridder, La 70634

Caddo

Kathy K. Stroup
9525 Overlook Dr.
Shreveport, La 71118

Calcasieu

Sherman L. Hicks
P.O. Box 997
Lake Charles, La 70602

East Baton Rouge

Trey Wesley Cloud
8555 United Plaza Blvd., 5th Floor
Baton Rouge, La 70809

Edselle Keith Cunningham, Jr.
2038 Plank Road
Baton Rouge, La 70802

Sabrina Dennis
P.O. Box 2997
Baton Rouge, La 70821-2997

Lohr E. Miller, Jr.
500 Laurel St., #600
Baton Rouge, La 70802

L. Brent Stephens
16410 Florida Blvd.
Baton Rouge, La 70819

Grant

Joseph Pershing Beck, III
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Pollock, La 71467

Julie M. Roe
369 Lamourie Rd.
Lecompte, La 71346

Iberia

C. Roan Evans
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Lafayette, La 70508

Jefferson

Paige C. Darsey
3838 N. Causeway Blvd., Ste. 2800
Metairie, La 70002

Dawn Danna Marullo
3525 N. Causeway Blvd., Ste. 101
Metairie, La 70002

Lincoln

Tiffany L. Williams
298 Mockingbird Lane
Grambling, La 71245

Morehouse

Tikisha Yvonne Smith
648 East Jefferson Ave.
Bastrop, La 71220

Natchitoches

Amanda Collier
201 Stephens Ave.
Natchitoches, La 71457

Orleans

Claude J. Aucoin, Jr.
759 Camp St.
New Orleans, La 70130

Monique E. Barial
7146 Westhaven Rd.
New Orleans, La 70126

Anthony Jacob Culotta, Jr.
1100 Poydras St., Ste. 3600
New Orleans, La 70163

Jessica S. Dietz
241 Decatur Street
New Orleans, La 70130

May 29, 2003

James H. Dowling, Jr.
4041 Tulane Ave., Ste. 101
New Orleans, La 70119

Hector R. Lopez
1100 Poydras St., Ste. 2900
New Orleans, La 70136-2900

Rodney K.e. Mintz
3114 Canal Street
New Orleans, La 70119

Jonathan Rosenberg
909 Poydras St., Ste. 2600
New Orleans, La 70112

Pointe Coupee

Kimberly W. Laurent
751 South La Hwy 1
Morganza, La 70759

Rapides

David M. Bignar
5832 Jackson St. Ext.
Alexandria, La 71303

Terri A. Fountaine
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Alexandria, La 71302

Jason Hornsby
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Alexandria, La 71303

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Alexandria, La 71309

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Pineville, La 71360

Karen Dianne Peel
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Pineville, La 71360

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Alexandria, La 71301

Rodney L. Smetak
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Alexandria, La 71301

James White
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Pineville, La 71360

St Charles

Lantz Savage
2001 Jefferson Hwy.
Jefferson, La 70121

St Landry

Debbie Byrom
621 West Landry
Opelousas, La 70570

Crystal Guillory
135 Benny Street
Ville Platte, La 70586

Parker Harrison
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50th Floor, One Shell
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New Orleans, La 70112

Sarah Reid Ziomek
650 Poydras St., Ste. 1650
New Orleans, La 70130

Tammy R. Clark
775 Hwy 1206
Deville, La 71328

Kimberly Russ Gordon
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Alexandria, La 71303

Katherine Frances Kingsley
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Alexandria, La 71301

Lacie P. Langley
4738 Jackson St. Ext.
Alexandria, La 71360

Steven M. Oxenhandler
2001 Macarthur Drive
Alexandria, La 71301

Clay A. Ray, Jr.
1424 Metro Dr.
Alexandria, La 71301

Shirley H. Ryland
5615k Jackson St. Ext.
Alexandria, La 71301

Mary Stalnaker
120 Hagan Dr.
Pineville, La 71360

Allen David
151 South Fourth St.
Eunice, La 70535

St Mary

Merrel T. Holley, Jr.
1315 Hwy 182
Morgan City, La 70380

St Tammany

Paige C. Darsey
3838 N. Causeway Blvd., Ste. 2800
Metairie, La 70002

Lori Howie
108 Lakelawn Dr.
Slidell, La 70458

Tangipahoa

James Parker Layrisson
310 Nw Railroad Ave.
Hammond, La 70401

Union

Nellie Ruth Willis
805 Goss St.
Farmerville, La 71241

Messages from the Governor

The following messages from the Governor were received and read as follows:

STATE OF LOUISIANA
Office of the Governor

May 27, 2003

The Honorable Michael S. Baer
Secretary of the Senate
State Capitol
Baton Rouge, LA 70804

Re: Senate Bill No. 779 by Senator Mike Smith
Provides various changes to the Louisiana Egg Commission

Dear Mr. Baer:

As you know, during this legislative session the issue of the constitutional appropriateness of a bill containing a revenue raising provision originating in the Senate has been discussed on a number of occasions within and outside of the chamber. This issue is pertinent to Senate Bill No. 779, but is not relevant to a parallel House bill which is moving through the legislative process. After discussions with the author and proponents of Senate Bill No. 779, we find the matter can be avoided entirely by the enactment of the House bill in an acceptable form.

For these reasons, I have vetoed Senate Bill No. 779 and I am returning it to the Senate.

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

Motion To Sustain

Senator Dardenne moved to sustain the Governor's veto of Senate Bill No. 779.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo

Ellington
Total—29

Lentini
NAYS

Total—0

ABSENT

Bean
Boissiere
Cravins
Fields
Total—10

Holden
Irons
Lambert
Marionneaux
Romero
Tarver

The Chair declared the Governor's veto was sustained. Senator Dardenne moved to reconsider the vote by which the Governor's veto was sustained and laid the motion on the table.

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

May 29, 2003

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. 568 by Senator Dupre:

Representatives LeBlanc, Pitre and DeWitt.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 29, 2003

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. 214 by Senator Dupre:

Representatives LeBlanc, Pitre and DeWitt.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 29, 2003

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. 33 by Senator Dupre:

Representatives Diez, Pitre and Powell.

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

**Privilege Report of the
Legislative Bureau**

May 29, 2003

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 111—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 14:72.3, relative to identification of an alleged offender; to provide that a victim of a crime involving theft of identity or personal information can obtain the identity of an alleged offender who is arrested for certain crimes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 115—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and (2)(introductory paragraph), relative to criminal records; to provide that the sheriff shall attach, rather than affix, the fingerprints of each defendant convicted of a felony or of certain misdemeanors to the bill of indictment or information which resulted in the conviction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 116—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 181—
BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 45:163(C)(5) through (8), relative to the enforcement agents of the Public Service Commission; to provide that those enforcement agents shall be commissioned law enforcement officers; to provide for the powers of those enforcement agents, including the authority to carry weapons; to provide for the qualifications of those enforcement agents; to provide for the

training of those enforcement agents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 221—
BY REPRESENTATIVE FARRAR
AN ACT

To enact Code of Criminal Procedure Article 885.1, relative to criminal penalties; to provide relative to the suspension of a driver's license for failing to pay fines assessed as a criminal penalty within a certain period of time; to provide for the issuance of a temporary permit; to provide for notice; to provide for the duration of the suspension; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 379—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2582(A), relative to justices of the peace; to require a high school diploma or equivalent as a qualification for office; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 522—
BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY,
PEYCHAUD, WADDELL, AND WOOTON
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 599—
BY REPRESENTATIVES JOHNS AND FRUGE
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21), relative to medical malpractice; to provide for definitions; to provide for emergency medical services rendered in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 720—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact Children's Code Article 791.1, relative to the truancy and assessment and service center pilot program; to authorize the creation of a truancy and assessment and service center in the parish of Allen; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 807—
BY REPRESENTATIVES DURAND AND DAMICO
AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; extends period for collection of certain fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 950—
BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact Children's Code Articles 896(D) and 900(A) and to enact Children's Code Article 898(C)(6), relative to the delinquency of juveniles; to provide with respect to the effective period of a deferred dispositional agreement, a judgment of disposition in a misdemeanor-grade adjudication, and a judgment of disposition in a felony-grade adjudication; to provide that these time periods may be extended for any juvenile participating or ordered to participate in a juvenile drug court program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 40:1002, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1016—
BY REPRESENTATIVES DEVILLIER AND HEATON
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to eligibility for intensive parole supervision under the supervision of the Department of Public Safety and Corrections; to provide for eligibility of persons convicted of certain controlled dangerous substances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1023—
BY REPRESENTATIVE DEVILLIER
AN ACT

To enact R.S. 13:5304(B)(10.1), relative to eligibility for the drug division probation program; to provide that a prior conviction or adjudication for simple battery shall not be the sole basis for denying eligibility for the drug division probation program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1128—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(D) and (E)(2), relative to the civil jurisdiction of the City Court of Monroe; to increase the jurisdictional amount of the court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1334—
BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1460—
BY REPRESENTATIVES TOOMY, CAPELLA, R. CARTER, DARTEZ,
FAUCHEUX, GALLOT, HEATON, M. JACKSON, AND WELCH
AN ACT

To amend and reenact R.S. 26:932(5) and (7), 933(B)(introductory paragraph) and (C)(7), 934(5), 935(A), (B)(1)(a) and (2), and (C), and 939 and to enact R.S. 26:932(8) and (9), relative to the Responsible Vendor Program; to include the serving or selling of tobacco products in the program; to include holders of Retail Dealer Registration Certificates and Retail Dealer Permits in the program; to provide for definitions; to provide for suspension or revocation of a server's permit for selling or serving tobacco products to an underage person; to provide for exceptions to the suspension or revocation of a vendor's permit; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1460 by Representative Toomy

AMENDMENT NO. 1

On page 1, lines 3 and 14, following "(B)(1)" and before "(a)" insert "(introductory paragraph) and"

AMENDMENT NO. 2

On page 2, line 20, following "percent" and before "of" insert "or more"

AMENDMENT NO. 3

On page 3, line 9, following "B." and before "program" change "By January 1, 1998, the" to "The"

HOUSE BILL NO. 1776—
BY REPRESENTATIVES MONTGOMERY AND L. JACKSON
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(a), (b), and (c)(i), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to change the dedication of certain monies derived from the conduct of slot machine gaming in Bossier Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1832—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:847(F), relative to fees clerks of court receive in criminal cases; to authorize a clerk of a district court in a parish with a population of between forty-two thousand eight hundred and forty-three thousand five hundred to receive an additional fee in expungement cases; to provide for use of the funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1851—
BY REPRESENTATIVES DEVILLIER, FARRAR, AND BRUCE
AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT

Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR THEUNISSEN AND REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing, within the Louisiana State University System, a resource for agricultural education materials and information to enhance agricultural literacy, awareness, and career exploration in public schools and institutions of postsecondary education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Bean	Irons	Tarver
Boissiere	Marionneaux	
Fields	Romero	
Total—7		

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

Messages from the House

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

May 29, 2003

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 29, 2003

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. 1350— BY REPRESENTATIVES DOWNER, WALSWORTH, AND BALDONE AN ACT

To amend and reenact R.S. 36:4(A)(introductory paragraph), to enact R.S. 36:4(A)(21) and Chapter 21-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:781 through 787, and to repeal R.S. 36:4(B)(1)(o), to create and provide for the Department of Veterans Affairs in the executive branch of state government; to provide for the department and its officers and offices, and their powers, duties, functions, and responsibilities; to provide for the transfer of the Veterans' Affairs Commission to the department; to abolish the existing Department of Veterans Affairs in the office of the governor; to provide for the effectiveness of the Act; and to provide for related matters.

HOUSE BILL NO. 1078— BY REPRESENTATIVE DURAND AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and to repeal R.S. 40:40(7), relative to the fee for certified copies of vital records; to provide for an increase in fees for the issuance of an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical certification; to provide for prerequisites for permits; to remove the fee for burial permits; and to provide for related matters.

HOUSE BILL NO. 1043— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1261 through 1264, and R.S. 36:209(T), relative to the Manchac Parkway; to create the Manchac Parkway and to designate the Manchac Parkway area; to create the Manchac Parkway Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the development and implementation of certain plans; to provide for the powers and duties of the department relative to the commission; and to provide for related matters.

HOUSE BILL NO. 1591— BY REPRESENTATIVES McDONALD AND THOMPSON AN ACT

To enact R.S. 33:2740.55, to create the Bastrop Downtown Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governance of the district; to provide relative to district plans; to authorize the governing authority of the city of Bastrop to levy and collect taxes and issue bonds on behalf of the district, subject to approval of district voters; and to provide for related matters.

HOUSE BILL NO. 1809— BY REPRESENTATIVE THOMPSON AN ACT

To amend and reenact R.S. 34:855.3(G) and to enact R.S. 34:855.3(H) and R.S. 56:1687(11), relative to the office of state parks; to prohibit operation of personal watercraft on any body of water located wholly within Poverty Point Reservoir State Park; to authorize the secretary of the Department of Culture, Recreation and Tourism to make, alter, amend, and promulgate rules regulating recreational use of such water bodies; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1323— BY REPRESENTATIVE PIERRE AN ACT

To amend and reenact R.S. 30:706 and 707, relative to fees paid for the hazardous liquid pipeline program; to provide relative to the collection and amounts of such fees; and to provide for related matters.

HOUSE BILL NO. 417— BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to the Louisiana State Employees' Retirement System; to provide with respect to judges and officers of the court who are members of the system; to provide relative to retirement eligibility; to provide for retirement at age sixty-five with at least ten years of creditable service; to clarify that remaining in office beyond age seventy is not prohibited by statute if permitted by the constitution; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1380— BY REPRESENTATIVE TRICHE AN ACT

To amend and reenact R.S. 26:78(A), 80(A)(10) and (E), 86, 278(A), 280(A)(9) and (E), and 283 and R.S. 27:306(F), (H)(1)(a) and (c), and 310(B)(1)(e), relative to tax clearances; to require a tax clearance upon the renewal of certain licenses; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 991— BY REPRESENTATIVE PIERRE AN ACT

To enact R.S. 56:428.3, relative to oyster leases; to authorize future renewal of leases which were not renewed due to temporary impacts of coastal restoration projects; and to provide for related matters.

HOUSE BILL NO. 1061— BY REPRESENTATIVE BOWLER AN ACT

To amend and reenact R.S. 26:906(C), relative to the permit process for obtaining a registration certification or permit to sell tobacco products; to authorize a dealer or vending machine operator to pay the annual renewal fee for a registration certification or permit by check; and to provide for related matters.

HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

HOUSE BILL NO. 2028 (Substitute for House Bill No. 1240 by Representative Townsend) (Duplicate of SB 1040)—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph) and (1), 80(B) and (C)(2), 85, 271(A)(introductory paragraph) and (5), 273(A)(2) through (5) and (B), and 280(B) and to enact R.S. 26:2(20), relative to alcoholic beverages; to require certain persons to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

HOUSE BILL NO. 2025 (Substitute for House Bill No. 112 by Representative Guillory)—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:1236.23, relative to naming a senior citizens' services administrative building; to authorize the governing authority of certain parishes to name a senior citizens' services administrative building in honor of a living public officer of the parish; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 2026 (Substitute for House Bill No. 408 by Representative Martiny)—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:311(F), relative to the Video Draw Poker Devices Control Law; to exempt device owners from maintaining a minimum balance or security under certain conditions; to provide penalties; and to provide for related matters.

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

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

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

HOUSE BILL NO. 70—
BY REPRESENTATIVE PITRE AND SENATOR DUPRE
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to designate the loss of coastal wetlands to be our "state crisis"; to authorize the use of the "America's WETLAND" logo on official state documents; and to provide for related matters.

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

HOUSE BILL NO. 231—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 49:170.8, relative to state symbols; to provide that the Natchitoches Meat Pie is the official state meat pie of Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 294—
BY REPRESENTATIVE MORRELL
AN ACT

To amend and reenact R.S. 15:529.1(C), relative to the habitual offender law; to provide for applicability based upon the period of time between each conviction; and to provide for related matters.

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

HOUSE BILL NO. 301—
BY REPRESENTATIVE MURRAY
AN ACT

To repeal R.S. 23:1225(C)(1)(b), relative to workers' compensation; to repeal the provision allowing the reduction of benefits for receipt of old-age benefits received under the Social Security Act.

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

HOUSE BILL NO. 314—
BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 42:7(A)(2)(c), relative to open meetings; to require certain public bodies to e-mail notices of meetings upon request; and to provide for related matters.

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

HOUSE BILL NO. 354—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 359—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 17:71.3(E)(2)(a) and (c), relative to the use of divided precincts in school board redistricting; to provide relative to precincts divided by the boundary between a city and a parish school system; to prohibit conducting an election using a ballot based on a plan that violates restrictions on the use of divided precincts; and to provide for related matters.

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

HOUSE BILL NO. 401—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 17:1501.2, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending Louisiana State University at Alexandria; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 409—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:25.1, relative to the Video Draw Poker Devices Control Law; to prohibit the assessment of costs on the prevailing party in an administrative proceeding or an appeal; and to provide for related matters.

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

HOUSE BILL NO. 412—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 425—

BY REPRESENTATIVE PITRE
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to exempt drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state in each parish in which the voters approve a proposition granting such exemption; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

HOUSE BILL NO. 455—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 26:80(F) and 280(F), relative to permits to sell alcoholic beverages of high and low alcoholic content; to provide that a person is not necessarily disqualified from receiving a permit for certain felony convictions; and to provide for related matters.

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

HOUSE BILL NO. 565—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 11:162(C), relative to the Teachers' Retirement System of Louisiana; to provide for membership therein; to provide for classes of employees not eligible for membership; to provide for the promulgation of rules; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 583—

BY REPRESENTATIVES FARRAR, CAZAYOUX, HOPKINS, AND THOMPSON
A JOINT RESOLUTION

Proposing to amend Article XII, Section 6(A) of the Constitution of Louisiana, relative to the Lottery Proceeds Fund; to require annual appropriation of certain monies in the Lottery Proceeds Fund for the minimum foundation program and services for compulsive and problem gaming; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 633—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 49:170.8, to designate the Creole Tomato as the state vegetable plant; and to provide for related matters.

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

HOUSE BILL NO. 637—

BY REPRESENTATIVE LEBLANC
A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.3(A)(2)(a)(introductory paragraph) and 10.5(B) of the Constitution of Louisiana, to provide for the deposit of certain mineral revenues in the Budget Stabilization Fund; to correct an incorrect reference to the Budget Stabilization Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 916—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:779(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to deceased disability retirees; to provide for benefits for surviving minor children; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 927—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 46:18, relative to disability; to provide for access to medical records; to provide for costs associated with photocopying; and to provide for related matters.

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

HOUSE BILL NO. 969—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:2(A)(1), R.S. 23:1, R.S. 30:2003(A), and R.S. 51:121 and 921 and to enact R.S. 22:1368, relative to state agencies and the regulation of business and industry; to provide relative to the insurance industry; to provide for the conduct of certain adjudications involving insurance by the Division of Administrative Law; to provide relative to labor laws; to provide relative to regulation and control over the state's environment; to provide relative to commerce and economic development in the state; and to provide for related matters.

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

HOUSE BILL NO. 995—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to judges and court officers who are members of the Louisiana State Employees' Retirement System; to provide for retirement of judges and court officers with ten years of creditable service upon attaining the age of sixty-five years; and to provide for related matters.

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

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation;

to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 1020—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1281(A), relative to fees of physicians and surgeons, and allied health care professionals; to authorize the Louisiana State Board of Medical Examiners to establish and modify the fee schedule for any license, certificate, permit, or registration that it is authorized by law to issue; to provide for the recovery of costs associated with certain administrative functions of the board; and to provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of Senate Bill No. 417, was read by title and returned to the calendar, subject to call.

HOUSE BILL NO. 1055—
BY REPRESENTATIVE LANCASTER
AN ACT

To repeal R.S. 49:996(10), relative to the duties of the director of the division of administrative law; to remove the requirement that the director assure that agencies are properly promulgating rules.

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

HOUSE BILL NO. 1091—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:982(G)(1)(a) and (I)(2)(b), to enact R.S. 13:501(B)(3)(d) and (e), and to repeal R.S. 13:982(E), relative to judges in the Fortieth Judicial District; to set the per page court reporter fees for transcribed and copied testimony in civil and criminal matters; to authorize the judges to provide for additional matters to be held on the east bank of the Mississippi River with the consent of all of the judges after a certain date; to authorize a defendant to waive the requirement that certain criminal matters be held on the west bank of the river; to repeal certain duties of the court reporters; and to provide for related matters.

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

HOUSE BILL NO. 1236—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3351.5(A)(7), relative to increases in tuition amounts for students at certain schools under the management of the Louisiana State University Board of Supervisors; to provide for specified tuition increases for students attending the Louisiana State University School of Veterinary Medicine; to provide limitations; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1271—
BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a)(introductory paragraph) and to enact R.S. 33:2495(B)(3), relative to fire and police civil service; to provide relative to formal training required of each person selected for appointment to the entry level position of Fire Communications Officer (I) in the city of Shreveport; to provide for commencement of the working test period after successful completion of formal training; 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. 1327—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

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

HOUSE BILL NO. 1332 (Duplicate of Senate Bill No. 788)—
BY REPRESENTATIVE CAZAYOUX AND SENATOR MICHOT
AN ACT

To amend and reenact R.S. 23:1221(4)(s)(v), relative to permanent partial disability; to provide for the extension of the catastrophic injury sunset provision; and to provide for related matters.

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

HOUSE BILL NO. 1387—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:964.1 and 992(H), relative to judicial review of adjudications; to provide for the payment of attorney fees and court costs; to provide for a report of such payments; and to provide for related matters.

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

HOUSE BILL NO. 1388—
BY REPRESENTATIVES LANCASTER AND BOWLER
AN ACT

To amend and reenact Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:991 through 999.25, relative to the creation and operation of a division of administrative law; to provide for the employment, qualifications, duties, and authority of administrative law judges; to provide for exceptions; to make technical changes; and to provide for related matters.

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

HOUSE BILL NO. 1419—
BY REPRESENTATIVE ERDEY
AN ACT

To amend and reenact R.S. 22:1404(3)(c)(i) and (d)(i), relative to insurance rates and defensive driving courses; to authorize the office of state police to promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses; to authorize agreements for the funding of the approval and certification process for defensive driving courses; to provide for related matters.

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

HOUSE BILL NO. 1452—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 33:221.3, relative to municipal annexations; to provide relative to annexation of territory included within fire protection districts in Caddo Parish; to provide relative to the procedures governing such annexations; 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. 1536—
BY REPRESENTATIVE LEBLANC
AN ACT

To enact R.S. 17:3129.5, relative to a state tuition and fee policy; to authorize the Board of Regents to study and formulate a state tuition and fee policy for public postsecondary education institutions and systems; to provide for legislative review and approval of such policy; to provide relative to policy implementation and annual reports; and to provide for related matters.

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

HOUSE BILL NO. 1538—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:2010(C)(1) and to enact Part XII-B of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2036.1 through 2036.10, relative to health maintenance organizations; to implement risk-based capital requirements for health maintenance organizations; to provide with respect to the authority of the commissioner of insurance to enforce such requirements; to provide for hearings; to provide for confidentiality; to provide for immunity; to provide for regulations; and to provide for related matters.

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

HOUSE BILL NO. 1556—
BY REPRESENTATIVES SCHWEGMANN AND PEYCHAUD
AN ACT

To enact R.S. 17:3351.7, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified fee increase for students attending the University of New Orleans; to provide relative to waivers for certain students; to provide limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1567—
BY REPRESENTATIVES K. CARTER AND MURRAY
AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; 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. 1613—
BY REPRESENTATIVES WINSTON, R. CARTER, DOERGE, DURAND, GLOVER, GUILLORY, ILES, L. JACKSON, M. JACKSON, KATZ, MCDONALD, PERKINS, SCHWEGMANN, SHAW, STRAIN, WALKER, AND WELCH

AN ACT

To enact R.S. 46:52.1, relative to public welfare and assistance; to establish the intent of the legislature in the delivery of social services through a "no wrong door" concept; to define "integrated case management" and "service integration"; to require the secretary of the Department of Social Services to develop an integrated case management model which includes multidisciplinary teams; to require the participation of multiple departments in the development of an integrated case management model; and to provide for related matters.

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

HOUSE BILL NO. 1619—
BY REPRESENTATIVES MORRISH AND NEVERS
AN ACT

To enact Chapter 20-B-5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.48 through 3042.53, relative to a guaranteed loan program for certain nursing students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain nursing programs; to provide for legislative findings and purpose, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

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

HOUSE BILL NO. 1757—
BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; 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. 1779—
BY REPRESENTATIVE LEBLANC
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

HOUSE BILL NO. 1783—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; 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. 1786—

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES
AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1802—

BY REPRESENTATIVES HUNTER, HONEY, AND PEYCHAUD
AN ACT

To enact R.S. 17:1855(D), to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose specific increases in tuition amounts for students enrolled at the law center; to provide limitations; to provide for effectiveness; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1805—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 26:583(A) and (B), relative to the Alcoholic Beverage Control Law; to provide that when a portion of a ward, election district, or municipality is annexed it takes on the annexing area's characteristics for purposes of selling alcohol; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 1810—

BY REPRESENTATIVES BEARD AND SHAW AND SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

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

HOUSE BILL NO. 1811—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 11:752(A) and to enact R.S. 11:752(F) and 754(C), relative to the Teachers' Retirement System of Louisiana; to provide relative to unused annual and sick leave; to require payment for unused accumulated leave which cannot be converted to retirement credit; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1850—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 32:1720.1, relative to the towing and storage of motor vehicles; requires a repair or body shop operator to surrender a vehicle to a lienholder under certain circumstances; to require a lienholder to pay certain expenses prior to surrender of the vehicle; 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. 1859—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 33:3001, relative to the limit on parish governing authority appropriations for certain fairs and festivals; to increase such limit; 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. 1875—

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO
AN ACT

To appropriate the sum of Fifty-two Million Nine Hundred Forty Thousand One Hundred Twenty-Nine and No/100 (\$52,940,129.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Eight Million Nine Hundred Thirteen Thousand Nine Hundred Eighty-eight and No/100 (\$8,913,988.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

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

HOUSE BILL NO. 1892—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; 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. 1898—

BY REPRESENTATIVE PITRE
AN ACT

To amend and reenact R.S. 23:1226(B)(3), relative to workers' compensation; to provide for the filing of claims involving vocational counselors; to provide for an employee's right of action; to provide for an expeditious procedure to compel an employee's cooperation; and to provide for related matters.

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

HOUSE BILL NO. 1923—
BY REPRESENTATIVES HUDSON AND NEVERS
AN ACT

To enact R.S. 17:427.3, to provide for the Teach Louisiana First Program to reduce the shortage of certified teachers in certain schools; to provide for program purposes, eligibility criteria, incentive payments, reports, administration, and funding; and to provide for related matters.

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

HOUSE BILL NO. 1943—
BY REPRESENTATIVE LEBLANC
AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2102, relative to the Lafayette Metropolitan Expressway Commission; to create and provide relative to the Lafayette Metropolitan Expressway Commission; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction, and duties of the commission; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1945—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 56:1948.1, 1948.3, 1948.4, and 1948.7(A) and to enact R.S. 36:209(X) and 802.18 and Part III-A of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1948.11 through 1948.13, relative to the Louisiana Byways Program; to provide relative to selection of byways; to create the Louisiana Byways Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the jurisdiction and purpose of the commission; to provide for membership of such commission, and its powers, duties, and functions; to provide for legislative oversight of the commission; and to provide for related matters.

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

HOUSE BILL NO. 1959—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 26:85.1, relative to the Alcoholic Beverage Control Law; to authorize a person to engage in business as a manufacturer and as a retailer at the same time under specified circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1969—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 33:9076, relative to improvement districts; to provide for the continued levy of certain taxes and fees that support certain improvement districts; to provide for voting requirements; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2013 (Substitute Bill for House Bill No. 1725 by Representative Townsend)—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13 and R.S. 36:629(Q) and 919.7 and R.S. 56:319(F), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to authority from the Department of Wildlife and Fisheries to possess certain fish; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

HOUSE BILL NO. 2024 (Substitute for House Bill 1991 by Representative Futrell)—
BY REPRESENTATIVES FUTRELL, R. CARTER, DOERGE, DURAND, GLOVER, GUILLORY, ILES, L. JACKSON, M. JACKSON, KATZ, MCDONALD, PERKINS, SCHWEGMANN, SHAW, STRAIN, WALKER, AND WELCH
AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Elderly Medication Program; to provide for definitions; to create the Louisiana Elderly Medication Program; to provide for eligibility to provide for the responsibilities of the Office of Elderly Affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

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

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

The following House Bills and Joint Resolutions, Subject to Call were taken up and acted upon as follows:

Called from the Calendar

Senator Smith asked that House Bill No. 623 be called from the Calendar at this time.

HOUSE BILL NO. 623—
BY REPRESENTATIVES THOMPSON, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 3:4278.2, relative to timber sales; to provide relative to the removal of timber without consent of certain minority ownership interests; to require publication of advertisements and other notification; to provide for the commencement of harvesting timber; to provide for the rights of nonconsenting owners; to provide for evidence of violations; and to provide for related matters.

On motion of Senator Smith, the bill was read by title and referred to the Committee on Agriculture, Forestry, Aquaculture and Rural Development.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 29, 2003

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. 207— BY REPRESENTATIVE GALLOT AN ACT

To enact R.S. 33:9103(A)(5), relative to the Lincoln Parish Communications District; to increase the membership of the board of commissioners; to provide relative to the terms of office of the board members; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 230— BY REPRESENTATIVE TOWNSEND AN ACT

To amend and reenact R.S. 33:1704.1(D), to enact R.S. 13:1883(I), and to repeal R.S. 13:1883(A)(11), relative to the salary of the marshal for the City Court of Natchitoches; to set the salary for the office of marshal; to provide for source of payment of the salary; to provide for receipt and deposit of fees for service of process in civil matters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 343— BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 33:2721.13, relative to Tensas Parish; to authorize the governing authority of Tensas Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 344— BY REPRESENTATIVE HOPKINS AN ACT

To amend and reenact R.S. 46:1053(N)(1)(b) and (2)(a) and to repeal R.S. 46:1053(N)(3), relative to the North Caddo Hospital Service District; to provide relative to the board of commissioners of the district; to provide relative to the terms of office of such members; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 728— BY REPRESENTATIVE HOPKINS AN ACT

To amend and reenact R.S. 40:1502.10(A), relative to Fire Protection District No. 1 of Caddo Parish; to authorize the governing authority of the district, subject to voter approval, to establish

and collect a service charge or rates of service charges; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 786— BY REPRESENTATIVES DANIEL AND WELCH AN ACT

To repeal Section 4 of Act No. 47 of the 2002 First Extraordinary Session of the Legislature, relative to the Capitol House Taxing District; to remove the provision making the law providing for the district effective upon the transfer of property of the district to the East Baton Rouge City-Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 809— BY REPRESENTATIVE GUILLORY AN ACT

To amend and reenact R.S. 33:120.8, relative to the Calcasieu Parish Planning and Zoning Board; to increase the maximum per diem authorized to be paid to such members for attending board meetings and to reduce the number of board meetings for which per diem may be paid; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 852— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 25:1222(A) and 1223(A)(1), relative to the Atchafalaya Trace Commission and the Atchafalaya Trace Heritage Area; to include Ascension Parish within the boundaries of the trace area; to increase the membership of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 923— BY REPRESENTATIVES HUNTER, WALSWORTH, AND KATZ AN ACT

To enact R.S. 33:4561.1, relative to naming a civic center theater; to authorize the governing authority in certain municipalities to name a civic center theater in honor of a former living mayor of the municipality; to provide limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 985— BY REPRESENTATIVE MCDONALD AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Bastrop to levy and collect an additional sales and use tax; to authorize a sales tax district; to provide for voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1090— BY REPRESENTATIVE R. CARTER AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

May 29, 2003

Reported with amendments.

HOUSE BILL NO. 1127—
BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 33:9091.6, to create the Upper Hurstville Security District in the parish of Orleans; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

EDUCATION

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

May 29, 2003

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request city, parish, and other local public school boards and superintendents to consider the issues involved and establish policies which address the inappropriateness of permitting school related activities planned and conducted for the participation of students in facilities which exist primarily to support the conduct of gaming.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to study the issue of parental involvement in education and methods to increase parental involvement.

Reported with amendments.

HOUSE BILL NO. 259—
BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 17:3021 and R.S. 36:642(D)(2), to enact R.S. 17:3048.2(F) and (G), and to repeal R.S. 17:3023(B), 3023.8.1, 3026, 3027, 3028, 3030, 3036, 3036.1, Chapter 20-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3041 through 3041.7, Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.11 through 3042.14, Chapter 20-B-3 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.31 through 3042.36, and Chapter 20-C of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3043 through 3043.2, all relative to the administrative powers and duties of the Louisiana Student Financial Assistance Commission; to repeal certain student financial assistance programs that the commission is authorized to administer; to provide for the continuance of certain tuition payments awarded pursuant to two such programs; to delete provisions relative to

the review and approval by the commission of certain applications; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 347—
BY REPRESENTATIVES GARY SMITH AND POWELL
AN ACT

To enact R.S. 17:3048.1(H)(3), to permit certain students under specified circumstances to receive TOPS Opportunity, Performance, and Honors award benefits for postgraduate study; to provide for limitations; to provide relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to provide for implementation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 549—
BY REPRESENTATIVE FUTRELL
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students Opportunity Award; to provide eligibility requirements, including minimum scores on certain tests; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1905—
BY REPRESENTATIVES CURTIS, ALEXANDER, CROWE, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, JANE SMITH, STELLY, SWILLING, AND WINSTON
AN ACT

To enact R.S. 17:81(O), relative to powers and duties of city and parish school boards; to prohibit a school board member from using his authority of office to directly or indirectly compel or coerce personnel decisions or employee decisions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

May 29, 2003

To the President and Members of the Senate:

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

HOUSE BILL NO. 24—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 165—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 56:332(K), relative to crab traps; to change the months within which the required escape rings must be open to allow crabs to escape; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 170—

BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 56:332(M), relative to taking of crabs; to allow a certain amount of finfish by-catch caught in crab traps to be kept for personal consumption; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 381—

BY REPRESENTATIVE HOPKINS
AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract in Caddo Parish to the adjacent landowner; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 557—

BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:312, relative to freshwater finfish caught by recreational and commercial fishermen; to require that certain features of such fish remain intact while the fish is on the vessel; to provide penalties for violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:433(F), relative to oysters; to provide for a minimum size applicable throughout the year; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1155—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:432 and to enact R.S. 56:427(E), relative to oyster leases; to provide for limits on the number of acres which can be leased by one person and the maximum number of acres for which application may be made; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1156—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:430.1(A), relative to oyster production; to remove the requirement for the leaseholder to submit certain information to the Department of Wildlife and Fisheries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:424(G), relative to the harvest of oysters; to require a vessel monitoring system to be used by any person who obtains from the Department of Wildlife and Fisheries a permit to land oysters outside the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1273—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:106, relative to hunting field trials; to provide relative to notice requirements for a nonresident participating in a field trial to be exempt from the requirement for a hunting license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1894—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 56:302.9.1(A), relative to charter boat licenses; to provide that such licenses are required only for motorized vessels; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

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

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

SENATE BILL NO. 403—

BY SENATOR FONTENOT (By Request)
AN ACT

To enact Subpart I of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:150.21, relative to public buildings; to authorize the board of commissioners of the Louisiana Stadium and Exposition District to contract with a private entity to paint the flag of the United States of America and "God Bless America" on the roof of the Louisiana Superdome; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 416—

BY SENATOR SMITH
AN ACT

To enact R.S. 36:109(E) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3646, relative to independent insurance adjusters; to

provide for licensure of independent adjusters; to create and otherwise provide with respect to the Louisiana Independent Insurance Adjuster Board; to provide for fees, duties, obligations, and other licensing matters for independent claims adjusters; to provide for exemptions; and to provide for related matters.

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

SENATE BILL NO. (Substitute for Senate Bill 416 by Senator Smith)

BY SENATOR SMITH AND CRAVINS
AN ACT

To amend and reenact the introductory paragraph of R.S. 22:1192(A) and to enact R.S. 22:1192(A)(4) and Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1110.1 through 1110.21, relative to independent insurance adjusters; to provide for licensure of independent adjusters; to provide for fees, duties, obligations, and other licensing matters for independent claims adjusters; to provide for exemptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 22:1192(A) is hereby amended and reenacted and R.S. 22:1192(A)(4) is hereby enacted to read as follows:

§1192. Insurance Education Advisory Council

A. The Insurance Education Advisory Council is hereby created within the Department of Insurance. The council shall be comprised of the commissioner of insurance and ~~eleven~~ **twelve** other members with experience or training in the field of insurance appointed by the commissioner, subject to confirmation by the Senate, as follows:

* * *

R.S. 22:1192(A)(4) is all proposed new law.

(4) One representative of the Louisiana Claims Association.

* * *

Section 2. Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1110.1 through 1110.21, is hereby enacted to read as follows:

PART XXIV. INDEPENDENT INSURANCE ADJUSTERS

Part XXIV is all proposed new law.

§1110.1. Independent insurance adjusters; licensing

R.S. 22:1110.1 is all proposed new law.

A. This Part shall apply to independent insurance adjusters, catastrophe independent adjusters, emergency independent adjusters, and independent claims associates as defined in this Part.

B. This Part shall not apply to life insurance, health insurance, or annuity contracts and claims representatives, adjusters, managers, or insurance producers employed by or under contract to exclusively represent one insurer or group of insurers under common management.

§1110.2. Definitions

R.S. 22:1110.2 is all proposed new law.

As used in this Part, the following words shall mean the following, unless the context clearly otherwise indicates:

(1) "Catastrophe independent adjuster" or "emergency independent adjuster" is not an independent adjuster who is a licensed adjuster under this Part, but who has been designated and certified to the commissioner by the insurer, self-insured, self-insured fund, or independent adjuster as qualified to adjust claims, losses, or damages under policies or contracts of insurance or self-insurance, issued by the insurer or self-insurer, or self-insured fund, and whom the commissioner may permit, in the event of a catastrophe or emergency, for the purpose and under the conditions which the commissioner shall fix and for the period of the emergency as the commissioner shall determine, to adjust claims, losses, or damages under the policies of insurance issued by the insurer or self-insured.

(2) "Commissioner" means the commissioner of insurance.

(3) "Department" means the Department of Insurance.

(4)(a) "Independent insurance adjuster" or "independent adjuster" shall mean any legal entity or individual who is self-employed or is associated with or employed by an independent adjusting firm or other independent adjuster, and who undertakes on behalf of an insurer, self-insured, or self-insured fund to ascertain and determine the amount of any claim, loss, or damage payable under an insurance contract or self-insured retention agreement or self-insured or self-insured fund, and who undertakes to effect settlement of such claim, loss, or damage.

(b) Independent claim adjusters for any licensed third-party administrator representing more than one insurer, self-insured, or self-insured fund for the ascertainment of facts and claims amount, loss or damage and effecting settlement shall be licensed under this Part.

(c) Licensed private investigators, building contractors, accident reconstructionists, restoration specialists, and automobile repairmen assisting in the investigation, inspection, or appraisal of any claim, loss, or damage for any insurer, self-insured, or self-insured fund shall not be licensed by the commissioner, unless the commissioner determines that any person herein ascertained the facts and amount of the claim, loss, or damage and assisted the insurer, self-insured, or self-insured fund in the settlement of the claim or loss.

(5) "Independent claims associate" shall mean an individual who is an employee of a currently licensed independent adjuster or adjusting firm or insurer, self-insured, or self-insured fund, and whose responsibilities shall be those of a trainee or apprentice under the instruction and supervision of a licensed resident independent insurance adjuster. No independent claims associate shall be permitted by its employer to negotiate settlement with the insured or claimant for amounts in excess of five thousand dollars. An independent claims associate shall satisfy the qualifications of R.S. 22:1110.7.

§1110.3. Duties of the department

R.S. 22:1110.3 is all proposed new law.

A. No person shall be engaged in activities of an independent insurance adjuster unless licensed as an independent insurance adjuster by the Department of Insurance pursuant to the provisions of this Part.

B. The department shall adopt such rules, regulations, and examination procedures, in accordance with the Administrative Procedure Act, as it may be necessary to effect the provisions of this Part.

C. The department shall, by written examination, determine if an applicant is qualified to be licensed as an independent insurance adjuster pursuant to the provisions of this Part.

§1110.4. Use of licensed independent adjusters required; insurer's responsibility

R.S. 22:1110.4 is all proposed new law.

A. No insurer, self-insured, or self-insured fund shall refer any claim or loss for adjustment in this state to any person acting as an independent adjuster unless such person is licensed pursuant to this Part.

B. Prior to referring any claim or loss to an independent adjuster, each insurer shall determine from the commissioner whether a person is currently licensed as an independent adjuster pursuant to this Part. Once an insurer is notified by the commissioner that a person is licensed as an adjuster under this Part, the insurer may presume that the individual is validly licensed as an adjuster until the insurer has knowledge or receives information from the commissioner that a license is no longer current or valid.

C. If the commissioner, upon a hearing held by the commissioner in accordance with the Administrative Procedure Act, determines that an insurer, self-insured, or self-insured fund is in violation of the provisions of this Section, the commissioner may impose a fine against the insurer, self-insured, or self-insured fund of not more than one thousand dollars per violation, and not exceeding ten thousand dollars in the aggregate.

D. The provisions of this Section shall not apply to catastrophe or emergency adjusters.

§1110.5. Independent adjuster; qualifications

R.S. 22:1110.5 is all proposed new law.

A. No person shall engage in activities of an independent insurance adjuster or as an independent claims associate unless he receives a license permit from the commissioner under the provisions of this Part. The commissioner shall not issue a license or permit pursuant to this Part unless the commissioner determines that the applicant satisfies every requirement for licensure, that the appropriate license or permit fee has been paid, and that the applicant possesses the qualifications, including passage of the appropriate examination, specified in this Part. If the commissioner determined that all conditions for licensure have been satisfied and recommends licensure as an independent insurance adjuster, the commissioner shall issue a license to the applicant.

B. Each applicant shall satisfy all of the following requirements:

(1) Be at least eighteen years of age.

(2) Be a resident of this state.

(3) Be trustworthy and have such business reputation as would reasonably assure that he will conduct his business as an insurance adjuster fairly and in good faith and without detriment to the public.

(4) Maintain sufficient experience, training, or instruction concerning the adjusting of damage or loss under insurance contracts, other than life, health, and annuity contracts, and be sufficiently knowledgeable of insurance law and the terms and provisions of insurance policies to qualify him to engage in the business of insurance adjuster without injury to the public or any person with whom he conducts such business.

(5) Satisfactorily completed all written examinations prepared and administered by the department.

(6) Fully satisfy the continuing education requirements as established by the department.

(7) Not be disqualified for having committed any act that is a grounds for denial, suspension, or revocation set forth in R.S. 22:1142.

C. The commissioner may require any documents deemed necessary to verify the information contained in the application.

§1110.6. Reciprocity; other adjusters

R.S. 22:1110.6 is all proposed new law.

The commissioner may waive any license requirement under this Part if the applicant evidences a valid adjuster's license from another state that maintains substantially equivalent qualification to be licensed as an independent insurance adjuster in this state.

§1110.7. Claims associate permit; qualifications and conditions

R.S. 22:1110.7 is all proposed new law.

Upon the filing of an application for a permit as an independent claims associate and the advance payment of the applicable permit fee as specified in this Part, the commissioner may issue a permit subject to the following conditions:

(1) The applicant shall be at least eighteen years of age, a resident of this state, trustworthy, and have such business reputation as would reasonably assure that he will conduct his business as a claims associate fairly and in good faith and without detriment to the public.

(2) The employer of the applicant shall be liable for the adjustment acts of the claims associate during the twelve-month learning period provided for in Paragraph (5) of this Section.

(3) The applicant shall have had sufficient instruction concerning the investigation of damage or loss of risk described in his application, be sufficiently informed as to the terms and the effect of the provisions of those types of insurance contracts covering such risk, and possess adequate knowledge of the insurance laws of this state relating to such contracts so as to enable him to engage in such business of claims investigation and to investigate all claims in accordance with the policy or contract and the provisions of this Title.

(4) The application shall be accompanied by a certificate of employment and a report as to the integrity and moral character of the applicant, on a form to be prescribed by the commissioner and executed by the employer.

(5) The applicant shall file application for and take an appropriate independent adjuster's examination within twelve months from the date of the permit. The permit shall automatically be revoked if the applicant fails to pass such examination within the twelve-month period. If, during the twelve-month period, the

applicant passes the examination, the commissioner shall, upon receipt of the independent adjuster's license fee, issue to the applicant a license as an independent adjuster.

(6) Under the permit, the permittee shall have authority to handle only the classes of business that the supervising licensed independent adjuster maintains a license to adjust.

(7) The office of the claims associate shall be in the office of the licensed insurance adjuster responsible for his supervision and instruction.

§1110.8. Limited licenses

R.S. 1110.8 is all proposed new law.

A. An applicant for a license as an independent insurance adjuster or a permit as an independent claims associate to represent the adjuster may be issued a limited license or permit by the commissioner to allow the applicant to perform the activities of an adjuster in the insurance fields in which he has been successfully tested and qualified.

B. A limited license as an independent adjuster, as set forth in Subsection A of this Section, shall be issued and retained by an independent adjuster who has satisfied all qualifications established by the department for the license category for which he is qualified.

C. The application by the applicant for a license or permit shall specify the classes of business to which the license shall apply.

§1110.9. Relicensing after military service

R.S. 22:1110.9 is all proposed new law.

The commissioner may, without requiring a further written examination, approve a license as an adjuster to any person who held a current adjuster's license at the time of entering service in the military forces of the United States, subject to the following conditions:

(1) The period of military service shall not have been in excess of three years.

(2) The application for the license shall be filed with the commissioner, and the applicable fee shall be paid within twelve months following the date of honorable discharge from the military.

(3) The new license shall be of the same type and class as that effective at the time the applicant entered military service; however, if such type and class of license is no longer being issued, then the new license shall be of that type and class most closely resembling the former license.

§1110.10. Temporary license

R.S. 22:1110.10 is all proposed new law.

A. The commissioner may, in his discretion, issue a temporary license as an independent adjuster, a company employee adjuster, or a self-insured adjuster, subject to the following conditions:

(1) The applicant shall be an employee of an adjuster currently licensed by the commissioner, an employee of an authorized insurer, or an employee of an established adjusting firm or corporation which is supervised by a currently licensed adjuster.

(2) The application shall be accompanied by a certificate of employment and a report as to the applicant's integrity and moral character, on a form prescribed by the commissioner and executed by the employer.

(3) One or more of the following reasons or circumstances shall exist, or such other reasons or circumstances as in the discretion of the commissioner may reasonably necessitate the issuance of the temporary license:

(a) Absence of the licensed adjuster by reason of death, illness, or other disability, call to military service, vacation, or attendance at insurance or adjusting schools.

(b) Opening of a new office, temporary expansion of operation, or unusual or seasonal influx of claims or losses requiring a larger staff, temporarily.

(c) Termination of the license of an employee adjuster.

(d) Losses or claims involving specialized policies or risks requiring the services of a specially trained adjuster.

(4) The existence of any of the reasons or circumstances referred to in Paragraph (3) of this Subsection shall be certified to by the employer on forms provided by the commissioner.

(5) The applicable license fee specified shall be paid before issuance of the temporary license.

B. The temporary license shall be effective for a period of sixty days. This temporary license may be terminated prior to this sixty-day period at the request of the employer or if it is suspended or revoked by the commissioner.

C. If the applicant successfully completes the examination for a regular license during the sixty-day temporary license period, then the temporary license shall continue in effect as a regular license as long as the licensee remains continuously employed under the supervision of a licensed adjuster or as an employee of an authorized insurer.

D. No adjuster licensed under the provisions of this Section shall adjust losses in this state after expiration of the temporary license without having passed the written examination for a regular adjuster's license.

§1110.11. Nonduplication of license; third-party administrators, private investigators; licensed insurance producers

R.S. 22:1110.11 is all proposed new law.

A. Any person holding a current license under this Part and performing investigations as to the cause or liability for fires, libels, losses, accidents, damages, or injuries to persons or to properties for any insurer, self-insured, or self-insured fund shall not be required to be licensed as a private investigator pursuant to R.S. 37:3501 et seq., or as a third-party administrator pursuant to R.S. 22:3031 et seq.

B. A licensed insurance producer may, without being licensed as an independent insurance adjuster, adjust losses for the insurer represented by him if so authorized by the insurer, if the adjustment activities are incidental to his primary employment as a producer.

§1110.12. Catastrophe or emergency independent adjuster

R.S. 22:1110.12 is all proposed new law.

A. In the event of a catastrophe or emergency and upon the request of an insurer, the department may issue a permit, for the purposes and under the conditions which it shall fix for the period of an emergency, to persons who are residents or nonresidents of this state and who are not licensed independent adjusters under this Part but who have been designated and certified as qualified to act as independent adjusters to adjust claims, losses, or damages under policies or contracts of insurance issued by such insurers.

B. The insurer who requests the commissioner to designate a person under this Part shall submit to the department all materials and information to evidence that the applicant for the permit under this Section qualifies to receive the designation under this Section.

C. The insurer may use the services of the adjuster based on a copy of the application until the application is either approved or denied by the commissioner.

§1110.13. Office and records

R.S. 22:1110.13 is all proposed new law.

A. Every licensed independent adjuster shall maintain in this state a place of business accessible to the public and keep therein the usual and customary records pertaining to transactions pursuant to the license. The license of the independent adjuster shall show the address of his place of business, and the licensee shall promptly give written notice to the department within ten days of any change of the address. Failure to file an address change within the required time shall result in the imposition of a fifty dollar penalty per violation, or as authorized by R.S. 22:1078. Any person against whom a penalty has been levied shall be given due notice of such action. Upon receipt of this notice, the licensee may apply for and shall be entitled to a hearing.

B. The records of the independent adjuster relating to a particular claim or loss shall be retained in the place of business of the independent adjuster for a period of not less than one year after completion of the adjustment. This provision shall not be deemed to prohibit the return to the insurer, self-insured, or self-insured fund of any documents furnished to or prepared by the independent adjuster as required by the insurer, self-insured, or self-insured fund.

§1110.14. Adjustments to comply with insurance contract and law

R.S. 22:1110.14 is all proposed new law.

Every independent adjuster and independent claims associate investigator shall adjust or investigate every claim, damage, or loss made or occurring under an insurance contract, in accordance with

the terms and conditions of the contract and of the applicable laws of this state.

§1110.15. Insurance adjusters prior to August 15, 2003

R.S. 22:1110.15 is all proposed new law.

Any resident that has practiced independent adjusting in this state prior to August 15, 2003, shall be issued a license by the commissioner without examination and upon application and payment of the appropriate fees if the applicant satisfies all of the following items:

(1) The applicant was engaged in the practice of adjusting for a period of three years immediately preceding August 15, 2003.

(2) The applicant was a resident of this state during this three-year period.

(3) The applicant has not been disqualified for having committed any act that is a ground for denial, suspension, or revocation set forth in R.S. 22:1142.

(4) The applicant has never had any professional license revoked by any state or jurisdiction.

(5) The applicant submits an application to the department for an independent insurance adjuster license within one year after August 15, 2003.

§1110.16. Continuing education and renewal of license required

R.S. 22:1110.16 is all proposed new law.

A. A minimum of eight hours of annual continuing education shall be required of all resident licensees, one hour of which shall be on the provisions of R.S. 22:1220, also known as the "Good Faith and Fair Dealings Act".

B. The department may require more than eight hours of continuing education. The department shall review and accredit all continuing education programs offered to licensees. The department shall establish the qualification requirements for instructors in the continuing education programs.

C. Every licensed adjuster shall file an application for renewal of his license every two years, by notifying the commissioner of the licensee's intention to continue his license. Any licensee who fails to file timely for license renewal shall be charged a late fee of fifty dollars, or such other amount as may be authorized by R.S. 22:1078 for each license not renewed timely.

D. Prior to the filing date for application for renewal of an adjuster license, the licensee shall file with the commissioner, by a method prescribed by the commissioner, satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the continuing education requirements shall result in the expiration of the license.

§1110.17. Fees

R.S. 22:1110.17 is all proposed new law.

A. The department may assess the following schedule of fees, which shall not be refundable:

(1) Initial license or permit fee - \$75

(2) Renewal fee - \$50

(3) Replacement of lost or mutilated license or permit - \$15

(4) Fee for failure to report change of address - \$50.

§1110.18. Investigation, notice, hearing, and fine

R.S. 22:1110.18 is all proposed new law.

A. The commissioner shall, upon the verified complaint in writing of any person setting forth facts which, if proved, would constitute grounds for refusal to issue or renew or for suspension or revocation of any such license or permit, investigate the actions of any person applying for, holding, or claiming to hold any such license or permit.

B. Based on findings by the commissioner, a license or permit may be revoked or suspended or a civil fine imposed pursuant to this Section. Any fine imposed pursuant to this Section shall not be more than one thousand dollars per violation, and not more than five thousand dollars in the aggregate.

C. If an application for a license or permit or renewal of an existing license or permit is denied or a license or permit suspended or revoked, the commissioner shall notify the applicant or holder of the license or permit of the decision in writing and provide written reasons for the decision.

§1110.19. Limitations of liability errors and omissions

R.S. 22:1110.19 is all proposed new law.

All licensed independent adjusters shall carry errors and omissions insurance in a minimum amount of five hundred thousand dollars. In the event that a licensed independent adjuster has draft authority for an insurer, a self-insured entity, or a member of a self-insured fund, such adjuster shall also be covered by a fidelity bond in a minimum amount of twenty-five thousand dollars. If a licensed independent adjuster is employed by an independent adjusting company, then the licensed employer shall carry errors and omissions insurance in a minimum amount of five hundred thousand dollars and a fidelity bond covering each independent adjuster in a minimum amount of twenty-five thousand dollars.

§1110.20. Producers; adjustment

R.S. 22:1110.20 is all proposed new law.

A licensed insurance producer of this state may, without being licensed as an independent adjuster, adjust losses for the insurer represented by him as producer if so authorized by the insurer, if the producer's adjustment activities are incidental to the primary employment as an insurance producer.

§1110.21. Rules and regulations

R.S. 22:1110.21 is all proposed new law.

The commissioner shall promulgate rules and regulations to carry out the provisions of this Part.

On motion of Senator Boissiere, the committee substitute bill was adopted and becomes Senate Bill No. 1133 by Senator Smith, substitute for Senate Bill No. 416 by Senator Smith.

SENATE BILL NO. 1133 (Substitute for Senate Bill 416 by Senator Smith)—

BY SENATORS SMITH AND CRAVINS
AN ACT

To amend and reenact the introductory paragraph of R.S. 22:1192(A) and to enact R.S. 22:1192(A)(4) and Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1110.1 through 1110.21, relative to independent insurance adjusters; to provide for licensure of independent adjusters; to provide for fees, duties, obligations, and other licensing matters for independent claims adjusters; to provide for exemptions; and to provide for related matters.

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

SENATE BILL NO. 909—

BY SENATOR CAIN
AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 909 by Senator Cain

AMENDMENT NO. 1

On page 1, delete lines 2 through 15 and insert the following:
"To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 45:844.8 is hereby enacted to read as follows:

§844.8. Wireless Telephonic Solicitation; rules and regulations.

R.S. 45:844.8 is all proposed new law.

The Louisiana Public Service Commission shall promulgate such rules and regulations which comply with federal regulations that prohibit a telemarketer from making wireless telephonic solicitations."

AMENDMENT NO. 2

Delete pages 2 through 6 in their entirety.

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

SENATE BILL NO. 1091—

BY SENATOR BAJOIE
AN ACT

To enact R.S. 22:215.24, relative to health insurance; to require that optional coverage of treatment for morbid obesity by certain health insurance policies, contracts, and plans be offered; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1091 by Senator Bajoie

AMENDMENT NO. 1

On page 3, after line 23 insert: "D. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable limited benefit health insurance policies."

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

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

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

HOUSE BILL NO. 71—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:443.1(B), 443.2(7), 444(I), 445(A)(3) and (4), and 464(C)(4), relative to committees of recognized political parties; to provide with respect to the applicability of provisions of law relative to the establishment, composition, apportionment, and election of, qualifying fees for, and vacancies on such committees; to provide with respect to the number and apportionment of state central committees; and to provide for related matters.

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

HOUSE BILL NO. 75—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 1:55(E)(4), relative to legal holidays; to provide that the Municipal Court of New Orleans and the Traffic Court of New Orleans shall have the same legal holidays as the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; 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. 95—
BY REPRESENTATIVE TRICHE
AN ACT

To repeal Section 2 of Act 612 of the 2001 Regular Session of the Legislature, relative to the authority of the Department of Social Services, Support Enforcement Services Program, office of family support, to suspend motor vehicle operator and professional, occupational, business, or industrial licenses for nonpayment of child support; to repeal the termination date on which the authority expires; 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. 109—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the convenience fee authorized to be collected by a motor vehicle seller or extender of credit for certain transactions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 134—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:968(B)(12), relative to administrative procedure; to require rules promulgated by the office of the state fire marshal, code enforcement and building safety, to be submitted to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 163—
BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 6:708(D), relative to directors of savings and loan associations; to repeal the qualifying share requirement for directors.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 176—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 37:1473(4) and (5), 1474(D), 1475(8), 1476(A), 1478, 1481(A)(2), and 1485(B), to enact R.S. 37:1483(12), 1485(C), and 1488(C), and to repeal R.S. 37:1485(A)(10) and (11), all relative to home inspectors; to change term of appointment of board members; to change certain licensure requirements; to provide for prohibited conduct; to provide for injunctive relief; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 176 by Representative Bruneau

AMENDMENT NO. 1
On page 1, line 2 after "37:1473(4) and (5)" delete "1474(D),"

AMENDMENT NO. 2
On page 1, line 10 after "37:1473(4) and (5)" delete "1474(D),"

AMENDMENT NO. 3
On page 2, delete lines 23 through 26 in their entirety.

AMENDMENT NO. 4
On page 3, delete lines 1 through 10 in their entirety.

AMENDMENT NO. 5
On page 5, line 8 after "provided" delete the remainder of the line and insert "by the home warranty company."

AMENDMENT NO. 6
On page 5, delete line 9 in its entirety.

AMENDMENT NO. 7
On page 5, line 13, after "applicant or" delete the remainder of the line, and on line 14, delete "public" and insert: "any other person holding himself out as a home inspector"

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

HOUSE BILL NO. 184—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:263(B) and 416 and to enact R.S. 6:263(C), relative to bank stock; to provide for repurchase and redemption of a bank's own stock; to provide for loans on pledge of a bank's own stock; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 184 by Representative Pinac

AMENDMENT NO. 1
On page 1, line 2 change "R.S. 6:263(C)," to "R.S. 6:245 and 263(C) and to repeal R.S. 6:261(C),"

AMENDMENT NO. 2
On page 1, line 8 change "R.S. 6:263(C) is" to "R.S. 6:245 and 263(C) are"

AMENDMENT NO. 3
On page 1, between lines 8 and 9 insert the following:
"§245. Changes in core business.
A. Whenever a state-chartered financial institution, or holding company thereof, intends to materially change its core business as conducted at the time of its last safety and soundness examination or filing pursuant to this Section, whichever is later, it shall provide

notice to the commissioner at least forty-five days prior to implementation.

B. If the commissioner does not raise an objection or defer his decision in writing, within forty-five days of receipt of the written notice of intent, the financial institution or holding company may proceed with its plans.

C. The commissioner shall have the authority to promulgate and/or establish rules, regulations, notifications, filing procedures, instructions, and fees as he deems necessary to carry out the provisions of this Section.

* * *

AMENDMENT NO. 4

On page 5, between lines 19 and 20 insert the following:

"Section 2. R.S. 6:261(C) is hereby repealed."

AMENDMENT NO. 5

On page 5, line 20 change "Section 2." to "Section 3."

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

HOUSE BILL NO. 186—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1302(A) and to enact R.S. 6:211(C) and R.S. 12:1306(E), relative to financial institutions; to authorize financial institutions to organize and operate as limited liability companies; to provide for rules; to delete the prohibition against limited liability companies being formed for banking purposes; to authorize use of the word "bank" and other related words in the name of certain limited liability companies; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 191—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:646(A)(2)(b) and (B)(2), 656(A)(1)(e), and 661.1(A)(3) and to repeal R.S. 6:646(A)(3), relative to credit unions; to provide factors of consideration for commissioner approval of mergers, consolidations, and expansions of field of membership; to change financial reporting requirements for certain credit unions; to increase certain loan amount approval by the board of directors; to change the net worth ratio criterion for branch office openings; to repeal the moratorium on mergers and conversions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 192—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:665(C), relative to expansions of the field of membership of credit unions; to provide for expansions through bylaw amendments; to provide criteria for expansions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 224—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:242(D)(1) and 412(A)(1) and to enact Chapter 7-A of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:571 through 627, relative to Louisiana trust companies; to provide authority and powers of trust companies; to provide for names of trust companies; to provide for capital requirements; to provide for application and charter procedures; to provide for insurance coverage; to provide for private trust companies; to provide for conversions; to provide for acquisition and ownership; to provide for investments; to provide for borrowing and pledge limits; to provide for criminal reporting; to provide for offices and branch offices; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 226—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:102(A)(introductory paragraph) and to enact R.S. 12:102(A)(6), relative to business corporations' annual reports; to provide that an agent may make and sign an annual report; to provide the name, address, telephone number, and electronic e-mail address of the person submitting the annual report; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 227—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:308(D), relative to foreign corporations; to provide for written notice of resignations of registered agents; to provide for mailing of notices to principal place of business; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 228—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1308(E)(1) and 1308.1(A)(introductory paragraph) and to repeal R.S. 12:1308(E)(2), relative to limited liability companies' registered agents; to provide for an agent's resignation; to provide for filing an annual report; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 229—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1350(D), relative to foreign limited liability companies; to provide for written notices of resignations by registered agents; to provide for mailing of notices to the principal place of business; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 233—
BY REPRESENTATIVES ILES AND WELCH
AN ACT

To amend and reenact R.S. 46:1409(B)(5) and 1413(E), relative to child care facilities; to prohibit discrimination against breast-fed babies; 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. 239—
BY REPRESENTATIVES DANIEL, KATZ, WALSWORTH, AND L. JACKSON
AN ACT

To amend and reenact R.S. 40:5.5(E) and to enact R.S. 40:5.5(G), relative to sanitary inspections; to change the definition of food service establishments for food safety certificates; 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. 281—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 36:254.1 and to repeal Act No. 146 of the 1995 Regular Session of the Louisiana Legislature and R.S. 29:33.1, relative to the Hot Wells Rehabilitation Center; to transfer the center to the office of public health in the Department of Health and Hospitals; 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. 310—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1662.1, 1662.2, 1662.3(1), (8), and (17), 1662.4(B), 1662.6(A), (B)(6), and (C), 1662.7(A), (B), (C), (D)(introductory paragraph), (E), and (F), 1662.8(A) and (B)(introductory paragraph) and (3), 1662.9(C) and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.13(A)(introductory paragraph) and (1)(b) and (B)(1), 1662.14(A)(2), (3)(introductory paragraph) and (b) and (5) and (C)(2) and (3), 1662.15(B)(2), and 1662.16 and to enact R.S. 40:1662.3(23) through (28), 1662.4(A)(3) and (4), (C), and (D), 1662.6(D), 1662.8(B)(2)(g) and (h), 1662.9(A)(9) through (11), 1662.10, 1662.13(A)(1)(c), and 1662.14(C)(6), relative to the state fire marshal; to provide for the licensure of locksmiths, locksmith shop technicians, locksmithing services companies, and locksmith apprentices; to provide for a purpose; to provide for definitions; to provide for the licensure of persons who engage in certain alarm contracting services; to provide for certain exceptions; to provide for application procedures; to provide for certain notifications; to provide for inspections; to prohibit certain activities; to provide for a provisional locksmith license; to provide relative to license renewal and license fees; to provide relative to the membership of the Alarm Services Advisory Board; to provide relative to offenses and penalties; to provide relative to local regulations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 310 by Representative Pinac

AMENDMENT NO. 1
On page 13, delete line 2, and insert: "a felony crime of violence specifically enumerated in R.S. 14:2(13) or a sex offense as defined in R.S. 15:541(14.1), with the exception of R.S. 14:92(7) and R.S. 14:80."

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

HOUSE BILL NO. 312—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3563.1, relative to the Office of Financial Institutions; to provide for licensure of certain entities; to provide relative to private schools; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 329—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:721 and 1271 and to repeal R.S. 6:1272, 1273, and 1274, relative to amendments and restatement of the articles of incorporation of certain financial institutions; to provide the same amendment and restatement procedures for state banks, savings and loan associations, and savings banks; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 329 by Representative Pinac

AMENDMENT NO. 1
On page 1, line 2 change "R.S. 6:721" to "R.S. 6:352(7)(b), 721,"

AMENDMENT NO. 2
On page 1, line 8 change "R.S. 6:721" to "R.S. 6:352(7)(b), 721,"

AMENDMENT NO. 3
On page 1, between lines 9 and 10 insert the following:
"§352. Merger or consolidation procedure
Merger or consolidation may be effected only as a result of a joint agreement entered into, approved, and filed as follows:

* * *

(7) * * *

(b) A copy of the certificate of merger or consolidation certified by the commissioner as well as the merger or consolidation agreement shall, within thirty days after issuance of the certificate, be filed for record with the ~~secretary of state and in the~~ office of the recorder of mortgages in the parish of the surviving or consolidated bank's domicile.

* * *

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

HOUSE BILL NO. 330—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 330 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and to enact R.S. 9:3515(F)"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "or services"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 9:3515(F) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 11 through 13, and insert: "D. A sale of ~~items~~ property seized or legally"

AMENDMENT NO. 5

On page 1, after line 15 insert the following:

"F. The Commissioner may issue a permit to persons licensed and regulated by the Office of Financial Institutions under the provisions of R.S. 37:1781 through 1808 to conduct the sale of goods and services at a location where consumer loans are made pursuant to the provisions of this Chapter. The Commissioner shall have the authority to deny the permit or suspend and/or terminate the permit for violations of this Chapter. The Commissioner may adopt rules to implement the provisions of this Subsection. Such rules shall require the Commissioner to grant or deny the permit within thirty days from the date the application for a permit is filed with the Office of Financial Institutions."

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

HOUSE BILL NO. 333—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1472.3(A) and R.S. 51:655(A) and (B)(2) and 658(A)(2) and to enact R.S. 51:650(9) through (12) and 655(E), relative to fireworks; to revise provisions relative to the public display of fireworks; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 514—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 9:3554.2(B) and Part XVIII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3576.1 through 3576.24, relative to collection agencies; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory provisions regarding collection agencies.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 581—

BY REPRESENTATIVES DEWITT AND BRUCE

AN ACT

To amend and reenact R.S. 33:4161, relative to public utilities; to include emergency medical services in the definition of revenue-producing public utility; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 589—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 1:55(E)(1)(d), relative to legal holidays; to require the clerk of court in the parishes of St. James and St. John the Baptist to close their offices on days proclaimed by the governor to be a holiday; to provide for an exception; 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. 618—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 22:1460, relative to insurance agents; to specify the manner in which certain life and health insurance agents may obtain information from applicants; 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. 684—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:844.12(4)(f), relative to telephones; to provide relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 688—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:3286(A)(1)(d) and (e), (2)(a) and (b), and (3)(b), (c), (e), and (f) and to enact R.S. 37:3286(A)(3)(j) and (k), relative to fees assessed by the Louisiana State Board of

Private Security Examiners; to provide for fees for baton instruction; to increase certain fees; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 689—
BY REPRESENTATIVES FARRAR AND DEWITT
AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Tioga Heritage Park and Museum; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 689 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 24, after "by" insert "the secretary of state from a list of nominees provided by"

AMENDMENT NO. 2

On page 9, delete lines 7 through 11

AMENDMENT NO. 3

On page 9, line 12, delete "regulations."

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

HOUSE BILL NO. 694—
BY REPRESENTATIVES ANSARDI, BOWLER, CAPELLA, DAMICO, MARTINY, MONTGOMERY, SCALISE, THOMPSON, TOOMY, AND SCHNEIDER AND SENATOR LENTINI
AN ACT

To enact R.S. 44:3.1, relative to records of public bodies; to exempt certain records pertaining to security procedures from public records laws; to provide terms and conditions; 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. 699—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1578.6(C), relative to fire protection; to require the application of certain fire protection codes to campus housing; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 699 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 13, change "latest" to "2000"

AMENDMENT NO. 2

On page 2, line 14, change "most recently" to "shall be"

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

HOUSE BILL NO. 701—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1563(B)(4), 1573, and 1575, relative to fire protection; to prohibit the fire marshal from inspecting "one- or two-family dwellings"; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 703—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 722—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 51:61, 64, and 65, relative to foreign trade zones; to authorize the England Economic and Industrial Development District to make applications to be designated as a foreign trade zone; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 767—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:15(B)(1)(c), (e), (g), (o), (p), (q), and (r) and (2)(a)(iv), (vi), (vii), and (xvi) and (b)(vii) and (x), and (c)(vii), (x), and (xi), to enact R.S. 22:15(B)(1)(t) and (2)(a)(xvii), (b)(xi) and (xii), and (c)(xii) and (xiii), and to repeal R.S. 22:15(B)(1)(b) and (2)(a)(iii), relative to the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for designees; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 767 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 22:15(B)(1)(t)" insert "and (u)"

AMENDMENT NO. 2

On page 1, line 4, after "(2)(a)(xvii)" insert "and (xviii)"

AMENDMENT NO. 3

On page 1, line 12, after "R.S. 22:15(B)(1)(t)" delete the remainder of the line and insert the following: "and (u) and (2)(a)(xvii) and (xviii)"

AMENDMENT NO. 4

On page 2, line 1, after "(c)" add the following: "The assistant secretary of the Louisiana Department of Public Safety and Corrections, office of motor vehicles, or his designee."

AMENDMENT NO. 5

On page 2, delete lines 3 through 7

AMENDMENT NO. 6

On page 3, between lines 6 and 7, insert the following:

"(u) A representative of law enforcement or his designee, selected jointly by the superintendent of state police, the secretary of the Department of Public Safety and Corrections, the president of the Louisiana Association of Chiefs of Police, and the president of the Louisiana Sheriff's Association."

AMENDMENT NO. 7

On page 3, line 16, after (iv), add the following:
The assistant secretary of the Louisiana Department of Public Safety and Corrections, office of motor vehicles, or his designee.

AMENDMENT NO. 8

On page 2, delete line 18

AMENDMENT NO. 9

On page 4, between lines 4 and 5, add the following:
(xviii) The representative of law enforcement or his designee.

On motion of Senator Boissiere, 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. 918—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Part VI of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:91 through 94, relative to birth certificates; to provide for the issuance of certificates of stillbirth; to provide for delayed certificates of stillbirth; to provide for certified copies and fees; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 918 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 3, after "through" change "94" to "92"

AMENDMENT NO. 2

On page 1, line 9, after "through" change "94" to "92"

AMENDMENT NO. 3

On page 2, line 3, after "certificate" delete "may" and delete line 4 and insert "shall be provided by the Vital Records Registry upon the request of the parent or parents of a stillborn child."

AMENDMENT NO. 4

On page 2, delete lines 5 through 7 and insert "B. The certificate of stillbirth shall be identified as a"

AMENDMENT NO. 5

On page 2, delete lines 18 through 26 and delete page 3 and insert "C. One copy of the certificate of birth resulting in stillbirth shall be provided by the Vital Records Registry at no cost upon request. Additional copies shall be subject to the same fees as a certificate of live birth as provided in R.S. 40:40."

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

HOUSE BILL NO. 949—

BY REPRESENTATIVE BRUCE

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Mansfield Women's College Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 949 by Representative Bruce

AMENDMENT NO. 1

On page 2, line 25, after "appointed by the" insert "secretary of state from a list of nominees provided by the"

AMENDMENT NO. 2

On page 9, line 14, after "Museum." delete the remainder of the line

AMENDMENT NO. 3

On page 9, delete lines 15 through 18 in their entirety

AMENDMENT NO. 4

On page 9, line 19, delete "laws, rules, and regulations."

AMENDMENT NO. 5

On page 10, line 15, after "without the" delete "unanimous" and after "approval" delete "of all of the members"

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

HOUSE BILL NO. 951—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 46:449(A)(1), relative to the family responsibility program; to designate the Department of Health and Hospitals to administer the 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. 953—

BY REPRESENTATIVE WINSTON
AN ACT

To enact Children's Code Article 1461.1, relative to mental health; to provide for communication with a parent or guardian of a confined minor child; to specify the type of information to be given by the confining facility; 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. 954—

BY REPRESENTATIVES WINSTON, SCHWEGMANN, STRAIN, ERDEY, MCVEA, NEVERS, AND POWELL
AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Florida Parishes Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 954 by Representative Winston

AMENDMENT NO. 1

On page 4, between lines 22 and 23, insert "* * *"

AMENDMENT NO. 2

On page 5, line 2, after "facility" insert "for developmental disabilities and mental health"

AMENDMENT NO. 3

On page 6, delete lines 6 through 8 and insert "relative to mental health, developmental disabilities and substance abuse services, including the Alcohol and Drug Unit and Fontainebleu Treatment Center, for the parishes of Livingston, St. Helena, St. Tammany, Tangipahoa and Washington."

AMENDMENT NO. 4

On page 6, line 19, after "authority," insert "The initial appointments shall be made no later than January 1, 2004."

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

HOUSE BILL NO. 957—

BY REPRESENTATIVES WELCH AND MURRAY
AN ACT

To enact R.S. 46:153.3(C), relative to prescription drugs used in the treatment of HIV/AIDS, hepatitis C, and schizophrenia; to provide a list of drugs which shall be exempt from the Department of Health and Hospitals' reimbursement limits or prior approval requirements; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 957 by Representatives Welch and Murray

AMENDMENT NO. 1

On page 1, line 5 delete "reimbursement limits or"

AMENDMENT NO. 2

On page 1, line 13 after "shall not" delete "establish any limits on, or"

AMENDMENT NO. 3

On page 1, line 14 after "restrict by" delete "any"

AMENDMENT NO. 4

On page 2, lines 1 and 2 delete "formulary limits or restrictions" and insert "prior authorization provisions"

AMENDMENT NO. 5

On page 2, line 14 delete "formulary limitations" and insert "prior authorization provisions"

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

HOUSE BILL NO. 1039—

BY REPRESENTATIVE WINSTON
AN ACT

To repeal R.S. 22:1534 as enacted by Act No. 320 of the 1970 Regular Session of the Legislature and R.S. 22:1534 as enacted by Act No. 738 of the 1970 Regular Session of the Legislature, relative to group insurance; to repeal the prohibitions against group insurance for property and casualty insurance.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 1147—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 28:381(11) and to enact R.S. 28:20, relative to admission to or services of treatment facilities of the Department of Health and Hospitals; to limit admission to or services of such facilities to persons who meet certain criteria; 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. 1149—
BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 22:250.20, relative to health insurance; to provide relative to the compliance of health insurance issuers with state law relative to the Gramm-Leach-Bliley Act; and to provide for related matters.

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

HOUSE BILL NO. 1181—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 51:911.22(6) through (11), 911.26(F)(4) and (I), 911.28(A)(1), (2), (3), (4), (8), (9), and (10), 911.39, and 912.27(A) and (C), to enact R.S. 51:911.22(12), 911.24(J), (K), and (L), 911.26(B)(4) and (F)(8) and (9), and 912.31, and to repeal R.S. 51:911.28(C), relative to manufactured housing; to provide for definitions; to provide for the licensing of manufactured home brokers; to provide for an increase in certain fees; to provide for certain educational and insurance requirements; to provide for recusal of members of the Louisiana Manufactured Housing Commission; to provide for certain additional powers of the commission; to provide relative to penalties for violation of law and rules; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 1181 by Representative Pinac

AMENDMENT NO. 1
On page 1, line 3 after "911.39," insert "912.24(2)(d),"

AMENDMENT NO. 2
On page 1, line 15 after "911.39," insert "912.24(2)(d),"

AMENDMENT NO. 3
On page 2, at the end of line 12 insert the following:
"This term includes and is interchangeable with the term "house trailer", but does not include the term "manufactured home", as only manufactured homes are built to federal construction standards."

AMENDMENT NO. 4
On page 4, at the end of line 5 insert the following: "Further, each of these persons shall take a class and pass an accompanying test prior to receiving their original license. The commission shall develop the class and test. The fee for the Retailer and Developer class and test shall be set by rule and shall not exceed one hundred dollars."

AMENDMENT NO. 5
On page 5, delete lines 12 through 20 and insert the following:
"I. Within the ~~commission office of the governor~~ there is hereby created a division that shall be referred to as the Manufactured Housing State Administrative Agency. This division shall handle manufactured housing consumer complaints on behalf of the federal Department of Housing and Urban Development (HUD). The governor shall appoint ~~a state employee to act as an~~ administrative agent ~~of this division to handle such manufactured housing consumer complaints.~~ This ~~employee~~ administrative agent shall be responsible for Louisiana's compliance with the federal portion of the manufactured housing program."

AMENDMENT NO. 6

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

" * * *
§912.24. Installation standards for anchors and tie-downs
The following specifications are standards set for used manufactured homes when manufacturer's installation instructions and specifications are not available:
* * *

(2) Frame ties:
* * *

(d) Used units where the manufacturer's specifications are not available shall be anchored every ~~twelve ten~~ feet in Zone I, eight feet in Zone II, and six feet in Zone III, with anchors placed within two feet of each end. Such units in Wind Zones I, II, and III shall be anchored as specified in 24 C.F.R. 3280.301 through 3280.309.
* * *"

AMENDMENT NO. 7
On page 7, line 14 after "attend" delete "an approved certification course" and insert "a certification course offered by the commission or a commission approved provider."

AMENDMENT NO. 8
On page 7, line 16 between "rule" and the period "." insert "and shall not exceed one hundred dollars"

AMENDMENT NO. 9
On page 8, at the beginning of line 7 delete "A" and insert "Any commission licensee or a"

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

HOUSE BILL NO. 1197—
BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; 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. 1198—
BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1198 by Representative L. Jackson

AMENDMENT NO. 1
On page 1, line 17, after "state" insert "from a list of ten names submitted and nominated by the legislative delegation from the parishes of East Carroll, West Carroll, Madison, Franklin, Richland, Morehouse, Ouachita, Tensas, Caldwell and Concordia"

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

HOUSE BILL NO. 1208—
BY REPRESENTATIVES DEWITT AND LANCASTER AND SENATOR HEITMEIER

AN ACT

To enact R.S. 25:1013(A)(8) and 1014(C), relative to the governor's mansion; to increase the number of members on the Louisiana Governor's Mansion Commission; to provide for certain access to the mansion for certain purposes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1208 by Representative DeWitt

AMENDMENT NO. 1

On page 1, between lines 15, and 16, insert the following:

- “(9) The director of the Old State Capitol.
- “(10) The president of the Louisiana Governor's Mansion Foundation.”

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

HOUSE BILL NO. 1211—
BY REPRESENTATIVES BRUNEAU, DOWNER, AND MURRAY

AN ACT

To amend and reenact R.S. 18:31(C), 103(A), 104(A)(15) and (16), 110(B)(1), 111(B), 154(C), 401.1(C) and (D)(1), 423(H), 425(A)(1)(b) and (2), 435(A)(1), 463(A)(2), 552(B), 553(B)(4), 563, 564(C), 574(A)(2), 576(B) and (C), 1259(B)(1) and (4), 1284(F)(1), 1286(A), 1299.1(A), 1300.2(C)(2), 1300.3(B), 1306(A)(3), 1307(C), and 1354(C), to enact R.S. 18:18.1, 110(B)(3), 401.1(G), 401.2, 552(C), and 1309(E)(4) and (5), and to repeal R.S. 18:425(A)(3) and R.S. 36:742.1, relative to the Election Code; to make technical changes to the Election Code; to prohibit the commissioner of elections and certain unclassified civil service employees from engaging in political activities; to provide relative to the name a woman may use to register to vote; to provide relative to charges for preparation of lists of voter registration information; to provide relative to form and signature requirements on applications to register to vote; to provide for procedures in circumstances of election emergency; to provide for transmission of certain voter registration data where necessary for verification purposes; to provide relative to a designee attending a board of election supervisors meeting; to provide for filing a list of watchers to be present at the precinct; to provide relative to the certification of a candidate in the notice of candidacy; to provide for the secretary of state to issue information as necessary under the Help America Vote Act; to provide for the definition of casting a vote; to provide for procedures for assisted voting; to provide relative to the transmission of election results to the secretary of state by the clerks of court; to provide relative to the format of ballots and statements of propositions and the manner of marking on a ballot; to provide relative to recall petitions and written requests to delete or add from such petitions; to provide relative to mail applications to vote absentee by mail; to provide for procedures for when a voter fails to activate the cast ballot mechanism; to prohibit a parish custodian from appointing a candidate or his

family member from serving at certain polling places; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1211 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 6, after "1307(C)," and before "to enact " delete "and 1354(C)," and insert "1354(C), and 1400.3(D)(1),"

AMENDMENT NO. 2

On page 2, line 20, after "1300.3(B)," and before "are hereby" delete "and 1354(C)" and insert "1354(C), and 1400.3(D)(1)"

AMENDMENT NO. 3

On page 16, between lines 19 and 20, insert the following:
"1400.3. Election expenses incurred by clerks of court and registrars of voters; payment by commissioner of elections; payment by governing authorities

* * *

D. For the purposes of this Section, "election expenses incurred by registrars of voters of voters" is defined and limited to the following:

(1) Expenses incurred by a registrar of voters to pay for one or more temporary part-time clerical employees to perform election duties and responsibilities associated with his office as provided in this Title. Such employees shall be paid at an hourly rate established by the registrar at not to exceed that of a ~~Voter Registration Specialist Clerk Chief II~~ in the General Schedule at the entry level as specified in the classification and pay plan of the Louisiana Department of Civil Service.

* * *

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

HOUSE BILL NO. 1234—
BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:242(A)(17), R.S. 9:3572.2(B)(9), and R.S. 51:1910(1)(b)(xi), relative to loans; to authorize banks to make refund anticipation loans; to provide relative to loan brokers; to provide for certain exceptions; to provide relative to refund anticipation loans; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1234 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 17 between "loans" and the period "." insert "and to assess interest charges and fees in relation to such loans to the same extent as a state-chartered bank in any other state or a bank chartered under the laws of the United States"

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

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

HOUSE BILL NO. 1283—

BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 18:425(B)(4); to allow students age seventeen who are seniors in high school to serve as commissioners on election day; 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. 1321—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact Part LVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.171 and 1300.172, relative to environmental health surveillance; to provide for purpose of environmental health surveillance; to provide for objective; to provide for creation of a working group; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1321 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 16 delete "environmental exposures" and insert "environmental factors, including physical, chemical, biological, and social factors"

AMENDMENT NO. 2

On page 1, line 17 delete "prevalence and determinants of chronic diseases" and insert "disease trends and research"

AMENDMENT NO. 3

On page 2, delete lines 4 and 5 and insert "(1) To track and evaluate environmental factors, including physical, chemical, biological, and social factors, that may play a role in the development of certain chronic diseases."

AMENDMENT NO. 4

On page 2, delete lines 6 through 8 and insert "(2) To develop data in a standardized format for optimal use with other public health databases and to allow government, university, and public health officials to develop hypotheses for research on the potential impact of environmental factors on chronic diseases."

AMENDMENT NO. 5

On page 2, delete line 17 and insert "experts in epidemiology, public health, and environmental health"

AMENDMENT NO. 6

On page 2, delete line 18 and on line 19 delete "populations to environmental hazards"

AMENDMENT NO. 7

On page 3, line 7 delete "environment" and insert "physical, chemical, biological, and socioeconomic environment"

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

HOUSE BILL NO. 1358—

BY REPRESENTATIVES BRUNEAU AND LANCASTER (BY FEDERAL MANDATE)

AN ACT

To amend and reenact R.S. 18:24 and 574(A)(2) and to enact Subparts F and G of Part V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:566 through 567.6, relative to provisional voting and Title III complaint procedures as mandated by the Help America Vote Act of 2002; to provide for the powers and duties of the state board of election supervisors to extend to Title III complaint procedures; to provide for the compilation and promulgation of election results to include any counted provisional votes; to provide for provisional voting on election day and in person absentee; to provide for provisional voting in the event that the poll hours of an election for federal office are extended; to provide for the registrar of voters to record who uses a provisional ballot; to provide for agencies to provide and compile information as necessary to determine whether a provisional ballot shall be counted; to provide for the tabulation of provisional votes; to provide for the voter to determine whether his provisional vote was counted; to provide for a complaint procedure for alleged violations of Title III of the Help America Vote Act; to provide for a procedure for filing a complaint; to provide for procedures for processing the complaint; to provide for the board to conduct a hearing and provide a final decision and the reasons therefor; to provide for remedies; to provide for the Division of Administrative Law to assign the complaint to an administrative law judge if the complaint is not heard or decided timely by the board of election supervisors; to provide for the computation of time intervals; to provide for the complaint procedure to be exempt from the administrative hearing process of Chapter 13-B of Title 49; to provide for judicial review of a final decision of the board or resolution of the administrative law judge; 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. 1432—

BY REPRESENTATIVES DANIEL AND MURRAY
AN ACT

To enact R.S. 36:209(T) and 802.18 and Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1751 through 1753, relative to the Louisiana Purchase Commemorative Act; to establish the Louisiana Purchase Commemorative Act Commission as an agency of the state within the Department of Culture, Recreation and Tourism; to provide relative to the authority and responsibilities of the commission; to establish three funds to receive monies available to purchase land for public parks and green spaces; 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. 1437—

BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:250.39, relative to health insurance; to provide with respect to underpayment of health insurance claims; to provide relative to retroactive contractual rate adjustments negotiated between a health insurance issuer and a health care provider; 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. 1438—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:245(A) and 246(1), (2), and (9), relative to a pilot health insurance program; to provide for small employers; to provide for eligibility; to provide for health insurance issuers; 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. 1508—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:1401(E) and (F), 1404(5), 1405(C), 1406(A), (B), and (D)(1)(a)(ii) and (c)(i)(introductory paragraph), 1407(A)(1) and (2)(introductory paragraph), (B), (C), (D), (E), (G), (H), and (K), 1408, 1409(A), (B), (D), and (G)(2), 1410, 1411, 1413(B), (C), and (D), 1414(B), 1415, 1416, 1418, 1419(A)(1) and (B), and 1422 and to repeal R.S. 22:1401(G) and (H), 1406(C) and (D)(7), 1407(J) and (L), 1417.1, and 1420, relative to the functions, duties, and activities of the Louisiana Insurance Rating Commission; to provide for the office of property and casualty; to provide for procedures; to provide for expenses; 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. 1534—
BY REPRESENTATIVES WINSTON AND WELCH
AN ACT

To amend and reenact R.S. 36:4(F) and R.S. 46:2521, 2522, and 2524, to enact R.S. 46:2525 and R.S. 49:210.1, and to repeal R.S. 46:2523, relative to the Louisiana Women's Policy and Research Commission; to provide for the creation of the commission; to provide for a special assistant to the governor on women's policy; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1534 by Representative Winston

AMENDMENT NO. 1

On page 6, line 23 after "youth leadership" insert "organization focused solely on girls"

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

HOUSE BILL NO. 1605—
BY REPRESENTATIVES ILES, DOERGE, HILL, PITRE, JOHN SMITH, AND SENATOR ADLEY
AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), (ix), and (x), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1629—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1625(C)(2)(b) and (9)(introductory paragraph) and 1628(A)(3)(b) and (B)(3), relative to fire protection engineers and mechanical engineers; to provide for licensing as fire protection sprinkler systems contractors; to eliminate errors and omissions insurance requirement; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 1630—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 1765—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 22:250.38(B), relative to recoupment of payments; to provide for appeal of health insurer's action; to allow a health care provider thirty days to provide certain information to the insurer; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1765 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:250.38(B)" insert "and (E) and to enact R.S. 22:250.38(F)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 22:250.38(B) is" to R.S. 22:250.38(B) and (E) are" and after "reenacted" insert "and R.S. 22:250.38(F) is hereby enacted"

AMENDMENT NO. 3

On page 1, line 17, after "recoupment." delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete lines 1 through 3

AMENDMENT NO. 5

On page 2, line 4, delete "being made."

AMENDMENT NO. 6

On page 2, below line 9, insert the following:
"E. The provisions of this Section shall not apply to the Office of Group Benefits. If the recoupment directly affects the payment responsibility of the insured, the health insurance issuer shall provide

at the same time a revised explanation of benefits to the health care provider and the covered person for whose claim the recoupment is being made. Unless the recoupment of a health insurance claim payment directly affects the payment responsibility of the insured, such recoupment shall not result in any increased liability of an insured.

E-F. The provisions of this Section shall not apply to the Office of Group Benefits."

On motion of Senator Boissiere, 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. 1768—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 49:150.2, relative to the state capitol complex; to permit use of certain unlicensed state vehicles within the state capitol complex; to provide for conditions for use of such vehicles; to provide for an effective date; 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. 1770—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 23:921(B) and to enact R.S. 23:921(H), relative to employment contracts; to provide that interested parties may agree to refrain from engaging in similar businesses under certain circumstances; to provide that employees may not engage in similar businesses under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International 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. 1826 (Substitute for House Bill No. 1081 by Representative Durand) —

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1826 by Representative Durand

AMENDMENT NO. 1

On page 1, lines 12 and 13, delete "and supervision"

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

HOUSE BILL NO. 1836—

BY REPRESENTATIVES BAYLOR, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, SWILLING, DEWITT, ALARIO, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DEVILLIER, DIEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRUGE, FUTRELL, GALLOT, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the band hall located on Elton C. Harrison Drive at Southern University at Baton Rouge be renamed the Isaac Greggs Band Hall; to provide that the building in Shreveport known as the Multicultural Center of the South be renamed the Mrs. Balistine Williams Tarver Hopkins Building; 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. 1904—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:2017.11, relative to fees for review of plans by the Department of Health and Hospitals; to increase fees for the review of construction plans for hospitals, ambulatory surgical centers, nursing homes, and group or community homes or other residential living options by the Department of Health and Hospitals; 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.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 908 from the Committee on Finance.

SENATE BILL NO. 908—

BY SENATOR HAINKEL
AN ACT

To enact Chapter 9 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:760 through 772, relative to emergency health powers; to provide for a plan dealing with a health emergency; to provide who can declare such an emergency, for what length of time and who can end such an emergency; to provide for isolation and quarantine of infected citizens; to provide for an organizational and operational structure that is compatible with the Louisiana Emergency Assistance and Disaster Act of 1993; and to provide for related matters.

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

Senator Lambert in the Chair

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 108 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 108—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Fields	Jones, B
Bean	Hollis	Marionneaux
Cravins	Irons	Tarver
Total—9		

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

Reconsideration

On motion of Senator C. Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 28, 2003 was reconsidered.

SENATE BILL NO. 182—

BY SENATORS C. JONES, BAJOEI, BOISSIERE, CRAVINS, FIELDS, HOLDEN, IRONS, JOHNSON AND TARVER AND REPRESENTATIVES BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PEYCHAUD, QUEZAIRE, RICHMOND, SWILLING AND WELCH

A JOINT RESOLUTION

Proposing to amend Article IV, Section 8 of the Constitution of Louisiana, relative to the powers and duties of the attorney general; to provide that the attorney general may investigate, in cooperation with the district attorney, sheriff, and municipal police with jurisdiction and the state police, and prosecute any homicide involving a state elected official; to provide for definitions; and to specify an election for submission of the proposition to electors; and provide a ballot proposition.

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 221—

BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to amend Article V, Sections 4, 9, 21, 22, and 24, and Article X, Section 26 and to add Article V, Sections 22.1, 22.2, 22.3, and 24.1 of the Constitution of Louisiana, to provide for the nomination and appointment of judges; to provide for filling of a vacancy or a newly created judgeship or vacancy in the office of judge; to provide for retention elections; to provide a term of office for judges; to provide for qualifications; to provide for the criteria to be used in the nomination and appointment of judges; to provide for the recall, by election, of judges; to provide for submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Special Order of the Day

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

SENATE BILL NO. 455—

BY SENATOR HAINKEL

AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:51 through 66, and to repeal Subpart D of Part VII of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:621, relative to judges; to create judicial nominating commissions to make nominations for the selection of judges; to provide for the membership, terms, duties, and functions of such commissions; to provide for appointments from such nominations; to provide that appointees shall be confirmed by the Senate; to provide for a district court nominating commission; to provide for an appellate court nominating commission; to provide for a supreme court nominating commission; to provide for restrictions for members of a nominating commission; to provide for definitions; to provide for the manner in which a vacancy in office of a judge will be filled; to provide for implementation; to provide for an effective date; 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.

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. 74—

BY SENATORS SCHEDLER AND MOUNT

A CONCURRENT RESOLUTION

To suspend until January 1, 2004 certain provisions of R.S. 39:127, relative to the authority of the commissioner of administration to allocate, sale, transfer, and reallocate buildings and vacated spaces.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 74 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "until" delete the remainder of the line and delete line 3, and insert the following: "January 1, 2004 certain provisions of R.S. 39:127, relative to the"

AMENDMENT NO. 2

On page 1, line 4, after "allocate," insert "sale,"

AMENDMENT NO. 3

On page 1, line 14, after "R.S. 39:127" insert the following: "except for the transfer or sale of real property"

AMENDMENT NO. 4

On page 1, line 16, delete "the sixtieth"

AMENDMENT NO. 5

On page 2, delete line 1, and insert the following: "January 1, 2004."

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

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Department of Social Services to cooperate in providing for a survey on ten percent of assisted living facilities and residential care facilities.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 101 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, change "urge and request" to "direct"

AMENDMENT NO. 2

On page 2, line 2, change "urges and requests" to "directs"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—32		

NAYS

Mr. President
Total—1

ABSENT

Bean	Fields	Marionneaux
Cravins	Jones, B	Tarver
Total—6		

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

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

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

SENATE BILL NO. 262—

BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4712.8, relative to economic development for the city of Westlake; to authorize the city of Westlake to transfer certain property no longer needed for public purposes; to provide for the creation of a board to govern the sale of such property; to provide for the purpose, powers, duties and membership of the board; to provide for the authority of the board; to provide for the duties of the governing authority of the city of Westlake with respect to the board; and to provide for related matters.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 262 by Senator Mount

AMENDMENT NO. 1

On page 4, delete lines 7 and 8 in their entirety and insert the following: "(3)(a) The initial appointees shall draw lots to determine their terms of office. Three shall be appointed for a term of four years and two shall be appointed for a term of two years.

(b) The board members thereafter appointed at the expiration of the respective terms of the initial appointees shall be appointed in the manner of the original appointment and shall serve terms of four years. No board member, however, may serve for more than two consecutive terms."

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen

May 29, 2003

Dean Dupre Ellington Fontenot Total—34	Jones, B Jones, CD Lambert Lentini	Thomas Ullo
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NAYS

Total—0

ABSENT

Mr. President Bean Total—5	Fields Marionneaux	Tarver
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The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 706—
BY SENATOR IRONS

AN ACT

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in certain school systems; to provide for the selection of participating schools; to provide for the definition, qualification, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Bajoie Barham Boissiere Cain Chaisson Cravins Dardenne Dean Dupre Ellington Total—32	Fontenot Gautreaux Heitmeier Hines Holden Hollis Hoyt Irons Johnson Jones, B Lambert	Lentini McPherson Michot Mount Romero Schedler Smith Theunissen Thomas Ullo
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NAYS

Total—0

ABSENT

Mr. President Bean Fields Total—7	Jones, CD Malone Marionneaux	Tarver
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The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 724—

BY SENATORS SMITH, ELLINGTON AND MCPHERSON AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 32:1305(H), relative to motor vehicles; to provide for a safety inspection program for vehicles which transport forest products; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 724 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, following "To" and before "R.S. 32:1305(H)" change "amend and reenact" to "enact"

On motion of Senator Lambert, the amendments were adopted.

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

SENATE BILL NO. 744—

BY SENATORS SMITH, ELLINGTON AND MCPHERSON AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 32:386(D) and to enact R.S. 32:386(L), relative to motor carriers; to provide for weight limits on vehicles transporting forest products; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 836—

BY SENATOR MCPHERSON

AN ACT

To enact Subpart F of Part I of Subpart 6 of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:2740.71 through 33:2740.87, relative to special districts; to authorize municipalities and parishes to create business improvement districts; to provide for definitions; to provide for the establishment of a business improvement development district; to provide for a board of commissioners; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments upon a vote of the electors of the district; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 836 by Senator McPherson

AMENDMENT NO. 1

On page 1, lines 2 and 13, following "of" and before "6" change "Subpart" to "Chapter"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 836 by Senator McPherson

- AMENDMENT NO. 1
On page 6, line 9, change "supervisors" to "commissioners"
- AMENDMENT NO. 2
On page 7, lines 12 and 25, change "supervisors" to "commissioners"
- AMENDMENT NO. 3
On page 8, line 18, change "supervisor" to "commissioner"
- AMENDMENT NO. 4
On page 9, line 2, change "supervisors" to "commissioners"
- AMENDMENT NO. 5
On page 16, line 13, change "supervisor" to "commissioner"
- AMENDMENT NO. 6
On page 18, line 6, change "officers" to "officer, commissioner"
- AMENDMENT NO. 7
On page 21, line 7, change "33:2740.78" to "33:2740.77"

On motion of Senator McPherson, the amendments were adopted.

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

SENATE BILL NO. 840—
BY SENATOR JOHNSON
AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection of utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Adley	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fontenot	Lentini	
Total—31		
	NAYS	
Total—0		
	ABSENT	

Mr. President	Fields	Smith
Bajoie	Jones, B	Tarver
Bean	Marionneau	
Total—8		

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

SENATE BILL NO. 862—
BY SENATORS DARDENNE AND B. JONES
AN ACT

To amend and reenact R.S. 17:6(A)(15), 45(A), 442, 443, 462, 471, 492, 493(A), (B), and (C), 522, 523, and 532(B), and 533 and to enact R.S. 17:6(A)(16), 7(26), and 81(A)(3), relative to tenure for public elementary and secondary school employees; to provide relative to the causes for terminating certain permanent school employees in public elementary and secondary schools; to provide relative to the process used in tenure decisions and hearings; to authorize city, parish, and other local school boards and the state board to grant newly employed teachers tenure without a probationary period under certain circumstances; to provide for the establishment of a panel of administrative law judges; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 862 by Senator Dardenne

- AMENDMENT NO. 1
On page 1, lines 3 and 15, following "522" and before the comma ",", insert "(B)"
- AMENDMENT NO. 2
On page 6, line 5, following "of" and before "A(2)" change "Subsection" to "Paragraph"
- AMENDMENT NO. 3
On page 6, line 7, following "with" and before "A(2)" change "Subsection" to "Paragraph"
- AMENDMENT NO. 4
On page 6, line 11, before "A(3)" change "Subsection" to "Paragraph"
- AMENDMENT NO. 5
On page 6, line 13, following "by" and before "A(2)" change "Subsection" to "Paragraph"

AMENDMENT NO. 6
On page 12, line 20, following "jurisdiction" delete "for"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 862 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 4, change "(3)" to "(5)"

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AMENDMENT NO. 2

On page 2, line 1, change "(3)" to "(5)"

AMENDMENT NO. 3

On page 6, line 25, change "(3)" to "(5)"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 862 by Senators Dardenne and B. Jones

AMENDMENT NO. 1

On page 4, line 15, after "**judge**" delete the remainder of the line

AMENDMENT NO. 2

On page 8, line 14, after "**judge**" delete the remainder of the line, and at the beginning of line 15, delete "**the panel established**"

AMENDMENT NO. 3

On page 14, line 19, after "adjudication." delete the remainder of the line and delete lines 20 and 21

AMENDMENT NO. 4

On page 16, line 8, after "**judge**" delete the remainder of the line and at the beginning of line 9, delete "**from the panel established**"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Engrossed Senate Bill No. 862 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 10, after "dishonesty," delete "**or of failure to**" and delete lines 11 and 12, and on line 13, delete "**basis to all teachers similarly situated.**"

AMENDMENT NO. 2

On page 5, line 8, after "dishonesty" delete the remainder of the line and delete lines 9 and 10, and on line 11, delete "**situated**"

AMENDMENT NO. 3

On page 8, line 7, after "dishonesty," delete the remainder of the line and delete lines 8 and 9, and on line 10, delete "**teachers similarly situated.**"

AMENDMENT NO. 4

On page 9, line 14, after "dishonesty," delete the remainder of the line and delete lines 15 and 16, and on line 17, delete "**situated.**"

AMENDMENT NO. 5

On page 10, line 13, after "incompetency," delete the remainder of the line and delete lines 14 and 15, and on line 16, delete "**teachers similarly situated.**"

AMENDMENT NO. 6

On page 12, line 12, after "morality," delete the remainder of the line and delete lines 13 and 14, and on line 15, delete "**situated.**"

AMENDMENT NO. 7

On page 14, line 11, after "dishonesty," delete the remainder of the line and delete lines 12 and 13, and on line 14, delete "**teachers similarly situated.**"

AMENDMENT NO. 8

On page 16, line 1, after "condition," delete the remainder of the line and delete lines 2 and 3, and on line 4, delete "**similarly situated.**"

AMENDMENT NO. 9

On page 17, line 10, after "condition," delete the remainder of the line and delete lines 11 and 12, and on line 13, delete "**uniform basis to all school bus operators similarly situated.**"

AMENDMENT NO. 10

On page 18, delete line 24 through 26

AMENDMENT NO. 11

On page 20, line 8, delete "**, or**" and delete lines 9 through 11

Senator C. Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Cravins	Jones, CD
Bajoie	Hines	McPherson
Boissiere	Holden	Thomas
Cain	Irons	
Chaisson	Johnson	
Total—13		

NAYS

Mr. President	Hollis	Mount
Barham	Hoyt	Romero
Dardenne	Jones, B	Schedler
Dean	Lentini	Theunissen
Fontenot	Malone	Ullo
Heitmeier	Michot	
Total—17		

ABSENT

Bean	Fields	Marionneaux
Dupre	Gautreaux	Smith
Ellington	Lambert	Tarver
Total—9		

The Chair declared the amendments were rejected.

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

SENATE BILL NO. 1008—

BY SENATOR MCPHERSON
AN ACT

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; 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.

SENATE BILL NO. 1012—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 33:4547.1, 4547.2, and to repeal R.S. 33:4547.3, relative to public contracts; to provide for award of performance-based energy efficiency contracts through the request for proposal process; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 1012 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "4547.1" delete the remainder of the line and insert "(A) and 4547.2(A),"

AMENDMENT NO. 2

On page 1, line 7, after "4547.1" insert "(A)" and after "4547.2" insert "(A)"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, insert "A."

AMENDMENT NO. 4

On page 2, delete lines 14 through 22, and insert:
" * * *"

AMENDMENT NO. 5

On page 2, at the beginning of line 24, insert "A."

AMENDMENT NO. 6

On page 3, delete lines 8 through 26, and on page 4, delete lines 1 through 9, and insert:
" * * *"

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 1012 by Senator Michot

AMENDMENT NO. 1

On page 2, line 2, after "contracts" change "shall" to "may"

Senator McPherson moved adoption of the amendments.

Senator Michot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Hines	McPherson
Cain	Hollis	Ullo
Cravins	Johnson	
Dupre	Marionneaux	
Total—10		

NAYS

Mr. President
Adley
Bajoie
Barham
Chaisson
Dardenne
Dean
Ellington
Total—23

Fontenot
Gautreaux
Heitmeier
Holden
Hoyt
Irons
Jones, B
Lentini

Malone
Michot
Mount
Romero
Schedler
Theunissen
Thomas

ABSENT

Bean
Fields
Total—6

Jones, CD
Lambert

Smith
Tarver

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Total—32

Ellington
Fontenot
Gautreaux
Heitmeier
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD

Lentini
Malone
Marionneaux
Michot
Mount
Romero
Schedler
Theunissen
Thomas
Ullo

NAYS

Hines
Total—2

McPherson

ABSENT

Bean
Fields
Total—5

Lambert
Smith

Tarver

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

Senator Lambert in the Chair

SENATE BILL NO. 1120—

BY SENATORS MICHOT AND HINES
AN ACT

To enact Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2848; relative to customized wheelchairs (manual or power), standing frames, gait trainers, and other adaptive positioning devices; to enact the Customized Wheelchair and Adaptive Positioning Devices Certification Law; to provide for definitions; to provide for certification of customized wheelchairs and adaptive positioning devices providers; to provide for penalties and enforcement; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 1120 by Senator Michot

AMENDMENT NO. 1

On page 2, delete lines 12 through 26, delete page 3 in its entirety and on page 4, delete line 1 and insert the following:

(1) "Assistive Technology Supplier (ATS)" means a person credentialed by the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) to conduct all evaluations for customized wheelchairs or other adaptive positioning devices in cooperation with the physical or occupational therapist who is working with the recipient.

(2) "Certifying agency" means the Department of Health and Hospitals.

(3) "Customized Wheelchair and Adaptive Positioning Devices Certification" means any customized wheelchair, whether manual or power, standing frames, gait trainers, and other adaptive positioning devices that are prescribed by a patient's treating physician in this state.

(4) "Health professional" means a person authorized to practice medicine, surgery, or prescribe the use of home medical equipment under Louisiana law.

(5) "Location" means any site owned or operated by the provider or an affiliate of the provider. Sites will include offices, warehouses, distribution centers, retail stores, and any site directly owned or operated by the provider.

(6) "Manufacturer" means the original producer of equipment, supplies, or of the component parts of equipment, and includes a representative or person who meets one of the following:

(a) Is affiliated through ownership or employment with a manufacturer or representative.

(b) Directly or indirectly through an intermediary, is controlled by, or is under common control with, a manufacturer.

(7) "Provider" means any person or entity enrolled in the Louisiana Medicaid Program that supplies customized wheelchairs or other adaptive positioning devices prescribed by a physician directly to the recipient, in accordance with rules and regulations promulgated by the Department of Health and Hospitals.

(8) "Recipient" means an individual who is eligible for and enrolled in the Louisiana Medicaid Program.

(9) "Renewal" means the continuation of certification procedures provided in the rules and regulations adopted by the licensing agency.

(10) "Services" means any action performed by a provider or representative of a provider which directly benefits the recipient. Services may include but are not limited to demonstration of product, servicing of product, sale of product, and delivery of product.

(11) "Supply" means the distribution of customized wheelchairs and adaptive positioning devices to a recipient by a provider."

On motion of Senator Michot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Fontenot, Lentini, Adley, Gautreaux, Malone, Bajoue, Heitmeier, Marionneau, Barham, Hines, McPherson, Boissiere, Holden, Michot, Cain, Hollis, Mount, Chaisson, Hoyt, Romero, Cravins, Irons, Schedler

Table with 3 columns of names: Dardenne, Johnson, Theunissen, Dean, Jones, B, Thomas, Dupre, Jones, CD, Ullo, Ellington, Lambert

Total—35 NAYS

Total—0 ABSENT

Table with 2 columns of names: Bean, Smith, Fields, Tarver

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

Mr. President in the Chair

SENATE BILL NO. 61— BY SENATOR C. JONES

AN ACT

To enact Part III-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2326 through 2330, relative to economic development activities; to provide for the creation of the Monroe and Northeast Louisiana Technology and Business Incubation Center; to provide definitions; to provide for qualifications; to provide for grants; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Hines, Malone, Boissiere, Holden, Marionneau, Cain, Hollis, McPherson, Chaisson, Irons, Schedler, Cravins, Johnson, Thomas, Dupre, Jones, CD, Ullo, Heitmeier, Lentini

NAYS

Table with 3 columns of names: Mr. President, Ellington, Lambert, Adley, Fontenot, Michot, Barham, Gautreaux, Mount, Dardenne, Hoyt, Romero, Dean, Jones, B, Theunissen

ABSENT

Table with 2 columns of names: Bean, Smith, Fields, Tarver

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

SENATE BILL NO. 213—
BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Coastal Restoration Fund in the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 326—
BY SENATOR BAJOIE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; 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	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—33		
NAYS		
Dean		
Total—1		
ABSENT		
Bean	Jones, B	Tarver
Fields	Smith	
Total—5		

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

SENATE BILL NO. 504—
BY SENATOR DARDENNE

AN ACT

To enact Part II-A of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.51, relative to funds for coastal restoration; to create the Louisiana Coastal Restoration Fund; to provide for sources of funding and for authorized uses; and to provide for related matters.

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

SENATE BILL NO. 561—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.4, relative to the White Lake Property Fund; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

Motion

On motion of Senator McPherson, Senate Bill No. 561 was made Special Order of the Day No. 1 on Tuesday, June 3, 2003 immediately following the Morning Hour.

SENATE BILL NO. 594—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 30:2154(B)(1)(a) and the introductory paragraph of (b) and to enact R.S. 30:2154(B)(9), relative to environmental quality; to provide for the disposal of sewage or treated waste water; to provide for a definition; to provide for limitations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—32		
NAYS		
Total—0		
ABSENT		
Mr. President	Fields	Tarver
Bean	Jones, B	
Cravins	Smith	
Total—7		

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

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SENATE BILL NO. 757—
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 40:31.32(D) and to enact R.S. 40:1154(C), (D), (E) and (F), relative to public health; to require the issuance of licenses for the installation of certain sewage treatment systems; to require the issuance of licenses for the maintenance of certain sewage treatment systems; to provide for certain materials to be filed with the department by manufacturers of certain sewage treatment systems; and to provide for related matters.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed Senate Bill No. 757 by Senator Hoyt

AMENDMENT NO. 1

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

"(4) A homeowner's maintenance license to homeowners who maintain the sewage treatment systems approved by the department in Subsection (A) & (B) of this Section and which system was installed on the homeowners own home. The department shall restrict the license for a specific residence and shall instruct the homeowner that he is only entitled to work on the unit installed at his own home and is further prohibited from performing work on any other sewage treatment system. The department shall not charge a fee to issue the homeowner's maintenance license."

Senator Hoyt moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Boissiere	Gautreaux	McPherson
Cain	Hoyt	Michot
Chaisson	Jones, B	
Dean	Lentini	
Total—13		

NAYS

Adley	Heitmeier	Lambert
Bajoie	Hines	Romero
Barham	Holden	Schedler
Cravins	Hollis	Theunissen
Dardenne	Irons	Thomas
Dupre	Johnson	Ullo
Ellington	Jones, CD	
Total—20		

ABSENT

Bean	Marionneaux	Smith
Fields	Mount	Tarver
Total—6		

The Chair declared the amendments were rejected.

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

Chaisson	Jones, B	Michot
Hoyt	McPherson	Theunissen
Total—6		

NAYS

Adley	Ellington	Jones, CD
Bajoie	Fontenot	Lambert
Barham	Gautreaux	Lentini
Boissiere	Heitmeier	Malone
Cain	Hines	Romero
Cravins	Holden	Schedler
Dardenne	Hollis	Thomas
Dean	Irons	Ullo
Dupre	Johnson	
Total—26		

ABSENT

Mr. President	Marionneaux	Tarver
Bean	Mount	
Fields	Smith	
Total—7		

The Chair declared the bill failed to pass. Senator Hollis moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

SENATE BILL NO. 992—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 14:89(B) and to enact R.S. 14:89(C), relative to crime; to provide relative to crime against nature; to provide for the exception of certain acts from such crime; and to provide for related matters.

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

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 McPherson asked that Senate Bill No. 836 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 836—
BY SENATOR MCPHERSON

AN ACT

To enact Subpart F of Part I of Subpart 6 of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:2740.71 through 33:2740.87, relative to special districts; to authorize municipalities and parishes to create business improvement districts; to provide for definitions; to provide for the establishment of a business improvement development district; to provide for a board of commissioners; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments upon a vote of the electors of the district; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 836 by Senator McPherson

AMENDMENT NO. 1

On page 9, line 4, change "shall" to "may" and on line 5, delete "The" and insert "If employed, the"

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 836 by Senator McPherson

AMENDMENT NO. 1

On page 13, line 7, after "law" insert the following: "and solely within the boundaries of the district as provided for in Section 2740.73 of this Subpart"

AMENDMENT NO. 2

On page 14, line 10, delete "of the district" and insert "within the boundaries of the district as provided for in Section 2740.73 of this Subpart"

On motion of Senator McPherson, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 836 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 3, change "33:2740.87" to "33:2740.88"

AMENDMENT NO. 2

On page 1, line 14, change "33:2740.87" to "33:2740.88"

AMENDMENT NO. 3

On page 21, after line 7, insert the following:
"§2740.88. Exemption of certain parishes

R.S. 33:2740.88 is all proposed new law.

The provisions of this Subpart shall not apply to the parishes of Lincoln, Jackson and Ouachita."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Gautreaux	Lambert
Bajoie	Heitmeier	Lentini
Boissiere	Hines	McPherson
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Johnson	Ullo
Fontenot	Jones, CD	
Total—26		

NAYS

Barham	Dean	Malone
Dardenne	Jones, B	Michot
Total—6		

ABSENT

Mr. President	Marionneau	Tarver
Bean	Mount	
Fields	Smith	
Total—7		

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

Called from the Calendar

Senator Dupre asked that Senate Bill No. 17 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 17—

BY SENATORS DUPRE AND GAUTREAU AND REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 56:1(C), and to enact R.S. 56:1(I), relative to the Louisiana Wildlife and Fisheries Commission; to provide nominations to the governor for appointment to the commission; to provide for the election of the chairman and vice-chairman of 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 Mount asked that Senate Bill No. 441 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 441—

BY SENATOR MOUNT

AN ACT

To enact R.S. 17:176.1, relative to the conduct of school related activities; to provide with regard to prohibited locations for school related activities; and to provide for related matters.

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 739 be called from the Calendar at this time for its final passage.

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SENATE BILL NO. 739—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 9:2793.3, relative to limitation of liability; to provide for a limitation of liability for physicians rendering certain gratuitous emergency services; and to provide for related matters.

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

Mr. President in the Chair

Called from the Calendar

Senator Ellington asked that Senate Bill No. 844 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 844—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 844 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 12, delete "corporate, commercial"

AMENDMENT NO. 2

On page 1, line 14, after "business" delete "and shall include the probability" and delete line 15 in its entirety

AMENDMENT NO. 3

On page 2, line 1, delete "business"

AMENDMENT NO. 4

On page 2, line 5, after "business." delete the remainder of the line and delete lines 6 through 9 in their entirety

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones, B
Adley	Dupre	Jones, CD
Barham	Ellington	Malone
Boissiere	Fontenot	McPherson
Cain	Gautreaux	Schedler
Chaisson	Hollis	Theunissen
Cravins	Hoyt	Thomas
Dardenne	Johnson	Ullo
Total—24		

NAYS

Bajoie
Heitmeier
Total—6

Holden
Irons

Lentini
Romero

ABSENT

Bean
Fields
Hines
Total—9

Lambert
Marionneaux
Michot

Mount
Smith
Tarver

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

Called from the Calendar

Senator Michot asked that Senate Bill No. 892 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 892—
BY SENATOR MICHOT

AN ACT

To enact Part III of Chapter 6 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2335.1 through 2335.5, relative to real property sales validation forms; to provide for the design, use and disposition of the forms and information on the forms; to provide for a criminal penalty; and to provide for related matters.

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

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 1090 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1090—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact R.S. 28:771(E), Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to create a human services authority in parishes with a population in excess of four hundred seventy-five thousand persons as of the most recent decennial census; to provide for powers, duties, and functions of the authority; to create a governing board and provide for its membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 1090 by Senator Bajoie

AMENDMENT NO. 1

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

"Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H),"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4

AMENDMENT NO. 3

On page 1, line 5, after "services;" delete the remainder of the line and insert: "to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Metropolitan Human Services District; to provide for powers, duties, and functions of the district; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the district; to provide for"

AMENDMENT NO. 4

On page 1, delete lines 6 through 11

AMENDMENT NO. 5

On page 1, line 14, change "R.S. 28:771(E) is" to "R.S. 28:382.1 and 771(E) are"

AMENDMENT NO. 6

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

"§382.1. Framework for human services delivery; development; implementation

A. The secretary of the Department of Health and Hospitals shall develop a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state.

(1) The framework shall be developed through a statewide planning process involving Jefferson Parish Human Services Authority, Capital Area Human Services District, Metropolitan Human Services District, other human service districts or authorities, consumers, family members, advocates, nonstate providers and Department of Health and Hospitals offices in the fields of mental health, developmental disabilities, and addictive disorders.

(2) The framework shall be implemented through rules and regulations promulgated in accordance with the Administrative Procedure Act to be effective not later than July 1, 2004, with the exception of individual provider agreements or contracts as provided in Subsection B of this Section, which shall be implemented not later than July 1, 2005. Nothing in this Section shall be construed to preclude or impede the creation of human services districts or authorities prior to implementation of the statewide framework, provided, however, that no functions or funds shall be transferred from the department to the district nor services or programs performed by the district prior to July 1, 2004.

B. The framework shall include a state human services plan that sets forth the exclusive means for the delivery of community-based mental health, developmental disability, and addictive disorders services funded by appropriations from the state including but not limited to the following:

- (1) Vision and mission for the state human services system.
(2) Definitions of eligible and priority populations.
(3) Definitions of core and targeted services. Core services are minimum and essential services available to eligible populations in all urban and rural areas. Targeted services are mandated specialized services available to priority populations on a regional or statewide basis.
(4) Standards for the geographic scope of service delivery, including that a human services district or authority be comprised of at least one Department of Health and Hospitals region.

(5) Standards for processes of intake and access to institutional and community services.

(6) Unified client record for services by disability and for individuals with co-occurring disorders, within the confidentiality statutes and federal HIPAA requirements.

(7) Formal mechanisms for interagency coordination of services to children and adults with multiple public systems involvement and for coordination with the office of public health and the Medicaid program.

(8) Statewide strategies for the provision of technical assistance on best practices in service delivery.

(9) Statewide strategies for funding services, including but not limited to formulas for the equitable allocation of state appropriations and financial incentives for the development and use of community-based alternatives to mental health, developmental disabilities, and addictive disorders institutional services.

(10) Statewide monitoring of human services system performance, including minimum data set and systems required for reliable outcome measurement.

(11) Statewide monitoring to assure quality of care and protection of consumer rights in the delivery of services.

(12) Uniform budgeting and accounting requirements for funds appropriated by the state.

(13) Standards for provider agreements or contracts for services funded by appropriations from the state to assure compliance with the state human services plan and applicable state and federal law, rules, regulations, and court orders and provide remedies for correction of noncompliance and sanctions for failure to comply.

C. Notwithstanding the provisions of R.S. 36:257, the secretary may reorganize Department of Health and Hospitals agencies and offices, exclusive of Jefferson Parish Human Services Authority, Capital Area Human Services District, Metropolitan Human Services District, and other human service districts and authorities, to support the transition of state roles and functions from direct service delivery to policy setting and contract monitoring of direct service delivery.

§771. Office for addictive disorders; functions related to addictive disorders

* * *

E. The services and programs as described in Subsections A and B, excluding the operation and management of any inpatient facility under the jurisdiction of the department, shall be the responsibility of and shall be performed by the Metropolitan Human Services District for the parishes of Orleans, St. Bernard, and Plaquemines only. The department shall not be responsible for and shall not perform these services and programs in said parishes provided that if funds are not appropriated by the legislature for the district to provide these services and programs in said parishes, the department shall continue to be responsible for and shall perform these services and programs in said parishes.

Section 2. Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:851 through 856, is hereby enacted to read as follows:

CHAPTER 16. METROPOLITAN HUMAN SERVICES DISTRICT

§851. Definitions

As used in this Chapter and unless the context clearly requires otherwise:

- (1) "District" means the Metropolitan Human Services District.
(2) "Board" means the governing body of the district.
(3) "Department" means the Department of Health and Hospitals.
(4) "Parishes" means the parishes of Orleans, St. Bernard, and Plaquemines only.

§852. Metropolitan Human Services District; creation; jurisdiction; domicile

A. The Metropolitan Human Services District is hereby created as a special district which, through its board, shall direct the operation and management of community-based programs and services relative to mental health, developmental disabilities, and addictive disorders services for the parishes of Orleans, St. Bernard, and Plaquemines.

B. The domicile of the district shall be New Orleans, Louisiana. §853. Governing board; membership; appointment; terms; compensation

A. The district shall be governed by a board of nine members. The board shall include seven residents from the parish of Orleans and one resident each from the parishes of St. Bernard and Plaquemines.

B. The members shall be appointed by the chief executive

officer of each parish subject to the approval of the governing authority of each parish. Five members shall be professionals in the fields of mental health, developmental disabilities, or addictive disorders. Two members shall be advocates with a history of involvement and active in one or more of the three areas of service. Two members shall be consumers who receive or have received services in one or more of the three service areas provided by the district. Board members representing Orleans Parish shall consist of a minimum of three professionals, one consumer and one advocate.

C. Initial appointments to the board shall be for terms as follows: one resident from each parish shall be appointed for an initial term of three years; three additional residents from Orleans Parish shall be appointed for an initial term of two years; three additional residents from Orleans Parish shall be appointed for an initial term of one year. Thereafter, each term shall be for three years. No board member shall serve more than two consecutive three-year terms after his initial term.

D. The chairman shall be elected by the board for a term established under the bylaws of the board.

E. Each board member shall serve without compensation but shall be reimbursed for expenses and mileage at the same rate set by the division of administration for state employees for each day in actual attendance at board meetings or for representing the board in an official board-approved activity.

F. No member of the board or of his immediate family shall own or have any interest or part in any public or private organization, business, company, or entity conducting business of any kind with the district.

G. The board shall adopt bylaws to provide for the governance of the board within ninety days of being established. Such bylaws shall include but not be limited to:

(1) Procedures for the election of board officers, including terms of office and methods and grounds for removal.

(2) Procedures and grounds for the removal of any board member. Grounds for removal shall include conviction of a felony or may include failure to meet board attendance as provided in the bylaws.

H. Procedures for filling a vacancy created by the removal, resignation, or death of any board member prior to the end of the board member's term shall follow those used for initial appointments.

I. All members of the board and employees of the district shall be subject to the Code of Governmental Ethics.

§854. Authority; functions, powers, and duties

A. The district shall:

(1) Perform the functions which provide community-based services and continuity of care for the prevention, detection, treatment, rehabilitation, and follow-up care of mental and emotional illness.

(2) Be responsible for community-based programs and functions relating to the care, diagnosis, training, treatment, case management, and education of the mentally retarded, the developmentally disabled, and the autistic.

(3) Perform residential and community-based functions relating to the care, diagnosis, training, treatment, and education of alcohol or drug abusers and the prevention of addictive disorders.

(4) With the funding provided pursuant to R.S. 36:254(H), maintain services in Paragraphs (1) through (3) on at least the same level as the state maintains similar programs in other parishes or regions of the state.

(5) The provisions of Paragraphs (1) through (3) of this Subsection shall not include the following:

(a) Operation and management of any inpatient facility under the jurisdiction of the department.

(b) Operation, management, and performance of functions and services relating to the office of environmental health, including but not limited to regulatory function as performed by sanitarians and engineers within the office of public health pursuant to R.S. 40:4 through 10, R.S. 40:2701 et seq., Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 37:2101 et seq., the State Sanitary Code, and all other relevant federal and state law, rules, and regulations.

(c) Operation, management, and performance of functions and services relating to the Louisiana Vital Records Registry and the collection of vital statistics within the office of public health pursuant to R.S. 40:5, R.S. 40:32 through 79, R.S. 44:402, and R.S. 40:1299.35.6, including the Putative Father Registry and the vital records management information system.

(d) Operation, management, and performance of functions and services relating to laboratory analyses by the state division of laboratories with the office of public health in the area of personal and environmental health.

(e) Operation, management, and performance of functions and services relating to education provided by or authorized for any state or local education department or agency.

(f) Community-based functions which provide services and continuity of care for education, prevention, detection, treatment, rehabilitation, and follow-up care relating to personal health.

B. In addition to its function as provided in Subsection A of this Section, the district shall have the following powers and duties:

(1) To have possession and operating control of, but not title to, all real and personal property owned by the state and dedicated to the provision of community-based mental health, developmental disabilities, and addictive disorders in the parishes transferred to the district. The state shall continue to be responsible for the maintenance of those properties which are provided by the state on the effective date of this Chapter.

(2) To be contracted with and enter into contracts of every nature in compliance with this Chapter and other state laws.

(3) To acquire movable property by lease, purchase, donation, or otherwise and to obtain title to same in its own name. The district may lawfully sell or dispose of the movable property. Inventory and other property records shall be the responsibility of the district.

(4) To establish community-based mental health, developmental disabilities, and addictive disorder program policies in conformance with applicable state and federal laws and regulations.

(5) With the funding provided pursuant to R.S. 36:254(H), to maintain services in community-based mental health, developmental disabilities, and addictive disorders at least the same level as the state maintains similar programs in other parishes or regions of the state.

(6) To employ an executive director to oversee the operations of the district and who will be responsible for the administration and management of all aspects of the district. The director shall report periodically to the board as stipulated in the bylaws.

(7) To establish performance indicators to determine the quality of services delivered by the district and to ensure that the quality of services delivered is higher than the quality of services previously delivered by the state.

C. The board shall collect or cause to be collected all monies due the district for the provision of services pursuant to statutory requirements and any other form of contract or agreement by which the district provides services and levies charges therefor. The district may retain all federal funds, self-generated funds, and any funds collected under the Medical Assistance Program (Title XIX of the Social Security Act) in excess of funds provided in the General Appropriations Act which are collected for the provision of services.

D. The district shall constitute a body corporate in law, with all of the powers of a corporation, including the power to sue and be sued. The district shall also have all the powers and rights conferred by this Chapter and the power to perform any other act in its corporate capacity and in its corporate name which is necessary and proper for effectuating the purposes for which the district was created. The district shall constitute an district within the meaning of Article VI, Section 19 of the Constitution of Louisiana, shall be a political subdivision of the state, and enjoy all rights, powers, and privileges enjoyed by other political subdivisions of the state under the constitution and laws of the state, excluding the rights to incur long-term debt, issue bonds, and levy taxes and special assessments.

E.(1) The board shall submit an annual written report to the legislative delegation representing the three parishes included within the district at least thirty days prior to each regular session. The report shall include the audited financial statements of the district as required in R.S. 24:513. The report shall also include a summary of

the utilization of traditional providers of mental health, developmental disabilities, and addictive disorder services in the parishes transferred to the district.

(2) The board shall submit any additional reports or information to bona fide grantors or governmental bodies, upon written request.

F.(1) Notwithstanding any provision of state law to the contrary, the district and the department shall share access to each other's client case records of clients for whom they both provide services, to the extent that access is not prohibited by any contrary provision of federal law or regulation.

(2) For the purposes of this Subsection, "case records" include social service records, medical services records, probation and parole records, records of foster care services, records and investigations on abuse or neglect of children or adults, and records of child welfare services administered by the department.

§855. Functions; transferred

The secretary of the department and the board are hereby authorized to enter into all agreements necessary to transfer the functions and funds relative to the operation of community-based mental health, developmental disabilities, and addictive disorder services for the parishes of Orleans, St. Bernard, and Plaquemines from the department to the district. Such agreement shall be promulgated by the secretary of the department and the district by rule in accordance with the Administrative Procedure Act. As part of the agreement, the board shall agree to make a good-faith effort to continue whenever possible to use providers within the district who have traditionally provided community-based mental health, developmental disabilities, and addictive disorder services for the state.

§856. Employees; transferred

All employees engaged in the performance of duties relating to the functions of the programs and services transferred from the Department of Health and Hospitals to the district are hereby transferred to the authority to carry out the functions of the district and its programs and services and shall continue to perform their duties subject to applicable state civil service laws, rules, and regulations. All employees of the district shall participate in and be covered by state services, systems, and programs for which provision is made in comprehensive liability, automobile, workers' compensation, and fire and extended coverage insurance and medical malpractice liability laws as provided for in R.S. 39:1527 et seq. and R.S. 40:1299.39 et seq. The district, including its contract service delivery employees, may participate in and be covered by the state program for medical malpractice notwithstanding the prohibition in R.S. 40:1299.39(A)(1)(b) and (M) to the contrary, provided that the district or covered contract service delivery employee has paid the appropriate premium to the office of risk management. All employees of the district shall be members of the state civil service system and the Louisiana State Employees' Retirement System.

Section 3. R.S. 36:254(H) and 258(H) are hereby enacted to read as follows:

§254. Powers and duties of the secretary of the Department of Health and Hospitals

* * *

H.(1) The functions relative to the operation and management of community-based mental health, developmental disabilities, and addictive disorder services for the parishes of Orleans, St. Bernard, and Plaquemines transferred in accordance with R.S. 28:851 et seq. shall be the responsibility of and shall be performed by the Metropolitan Human Services District. If funds are not appropriated by the legislature for the district to perform these functions in those parishes, the functions shall be the responsibility of and shall be performed by the department in those parishes.

(2) Funds appropriated by the legislature for the costs of providing those functions and services transferred from the department to the district shall be included in the department budget and shall be transferred from the department to the district in accordance with the agreement between the secretary of the department and the district. The secretary shall provide for the inclusion of such funds in the department budget request. Funding for the district from such source shall be at least at the same level and

from the same means of financing as provided for similar programs funded through the department budget in other parishes or regions of the state.

* * *

§258. Offices; purposes and functions

* * *

H. Notwithstanding the provisions of Subsections C, D, and E, the Metropolitan Human Services District shall be responsible for and shall perform the functions relative to the operation and management of mental health, developmental disabilities, and addictive disorder services for the parishes of Orleans, St. Bernard, and Plaquemines, and the department shall not be responsible for nor perform such functions.

Section 4. R.S. 39:1533(A) is hereby amended and reenacted to read as follows:

§1533. Self-Insurance Fund

A. There is hereby created in the Department of the Treasury a special fund to be known as the "Self-Insurance Fund". The fund shall consist of all premiums paid by state agencies under the state's risk management program as established by this Chapter, the investment income earned from such premiums and commissions retained as provided by Title 39. This fund shall be used only for the payment of losses incurred by state agencies under the self-insurance program, premiums for insurance obtained through commercial carriers, administrative expenses associated with the management of the state's risk, law enforcement officers and firemen's survivors benefits as provided for in R.S. 33:1981(C) and 2201(C), the payment of losses incurred by the Jefferson Parish Human Services Authority in accordance with R.S. 28:831(J), the payment of losses incurred by the Capital Area Human Services District in accordance with R.S. 46:2666, the payment of losses incurred by the Metropolitan Human Services District in accordance with R.S. 28:856, and the funding of the legal services, such funds to be administered by the commissioner of administration.

* * *

AMENDMENT NO. 7

On page 1, delete line 15

AMENDMENT NO. 8

Delete pages 2 through 12 in their entirety and on page 13, delete lines 1 through 11 in their entirety

AMENDMENT NO. 9

On page 13, line 12, delete "Section 2 of"

AMENDMENT NO. 10

On page 13, delete lines 18 through 20 in their entirety

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Jones, CD
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, B	Ullo
Total—30		

May 29, 2003

NAYS

Dean
Total—1

ABSENT

Mr. President	Lambert	Smith
Bean	Marionneau	Tarver
Hines	Mount	
Total—8		

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

Rules Suspended

Senator Adley 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

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 29, 2003

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:

SENATE BILL NO. 312—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1322(A)(3) and (B), and to enact R.S. 11:1322(E), relative to the State Police Pension and Retirement System; to provide with respect to survivor benefits and the criteria used for determining eligibility for such benefits; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 482—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302(A)(5)(j), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specification of devices; to provide for use of thermal printers in video gaming devices and other alternate means of capturing duplicate information of a ticket voucher; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 375—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:542(B) and 542.1(D) and to enact R.S. 15:541(18), (19), and (20), 542(B)(5), 542.1(C)(6) and (G)(3) and R.S. 17:3135, relative to registration of sex offenders; to require certain sex offenders to notify the Louisiana Bureau of Criminal Identification and Information when enrolled or employed at any institution of postsecondary education; to require such bureau to notify the

institution of postsecondary education where such offender is enrolled or employed; to provide for definitions; to require institutions of postsecondary education to inform students, faculty, and staff where information on sex offenders can be obtained; to require the Board of Regents to develop a policy for such notification; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 966—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E), 2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C) and (E), and 2607, and to enact R.S. 46:2602(B)(12) and 2604(E), relative to the Children's Cabinet; to provide for its duties; to provide for the membership of the cabinet; to revise membership on the advisory board; to extend the termination date of the cabinet; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1039—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph), 80(C)(2), 85, 271(A)(introductory paragraph), 273(A)(2) through (5) and (B), and to enact R.S. 26:2(20), 71(D), and 271(C), relative to alcoholic beverages; to provide definitions; to require certain out of state manufacturers and suppliers to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1040—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph) and (1), 80(C)(2), 85, 271(A)(introductory paragraph) and (5), 273(A)(2) through (5) and (B), and to enact R.S. 26:2(20), relative to alcoholic beverages; to require certain persons to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1131 (Substitute for Senate Bill No. 679)—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:382.1, relative to regionalization of human services delivery; to provide a statewide framework to govern the delivery of mental health, developmental disabilities and addictive disorders services funded by appropriations from the state; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 612—
BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153.4 and to repeal R. S. 46:153(G), relative to the Department of Health and Hospitals; to provide for the Medicaid Estate Recovery program in the department; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 699—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:79(A)(1), relative to protective orders in domestic violence cases; to authorize any law enforcement officer to serve a certified copy of a restraining order on a named defendant; to provide that such service noted in a police report may be used in any civil or criminal proceeding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 830—
BY SENATOR BAJIOIE AND REPRESENTATIVE PEYCHAUD

AN ACT

To enact Chapter 13-C of Title 33 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 33:4720.40 through 4720.48, relative to municipalities and parishes; to authorize municipalities and parishes to sell an adjudicated vacant lot, by private sale, to an adjoining landowner who has maintained the lot for a minimum of one year; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 847—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Winnsboro; to provide for the creation of a downtown development district; to provide for a ten member board to govern the district; to provide for the duties of the board; to establish the boundaries and duties of the district; to authorize the district to levy taxes and issue bonds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 902—
BY SENATOR BAJIOIE AND REPRESENTATIVE PEYCHAUD

AN ACT

To amend and reenact R.S. 33:4720.15, 4720.16(A), 4720.17(A), and 4720.18, relative to post-adjudication sales of abandoned or blighted property; to provide for public or private sale of abandoned property; to provide that the redemptive period stated in the statutes conforms with constitutional provisions; to provide that after a post-adjudication sale of abandoned or blighted property the tax debtor shall not have a right of redemption; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 238—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2199(A)(1), relative to violations, penalties, fines, and appeal process for health care facilities; to provide for extending those powers to all health care providers licensed or certified by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 721—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1401(J)(2), (3), and (4) and to enact R.S. 22:1401(J)(6), relative to property and casualty insurance rates; to provide for the Louisiana Insurance Rating Commission; to provide for flexible rating; to provide for file and use; to provide for limitations; to provide for procedures; to provide for reports; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1067—
BY SENATORS DUPRE AND GAUTREAU

AN ACT

To enact R.S. 56:303(E), relative to commercial fishermen; to provide for endorsement of a commercial fisherman's license as certified; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1073—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:1254(N)(6)(b) and (c), and 1254(U)(1), relative to motor vehicle dealership contracts; to provide for the cancellation of franchise dealership agreements; to provide for notice of cancellation or nonrenewal of a franchise agreement; and to provide for related matters.

Reported with amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 58—
BY SENATOR MCPHERSON

A RESOLUTION

To commend Reverend Roy James on his many years of service and outstanding accomplishments.

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

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To establish a special committee to study, discuss, and make the plans necessary for being able to use state owned or sponsored facilities for instructional purposes for the students of the Orleans Parish School System.

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

SENATE CONCURRENT RESOLUTION NO. 111—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to overlay the South Traffic Circle in Rapides Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley

Ellington

Lentini

May 29, 2003

Bajoie	Fields	Malone
Barham	Fontenot	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Hines	Smith
Bean	Lambert	Tarver
Gautreaux	Marionneaux	
Heitmeier	Mount	
Total—10		

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

SENATE CONCURRENT RESOLUTION NO. 112—
BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To create and provide with respect to a Workers' Compensation Advisory Council to study the workers' compensation laws of the state and make recommendations regarding proposed legislation before the next regular session of the legislature.

On motion of Senator C. Jones, the resolution was read by title and referred to the Committee on Labor and Industrial Relations.

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 29, 2003

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. 203—
BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To declare June 12, 2003, as the second annual Slidell Day at the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 204—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To recognize June 2003 as National Truck Safety Month to raise public awareness about the contributions, responsibilities, and needs of truck drivers to make the highways safer.

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

House Concurrent Resolutions

Senator Schedler 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. 203—

BY REPRESENTATIVES CROWE AND SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To declare June 12, 2003, as the second annual Slidell Day at the Legislature of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	McPherson
Boissiere	Hines	Michot
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Johnson	Ullo
Dupre	Jones, CD	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Smith
Bean	Lambert	Tarver
Gautreaux	Marionneaux	
Heitmeier	Mount	
Total—10		

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

HOUSE CONCURRENT RESOLUTION NO. 204—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To recognize June 2003 as National Truck Safety Month to raise public awareness about the contributions, responsibilities, and needs of truck drivers to make the highways safer.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones, CD
Adeley	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	McPherson
Boissiere	Hines	Michot
Cain	Holden	Romero
Chaisson	Hollis	Schedler

Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Johnson	Ullo
Total—30		
	NAYS	
Total—0		
	ABSENT	
Bean	Jones, B	Mount
Gautreaux	Lambert	Smith
Heitmeier	Marionneaux	Tarver
Total—9		

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

Motion to Recommit

Senator Boissiere asked for and obtained a suspension of the rules and recommitted Senate Bill No. 1076 from the Committee on Finance to the Committee on Retirement.

Rules Suspended

Senator Malone asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1096 from the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 1096—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

On motion of Senator Malone, the bill which is a duplicate of Senate Bill No. 833, was read by title and lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

May 29, 2003

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 79—
BY SENATOR JOHNSON
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of adding an additional lane in each direction along the portion of Interstate 10 in New Orleans East.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place signs at the junction of Interstate 10 West and Interstate 110 North in the city of Baton Rouge that indicate "I-10 West - Texas - Houston".

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE SHAW

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expend ten million dollars from the department's discretionary fund account for the completion of the Interstate 49 North corridor.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to improve the riding surface of Louisiana Highway 1062 in front of Loranger High School.

Reported favorably.

HOUSE BILL NO. 29—
BY REPRESENTATIVE SALTER
AN ACT

To repeal R.S. 38:2241.2, relative to construction contract reporting requirements; to repeal reporting requirements for certain Department of Transportation and Development contracts.

Reported favorably.

HOUSE BILL NO. 292—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a), relative to commercial motor vehicle drivers; to require the disqualification of driving privileges for certain drivers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 293—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:409.1(A)(1)(e) and (6)(a), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to require certain information to be submitted by applicants for a commercial driver's license; to require the department to check certain driving record information relative to commercial driver's license applicants; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 318—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:409.1(A)(8), relative to drivers' licenses; to prohibit the department from issuing certain commercial drivers' licenses and permits under certain circumstances; and to provide for related matters.

Reported favorably.

May 29, 2003

HOUSE BILL NO. 319—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:408(B)(3)(introductory paragraph) and (f) and to enact R.S. 32:408(B)(3)(g), relative to drivers' licenses; to create a school bus endorsement for commercial drivers' licenses; to require the department to issue endorsements under certain circumstances; to provide for exceptions; to authorize the department to implement a federal waiver program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 369—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(d)(v) and to enact R.S. 32:414.2(A)(1)(d)(vi) through (ix), relative to commercial motor vehicle drivers; to provide relative to "serious traffic violations" for commercial motor vehicle drivers; to add certain offenses to the list of "serious traffic violations"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 389—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to require the department to notify certain licensing entities of driving disqualifications; to provide relative to the requirements of such notice; to require certain information to be included in official operating records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 390—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial driving privileges; to require a disqualification of commercial driving privileges to become part of an individual's operating record; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 432—

BY REPRESENTATIVES POWELL AND CAZAYOUX AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 2:135.1(B)(2)(b), relative to airports and aviation; to provide relative to certain airport leases; to reduce the value of improvements or construction necessary for the extension of the primary lease term for certain leases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 451—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 493—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 582—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(2)(g) and (h) and (4)(e) and (f), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial motor vehicle drivers; to require the department to disqualify, for a lifetime, commercial driving privileges for certain offenses; to require the department to disqualify, for a minimum of one year, commercial driving privileges for certain offenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 632—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:427(A)(1) and (3) and to enact R.S. 32:427(A) (5), relative to commercial motor vehicle drivers; increases the penalty for commercial motor vehicle driver convictions for violations of out-of-service orders; imposes a penalty against employers for certain convictions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 769—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412(D)(3)(c), relative to Class "D" or "E" driver's license renewals; to provide for the period that a license may be expired but still eligible for renewal by mail or electronic commerce; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 770—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an individual's official operating record; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 972—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1124—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 38:3087.114(A) and (B), relative to the Black River Lake Recreation and Water Conservation District; to increase the membership of the board of commissioners; to provide for terms; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1496—
BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY, FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND TUCKER
AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1671—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 38:226, relative to permits for levee crossings; to require the executive or administrative officer of the board or commission of a levee district to issue permits or letters of no objection to levee crossings when the crossing is approved by the United States Army Corps of Engineers and the Department of Transportation and Development, office of public works; to require the executive or administrative officer of the board or commission to enforce such permits for levee crossings relative to certain conditions and stipulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1686—
BY REPRESENTATIVES DEWITT, CRANE, FUTRELL, KATZ, PITRE, SHAW, TUCKER, DOWNER, AND McDONALD
AN ACT

To enact R.S. 17:416.1(D) and R.S. 32:407(E) and 431, relative to drivers' licenses and learners' licenses; to prohibit issuance of a license for one year to a student who is expelled or suspended from school for ten or more consecutive school days for committing certain infractions or who withdraws from school under certain circumstances; to require notification to the office of motor vehicles when a student is expelled or suspended from school or withdraws from school under certain circumstances; to provide for suspension of a driver's license; to require notification of such suspension; to allow reinstatement of driving privileges under certain circumstances; to provide for an appeal process; to provide for hardship; to prohibit an increase in insurance rates due to such license suspension; to provide for the promulgation of rules; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1900—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:387(E)(1)(b) and 388(E) and (F)(1) and to enact R.S. 32:387.16, relative to special permits; to provide relative to issuance of special permits and payments for penalties; to provide relative to the disposition of such fees and payments for penalties; to create a special permit for the movement of containerized cargo under certain circumstances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

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

May 29, 2003

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. 819—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 23:1201(E), (F), (G), and (H) and to enact R.S. 23:1201(I), relative to workers' compensation; to provide for the payment of medical benefits; to require certain documentation of medical treatment; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 824—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:102(E), relative to employment agencies; to exempt employer-fee-paid employment services from current provisions on private employment services; to exempt employer-fee-paid employment services from testing, licensing, and bonding requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1355—
BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 23:1168(D)(1), relative to workers' compensation; to provide for pro rata payment of outstanding claims; to provide for promulgation of rules by the director; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1643—
BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 23:151, 182, 183, 188, and 215 and to repeal R.S. 23:189, relative to the employment of minors; to repeal certain exemptions from application of current statutory provisions; to delete references to work permits; to require electronic filing of applications for employment certificates; to repeal the requirement for a duplicate filing with the secretary;

May 29, 2003

to adjust work hours during which minors can work; to repeal the requirement for different colored certificates issued based upon age of the applicant; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1644— BY REPRESENTATIVES GUILLORY AND MURRAY AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1645— BY REPRESENTATIVES GUILLORY AND MURRAY AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1646— BY REPRESENTATIVES GUILLORY AND MURRAY AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out-of-state unemployment compensation claimants; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1647— BY REPRESENTATIVES GUILLORY AND MURRAY AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1648— BY REPRESENTATIVES GUILLORY AND MURRAY AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

Reported favorably.

Respectfully submitted, CHARLES D. JONES Chairman

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

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

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 577 be called from the Calendar at this time.

SENATE BILL NO. 577— BY SENATOR FONTENOT AN ACT

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for a program for expedited enforcement for minor environmental violations; to authorize the secretary to promulgate rules and regulations; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed Senate Bill No. 577 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, delete "30:2025(D)," and insert "30:2003(C) and 2025(D),"

AMENDMENT NO. 2

On page 1, line 3, after "violations;" insert "to provide for purposes;"

AMENDMENT NO. 3

On page 1, line 7, delete "30:2025(D) is" and insert "30:2003(C) and 2025(D) are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following: "§2003. Purposes

* * *

R.S. 30:2003(C) is all proposed new law.

C. The legislature therefore creates under this Title the Department of Environmental Quality, to assemble a full range of scientific, technical, and administrative expertise so as to permit, define, conduct, control, oversee, and administer works affecting or restoring environmental interests within the public trust; to appear in or conduct all proceedings requiring responsible persons to pay monies for such works; and to claim, hold, and administer all such monies in the public interest.

* * *"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, Jones, CD; Adley, Ellington, Lentini; Bajoie, Fields, Malone; Barham, Fontenot, McPherson; Boissiere, Holden, Michot; Cain, Hollis, Romero; Chaisson, Hoyt, Schedler; Cravins, Irons, Theunissen; Dardenne, Johnson, Thomas; Dean, Jones, B, Ullo

Total—30

NAYS

Total—0

ABSENT

Bean	Hines	Mount
Gautreaux	Lambert	Smith
Heitmeier	Marionneaux	Tarver
Total—9		

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 29, 2003

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. 84—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the commissioner of administration, the Board of Supervisors of Community and Technical Colleges, and the Board of Regents to undertake the funding of a new campus for the Louisiana Technical College - Northwest Campus.

SENATE CONCURRENT RESOLUTION NO. 98—
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the feasibility of offering community college services through Louisiana Technical College-Sowela campus in Lake Charles at other regional technical college branch campuses, including the Morgan Smith campus in Jennings, and to determine how the state can best meet the educational needs of students and the economic and workforce development needs of the southwest region of the state.

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATORS BAJOIE, ADLEY, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDEÑNE, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, 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 congratulate Marc Haydel Morial on his selection as president of the National Urban League and to commend his focus and his determination to resolve the need to improve the economic status of African Americans in America.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 29, 2003

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. 34—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(T)(2) and 304(B) and to enact R.S. 38:291(T)(4), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for membership of the board of commissioners; and to provide for related matters.

SENATE BILL NO. 44—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:252(B)(1), relative to roads and highways; provides for alternate bids on selected highway project contracts; requires quarterly reports on the bids; and to provide for related matters.

SENATE BILL NO. 64 (Duplicate of House Bill No. 499)—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to certain institutions of higher education; and to provide for related matters.

SENATE BILL NO. 402—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2012(D), relative to environmental quality; to provide that the Department of Environmental Quality develop new criteria for compliance inspections; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 29, 2003

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. 37—

BY REPRESENTATIVE WELCH
A CONCURRENT RESOLUTION

To urge and request each public postsecondary education management board, in consultation with the Board of Regents, to develop and implement policies to require each institution under its respective jurisdiction to provide information to first-time entering freshmen relative to the dangers of credit card debt as part of a freshman orientation program or other admissions process.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

To establish a multidisciplinary advisory council to provide advice to the state Department of Education on specific health-related matters as requested by the state superintendent of education on an as-needed basis.

HOUSE CONCURRENT RESOLUTION NO. 89—

BY REPRESENTATIVES MCDONALD AND DOWNER AND SENATORS BARHAM, GAUTREAU, HINES, MALONE, MCPHERSON, ROMERO, AND ULLO
A CONCURRENT RESOLUTION

To memorialize congress to cease all funding for programs which encourage farmers to leave grain in their fields to supply food for migrating ducks and other aquatic avian species and to memorialize the United States Fish and Wildlife Service to study the impact of such activities.

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE LAFLEUR
A CONCURRENT RESOLUTION

To continue the existence of the Louisiana Commission on French and the Louisiana French Study Committee, created in 2001 to assess the condition of the French language in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 148—

BY REPRESENTATIVES MURRAY, HUNTER, HONEY, LUCAS, RICHMOND, AND SWILLING
A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to submit detailed written plans relative to the implementation of the state takeover of failing schools to the House Committee on Education and the Senate Committee on Education not later than September 15, 2003.

HOUSE CONCURRENT RESOLUTION NO. 158—

BY REPRESENTATIVE STRAIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal or three-way stop signs on Louisiana Highway 437 at its intersection with Louisiana Highway 40.

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To commend Courtney Porteous Millet upon being named the 2002 Louisiana Elementary School Principal of the Year.

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT
A CONCURRENT RESOLUTION

To commend the Reserve Christian High School basketball team for an exceptional season and for winning the Class B State Championship.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVES MURRAY AND LUCAS AND SENATORS BAOJIE, BOISSIERE, HEITMEIER, IRONS, JOHNSON, AND ULLO
A CONCURRENT RESOLUTION

To recognize and commend Bishop Paul S. Morton, Sr. for his service to the African American business community and the city of New Orleans.

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

May 29, 2003

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. 13—

BY REPRESENTATIVES GALLOT AND MONTGOMERY
AN ACT

To enact R.S. 33:1448(K), relative to group insurance for retired sheriffs and deputy sheriffs; to require the sheriff in Claiborne Parish to pay for dental, hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

HOUSE BILL NO. 736—

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 14:100(C)(1), relative to offenses affecting the public safety; to change the criminal penalties for the crime of hit-and-run driving when there is evidence of alcohol or drug use prior to the traffic accident; and to provide for related matters.

HOUSE BILL NO. 756—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 40:1472.3(C)(2), relative to regulation of explosives; to provide for nonrefundable license fees; and to provide for related matters.

HOUSE BILL NO. 757—

BY REPRESENTATIVE KENNARD
AN ACT

To repeal R.S. 40:1472.3(F) and 1472.4(B)(2), relative to explosives; to repeal provisions authorizing persons who do not possess a license to work with explosives provided that the person is working under the immediate and personal supervision and control of a person with a valid license; and to provide for related matters.

HOUSE BILL NO. 801—

BY REPRESENTATIVE TOOMY
AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:61, relative to the Judicial Council of the Supreme Court of Louisiana; to require the council to establish guidelines for the approval of the creation of new judgeships and offices of commissioner, magistrate, and hearing officer; to require the council to provide information to

the appropriate standing committees of the legislature; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 869—

BY REPRESENTATIVES MORRELL, HEATON, MARTINY, AND WOOTON

AN ACT

To enact Code of Criminal Procedure Article 814(A)(50.1), relative to responsive verdicts; to provide for responsive verdicts for possession of cocaine; and to provide for related matters.

HOUSE BILL NO. 874 (Duplicate of Senate Bill No. 576)—

BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT AND COAUTHORED BY SENATOR CAIN

AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

HOUSE BILL NO. 1022—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:27(B), relative to attempt to commit a crime; to provide for an attempt to commit the crime of arson; and to provide for related matters.

HOUSE BILL NO. 1024—

BY REPRESENTATIVES DEVILLIER AND MURRAY

AN ACT

To amend and reenact Code of Criminal Procedure Article 881.1, relative to criminal sentences; to provide for the reconsideration of the sentence in felony and misdemeanor cases; to provide for the procedure to be used in filing a motion to reconsider a sentence; to provide for the time limit to file such motion; to provide for the form of the motion; to provide for a contradictory hearing; and to provide for related matters.

HOUSE BILL NO. 1025—

BY REPRESENTATIVES DEVILLIER AND BRUCE

AN ACT

To amend and reenact R.S. 14:93.2.1(B)(2), relative to child desertion; to change the criminal penalties for a second or subsequent conviction of child desertion; and to provide for related matters.

HOUSE BILL NO. 1435—

BY REPRESENTATIVES HEBERT AND BAYLOR

AN ACT

To amend and reenact R.S. 22:163(A)(1), relative to life insurance policies; to provide for mortality, interest, and other standards; to provide for policies; and to provide for related matters.

HOUSE BILL NO. 1472—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN AND SENATORS GAUTREAU, HINES, HOYT, SMITH, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 3:3409(E), 3411(D) and (E), 3414.3(G), 3422(A), and 3423 and to enact R.S. 3:3422(D), relative to agricultural commodity dealer and warehouse fees; to increase certain agricultural commodity dealer and warehouse fees; to create the Agricultural Commodity Dealers and Warehouse Fund; and to provide for related matters.

HOUSE BILL NO. 1652—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, STRAIN, AND JACK SMITH AND SENATORS GAUTREAU, HINES, HOYT, SMITH, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 3:1901(A), (B), (C)(1), and (E), to enact R.S. 3:1901(F), and to repeal R.S. 3:1907(D), relative to

commercial feed fees; to create the Commercial Feed Fund; and to provide for related matters.

HOUSE BILL NO. 1675—

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN AND SENATORS GAUTREAU, HINES, HOYT, SMITH, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 3:1431, 1432(B), 1436, 1437(B), 1438, 1439, 1440, 1441, 1444(6) and (9), 1446, and 1448, to enact R.S. 3:1433(A)(3)(g), (h), (i), and (j), 1434(5), 1435(6), (7), and (8), 1444(10) and (11), and 1449, and to repeal R.S. 3:1442, relative to the regulation of seeds; to provide for definitions; to provide for the powers and duties of the commissioner of the Department of Agriculture and Forestry and the Seed Commission; to provide for the labeling of seeds; to increase the annual license fee for seed dealers; to specify certain prohibited acts; to provide exemptions; to increase the regulatory fee charged by the Seed Commission; to create the Seed Commission Fund; and to provide for related matters.

HOUSE BILL NO. 57—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Evidence Article 515(C)(10), relative to testimonial privileges; to provide for the accountant-client privilege in domestic proceedings; and to provide for related matters.

HOUSE BILL NO. 76—

BY REPRESENTATIVE DOERGE

AN ACT

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

HOUSE BILL NO. 175—

BY REPRESENTATIVES BRUNEAU AND KATZ

AN ACT

To amend and reenact R.S. 40:31.33(A), relative to safe drinking water; to change the method of assessment of the safe drinking water administration fee; and to provide for related matters.

HOUSE BILL NO. 223—

BY REPRESENTATIVE MURRAY

AN ACT

To enact Code of Civil Procedure Article 4061.1, relative to natural tutors; to provide exceptions from qualifying in certain circumstances; to provide for the filing of petitions for delictual actions on behalf of minors; to provide for the form of the petition; and to provide for related matters.

HOUSE BILL NO. 479—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 9:1113, relative to the partition of immovable property; to provide for private sale in certain circumstances; to provide for petition by minority interests for partition; to provide for appraisal; to provide for time limitations; to provide for distribution of proceeds; and to provide for related matters.

HOUSE BILL NO. 485—

BY REPRESENTATIVES TOOMY, FAUCHEUX, AND WELCH

AN ACT

To amend and reenact R.S. 13:782(A)(1), relative to clerks of district courts including the civil clerk of court for the Civil District Court for the Parish of Orleans and the criminal clerk of court for the Criminal District Court for the Parish of Orleans; to provide for a salary increase for the various clerks whose salary is based on the population of their respective parishes; and to provide for related matters.

May 29, 2003

HOUSE BILL NO. 518—

BY REPRESENTATIVES JOHNS, CAZAYOUX, DAMICO, DOWNER, FLAVIN, FRITH, FRUGE, FUTRELL, KATZ, MORRISH, NEVERS, PITRE, POWELL, SCALISE, STELLY, STRAIN, THOMPSON, WALSWORTH, WINSTON, AND WOOTON AND SENATORS CHAISSON, GAUTREAUX, MICHOT, THEUNISSEN, AND HOYT

AN ACT

To enact R.S. 9:2799.6, relative to a limitation of liability for damages related to the consumption of certain products; to limit the liability of manufacturers, distributors, and sellers of food and nonalcoholic beverages; to define terms; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 1172—

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 13:1384, relative to criminal district courts; to provide for certain positions or office; and to provide for related matters.

HOUSE BILL NO. 1250—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 47:1642, relative to the criminal penalty for tax evasion; to increase the penalty for tax evasion; 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:

Bean	1 Day	Smith	1 Day
Tarver	1 Day		

Adjournment

Senator Ellington moved that the Senate adjourn until Sunday, June 1, 2003, at 7:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 7:00 o'clock P.M. on Sunday, June 1, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk