

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA  
EIGHTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, April 10, 2001

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Dupre	McPherson
Bajoie	Ellington	Michot
Barham	Fields, W	Mount
Bean	Gautreaux	Schedler
Boissiere	Heitmeier	Smith
Campbell	Hoyt	Tarver
Chaisson	Jones, B	Thomas
Cravins	Jones, C	Ullo
Dardenne	Lentini	
Dean	Malone	
Total—28		

**ABSENT**

Cain	Hollis	Marionneaux
Fields, C	Irons	Romero
Fontenot	Johnson	Theunissen
Hines	Lambert	
Total—11		

The President of the Senate announced there were 28 Senators present and a quorum.

**Prayer**

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

**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**

April 10, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1038—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 27:25(B)(1), relative to the Louisiana Gaming Control Law; to provide for matters requiring a public hearing; and to provide for related matters.

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

**House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 1038—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 27:25(B)(1), relative to the Louisiana Gaming Control Law; to provide for matters requiring a public hearing; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House  
ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 10, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 63—**  
BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE  
A CONCURRENT RESOLUTION

To commend ExxonMobil for its recent one million dollar contribution to the Louisiana Arts and Science Center (LASC) for the new space theater in Baton Rouge as an expansion of current LASC programs.

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

**House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just

received from the House of Representatives with a view of acting on same:

**HOUSE CONCURRENT RESOLUTION NO. 63—**  
BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE  
**A CONCURRENT RESOLUTION**

To commend ExxonMobil for its recent one million dollar contribution to the Louisiana Arts and Science Center (LASC) for the new space theater in Baton Rouge as an expansion of current LASC programs.

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

**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. 11—**  
BY REPRESENTATIVE LANDRIEU  
**AN ACT**

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

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

**HOUSE BILL NO. 16—**  
BY REPRESENTATIVE BRUNEAU  
**AN ACT**

To amend and reenact R.S. 18:1300.5, relative to recall petitions; to provide that a recall petition is a public record and to provide for the custodian thereof; 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. 23—**  
BY REPRESENTATIVE BRUNEAU  
**AN ACT**

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

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

**HOUSE BILL NO. 24—**  
BY REPRESENTATIVES STRAIN, E. ALEXANDER, BOWLER, BRUCE, BRUNEAU, CLARKSON, CROWE, DANIEL, DIEZ, DOWNER, FARRAR, FLAVIN, FRUGE, FUTRELL, HILL, HUTTER, JOHNS, KENNARD, LANCASTER, LUCAS, MARTINY, NEVERS, ODINET, POWELL, SCHNEIDER, SHAW, JANE SMITH, SNEED, STELLY, SWILLING, THOMPSON, TOOMY, TRICHE, TUCKER, WINSTON, AND WRIGHT AND SENATORS HAINKEL, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, MCPHERSON, MICHOT, MOUNT, SMITH, AND THOMAS  
**AN ACT**

To amend and reenact R.S. 18:1463(A), (C)(2)(introductory paragraph), and (D) and 1472(A) and to enact R.S. 18:1463(C)(4), relative to election offenses; to prohibit a person from misrepresenting that he or any committee or organization under his control speaks for or on behalf of any candidate, political party, or any employee or agent thereof; to prohibit willfully and knowingly participating in or conspiring to participate in a plan for any such misrepresentation; to provide for legal remedy and penalties; to provide for attorney fees for a petitioner who is successful in obtaining injunctive relief; to provide for the inclusion in the informational packet on election offenses for candidates of information pertaining to applicable enforcement procedures; 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. 55—**  
BY REPRESENTATIVE DOWNER  
**AN ACT**

To redesignate a portion of Louisiana Highway 311 between St. Charles Avenue and Polk Street, located in Terrebonne Parish, as Veterans Parkway; 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. 63—**  
BY REPRESENTATIVE MARTINY  
**AN ACT**

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; 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. 84—**  
BY REPRESENTATIVE POWELL  
**AN ACT**

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

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

**HOUSE BILL NO. 122—**  
BY REPRESENTATIVE TOWNSEND  
**AN ACT**

To amend and reenact R.S. 40:1543, relative to the training and certification of firemen at Louisiana State University; to require reciprocity certification when International Fire Service Accreditation Congress accreditation standards are met; 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. 126—**  
BY REPRESENTATIVE DIEZ  
**AN ACT**

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

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. 135—**  
BY REPRESENTATIVE RICHMOND  
**AN ACT**

To designate Chef Menteur Highway in Orleans Parish as Chef Menteur Boulevard; 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. 164—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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. 170—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

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

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. 175—**  
BY REPRESENTATIVES ILES, E. ALEXANDER, ANSARDI, BAUDOIN, BROOME, CAZAYOUX, DURAND, FRITH, LAFLEUR, MORRELL, GARY SMITH, AND JANE SMITH AND SENATORS CAMPBELL, DUPRE, HOLLIS, AND MOUNT

AN ACT

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

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

**HOUSE BILL NO. 182—**  
BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 48:973, relative to the Lake Pontchartrain Causeway Bridge; to provide that retired or disabled firemen and policemen shall have free passage over the bridge; 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. 196—**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 37:2165(D) and to repeal R.S. 37:2172, relative to contractors; to provide relative to the membership of the Residential Building Contractors Subcommittee; to provide relative to exemptions; to repeal certain provisions relative to penalties; and to provide for related matters.

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

**HOUSE BILL NO. 216—**  
BY REPRESENTATIVE PITRE

AN ACT

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

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. 239—**  
BY REPRESENTATIVES WADDELL AND BRUNEAU

AN ACT

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

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

**HOUSE BILL NO. 243 —**  
BY REPRESENTATIVES SCALISE AND SWILLING

AN ACT

To amend and reenact R.S. 51:293, relative to the Louisiana Superdome; to authorize the transfer of the right to designate and use an alternative name and trademarks for the Louisiana Superdome; to require approval of the Joint Legislative Committee on the Budget relative to certain transactions; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the Louisiana Superdome; and to provide for related matters.

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

**HOUSE BILL NO. 246—**  
BY REPRESENTATIVE BOWLER

AN ACT

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

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. 248—**  
BY REPRESENTATIVE BRUNEAU

AN ACT

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

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

**HOUSE BILL NO. 256—**

BY REPRESENTATIVES DOWNER, BRUNEAU, CLARKSON, DONELON, FUTRELL, ILES, MONTGOMERY, GARY SMITH, JANE SMITH, AND JOHN SMITH AND SENATORS HAINKEL, W. FIELDS, AND THEUNISSEN

**AN ACT**

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

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. 276—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 4:184(D), relative to racing; to require racing associations to make purses for special accredited Louisiana bred thoroughbred races at least equal to purses for races of comparable quality; and to provide for related matters.

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

**HOUSE BILL NO. 278—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 37:2160(A)(1), 2163(A)(1), (2), (4), and (5) and (B), 2167(A), and 2171 and to enact R.S. 37:2167.1 and 2171.1, relative to contractors; to provide relative to prohibited activities; to provide relative to bid procedures; to provide for inactive licenses; to provide for inspection of certain building permits; and to provide for related matters.

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

**HOUSE BILL NO. 292—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 4:179.2, relative to horse racing; to provide relative to horsemen's organizations; and to provide for related matters.

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

**HOUSE BILL NO. 293—**

BY REPRESENTATIVE PINAC

**AN ACT**

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

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

**HOUSE BILL NO. 295—**

BY REPRESENTATIVE TOWNSEND

**AN ACT**

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

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. 301—**

BY REPRESENTATIVE DIEZ

**AN ACT**

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

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. 312—**

BY REPRESENTATIVE PITRE

**AN ACT**

To enact Section 4(J) of Act No. 113 of the 1950 Regular Session of the Louisiana Legislature, relative to the Bayou Lafourche Freshwater District; to provide for powers of the board of commissioners; to authorize the board to develop and implement measures to prevent the intrusion of salt water into the flow of fresh water; and to provide for related matters.

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

**HOUSE BILL NO. 315—**

BY REPRESENTATIVES JACK SMITH AND FAUCHEUX

**AN ACT**

To amend and reenact R.S. 41:1702(F), relative to reclamation of lands lost to erosion; to include construction of a marina in the definition of reclamation project; and to provide for related matters.

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

**HOUSE BILL NO. 323—**

BY REPRESENTATIVE POWELL

**AN ACT**

To amend and reenact R.S. 33:3813.2(D), relative to the Tangipahoa Water District; to provide relative to the terms of office of the members of the board of commissioners of the district; and to provide for related matters.

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

**HOUSE BILL NO. 333—**

BY REPRESENTATIVES POWELL AND ERDEY

**AN ACT**

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

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. 358—**

BY REPRESENTATIVES TRICHE AND DOWNER

**AN ACT**

To amend and reenact R.S. 32:666(A)(introductory paragraph) and 667(B)(4), relative to traffic accidents; to require chemical tests to be given in certain traffic accidents; to require suspension of a

driver's license in certain circumstances; 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. 422—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 14:67.17 and R.S. 32:414(O), relative to theft of property; to create the crime of theft of motor vehicle fuel; to provide for penalties; to require the Department of Public Safety and Corrections to suspend the driver's license of the offender; 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. 460—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 18:1333.1, relative to allowing a voter who is a resident in an adult residential care facility or an adult residential care home to vote absentee where he resides; to provide for the definition of "adult residential care facility" and "adult residential care home"; to provide for the procedure by which a voter residing in an adult residential care facility or adult residential care home becomes eligible to vote absentee where he resides; to provide for the removal of a voter residing in an adult residential care facility or adult residential care home from the program allowing him to vote absentee where he resides; 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. 478—**

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 38:1794(A)(2)(a), (B), (F), and (G), relative to the compensation of members of the boards of commissioners of certain drainage districts; to provide for an increase in the maximum per diem of such members; 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. 489—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To enact R.S. 17:1952(B)(10), relative to procedural safeguards with respect to children with exceptionalities; to provide relative to procedures for hearings and appeals regarding the provision of special education and related services to such children; to provide certain time limitations for such hearings and appeals; 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. 566—**

BY REPRESENTATIVE HOPKINS

AN ACT

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

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

**HOUSE BILL NO. 572—**

BY REPRESENTATIVE MCCALLUM

AN ACT

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

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. 610—**

BY REPRESENTATIVE DOWNER

AN ACT

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

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. 619—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

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. 628—**

BY REPRESENTATIVE HUDSON

AN ACT

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

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. 656—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:175(D), relative to the registrar of voters providing a monthly update of the official list of registered voters to the clerk of court; to require that a monthly update of the official list of registered voters be provided by the registrar of voters to the clerk of court at his request and at no charge or remuneration; and to provide for related matters.

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

**HOUSE BILL NO. 679—**

BY REPRESENTATIVES MCMAINS, WALSWORTH, AND CLARKSON

AN ACT

To amend and reenact all of Chapter 9 of Title 10 of the Louisiana Revised Statutes of 1950, heretofore comprised of Parts 1 through 6 and consisting of R.S. 10:9-101 through 9-605, to be comprised of Parts 1 through 7 and consisting of R.S. 10:9-101 through 9-710, to amend and reenact R.S. 3:207 and 3652(14), R.S. 6:312(E) and 664(E), R.S. 9:3306(26), 3342(B), 4865(A)(2),

4870(B)(3), 4888(B)(4), 5001(A), 5551(A) and (C), R.S. 10:1-105(2)(e), 1-201(9), (32), and (37), R.S. 10:4-210(c)(1), R.S. 10:7-503(1), R.S. 10:8-103(f), 8-106(d) and (f), 8-110(e), 8-301(a), 8-302(a), and 8-510, R.S. 12:702(A) and (B), R.S. 23:1546(A), R.S. 32:708(B)(2)(b), 710, and 728(9), R.S. 37:218(A), R.S. 39:1421(2), R.S. 40:2601(1), R.S. 46:236.16(A), and Code of Civil Procedure Articles 2721(C) and 2725(B); to enact R.S. 10:5-118 and R.S. 39:1430.1; to repeal R.S. 9:2737, 3101 through 3112, 4321 through 4391, 4421, and 5351 through 5373, R.S. 12:704, and R.S. 32:704(B), all relative to secured transactions under Louisiana Commercial Laws; to revise the entirety of Chapter 9 to conform to revisions in the Uniform Commercial Code; to provide for definitions and general concepts; to provide for applicability; to provide for effectiveness of security agreements and attachment of security interests; to provide for perfection and priority of security interests; to provide for rights of a bank and of third parties; to provide for duties and operation of filing offices; to provide for uniform form of financing statements and amendments; to provide for fees; to provide for maintenance and destruction of records; to provide for default and enforcement of security interests; to provide for contents and form of notification before disposition of collateral; to provide relative to remedies for noncompliance; to provide for additional default remedies; to provide for transitional provisions; to provide for territorial application of Title 10; to define buyer in the ordinary course of business, purchase, and security interest; to provide relative to the security interest of collecting bank; to provide for the security interest of issuer or nominated person; to provide for document of title to goods defeated in certain cases; to provide for the effects of a commodity contract; to provide for determination of control of a security entitlement; to provide for determination of a securities intermediary's jurisdiction and when possession occurs; to provide for rights of purchaser in certain cases; to provide for conforming amendments; to repeal provisions relative to the schedule of fees; to repeal provisions relative to the assignment of accounts receivable; to repeal provisions relative to certain incorporeal rights and securitized financings; to repeal provisions relative to crop pledges; to repeal provisions relative to the pledge or assignment of secured instruments; to repeal provisions relative to chattel mortgages; to repeal provisions relative to the mortgage of movables used in commercial or industrial activity; to repeal provisions relative to certain mortgages executed by corporations operating natural gas pipelines; to repeal provisions relative to the sale and chattel mortgaging of vehicles; and to provide for related matters.

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

**HOUSE BILL NO. 711—**

BY REPRESENTATIVES CLARKSON AND DOWNER  
AN ACT

To amend and reenact R.S. 36:109(E)(15) and R.S. 37:3391, 3392(9), 3394(A), (B)(1)(introductory paragraph), and (H), and 3406(B) and (D), relative to the Louisiana Real Estate Appraisers State Board of Certification; to remove the board from under the jurisdiction of the Louisiana Real Estate Commission; to revise the name of the board; to change the membership of the board; to revise the quorum requirements of the board; and to provide for related matters.

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

**HOUSE BILL NO. 720—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Articles 1263, 1314, 1701(B), 1702(A), 1913, 2004, 3612, 4905, and 4922, relative to the continuous revision of the Code of Civil Procedure; to provide for service of process on a partnership in commendam; to provide

for service of pleadings by the sheriff; to provide for notice of judgments; to provide for the award of attorney fees in certain cases; to provide for the furnishing of a bond in certain appeals; 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 A.

**HOUSE BILL NO. 721—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 2166(D) and to enact Code of Civil Procedure Article 2166(E), relative to the filing of applications of writs of certiorari to the supreme court; to allow any other party to apply for certiorari within certain delays after the filing of the initial application; 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. 722—**

BY REPRESENTATIVES MCMAINS, ANSARDI, AND WALSWORTH  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2332 and 2336, relative to the appraisal and sale of seized property; to provide for the sale of collateral through a writ of fieri facias without appraisal in an ordinary proceeding under certain circumstances; to provide exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 730—**

BY REPRESENTATIVE JOHNS  
AN ACT

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

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

**HOUSE BILL NO. 752—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to simple rape; to provide for simple rape when intoxicating agents or other causes of abnormal conditions of the mind are involved; and to provide for related matters.

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

**HOUSE BILL NO. 796—**

BY REPRESENTATIVES WOOTON, CLARKSON, DOWNER, AND MCDONALD AND SENATORS HAINKEL AND THEUNISSEN  
AN ACT

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

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

**HOUSE BILL NO. 803—**

BY REPRESENTATIVES DONELON, ANSARDI, MARTINY, BAYLOR, BOWLER, CLARKSON AND TUCKER  
AN ACT

To amend and reenact R.S. 22:162(A)(1)(a), 842, and 844(C) and (D)(1), to enact R.S. 22:842.2, and to repeal R.S. 22:844(J) and

(K), relative to investments by domestic insurers; to provide for reserve liabilities; to provide for investments and security; to provide for derivatives; to provide for definitions; to provide for limits; 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. 829—**

BY REPRESENTATIVES JOHNS AND KENNARD  
AN ACT

To amend and reenact R.S. 22:250.12(B)(introductory paragraph) and to enact R.S. 22:250.12(H), relative to the Louisiana Health Plan; to provide relative to eligibility for participation in the state insurance pool established to comply with the federal Health Insurance Portability and Accountability Act; and to provide for related matters.

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

**HOUSE BILL NO. 846—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact R.S. 9:1789, 1891(A), 1932, 1961(C), 2026(2), 2030, 2045 and 2088(A) and to enact R.S. 9:1784, relative to the Louisiana Trust Code; to provide for the removal of a trustee; to provide for class trusts; to provide for the donation of property; to provide for the interest of the income beneficiary; to provide for the termination or modification of a trust; to provide for combination and division of trusts; to provide for the delegation of the right to revoke a trust; to provide for accountings; to provide for jurisdiction over the trustee; 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. 896—**

BY REPRESENTATIVES JOHNS AND THOMPSON  
AN ACT

To amend and reenact R.S. 47:304(F), relative to the state sales and use tax; to permit a dealer to absorb the tax under certain circumstances; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 923—**

BY REPRESENTATIVES PINAC AND DANIEL  
AN ACT

To amend and reenact R.S. 47:303(B)(7), relative to the sales and use tax; to provide for the responsibility for collection and remittance of the tax with regard to a motor vehicle lease agreement; and to provide for related matters.

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

**HOUSE BILL NO. 937—**

BY REPRESENTATIVE DIEZ  
AN ACT

To repeal R.S. 40:1321(I)(3) and (4), relative to special identification cards; to remove the late fee for renewal of an expired special identification card by mail or by electronic commerce; and to remove provisions for the disposition of that fee.

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. 938—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:412(D)(3), relative to driver's license renewals; to remove the prohibition of renewal by mail or electronic commerce of Class "D" or "E" operators' licenses for persons with certain traffic violations; 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. 946—**

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

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

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

**HOUSE BILL NO. 947—**

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

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

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

**HOUSE BILL NO. 948—**

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

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

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

**HOUSE BILL NO. 961—**

BY REPRESENTATIVE DIEZ  
AN ACT

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

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. 962—**

BY REPRESENTATIVE DIEZ  
AN ACT

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

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## 8th DAY'S PROCEEDINGS

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. 964—

BY REPRESENTATIVE DIEZ

AN ACT

To authorize and provide for the transfer or lease of certain state property in East Baton Rouge Parish to the Department of Transportation and Development from the Department of Public Safety and Corrections; and to provide for related matters.

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

### HOUSE BILL NO. 970—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:824(B)(1)(a), relative to individuals committed to the Department of Public Safety and Corrections held in parish jails; to provide that the governing authority of a parish or the parish sheriff shall be paid by the department for housing and keeping individuals participating in a Blue Walters Substance Abuse Program; 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. 980—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 9:315.40(4), (5), and (8), 315.41, 315.42(B), 315.43, 315.44(A)(introductory paragraph) and (3), 315.45, and 315.47, to enact R.S. 9:315.40(9), and to repeal R.S. 9:315.48, relative to administrative suspension of licenses for nonpayment of child support; to extend the authority of the Department of Social Services, Support Enforcement Services Program, office of family support, to suspend motor vehicle operator licenses and professional, occupational, business, or industrial licenses; and to repeal certain provisions relative to rulemaking; 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. 993—

BY REPRESENTATIVES HAMMETT AND DANIEL

AN ACT

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

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

### HOUSE BILL NO. 1001—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To repeal R.S. 36:254.1, relative to the powers and duties of the secretary of the Department of Health and Hospitals; to remove the requirement that the secretary appoint administrators to each of nine administrative regions and to delete the regions.

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

### HOUSE BILL NO. 1005—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:5.8(6)(introductory paragraph) and 2822(20)(introductory paragraph), relative to drinking water; to define public water system; and to provide for related matters.

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

### HOUSE BILL NO. 1008—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C) and 2116.32(F)(2), relative to the licensure of health care facilities; to extend the moratorium on licensure of mental health clinics and mental health centers; to extend the moratorium on Medicaid enrollment of long-term care hospital facilities and beds; to extend the moratorium on licensure of home health agencies; 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 Health and Welfare.

### HOUSE BILL NO. 1095—

BY REPRESENTATIVE CLARKSON

AN ACT

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

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

### HOUSE BILL NO. 1129—

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

AN ACT

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

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

### HOUSE BILL NO. 1170—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:393(C)(2) and (3), relative to traffic and parking violations; to remove prohibition of certain agencies reporting unpaid fines for traffic and parking violations to credit information agencies; to remove prohibition of certain agencies from entering into contracts to provide records of unpaid traffic and parking fines to credit information agencies; to authorize certain agencies to contract with consumer reporting agencies for certain services; to remove penalties relative to disclosure of certain information; to limit the information contained in consumer reports for unpaid traffic fines; 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. 1177—**

BY REPRESENTATIVE POWELL

AN ACT

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

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. 1190—**

BY REPRESENTATIVE SCHWEGMANN AND SENATOR BOISSIERE

AN ACT

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

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. 1281—**

BY REPRESENTATIVE CLARKSON

AN ACT

To enact R.S. 37:1447, relative to real estate licensees; to prohibit solicitation of certain referral fees; to prohibit interference with brokerage relationships; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1399—**

BY REPRESENTATIVES LANCASTER AND MONTGOMERY

AN ACT

To enact R.S. 47:299.2(1)(a)(vii) and 299.11(9), relative to offset claims against individual income tax refunds; to authorize the Louisiana Board of Ethics to file such claim; 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 Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:651, 652(A), 653(A), 654, 655(A), and 656(C)(1)(f) and to enact R.S. 51:652(C), relative to fireworks; to provide conformity with federal classifications of fireworks; to impose penalties for the illegal sale of impermissible fireworks within the state; to prohibit igniting fireworks within one thousand feet of a fireworks retail location; to impose a penalty for the unlawful discharge of a fireworks from a motor vehicle; to require a work permit for anyone under the age of eighteen to work at a firework retail location; and to provide for related matters.

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

**HOUSE BILL NO. 1526—**

BY REPRESENTATIVE MCMAINS

AN ACT

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

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

**HOUSE BILL NO. 1657—**

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 48:381.2(B)(1) and to enact R.S. 48:381.2(G), relative to rights-of-way; to require approval of certain rights-of-way permits; to provide relative to an annual report by the secretary; 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. 1742—**

BY REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 37:1437(C)(2)(a) and (5)(a) and 1466(H), relative to the Louisiana Real Estate Commission; to provide with respect to licensure requirements for real estate brokers and salespersons; to provide for certain insurance coverage on certain licensees 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 Commerce and Consumer Protection.

**HOUSE BILL NO. 1781—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 23:540, relative to the inspection of hot water heaters; to exempt from inspection hot water heaters located in privately owned or rented homes or apartments; and to provide for related matters.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****REVENUE AND FISCAL AFFAIRS**

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

April 9, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 673—**

BY SENATORS B. JONES, CAMPBELL, DARDENNE, GAUTREAUX AND HAINKEL AND REPRESENTATIVES LANCASTER AND MONTGOMERY

AN ACT

To enact R.S. 47:1523, relative to controversies between the Department of Revenue and taxpayers; to provide for creation of a tax settlement oversight committee; to provide for powers, duties and membership of the committee; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ROBERT J. BARHAM  
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. 18—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 51:293.1, relative to the name of the Superdome building; to require certain conditions in any agreement to transfer the right to designate and use a name for the stadium facility; and to provide for related matters.

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

**SENATE BILL NO. 20—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 32:774(B)(3)(b)(i), relative to motor vehicles; to exempt previously licensed used motor vehicle dealers from certain educational requirements; and to provide for related matters.

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

**SENATE BILL NO. 23—**

BY SENATORS CAMPBELL, MCPHERSON, MOUNT, FONTENOT, AND IRONS, AND REPRESENTATIVES ILES, CAZAYOUX, JANE SMITH, DUPRE, ANSARDI AND DURAND

AN ACT

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

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 23 by Senator Campbell

**AMENDMENT NO. 1**

On page 4, line 10, change "semi-annual inserts in" to "monthly inserts in or messages on"

**AMENDMENT NO. 3**

On page 6, line 7, delete "as provided in R.S. 45:829(A)" and insert:

"in favor of the state of Louisiana to guarantee the payment of any administrative penalties assessed pursuant to this Chapter"

**AMENDMENT NO. 4**

On page 6, line 9, after "fees" insert "and penalties"

**AMENDMENT NO. 5**

On page 6, line 23, delete "a civil" and insert "an administrative"

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

**SENATE BILL NO. 39—**

BY SENATOR MCPHERSON AND REPRESENTATIVE DEWITT  
AN ACT

To enact R.S. 33:381(C)(21), relative to municipal officers; to provide that the town of Woodworth shall appoint the chief of police; to provide for the duties, qualifications and responsibilities of the chief of police; and to provide for related matters.

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

**SENATE BILL NO. 45—**

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1732, relative to towing of motor vehicles; to provide for recovery of certain surcharges assessed when motor vehicles are towed; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 45 by Senator Fontenot

**AMENDMENT NO. 1**

On page 1, line 12, after "charged for the", delete "towing" and insert "initial tow"

**AMENDMENT NO. 2**

On page 1, line 13, delete "and other" and insert ", including other"

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

**SENATE BILL NO. 166—**

BY SENATOR MARIONNEAUX

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to sessions of the legislature; to provide for annual general sessions of the legislature; to provide limitations; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; 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.

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

**SENATE BILL NO. 262—**

BY SENATOR CAMPBELL

AN ACT

To enact R.S. 31:212.33 relative to the mineral code; to provide for payment of royalties; to provide for penalties; to provide for effective date; and to provide for related matters.

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

**SENATE BILL NO. 274—**

BY SENATOR DARDENNE

AN ACT

To enact Subpart E of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:88.1 through 88.4, relative to gain sharing; to provide relative

to identification of increased efficiency and corresponding savings by budget units; to require the commissioner of administration to approve plans for distribution of identified savings; to provide for a deadline; and to provide for related matters.

Reported with amendments by the Committee on Finance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 274 by Senator Dardenne

##### AMENDMENT NO. 1

On page 2, line 4, delete "will be" and insert "are"

##### AMENDMENT NO. 2

On page 2, line 5, delete "plans, which" and insert "plans which,"

##### AMENDMENT NO. 3

On page 2, at the end of line 6, change "results" to "result"

##### AMENDMENT NO. 4

On page 2, line 7, after "state," delete the remainder of the line and insert "will allow individual workers to"

##### AMENDMENT NO. 5

On page 2, line 14, after "unit" delete the comma ","

##### AMENDMENT NO. 6

On page 2, at the end of line 16, after "commissioner of" delete "the"

##### AMENDMENT NO. 7

On page 2, line 19, after "efficiency and" delete "corresponding results in"

##### AMENDMENT NO. 8

On page 2, line 21, after "C." delete the remainder of the line and insert "To qualify under this program, the monetary savings shall be a direct result"

##### AMENDMENT NO. 9

On page 3, line 10, change "savings would" to "savings shall"

##### AMENDMENT NO. 10

On page 3, delete lines 11 through 16 and insert the following:

"with a plan of utilization and fifty percent shall be returned to the state treasury. The plan shall designate a minimum of fifty percent of the funds available under the plan for distribution to employees and shall indicate the manner in which the balance will be utilized by the budget unit.

D. Any monies realized from the plan and distributed to employees shall only be distributed subject to approval of the Department of Civil Service in accordance with applicable rules and regulations.

E. No retirement contributions shall be made based on funds distributed to employees and no funds so distributed shall be considered in the determination of retirement benefits."

##### AMENDMENT NO. 11

On page 4, line 3, after the word "year" insert "subject to the approval of the Joint Legislative Committee on the Budget"

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

#### **SENATE BILL NO. 333—**

BY SENATORS MICHOT, ROMERO AND CRAVINS  
AN ACT

To amend and reenact R.S. 22:1404.3, relative to criminal bail bonds; to provide for a maximum premium rate; and to provide for related matters.

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

#### **SENATE BILL NO. 340—**

BY SENATOR DUPRE

AN ACT

To authorize the state through the Department of Wildlife and Fisheries to transfer certain tracts of land situated in Terrebonne Parish to Fire Protection District No. 6 of Terrebonne Parish; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 340 by Senator Dupre

##### AMENDMENT NO. 1

On page 1, line 9, after "contrary" insert the following: "upon receiving consideration, as provided in Section 2 of this Act,"

##### AMENDMENT NO. 2

On page 2, line 11, change "donated" to "transferred"

##### AMENDMENT NO. 3

On page 2, line 14, change "donated" to "transferred"

##### AMENDMENT NO. 4

On page 2, line 16, change "donated" to "transferred"

##### AMENDMENT NO. 5

On page 2, line 20, change "donated" to "transferred"

##### AMENDMENT NO. 6

On page 2, line 25, change "donated" to "transferred"

##### AMENDMENT NO. 7

On page 3, line 3, change "donated" to "transferred"

##### AMENDMENT NO. 8

On page 3, line 8, change "Donor's" to "the Department of Wildlife and Fisheries"

##### AMENDMENT NO. 9

On page 3, line 10, change "Donee" to "Fire Protection District No. 6 of Terrebonne Parish"

##### AMENDMENT NO. 10

On page 4, line 6, after "Parish" insert ":" and delete the remainder of the line and insert in lieu thereof "Consideration for the transfer shall be required and shall include property transferred to the Department of Wildlife and Fisheries which is of equal or greater value from a fish and wildlife standpoint and such other valuable consideration to ensure that the total consideration received by the department is proportionate to the value of the property transferred from the department."

##### AMENDMENT NO. 11

On page 4, line 7, delete "of the property."

##### AMENDMENT NO. 12

On page 4, delete lines 9 through 27 in their entirety

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## 8th DAY'S PROCEEDINGS

### AMENDMENT NO. 13

On page 5, delete lines 1 through 7 in their entirety

### AMENDMENT NO. 14

On page 5, change "Section 4" to "Section 3"

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

### **SENATE BILL NO. 347—** BY SENATOR ELLINGTON

#### AN ACT

To require the state, through the Department of Economic Development and the Louisiana Economic Development Corporation, to execute a cooperative endeavor agreement with the town of Jonesville; to provide for payment of certain obligations owed by the town of Jonesville which are guaranteed by the state; and to provide for related matters.

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

### **SENATE BILL NO. 352—** BY SENATOR MCPHERSON

#### AN ACT

To direct and empower the office of state lands to transfer title to certain described property located in Catahoula Parish to the Department of Wildlife and Fisheries for inclusion into the Louisiana Natural Areas Registry; to provide for certain conditions; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 352 by Senator McPherson

### AMENDMENT NO. 1

On page 1, line 4, delete "for inclusion into the Louisiana Natural Areas"

### AMENDMENT NO. 2

On page 1, line 5, delete "Registry; to provide for certain conditions"

### AMENDMENT NO. 3

On page 1, line 12, delete "for inclusion into the Louisiana Natural"

### AMENDMENT NO. 4

On page 1, line 13, delete "Areas Registry"

### AMENDMENT NO. 5

On page 2, delete lines 4 through 12 in their entirety

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

### **SENATE BILL NO. 366—** BY SENATOR MCPHERSON

#### AN ACT

To authorize and empower the secretary of the Department of Transportation and Development to transfer title to certain described parcels of land between the diversion canal and Interstate 49, in the parishes of Rapides, Evangeline, Avoyelles and St. Landry to the Louisiana Natural Heritage Program within the Department of Wildlife and Fisheries; to provide for execution of documents; to provide for property use restrictions; to provide for cooperative endeavor agreements with landowners; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 366 by Senator McPherson

### AMENDMENT NO. 1

On page 1, line 5, after "St. Landry to" delete "the Louisiana"

### AMENDMENT NO. 2

On page 1, line 6, delete "Natural Heritage Program within"

### AMENDMENT NO. 3

On page 1, line 14, delete "the Louisiana Natural"

### AMENDMENT NO. 4

On page 1, line 15, delete "Heritage Program within"

### AMENDMENT NO. 5

On page 3, line 1, after "representative" delete ", shall" and insert in lieu thereof "is hereby authorized, subject to approval by the Federal Highway Administration, to"

### AMENDMENT NO. 6

On page 3, at the end of line 4, delete "the"

### AMENDMENT NO. 7

On page 3, line 5, delete "Louisiana Natural Heritage Program within"

### AMENDMENT NO. 8

On page 3, delete lines 8 through 11, and insert "Section 3. Construction of any kind, use of all-terrain vehicles"

### AMENDMENT NO. 9

On page 3, line 12, between "the" and "property" insert "described"

### AMENDMENT NO. 10

On page 3, delete line 18, and insert "department, however, the secretary"

### AMENDMENT NO. 11

On page 3, at the beginning of line 19, delete "program"

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

### **SENATE BILL NO. 381—** BY SENATOR ELLINGTON

#### AN ACT

To enact R.S. 9:4331.2, relative to promissory notes; to provide for the prohibition to sell, trade, encumber or otherwise convey ownership, or the rights granted by ownership, of any promissory note secured by real estate; to provide for exceptions and to provide for related matters.

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

### **SENATE BILL NO. 394—** BY SENATOR LENTINI

#### AN ACT

To amend and reenact R.S. 48:390(C) and to enact R.S. 48:753(A)(7), relative to funds; to provide for use of monies from the Parish Transportation Fund for upgrades and repairs to certain railroad crossings; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 394 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the end of line 12, change "may agree to" to "shall"

AMENDMENT NO. 2

On page 1, at the end of line 16, delete "borne by the local"

AMENDMENT NO. 3

On page 2, at the beginning of line 1, delete "governing authority and may"

AMENDMENT NO. 4

On page 2, line 3, after the period ".", add "The funding for such expenditures shall be the first priority of the parish in its allocation of the Parish Transportation Funds to projects within the parish and no additional funding shall be allocated to or expended for other projects until such time as sufficient funding has been made available for the completion of the required railroad crossing upgrade or repair."

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

**SENATE BILL NO. 405—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:217 and 221(D)(4), relative to the Louisiana Assessors' Retirement Fund; to provide relative to disability retirement; to provide relative to when members with a disability retirement reach normal vested retirement age; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 421—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 2:602(A), relative to local airport authorities; to provide for the membership of the Iberia Parish Airport Authority; and to provide for related matters.

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

**SENATE BILL NO. 426—**

BY SENATOR JOHNSON

AN ACT

To enact R.S. 40:1797.1, relative to firearms; to require all new firearms sold in Louisiana to be equipped with a child safety lock at the time of the sale; to provide for an effective date; and to provide for related matters.

Reported without action by the Committee on Commerce and Consumer Protection. On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 437—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students; to provide for the eligibility requirements for Opportunity Awards; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 437 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 21, change "**one point**" to "**equal to or**"

AMENDMENT NO. 2

On page 2, line 24, change "**twenty-one**" to "**twenty**"

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

**SENATE BILL NO. 438—**

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

AN ACT

To amend and reenact R.S. 17:3048.1(B)(2)(a), relative to the Tuition Opportunity Program for students; to provide for initial eligibility requirement for the TOPS-Tech Award; to provide for effectiveness; and to provide for related matters.

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

**SENATE BILL NO. 473—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 42:261(C) and (D)(1), 263(A), and 264, and to repeal R.S. 42:261(G), relative to legal representation of parish governing authorities; to authorize any parish governing authority to retain, select, and/or employ an attorney to serve as its regular or special attorney; and to provide for related matters.

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

**SENATE BILL NO. 477—**

BY SENATOR SMITH

AN ACT

To enact R.S. 33:1448(I), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of Winn Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

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

**SENATE BILL NO. 487—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3821(D), relative to the Employees' Retirement System of the Sewerage and Water Board of New Orleans; to change the percentage of the pension fund portfolio

which may be invested in equities; and to provide for related matters.

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

**SENATE BILL NO. 488—**  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i) and 4754(A)(1), relative to the removal and securing of dangerous structures; to authorize the governing authority of St. Landry Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide for the maintenance of property; to provide relative to the powers of specified parish governing authorities; and to provide for related matters.

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

**SENATE BILL NO. 527—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1410(B) and 1454, to enact R.S. 11:1413, and to repeal R.S. 11:1410(C), relative to the Louisiana Assessors' Retirement Fund; to provide relative to the membership and eligibility requirements for such fund; to authorize the part-time reemployment of retirees; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 527 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2 after "reenact", delete "R.S. 11:1410(B) and" and insert "R.S. 11:"

AMENDMENT NO. 2

On page 1, line 10 after "1." delete "R.S. 1:1410(B) is hereby amended and reenacted, and"

AMENDMENT NO. 3

On page 1, delete lines 12 through 15 and on page 2, delete lines 1 through 12

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

**SENATE BILL NO. 528 —**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1456(F), relative to the Louisiana Assessors' Retirement Fund; to authorize accounts in the Deferred Retirement Option Plan to earn interest at the end of the plan period when a member remains employed; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 528 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 5, after "member remains employed;" insert "to provide for an effective date;"

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

**SENATE BILL NO. 529—**  
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1423(C) and (D), relative to the Louisiana Assessors' Retirement Fund; to provide relative to retirement options; to provide relative to the payment of benefits upon the death of a spouse if an option is chosen; to provide relative to the option reduction factor; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 529 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, delete "11:1423(C) and (D)" and insert "11:1423(D)"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "to provide"

AMENDMENT NO. 3

On page 1, delete line 4

AMENDMENT NO. 4

On page 1, line 5, delete "option is chosen;"

AMENDMENT NO. 5

On page 1, line 9, delete "11:1423(C) and (D) are" and insert "11:1423(D) is"

AMENDMENT NO. 6

On page 1, delete lines 13 through 15

AMENDMENT NO. 7

On page 2, delete lines 1 through 7

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

**SENATE BILL NO. 530—**  
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1445, relative to the Louisiana Assessors' Retirement Fund; to provide relative to the payment of employee contributions upon death of the member; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 530 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 14, after " or former member" insert " ,"

AMENDMENT NO. 2

On page 2, line 15, after "beneficiary" insert "," and change "none was" to "a beneficiary was not"

AMENDMENT NO. 3

On page 2, line 21, after "the board" insert "," and after "writing" insert ","

AMENDMENT NO. 4

On page 2, line 25, after "agree" insert "," and after "writing" insert ","

AMENDMENT NO. 5

On page 3, line 1, after "the board" insert "," and after "therefor" insert ","

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

**SENATE BILL NO. 531—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1421(B), relative to the Louisiana Assessors' Retirement Fund; to authorize members of the fund to retire with thirty years of service at any age; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 532—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(1), 1422(A), and 1481(2)(a), to enact R.S. 11:106, and to repeal R.S. 11:1422(B), relative to the Louisiana Assessors' Retirement Fund; to authorize an increase in the employer contribution rate; to increase the employee contribution rate; to provide relative to the accrual rate for the computation of normal retirement benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 532 by Senator Boissiere

AMENDMENT NO. 1

On page 3, line 5, after "the fiscal year" insert ","

AMENDMENT NO. 2

On page 3, line 7, after "normal costs" insert ","

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

**SENATE BILL NO. 569—**  
BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by Section 2 of Act No. 599 of the 1999 Regular Session, and to amend and reenact R.S. 56: 700.2(A)(4), relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

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

**SENATE BILL NO. 612—**  
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 51:293, relative to the Louisiana Stadium and Exposition District; to authorize the Board of Commissioners of the Louisiana Stadium and Exposition District to sell the naming rights of the Louisiana Superdome located in Orleans Parish; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the Louisiana Superdome; and to provide for related matters.

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

**SENATE BILL NO. 614—**  
BY SENATOR BAJOE

AN ACT

To enact R.S. 51:295.1, relative to the Louisiana Stadium and Exposition District; to authorize the Board of Commissioners of the Louisiana Stadium and Exposition District to sell the naming rights of the New Orleans Arena located in Orleans Parish; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the New Orleans Arena; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

**SENATE BILL NO. 627—**

BY SENATORS MICHOT, CHAISSON, HOLLIS, HOYT, SCHEDLER, SMITH, AND THOMAS, AND REPRESENTATIVES E. ALEXANDER, BRUCE, CAZAYOUX, CLARKSON, CRANE, CROWE, DAMICO, DANIELS, DIEZ, FLAVIN, FRITH, FUTRELL, HEATON, JOHNS, KENNARD, LANCASTER, LEBLANC, MORRELL, NEVERS, PERKINS, PIERRE, SCHWEGMANN, JANE SMITH, SNEED, STRAIN, WALSWORTH, AND WOOTEN

AN ACT

To amend and reenact R.S. 37:2170(A)(1), relative to contractors; to provide relative to exemptions to the residential building contractors licensing law; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 627 by Senator Michot

AMENDMENT NO. 1

On page 1, line 14, after "residence" delete the remainder of the line and insert "per year."

AMENDMENT NO. 2

On page 1, line 15, delete "period. The thirty-six month" and insert "The one year"

AMENDMENT NO. 3

On page 1, line 16, after "residence." insert the following:

**"However, an owner of property may build more than one personal residence in a one-year period if the construction of an additional residence occurs as a result of a change in the legal marital status of the owner or change in the employment status of the owner whereby the owner must relocate to another employment location, which is located in excess of fifty miles from his personal residence."**

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. 629—**

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

**AN ACT**

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

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

**SENATE BILL NO. 667—**

BY SENATOR MCPHERSON

**AN ACT**

To enact R.S. 33:3887.1, relative to sewerage districts; to authorize an increase in per diem payable to members of the sewerage district board in Rapides Parish; and to provide for related matters.

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

**SENATE BILL NO. 679—**

BY SENATOR HOLLIS

**AN ACT**

To enact R.S. 6:534, relative to interstate banking; to provide for legislative purpose; to provide for law applicable to certain interstate banking activities; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 679 by Senator Hollis

**AMENDMENT NO. 1**

On page 1, delete line 16, and on page 2, delete lines 1 through 3, and insert:

"B. Pursuant to the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 and R.S. 6:531 et seq., any multi-state bank with a branch in the state of Louisiana may provide any banking services, including but not limited to collection,"

**AMENDMENT NO. 2**

On page 2, line 5, after "services," insert "and state law"

**AMENDMENT NO. 3**

On page 2, line 12, after "Louisiana." delete the remainder of the line and delete lines 13 through 15

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. 680—**

BY SENATOR MCPHERSON

**AN ACT**

To authorize and empower the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 680 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, delete lines 13 thru 16

**AMENDMENT NO. 2**

On page 2, delete lines 1 thru 27

**AMENDMENT NO. 3**

On page 3, delete lines 1 thru 12, and insert in lieu thereof the following:

**"TRACT 1**

A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the southeast quarter of the northeast quarter of Section 26, Township 4 North, Range 4 West, Rapides Parish, Louisiana; being more particularly described as follows, to wit:

Commencing at the northwest corner of the northeast quarter of the southeast quarter of Section 26, Township 4 North, Range 4 West, said corner being marked with a concrete post; thence proceed South 89 degrees 45 minutes 00 seconds East, bearing assumed, a distance of 56.65 feet to a ½" iron rod marking the POINT OF BEGINNING of the tract to be described;

thence turn left and proceed North 00 degrees 58 minutes 58 seconds East, a distance of 255.41 feet to a ½" iron rod;

thence turn right and proceed North 04 degrees 48 minutes 54 seconds East, a distance of 40.00 feet to a ½" iron rod;

thence turn right and proceed North 89 degrees 02 minutes 52 seconds East, a distance of 142.87 feet to a ½" iron rod;

thence turn right and proceed South 00 degrees 15 minutes 43 seconds East, a distance of 298.27 feet to a ½" iron rod;

thence turn right and proceed North 89 degrees 45 minutes 00 seconds West, a distance of 151.95 feet to the POINT OF BEGINNING.

The above described tract contains 1.01 acres, more or less, and is more particularly indicated as Tract "1" on Certificate of Survey by William J. Wood, Jr., dated October 5, 2000.

**TRACT 2**

A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in the southeast quarter of the northeast quarter of Section 26, Township 4 North, Range 4 West, Rapides Parish, Louisiana; being more particularly described as follows, to wit:

Commencing at the northwest corner of the northeast quarter of the southeast quarter of Section 26, Township 4 North, Range 4 West, said corner being marked with a concrete post; thence proceed South 89 degrees 45 minutes 00 seconds East, bearing assumed, a distance of 208.60 feet to ½" iron rod marking the POINT OF BEGINNING of the tract to be described;

thence continue South 89 degrees 45 minutes 00 seconds East, a distance of 86.00 feet to a ½" iron rod;

thence turn right and proceed South 00 degrees 17 minutes 22 seconds East, a distance of 308.38 feet to a ½" iron rod;

thence turn right and proceed North 89 degrees 45 minutes 00 seconds West, a distance of 253.21 feet of ½" iron rod located on the apparent eastern right of way line of Miller Road;

thence turn right and proceed North 04 degrees 02 minutes 58 seconds East, along said apparent right of way line, a distance of 100.00 feet to a ½" iron rod;

thence turn right and proceed South 89 degrees 45 minutes 00 seconds East, a distance of 159.65 feet to a ½" iron rod;



thence turn left and proceed North 00 degrees 17 minutes 22 seconds West, a distance of 208.60 feet to the POINT OF BEGINNING.

The above described tract contains 0.983 acres, more or less, and is more particularly indicated as Tract 2 on Certificate of Survey by William J. Wood, Jr., dated October 5, 2000."

AMENDMENT NO. 4

On page 3, delete lines 18 thru 27

AMENDMENT NO. 5

On page 4, delete lines 1 thru 27

AMENDMENT NO. 6

On page 5, delete lines 1 thru 27

AMENDMENT NO. 7

On page 6, delete line 1, and insert in lieu thereof the following:

"A certain piece, parcel or lot of ground together with all improvements thereon, rights, ways and privileges thereunto belonging or in any way appertaining, being, lying and situated in Lots 1 and 2, Dogwood Acres, located in the northeast quarter of the northeast quarter of Section 26, Township 4 North, Range 4 West, Rapides Parish, Louisiana; being more particularly described as follows, to wit:

Commencing at a concrete post marking the southeast corner of the northeast quarter of the northeast quarter of Section 26, Township 4 North, Range 4 West; said point also being the POINT OF BEGINNING of the tract to be described;

thence proceed North 89 degrees 42 minutes 30 seconds West, bearing assumed, along the southern line of Lot 1, Dogwood Acres, a distance of 734.48 feet to a ½ " iron rod;

thence turn right and proceed North 35 degrees 14 minutes 45 seconds West, along the eastern right of way line of Hoyt Road, a distance of 130.27 feet to a ½ " iron rod;

thence turn left and proceed North 41 degrees 07 minutes 25 seconds West, along said right of way line, a distance of 20.00 feet to a ½ " iron rod;

thence turn right and proceed North 41 degrees 07 minutes 24 seconds West, along said right of way line, a distance of 96.69 feet to a ½ " iron rod;

thence turn right and proceed North 69 degrees 20 minutes 58 seconds East, a distance of 286.81 feet to a ½ " iron rod;

thence turn right and proceed South 00 degrees 20 minutes 03 seconds West, a distance of 236.03 feet to a ½ " iron rod;

thence turn left and proceed South 89 degrees 42 minutes 30 seconds East, a distance of 619.74 feet to a ½ " iron rod;

thence turn right and proceed South 00 degrees 20 minutes 00 seconds West, along the eastern line of Lot 1, Dogwood Acres, a distance of 60.00 feet to the POINT OF BEGINNING.

The above described tract contains 2.00 acres, more or less, and is more particularly indicated on Certificate of Survey by William J. Wood, Jr., dated October 6, 2000.

The above property containing approximately two acres, more or less, may only be transferred subject to all mineral rights being reserved in the transaction."

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

**SENATE BILL NO. 690—**

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 17:3091(A), 3092(1), (3), (5), (6), (7), (8) and (9), 3093(D)(1)(f), (g) and (h), 3095(A)(1), (3), (4), and (5) and (C), 3096(A), (B)(1), the introductory paragraph of (B)(2), (C), (D), (E), (F) and (G), 3098(A)(1), the introductory paragraph of (A)(2), (B)(2) and (C), 3099(A), (F) and (H), and 3099.I, and R.S. 47:293(6)(a)(vi), to enact R.S. 17:3092(11) and (12), and to repeal R.S. 17:3097, relative to the Louisiana Student Tuition

Assistance and Revenue Trust Program; to provide for definitions; to provide for administration of the program; to provide for consolidation of accounts into a single account class; to expand participation; to provide relative to calculation and payment of tuition assistance grants; to provide for program incentives; to provide relative to expenditures for qualified higher education expenses; authorizes the Louisiana Tuition Trust Authority to offer education savings accounts with alternative investment options; to clarify state tax laws relating to the taxation of account deposits; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 690 by Senator Hoyt

AMENDMENT NO. 1

On page 11, line 6, change "legal guardian" to "court-ordered custodian"

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

**SENATE BILL NO. 704—**

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 51:911.21, 911.22, 911.23, 911.24(A)(1), (2), (3), (5), (6), the introductory paragraph of R.S. 51:911.24(B), 911.24(B)(5), (C), the introductory paragraph of R.S. 51:911.24(D), (D)(3), E, the introductory paragraph of R.S. 51:911.24(F), (F)(3), (G), and (H), 911.24.1, 911.25(A) and (B), the introductory paragraph of R.S. 51:911.28(A), (A)(3), (4), (8), (B), (C), 911.29, 911.30, 911.32(A), (B), (D), and (E), 911.33, 911.34(A) and (C), 911.35, 911.36, 911.38, 911.39(A), 911.42, 911.43, 911.44, 911.46, 912.21, the introductory paragraph of R.S. 51:912.22, 912.22(2), (3), (5), 912.23(1)(a) and (h), the introductory paragraph of R.S. 51:912.24, 912.24(2)(g), (4)(b) and (e), the introductory paragraph of R.S. 51:912.25, 912.26, 912.27, 912.28(A), and 912.29 and the Title to Part XIV-B of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, and to enact R.S. 51:911.26 and 912.30, and to repeal R.S. 51:911.27 and 911.37, all relative to manufactured homes and mobile homes; to provide for definitions; to create the Louisiana Manufactured Housing Commission and provide for its powers and duties; to provide for standards and codes applicable to manufactured housing; to provide for standards for installation of manufactured housing; to provide for enforcement of standards and codes; to provide for warranties; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 704 by Senator Fontenot

AMENDMENT NO. 1

On page 5, line 25, delete "only"

AMENDMENT NO. 2

On page 5, line 27, after "Development" insert "or to factory-built, residential dwellings that are mounted on a chassis"

AMENDMENT NO. 3

On page 15, line 11 delete "retailer or"

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## 8th DAY'S PROCEEDINGS

### AMENDMENT NO. 4

On page 16, line 14, after "governor" insert: ", one of whom shall be an individual residing during the term of his appointment in a manufactured home"

### AMENDMENT NO. 5

On page 18, line 22 after "retailers," insert "developers,"

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. 760—**

BY SENATOR MICHOT

#### AN ACT

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

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

### **SENATE BILL NO. 833—**

BY SENATOR HOYT

#### AN ACT

To amend and reenact R.S. 11:2258(B)(1), relative to the Firefighters' Retirement System; to provide with respect to disability retirement benefits, including but not limited to the conversion of regular retirement benefits to disability benefits, the standard of evidence used to demonstrate a disability, and the required actuarial neutrality of the transaction; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 833 by Senator Hoyt

### AMENDMENT NO. 1

On page 3, line 2 delete "under R.S. 33:2581" and insert "by law"

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

### **SENATE BILL NO. 877—**

BY SENATOR CAMPBELL

#### AN ACT

To amend and reenact R.S. 39:252(A), (B), (C) and (D), 253, 254, 255, 256 and 257 and to enact R.S. 39:252(E) and (F), relative to energy management; to provide for purpose of the energy management policy; to provide for development and coordination of policy; to provide for implementation of recommendations; to provide for funding; to provide for capital investments; to provide for compliance with reporting requirements; and to provide for related matters.

Reported with amendments by the Committee on Finance.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 877 by Senator Campbell.

### AMENDMENT NO. 1

On page 7, line 7, after "retain" and before "half" insert the following:

"all of the utility expenditure savings until payout of the investment costs of implementing the ECSMS, and thereafter"

### AMENDMENT NO. 2

On page 7, line 7, after "the" and before "savings" insert "utility expenditure"

### AMENDMENT NO. 3

On page 8, line 3, change "House Committee on Appropriations" to "Joint Legislative Committee on the Budget"

### AMENDMENT NO. 4

On page 8, line 7, change "Budget" to "Finance"

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

### **SENATE BILL NO. 930—**

BY SENATOR CRAVINS

#### AN ACT

To amend and reenact R.S. 40:1498(E), relative to fire protection districts; to continue with the applicability of such authority in certain parishes; and to provide for related matters.

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

### **Recess**

On motion of Senator Lambert, the Senate took a recess until 3:00 o'clock P.M.

### **After Recess**

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

### **ROLL CALL**

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

#### PRESENT

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

#### ABSENT

Tarver  
Total—1

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

### **Senate Business Resumed**

**Motion**

Senator Lambert moved that the Senate proceed to the House of Representatives to meet in Joint Session.

**Joint Session of the Legislature**

The joint session of the legislature was called to order at 3:00 P.M. by the Honorable John J. Hainkel, Jr., President of the Senate.

On motion of Sen. Lambert, the calling of the roll on the part of the Senate was dispensed with.

On motion of Rep. Bruneau, the calling of the roll on the part of the House was dispensed with.

The President of the Senate introduced the Honorable Pascal Calogero, Jr., Chief Justice of the Louisiana Supreme Court, who addressed the joint session of the legislature.

On motion of Sen. Lambert, the Senate retired to its own chamber.

**After Joint Session****ROLL CALL**

The Senate was called to order by the President of the Senate with the following Senators present:

**PRESENT**

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

**ABSENT**

Tarver  
Total—1

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

**Senate Business Resumed  
After Joint Session****Messages from the House**

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

**Message from the House****CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 10, 2001

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 56—**

BY SENATOR LAMBERT

**A CONCURRENT RESOLUTION**

To invite Chief Justice Pascal Calogero of the Louisiana Supreme Court to address a joint session of the legislature.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR CAMPBELL

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Forestry Commission to change the color of paint used to post private property from grey to purple.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Rules Suspended**

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

**Introduction of Senate Bills  
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 994—**

BY SENATOR LAMBERT (BY REQUEST)

**AN ACT**

To amend and reenact Code of Civil Procedure Article 10(A)(1), and Children's Code Articles 1109, 1117, and 1122(B)(9), (F)(4) and (F)(5) [Mother's and Father's Surrender Form], relative to adoption proceedings; to provide relative to jurisdiction overt status, domiciliary requirements; to require that surrendering parent or a prospective adoptive parent be domiciled in this state for no less than eight months, if the child is born in this state; to require a declaration in the act of surrender that a surrendering parent or prospective adoptive parent has been domiciled in this state for no less than eight months; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House****ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 10, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 604—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To amend and reenact R.S. 14:41(A) and (B), 42(A)(introductory paragraph), 42.1(A)(introductory paragraph), 43(A)(introductory paragraph), and 107.2(A) and Code of Criminal Procedure Article 571.1, to enact R.S. 14:41(C), and to repeal R.S. 14:2(13)(n) and (o), 43.3, and 43.4 and Children's Code Articles 305(B)(2)(i) and 857(A)(7), relative to offenses against the person; to include oral sexual intercourse within the definition of rape; to provide for a definition of oral sexual intercourse; to repeal oral sexual battery; to repeal aggravated oral sexual battery; to delete references to oral sexual battery and aggravated oral sexual battery from other provisions of law; and to provide for related matters.

**HOUSE BILL NO. 427—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To authorize and provide for the state, through the division of administration to transfer certain tracts of land situated in Caddo Parish to respective lessees; to provide certain terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 14:73.7, relative to computer-related crime; to create the crime of computer tampering; to provide penalties; and to provide for related matters.

**HOUSE BILL NO. 1083—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
(On Recommendation of the Louisiana State Law Institute)  
AN ACT

To amend and reenact R.S. 9:2082, 2086, 2087, 2090, 2127, and 2142, to authorize and direct the Louisiana State Law Institute to redesignate Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Subpart F and to enact a new Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 9:2158 through 2163, and to repeal R.S. 9:2116, relative to the Louisiana Trust Code, to provide for a duty of impartiality in the administration of a trust; to provide for self-dealing by a corporate trustee; to provide for delegating performance; to provide for prudent administration; to provide for the standard of care in investing and management; to provide for income and principal; to provide for remedies when a trustee has abused his discretion; to provide for effective dates and transitional provisions; and to provide for related matters.

**HOUSE BILL NO. 1274—**

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, AND SCALISE AND SENATORS HOLLIS, HAINKEL, DARDENNE, ELLINGTON, AND MICHOT  
AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4) and 318(B)(1) and (D) and to repeal R.S. 47:318(B)(2)(c) and (C), relative to economic development; to provide relative to compensation for dealers and manufacturers remitting certain taxes; to provide relative to the rate of compensation; to provide for the funding of certain programs; to repeal provisions relative to the deposit of certain monies into the Workforce Development and Training Fund; to provide relative to the effectiveness of certain provisions; and to provide for related matters.

**HOUSE BILL NO. 1448—**

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, AND SCALISE AND SENATORS DARDENNE, HAINKEL, HOLLIS, ELLINGTON, AND MICHOT  
AN ACT

To amend and reenact R.S. 4:61(A), 143(2) and (3), 144(A), 161(B), and 161.2(B), R.S. 6:101(A) and 966(J)(4)(f), R.S. 8:61(A), R.S. 9:3574.2(4), R.S. 15:587(A)(1)(a), R.S. 25:900(C)(1), R.S. 27:323(B)(introductory paragraph), R.S. 30:2308(4), R.S. 32:772(A)(1) and 1253(A)(introductory paragraph), R.S. 34:3405(B), R.S. 36:101(C)(1), 107(A), 801(introductory paragraph), 801.1(A), 802(introductory paragraph), 803(A), and 921(A), R.S. 37:74(A), 142, 493(A)(1), 1432(A), 1474(A), 1782(1), 2151(A)(introductory paragraph), 2303(A)(1), 2551(A), 2835(A)(1), 3103(A)(6), 3111(A), 3173(A)(1) and 3394(A), R.S. 44:5, R.S. 46:231.12(A)(6) and 1443(A)(introductory paragraph), R.S. 48:1403, R.S. 49:191(13), 229.1(B)(1), and 968(B)(1) and (21)(a), and R.S. 51:703(G)(introductory paragraph), 1923(3) and (7), 1924(G), 2377(A), 2379(A)(3), 2383(B)(3), 2388(5) and 2402(A), to enact R.S. 36:4.1 and 209(R), and to repeal R.S. 12:492(E), R.S. 36:108(C), 109(B), (C), (E), (G)(2) and (3), (I)(2), (K), (L), and (S), R.S. 40:2745(B)(9), R.S. 46:1443(A)(11) and Part VII of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:981 through 984, relative to economic development; to transfer certain boards, commissions, and offices out of the Department of Economic Development; to provide for changes to various occupational and licensing boards; to provide relative to the Louisiana State Racing Commission; to provide relative to the commissioner of financial institutions and to create the Office of Financial Institutions as a state agency within the office of the governor; to provide relative to criminal records; to provide for arts programs; to provide relative to certain funds; to provide relative to resource recovery; to provide relative to certain projects; to provide for public records; to provide relative to the secretary of the Department of Economic Development's place on certain boards; to provide for the termination of certain agencies; to provide relative to the promulgation of rules and submission of a budget; to provide relative to capital companies; to provide relative to the Louisiana Economic Development Council; to provide relative to business and industrial development corporations; to abolish certain agencies; and to provide for related matters.

**HOUSE BILL NO. 1666—**

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, SCALISE, E. ALEXANDER, BROOME, BRUCE, CROWE, DOERGE, FLAVIN, FRITH, LAFLEUR, NEVERS, SCHWEGMANN, GARY SMITH, AND SNEED AND SENATORS DARDENNE, HAINKEL, HOLLIS, ELLINGTON, AND MICHOT  
AN ACT

To amend and reenact R.S. 6:101(A) and 966(J)(4)(f), R.S. 9:3574.2(4), R.S. 36:101(C)(1), 107(A), 108, and 201(C)(1), R.S. 37:1782(1), R.S. 44:5, R.S. 47:1123(2) and (9), 1125, and 4313(B)(1), R.S. 49:191(13) and 968(B)(1) and (21)(a), and R.S. 51:1786(4), 1923(3) and (7), 2302(7), (8), (9), and (10), 2311(A)(1) and (E), 2312(A)(introductory paragraph), (5), (6), and (7), 2316, 2319, 2332(2) and (3), 2333, 2335(B), 2336(2), 2337, 2341(A), (B), (C), (D), and (F), and 2388(5), to enact R.S. 36:4.1, 101(C)(3) and 109(D)(2), (3), and (4) and R.S. 51:938.1, 938.2, Part II of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:941 through 945, R.S. 51:2302(11) and (12), 2311(A)(2)(j), (k), and (l), and 2312(A)(8), (9), and (10), and to repeal Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 317, R.S. 36:109(B)(3), (H), and (R), 208(G), 209(S), and 917, and Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1751 through 1766, Chapter 32 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2131 through 2134, Chapter 33 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2141, and R.S. 51:2323, 2332(6), 2334, 2341(E), and 2342, relative to economic development; to modify the structure of the Department of Economic Development; to provide for the creation

of the Office of Financial Institutions as a state agency and its placement in the office of the governor and the repeal of the transfer of the commissioner of securities to the Department of Economic Development; to provide relative to the offices of the department and their duties; to provide relative to the assistant secretaries; to provide relative to the offices of the Department of Culture, Recreation and Tourism; to provide relative to public records, termination of agencies, and review of agency rules; to provide for definitions; to provide for tax incentives for motion picture production companies; to provide relative to tax exemptions; to repeal provisions relative to the Louisiana Music Commission and to provide for its re-creation, composition, and duties; to repeal provisions relative to the office of film and video and the Louisiana Film and Video Commission and to provide for the re-creation of the commission, its composition, and its duties; to repeal provisions relative to the division of small and emerging business development and create the Small and Emerging Business Development Program in the Department of Economic Development; to provide for the functions of the program; to repeal the provisions relative to the Small and Emerging Business Development Advisory Council and to provide for its re-creation, composition, and duties; to provide relative to the findings relative to and purposes of the Louisiana Economic Development Corporation; to increase the number of members on the corporation board; to add additional powers and duties for the corporation; to provide relative to the staff of the corporation; to provide for a quarterly report of the corporation; to provide relative to the Louisiana Small Business Incubator Program; to provide for the issuance of loans and guarantees; to provide relative to the Workforce Development and Training Program; to provide for the administration of the program; to provide relative to the Economic Development Award Program; to provide for the administration of the program; to repeal the Small Business Incubator Fund, the Workforce Development and Training Fund, the Economic Diversification Marketing Fund, and the Economic Development Award Fund; and to provide for related matters.

**HOUSE BILL NO. 1039—**

BY REPRESENTATIVES LEBLANC AND DEWITT  
AN ACT

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

**HOUSE BILL NO. 1091—**

BY REPRESENTATIVE BOWLER  
AN ACT

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

**HOUSE BILL NO. 1139—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

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

**HOUSE BILL NO. 1242—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 15:574.5(B)(1) and (E) and to enact R.S. 15:574.5(F), relative to intensive incarceration and parole supervision of persons held by sheriffs in eligible parishes; to amend the duration of the intensive incarceration; to define "eligible parish"; to provide for reimbursement of not more than three additional dollars for participation in the intensive incarceration program; and to provide for related matters.

**HOUSE BILL NO. 1284—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN  
AN ACT

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

**HOUSE BILL NO. 1297—**

BY REPRESENTATIVE DURAND  
AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by the St. Martin Land Company; and to provide for related matters.

**HOUSE BILL NO. 1366—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To authorize and provide for the state to sell and transfer certain property situated in Orleans Parish to a nonprofit corporation; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1513—**

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

To amend and reenact R.S. 37:1261, 1262(1) and (2), 1266, 1268, 1270(A)(1) and (B)(4), 1271, 1272(5), 1275(A), 1275.1(A), (B)(introductory paragraph) and (4), 1276, 1278, 1280, 1283, 1284, 1285(A)(2), (25), (26), and (29), and 1286(A) and to repeal R.S. 37:1273 and 1285.1, relative to the practice of medicine; to recognize equal professional status and privileges of allopathic and osteopathic physicians; to delete specific references to osteopaths; to provide for meetings and compensation for members of the Louisiana State Board of Medical Examiners; to provide for powers of the board; to delete reference to a specific medical examination and recognize and provide for acceptance of national medical examinations for licensure and permits to practice medicine; to delete reference to a specific date for renewal of medical licensure; to delete exemptions from jury and military services superseded by law; to repeal the requirement for board maintenance of examinations and reference to Laetrite; and to provide for related matters.

**HOUSE BILL NO. 1324—**

BY REPRESENTATIVE ERDEY  
AN ACT

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

**HOUSE BILL NO. 1328—**

BY REPRESENTATIVE ERDEY  
AN ACT

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

**HOUSE BILL NO. 1630—**

BY REPRESENTATIVE ERDEY  
AN ACT

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

**HOUSE BILL NO. 1697—**

BY REPRESENTATIVES ERDEY  
AN ACT

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

payment of license taxes by insurers; and to provide for related matters.

**HOUSE BILL NO. 1754—**

BY REPRESENTATIVE ERDEY

AN ACT

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

**HOUSE BILL NO. 160—**

BY REPRESENTATIVES DANIEL AND FAUCHEUX

AN ACT

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

**HOUSE BILL NO. 174—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 46:1053(B)(4), relative to Iberia Parish Hospital Service District No. 1; to provide relative to the terms of office of members of the board of commissioners of the district; and to provide for related matters.

**HOUSE BILL NO. 217—**

BY REPRESENTATIVE BROOME

AN ACT

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

**HOUSE BILL NO. 274—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 13:46(B) and 47, relative to reports of the Judicial Compensation Commission; to authorize the legislature to adopt a concurrent resolution recommending judicial salaries at regular sessions convening in an odd-numbered year and at extraordinary sessions of the legislature; to clarify the effective date of the salaries recommended in the report; and to provide for related matters.

**HOUSE BILL NO. 296—**

BY REPRESENTATIVE CLARKSON

AN ACT

To enact R.S. 13:2158(D), relative to the constables of the first and second city courts of New Orleans; to authorize the constables to collect an additional fee in civil matters; and to provide for related matters.

**HOUSE BILL NO. 441—**

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 15:255(G), relative to the special funds in each of the parishes in the Twenty-First Judicial District which are used for the payment of witness fees to off-duty law enforcement officers; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

**HOUSE BILL NO. 684—**

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 13:1000.6, relative to the Twelfth Judicial District Court; to provide for the assessment of additional costs in criminal matters for the support of court-appointed special advocate (CASA) programs; to prohibit the assessment of the additional fees under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 954—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

**HOUSE BILL NO. 956—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 160—**

BY REPRESENTATIVES DANIEL AND FAUCHEUX

AN ACT

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

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

**HOUSE BILL NO. 174—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 46:1053(B)(4), relative to Iberia Parish Hospital Service District No. 1; to provide relative to the terms of office of members of the board of commissioners of the district; and to provide for related matters.

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

**HOUSE BILL NO. 217—**

BY REPRESENTATIVE BROOME

AN ACT

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

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

**HOUSE BILL NO. 274—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 13:46(B) and 47, relative to reports of the Judicial Compensation Commission; to authorize the legislature to adopt a concurrent resolution recommending judicial salaries at regular sessions convening in an odd-numbered year and at extraordinary sessions of the legislature; to clarify the effective date of the salaries recommended in the report; and to provide for related matters.

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

**HOUSE BILL NO. 296—**  
BY REPRESENTATIVE CLARKSON  
AN ACT

To enact R.S. 13:2158(D), relative to the constables of the first and second city courts of New Orleans; to authorize the constables to collect an additional fee in civil matters; and to provide for related matters.

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

**HOUSE BILL NO. 427—**  
BY REPRESENTATIVE HOPKINS  
AN ACT

To authorize and provide for the state, through the division of administration to transfer certain tracts of land situated in Caddo Parish to respective lessees; to provide certain terms and conditions; and to provide for related matters.

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

**HOUSE BILL NO. 441—**  
BY REPRESENTATIVE POWELL  
AN ACT

To enact R.S. 15:255(G), relative to the special funds in each of the parishes in the Twenty-First Judicial District which are used for the payment of witness fees to off-duty law enforcement officers; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; 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. 604—**  
BY REPRESENTATIVE DEVILLIER  
AN ACT

To amend and reenact R.S. 14:41(A) and (B), 42(A)(introductory paragraph), 42.1(A)(introductory paragraph), 43(A)(introductory paragraph), and 107.2(A) and Code of Criminal Procedure Article 571.1, to enact R.S. 14:41(C), and to repeal R.S. 14:2(13)(n) and (o), 43.3, and 43.4 and Children's Code Articles 305(B)(2)(i) and 857(A)(7), relative to offenses against the person; to include oral sexual intercourse within the definition of rape; to provide for a definition of oral sexual intercourse; to repeal oral sexual battery; to repeal aggravated oral sexual battery; to delete references to oral sexual battery and aggravated oral sexual battery from other provisions of law; and to provide for related matters.

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

**HOUSE BILL NO. 669—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 14:73.7, relative to computer-related crime; to create the crime of computer tampering; to provide penalties; 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. 684—**  
BY REPRESENTATIVE RIDDLE  
AN ACT

To enact R.S. 13:1000.6, relative to the Twelfth Judicial District Court; to provide for the assessment of additional costs in criminal matters for the support of court-appointed special advocate (CASA) programs; to prohibit the assessment of the additional fees under certain 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 A.

**HOUSE BILL NO. 954—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

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

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

**HOUSE BILL NO. 956—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

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

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

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

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

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

**HOUSE BILL NO. 1083—**  
BY REPRESENTATIVES MCMAINS AND ANSARDI  
(On Recommendation of the Louisiana State Law Institute)  
AN ACT

To amend and reenact R.S. 9:2082, 2086, 2087, 2090, 2127, and 2142, to authorize and direct the Louisiana State Law Institute to redesignate Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Subpart F and to enact a new Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 9:2158 through 2163, and to repeal R.S. 9:2116, relative to the Louisiana Trust Code, to provide for a duty of impartiality in the administration of a trust; to provide for self-dealing by a corporate trustee; to provide for delegating performance; to provide for prudent administration; to provide for the standard of care in investing and management; to provide for income and principal; to provide for remedies when

a trustee has abused his discretion; to provide for effective dates and transitional provisions; 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. 1091—**

BY REPRESENTATIVE BOWLER

AN ACT

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

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

**HOUSE BILL NO. 1139—**

BY REPRESENTATIVE JACK SMITH

AN ACT

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

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

**HOUSE BILL NO. 1242—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 15:574.5(B)(1) and (E) and to enact R.S. 15:574.5(F), relative to intensive incarceration and parole supervision of persons held by sheriffs in eligible parishes; to amend the duration of the intensive incarceration; to define "eligible parish"; to provide for reimbursement of not more than three additional dollars for participation in the intensive incarceration program; and to provide for related matters.

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

**HOUSE BILL NO. 1274—**

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, AND SCALISE AND SENATORS HOLLIS, HAINKEL, DARDENNE, ELLINGTON, AND MICHOT

AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4) and 318(B)(1) and (D) and to repeal R.S. 47:318(B)(2)(c) and (C), relative to economic development; to provide relative to compensation for dealers and manufacturers remitting certain taxes; to provide relative to the rate of compensation; to provide for the funding of certain programs; to repeal provisions relative to the deposit of certain monies into the Workforce Development and Training Fund; to provide relative to the effectiveness of certain provisions; and to provide for related matters.

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

**HOUSE BILL NO. 1284—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

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

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

**HOUSE BILL NO. 1297—**

BY REPRESENTATIVE DURAND

AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by the St. Martin Land Company; 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. 1324—**

BY REPRESENTATIVE ERDEY

AN ACT

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

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

**HOUSE BILL NO. 1328—**

BY REPRESENTATIVE ERDEY

AN ACT

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

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

**HOUSE BILL NO. 1366—**

BY REPRESENTATIVE LANDRIEU

AN ACT

To authorize and provide for the state to sell and transfer certain property situated in Orleans Parish to a nonprofit corporation; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1448—**

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, AND SCALISE AND SENATORS DARDENNE, HAINKEL, HOLLIS, ELLINGTON, AND MICHOT

AN ACT

To amend and reenact R.S. 4:61(A), 143(2) and (3), 144(A), 161(B), and 161.2(B), R.S. 6:101(A) and 966(J)(4)(f), R.S. 8:61(A), R.S. 9:3574.2(4), R.S. 15:587(A)(1)(a), R.S. 25:900(C)(1), R.S. 27:323(B)(introductory paragraph), R.S. 30:2308(4), R.S. 32:772(A)(1) and 1253(A)(introductory paragraph), R.S. 34:3405(B), R.S. 36:101(C)(1), 107(A), 801(introductory paragraph), 801.1(A), 802(introductory paragraph), 803(A), and 921(A), R.S. 37:74(A), 142, 493(A)(1), 1432(A), 1474(A), 1782(1), 2151(A)(introductory paragraph), 2303(A)(1), 2551(A), 2835(A)(1), 3103(A)(6), 3111(A), 3173(A)(1) and 3394(A), R.S. 44:5, R.S. 46:231.12(A)(6) and 1443(A)(introductory paragraph), R.S. 48:1403, R.S. 49:191(13), 229.1(B)(1), and 968(B)(1) and (21)(a), and R.S. 51:703(G)(introductory paragraph), 1923(3) and (7), 1924(G), 2377(A), 2379(A)(3), 2383(B)(3), 2388(5) and 2402(A), to enact R.S. 36:4.1 and 209(R), and to repeal R.S. 12:492(E), R.S. 36:108(C), 109(B), (C), (E), (G)(2) and (3), (I)(2), (K), (L), and (S), R.S. 40:2745(B)(9), R.S. 46:1443(A)(11) and Part VII of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:981 through 984, relative to economic development; to transfer certain boards, commissions, and offices out of the Department of Economic Development; to provide for changes to various occupational and licensing boards; to provide relative to the Louisiana State Racing Commission; to provide relative to the commissioner of financial institutions and to create the Office of Financial Institutions as a state agency within the office of the governor; to provide relative to criminal records; to provide for arts programs; to provide relative to certain funds; to provide relative to resource recovery; to provide relative to certain



projects; to provide for public records; to provide relative to the secretary of the Department of Economic Development's place on certain boards; to provide for the termination of certain agencies; to provide relative to the promulgation of rules and submission of a budget; to provide relative to capital companies; to provide relative to the Louisiana Economic Development Council; to provide relative to business and industrial development corporations; to abolish certain agencies; and to provide for related matters.

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

#### HOUSE BILL NO. 1513—

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

To amend and reenact R.S. 37:1261, 1262(1) and (2), 1266, 1268, 1270(A)(1) and (B)(4), 1271, 1272(5), 1275(A), 1275.1(A), (B)(introductory paragraph) and (4), 1276, 1278, 1280, 1283, 1284, 1285(A)(2), (25), (26), and (29), and 1286(A) and to repeal R.S. 37:1273 and 1285.1, relative to the practice of medicine; to recognize equal professional status and privileges of allopathic and osteopathic physicians; to delete specific references to osteopaths; to provide for meetings and compensation for members of the Louisiana State Board of Medical Examiners; to provide for powers of the board; to delete reference to a specific medical examination and recognize and provide for acceptance of national medical examinations for licensure and permits to practice medicine; to delete reference to a specific date for renewal of medical licensure; to delete exemptions from jury and military services superseded by law; to repeal the requirement for board maintenance of examinations and reference to Laetrile; 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. 1630—

BY REPRESENTATIVE ERDEY  
AN ACT

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

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

#### HOUSE BILL NO. 1666—

BY REPRESENTATIVES PINAC, DEWITT, MCMAINS, LEBLANC, K. CARTER, M. JACKSON, SCALISE, E. ALEXANDER, BROOME, BRUCE, CROWE, DOERGE, FLAVIN, FRITH, LAFLEUR, NEVERS, SCHWEGMANN, GARY SMITH, AND SNEED AND SENATORS DARDENNE, HAINKEL, HOLLIS, ELLINGTON, AND MICHOT  
AN ACT

To amend and reenact R.S. 6:101(A) and 966(J)(4)(f), R.S. 9:3574.2(4), R.S. 36:101(C)(1), 107(A), 108, and 201(C)(1), R.S. 37:1782(1), R.S. 44:5, R.S. 47:1123(2) and (9), 1125, and 4313(B)(1), R.S. 49:191(13) and 968(B)(1) and (21)(a), and R.S. 51:1786(4), 1923(3) and (7), 2302(7), (8), (9), and (10), 2311(A)(1) and (E), 2312(A)(introductory paragraph), (5), (6), and (7), 2316, 2319, 2332(2) and (3), 2333, 2335(B), 2336(2), 2337, 2341(A), (B), (C), (D), and (F), and 2388(5), to enact R.S. 36:4.1, 101(C)(3) and 109(D)(2), (3), and (4) and R.S. 51:938.1, 938.2, Part II of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:941 through 945, R.S. 51:2302(11) and (12), 2311(A)(2)(j), (k), and (l), and 2312(A)(8), (9), and (10), and to repeal Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 317, R.S. 36:109(B)(3), (H), and (R), 208(G), 209(S), and 917, and Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1751 through 1766, Chapter 32 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2131 through 2134, Chapter 33 of Title 51

of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2141, and R.S. 51:2323, 2332(6), 2334, 2341(E), and 2342, relative to economic development; to modify the structure of the Department of Economic Development; to provide for the creation of the Office of Financial Institutions as a state agency and its placement in the office of the governor and the repeal of the transfer of the commissioner of securities to the Department of Economic Development; to provide relative to the offices of the department and their duties; to provide relative to the assistant secretaries; to provide relative to the offices of the Department of Culture, Recreation and Tourism; to provide relative to public records, termination of agencies, and review of agency rules; to provide for definitions; to provide for tax incentives for motion picture production companies; to provide relative to tax exemptions; to repeal provisions relative to the Louisiana Music Commission and to provide for its re-creation, composition, and duties; to repeal provisions relative to the office of film and video and the Louisiana Film and Video Commission and to provide for the re-creation of the commission, its composition, and its duties; to repeal provisions relative to the division of small and emerging business development and create the Small and Emerging Business Development Program in the Department of Economic Development; to provide for the functions of the program; to repeal the provisions relative to the Small and Emerging Business Development Advisory Council and to provide for its re-creation, composition, and duties; to provide relative to the findings relative to and purposes of the Louisiana Economic Development Corporation; to increase the number of members on the corporation board; to add additional powers and duties for the corporation; to provide relative to the staff of the corporation; to provide for a quarterly report of the corporation; to provide relative to the Louisiana Small Business Incubator Program; to provide for the issuance of loans and guarantees; to provide relative to the Workforce Development and Training Program; to provide for the administration of the program; to provide relative to the Economic Development Award Program; to provide for the administration of the program; to repeal the Small Business Incubator Fund, the Workforce Development and Training Fund, the Economic Diversification Marketing Fund, and the Economic Development Award Fund; and to provide for related matters.

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

#### HOUSE BILL NO. 1697—

BY REPRESENTATIVES ERDEY  
AN ACT

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

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

#### HOUSE BILL NO. 1754—

BY REPRESENTATIVE ERDEY  
AN ACT

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

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

### Messages from the House

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 10, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 14—  
BY REPRESENTATIVE CLARKSON**

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on child support guidelines and family law.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 14—  
BY REPRESENTATIVE CLARKSON**

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on child support guidelines and family law.

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

**Rules Suspended**

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

**House Concurrent Resolutions  
on Second Reading**

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

**HOUSE CONCURRENT RESOLUTION NO. 63—  
BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE**  
**A CONCURRENT RESOLUTION**

To commend ExxonMobil for its recent one million dollar contribution to the Louisiana Arts and Science Center (LASC) for the new space theater in Baton Rouge as an expansion of current LASC programs.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields, C	Lambert
Bajoie	Fields, W	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Hollis	Michot
Chaisson	Hoyt	Mount
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—33		

**NAYS**

Cravins  
Total—1

**ABSENT**

Campbell	Romero	Tarver
Fontenot	Schedler	
Total—5		

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

**Rules Suspended**

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

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

April 10, 2001

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 9—  
BY SENATOR THEUNISSEN**

**A CONCURRENT RESOLUTION**

To memorialize Congress to recognize our active duty military personnel as a special class of drivers, and take necessary and appropriate action to reduce motor vehicle insurance rates for those personnel throughout the country.

Reported favorably.

**SENATE BILL NO. 211—  
BY SENATOR IRONS**

**AN ACT**

To enact R.S. 22:215.22, relative to health insurance; to require certain health insurance policies, contracts, and plans which provide coverage for prescription drugs to cover certain medically

prescribed contraceptives and contraceptive services; to provide relative to copayments or coinsurances; to provide for exclusions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 740—**  
BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 22:36, relative to domestic incorporated insurers; repeals the requirement for temporary bonds to be posted by original incorporators of insurance companies prior to issuance of certificates of authority by the Department of Insurance; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 964—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 22:1406.1, relative to fire and homeowners insurance; to create the Fair Access to Insurance Requirements Plan; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**REPORT OF COMMITTEE ON**

**AGRICULTURE**

Senator Smith, Chairman on behalf of the Committee on Agriculture, submitted the following report:

April 10, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 480—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 37:3111(B) and 3112(B)(6), relative to the Louisiana Auctioneers Licensing Board; to provide for the designation of the chairman by the governor; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 577—**  
BY SENATOR ULLO

AN ACT

To enact Subpart D of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4661, relative to weights and measures; to provide for the sale of shrimp by count; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 876—**  
BY SENATOR SMITH

AN ACT

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

Reported with amendments.

Respectfully submitted,  
MIKE SMITH  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

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

April 10, 2001

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 4—**  
BY SENATOR SCHEDLER

A RESOLUTION

To create the Louisiana Child Visitation Center Review Commission to study the feasibility of establishing child visitation centers in the state to provide safe, supervised settings for noncustodial parents to meet and visit with their children.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 19—**  
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create the Louisiana Child Visitation Center Review Commission to study the feasibility of establishing child visitation centers in the state to provide safe, supervised settings for noncustodial parents to meet and visit with their children.

Reported favorably.

**SENATE BILL NO. 249—**  
BY SENATOR DUPRE

AN ACT

To enact Part VI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:251 through 258, relative to expropriation by Terrebonne Parish Consolidated Government; to authorize the governing authority of the consolidated government to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 251—**  
BY SENATOR DUPRE

AN ACT

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

Reported favorably.

**SENATE BILL NO. 300—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:2589(A), relative to justice of the peace courts; to require a minimum monthly salary to be paid from the

parish governing authority for certain justices of the peace and constables; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 336—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 13:712(B) and 715(B), relative to courts and judicial procedure; to provide with respect to district courts; to provide for the salary of commissioners; and to provide for related matters.

Reported unfavorably.

**SENATE BILL NO. 469—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 33:147, relative to territorial changes in parish boundaries; to provide for proper venue in all boundary suits between parishes; to provide for retroactivity and the transfer of all pending suits; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 568—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 28:141, relative to cost of commitment and examination for mental patients; to provide relative to coroner fees and services; to provide the appropriate statutory reference for such fees and services; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 570—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 9:1551 (A), relative to the release of the remains of a decedent; to provide that a body may be released to interested parties for interment under certain circumstances; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 653—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4912, relative to trial courts of limited jurisdiction, to provide with respect to justice of the peace courts; to provide with respect to jurisdiction or ownership of movable property; to increase the jurisdictional amounts in certain instances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 922—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact Civil Code Art. 113, relative to interim periodic spousal support; to provide for interim periodic spousal support to terminate upon final judgment or specific period of time thereafter; to provide for an extension of interim periodic support upon proof of good cause; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 954—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:2801; relative to partition of community property; to provide for orders partitioning retirement and other deferred work benefits; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

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

April 10, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 104—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(E), relative to protective custody; to establish a criminal penalty for executing a statement specifying the need for another person to be taken into protective custody that he knows or should know is false; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 105—**  
BY SENATOR ULLO

AN ACT

To amend and reenact Code of Criminal Procedure Art. 659, relative to insanity proceedings; to provide with respect to costs; to provide for fixing fees and expenses for mental examinations; to require the trial judge to utilize the fee schedule provided by law when fixing fees and expenses for court ordered mental examinations and reports prior to commitment; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 293—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 13:1381.6 and Code of Criminal Procedure Art. 14.1 and to amend the Code of Civil Procedure Art. 253, relative to filings in criminal pleadings; to authorize facsimile transmission of such filings; to require consequent forwarding of original documents and fees; to require clerks of court to provide necessary equipment and supplies for such filings; to provide relative to the clerk of the Criminal District Court for the parish of Orleans; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 345—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 14:40.3, relative to criminal offenses against the person; to create the crime of cyberstalking; to provide that such crime shall be the intentional harassing or threatening of another through the use of electronic mail or electronic communication; to provide for definitions; to apply for exceptions of peaceable, nonviolent, or nonthreatening activities for certain purposes; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 363—**

BY SENATORS DUPRE AND HEITMEIER AND REPRESENTATIVES  
DEWITT, DIEZ, FUTRELL, ILES, KATZ, AND LUCAS  
AN ACT

To amend and reenact R.S. 14:32.8(A)(2)(b), 39.1(A)(2), and 98(A)(1)(b), R.S. 23:1081(3)(b) and (c), R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 661.1(C)(1)(c), 662(A)(1)(b) and (c), the introductory paragraph of 667(A) and (A)(3) and (B)(1), 668(A)(4) and (B)(1)(b), 670, and 853(A)(1)(c)(i), relative to levels of blood alcohol for purposes of certain driving offenses, implied consent law provisions, and applicable sanctions; to provide that a blood alcohol concentration of 0.08 percent or more is the applicable measure for purposes of the offenses of operating a vehicle while intoxicated, third degree feticide, and vehicular negligent injuring and for purposes of related driver's license sanctions, implied consent law provisions and motor vehicle operating records; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 962—**

BY SENATOR IRONS

AN ACT

To enact R.S. 14:103.2, relative to offenses affecting the general peace and order; to provide for the creation of quiet zones in certain areas; to provide criteria for operation of certain amplified devices in public places; to provide penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 10, 2001

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:  
Regular Session, 2001

**SENATE CONCURRENT RESOLUTION NO. 31—**

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the availability of programs and resources for inmate rehabilitation and development and make a comparison among institutions.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 53—**

BY SENATOR CRAVINS

A CONCURRENT RESOLUTION

To establish a special committee to study the feasibility of developing work release programs in coordination with private industry within the confines of correctional facilities.

Reported with amendments.

**SENATE BILL NO. 225—**

BY SENATOR SMITH

A JOINT RESOLUTION

Proposing to add Article XII, Section 6(C)(5) of the Constitution of Louisiana, relative to gaming, gambling or wagering; to prohibit any further referendum elections to allow or expand gaming, gambling, or wagering authorized by legislative act within a certain parish; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

**SENATE BILL NO. 306—**

BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 15:609(C), relative to the incarceration, parole, and release of certain persons convicted of certain offenses; to provide for DNA testing of certain persons and evidence; to provide for circumstances where DNA samples are taken and testing is performed; to require district attorneys to release evidence at the request of such persons; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 698—**

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 4:707(D), to enact R.S. 4:703(10), 719(E), and to repeal R.S. 4:720(A), relative to charitable gaming; to provide with respect to the charitable raffles, bingo, and keno licensing law; to provide for a definition of non-commercial lessor; to provide for commercial and non-commercial lessors and exempt organizations; to remove the domicile requirement for distributors; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 699—**

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 4:705(3), relative to the charitable raffles, bingo, and keno licensing law; to provide with respect to the functions, duties and responsibilities of the office of charitable gaming; to provide for an increase in fees collected on pull-tabs, break open tickets and gaming supplies; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

April 10, 2001

To the President and Members of the Senate:

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

April 10, 2001

**SENATE CONCURRENT RESOLUTION NO. 12—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

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

Reported favorably.

**SENATE BILL NO. 221—**

BY SENATOR HINES

**AN ACT**

To enact R.S. 42:1123(28), relative to the Code of Governmental Ethics; to exempt former city or parish school board employees from the prohibition against contracting with, or being employed by such board within a certain period of time; to provide for limitations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 241—**

BY SENATOR CAMPBELL

**A JOINT RESOLUTION**

Proposing to enact Article IV, Section 22 of the Constitution of Louisiana, relative to elected officials; to prohibit certain political activities by the secretary of state and the commissioner of elections; to provide for definitions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

**SENATE BILL NO. 510—**

BY SENATOR SCHEDLER

**AN ACT**

To enact 44:4(29), relative to public records; to exempt certain records and information in the possession of the Louisiana State Board of Examiners of Psychologists from the provisions of the public records act; to provide for public access to certain records; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON**

**FINANCE**

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

April 10, 2001

To the President and Members of the Senate:

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

**HOUSE BILL NO. 1794—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To appropriate funds from the State General Fund to the State Employees' Group Benefits Program for the Fiscal Year 2000-2001; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

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

April 10, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 111—**

BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 33:1572(A), relative to the coroner's operational fund; to provide for statewide uniformity in the collection of fees for the fund; to permit the coroner to request additional funding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 148—**

BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 9:111, relative to the authority to make a pronouncement of death; to authorize a physician coroner to make a medical pronouncement of death based on information received from certain officials and authorized personnel; to provide relative to the reported time of death; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 523—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 40:1299.80(1) and (4), 1299.81, the introductory paragraph of 1299.82, the introductory paragraph of 1299.83, 1299.84(A), (B), and (C), 1299.85(D) and (E), 1299.86(A) and (C), 1299.87(B), (C), and (D), 1299.88(A)(1) and (B) and 1299.89(A), relative to the statewide cancer registry program; to provide for the authority over the administration of the program; to provide for ascertainment of follow-up data on cancer patients; to provide for exchanging of cancer data with other states; to provide for providing data to qualified researchers; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

**Rules Suspended**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1794 from the Committee on Finance.

**HOUSE BILL NO. 1794—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To appropriate funds from the State General Fund to the State Employees' Group Benefits Program for the Fiscal Year 2000-2001; and to provide for related matters.

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 Johnson asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 426 which was just advanced to a third reading and final passage at this time.

### Senate Bills and Joint Resolutions Just Advanced to a Third Reading and Final Passage

The following Senate Bills and Joint Resolutions just advance to a third reading and final passage were taken up and acted upon as follows:

#### SENATE BILL NO. 426— BY SENATOR JOHNSON

##### AN ACT

To enact R.S. 40:1797.1, relative to firearms; to require all new firearms sold in Louisiana to be equipped with a child safety lock at the time of the sale; to provide for an effective date; and to provide for related matters.

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

### Reconsideration

On motion of Senator B. Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 9, 2001 was reconsidered.

#### SENATE BILL NO. 657— BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH

##### AN ACT

To enact R.S. 47:296.2, relative to taxes; to provide for a rule to cease business activity and suspend certain state-granted authority to do certain businesses for willful failure to pay certain assessments and judgments; and to provide for related matters.

On motion of Senator B. Jones, 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. 32— BY SENATOR LAMBERT (BY REQUEST)

##### A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Natural Resources.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Boissiere	Jones, B
Fields, W	Tarver
Total—4	

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

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

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

#### SENATE BILL NO. 12— BY SENATOR LENTINI

##### AN ACT

To amend and reenact Code of Criminal Procedure Art. 793, relative to trial by jury; to allow jurors in criminal cases to take notes under certain conditions; to authorize jurors to use such notes during deliberations; and to provide for related matters.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

April 10, 2001

Total—0

ABSENT

Mr. President                      Schedler                      Tarver

Total—3

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

## SENATE BILL NO. 29— BY SENATOR LENTINI

### AN ACT

To amend and reenact Code of Criminal Procedure Arts. 801 and 808, relative to jury trials; to permit written instructions and charges to the jury to go to the jury room under certain conditions; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Mr. President                      Jones, B                      Tarver

Total—3

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

## Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of taking up the following local bills out of their regular order and acting upon them as follows.

## SENATE BILL NO. 100— BY SENATOR C. JONES

### AN ACT

To amend and reenact R.S. 33:2334(A) and (B), relative to fire and police departments; to provide with respect to appearance bond fees payable to municipal chiefs of police; to increase the fee; to provide for the disposition thereof; 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

Bajoie	Fields, C	Lentini
Barham	Fields, W	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—33		

### NAYS

Dean                      Malone

Total—2

### ABSENT

Mr. President                      Irons

Fontenot                      Tarver

Total—4

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. 282— BY SENATOR FONTENOT

### AN ACT

To enact R.S. 13:756.9, relative to clerks of court; to provide for branch offices of the clerk of court in the parish of Livingston; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Mr. President                      Tarver

Total—2



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

**SENATE BILL NO. 379—**

BY SENATORS ELLINGTON AND SMITH  
AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.155, relative to water conservation; to provide for the creation of the Castor Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction, powers, and functions of the district and the board, including authority for taxation and expropriation; to provide for enforcement of rules and regulations of the board; to provide for violations and penalties; to provide for the powers and duties of certain state departments and agencies; 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. 379 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 12, following "follows" and before the colon ":" delete ", to wit"

AMENDMENT NO. 2

On page 3, line 8, following "B." and before "shall" change "It" to "The district"

AMENDMENT NO. 3

On page 3, line 18, following "C." and before "shall" change "It" to "The district"

AMENDMENT NO. 4

On page 4, line 15, following "Caldwell" and before the end of the line insert a comma ","

AMENDMENT NO. 5

On page 5, line 21, following "Before" and before "his" change "entering upon" to "commencing"

AMENDMENT NO. 6

On page 7, line 2, following "water" and before "retard" delete the semicolon ";" and insert ", to"

AMENDMENT NO. 7

On page 7, line 3, following "erosion" and before "construct" delete the semicolon ";" and insert ", and to"

AMENDMENT NO. 8

On page 7, line 9, following "and" and before "further" insert "is"

AMENDMENT NO. 9

On page 7, line 13, following "Louisiana" delete the remainder of the line and insert a period "."

AMENDMENT NO. 10

On page 7, delete line 14 in its entirety

AMENDMENT NO. 11

On page 7, line 27, following "of" and before "regulations" delete "such"

AMENDMENT NO. 12

On page 8, line 2, following "or" and before "to" change "incident" to "incidental"

AMENDMENT NO. 13

On page 8, line 7, following "make" delete "such"

AMENDMENT NO. 14

On page 8, line 8, following "render" and before "reports" delete "such"

AMENDMENT NO. 15

On page 8, line 9, following "furnish" and before "plans" delete "such"

AMENDMENT NO. 16

On page 9, line 10, following "Caldwell" and before "and" insert a comma ","

AMENDMENT NO. 17

On page 9, line 17, following "(4)" and before "copy" change "The" to "A"

AMENDMENT NO. 18

On page 9, line 25, before "liens" delete "the same"

AMENDMENT NO. 19

On page 10, line 8, following "solid" and before "substance" change "or liquid or" to ", liquid, or"

AMENDMENT NO. 20

On page 11, line 17, following "aquatic" and before "life" delete "and fish"

On motion of Senator Lambert, the amendments were adopted.

**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. 379 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 24, after "D." delete the remainder of the line and delete line 25 in its entirety

AMENDMENT NO. 2

On page 3, line 26, delete "the state, all" and insert "All" and after "property of" delete "which" and insert "the"

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	Fields, C	Lentini
Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith

April 10, 2001

Dardenne  
Dean  
Dupre  
Ellington  
Total—38

Johnson  
Jones, B  
Jones, C  
Lambert

Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Tarver  
Total—1

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

## SENATE BILL NO. 412— BY SENATOR ELLINGTON

AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.155, relative to water conservation; to provide for the creation of the Turkey Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction, powers, and functions of the district and the board, including authority for taxation and expropriation; to provide for enforcement of rules and regulations of the board; to provide for violations and penalties; to provide for the powers and duties of certain state departments and agencies; 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. 412 by Senator Ellington

### AMENDMENT NO. 1

On page 6, line 19, following "and" and before "further" insert "is"

### AMENDMENT NO. 2

On page 8, line 7, following "4 of" and before "Title 39" insert "Subtitle II of"

On motion of Senator Lambert, the amendments were adopted.

## 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. 412 by Senator Ellington

### AMENDMENT NO. 1

On page 3, line 17, after "D." delete the remainder of the line and delete line 18 and at the beginning of line 19, delete "the state, all" and insert "All"

### AMENDMENT NO. 2

On page 3, line 19, after "property of" delete "which" and insert "the"

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  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—38

Fields, C  
Fields, W  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C  
Lambert

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

NAYS

Total—0

ABSENT

Tarver  
Total—1

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

## SENATE BILL NO. 561— BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 13:621.19, relative to district courts; to provide for an additional judgeship for the Nineteenth Judicial District; to provide election sections; to provide for the election and term of office; to provide for qualifications; to provide for compensation; and to provide for related matters.

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  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—38

Fields, C  
Fields, W  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C  
Lambert

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

NAYS

Total—0

ABSENT

Tarver  
Total—1

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

**SENATE BILL NO. 564—**  
BY SENATOR ROMERO

AN ACT

To enact 9:203(D), relative to marriage; to authorize federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Ellington	Tarver
Total—3		

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

**SENATE BILL NO. 571—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 33:441(A), relative to mayor's courts in Lawrason Act municipalities; to authorize the use of probation in such courts; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen

Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Tarver
Total—2	

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

**SENATE BILL NO. 615—**  
BY SENATOR FONTENOT

AN ACT

To enact R.S. 15:255(D)(3), relative to special funds for witness fees for off-duty law enforcement officers; to provide relative to a surplus in such funds; to provide that such surplus funds in the Twenty-First Judicial District shall be transferred annually to the criminal court funds in such district; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Tarver
Total—2	

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

**SENATE BILL NO. 770—**  
BY SENATOR GAUTREAU

AN ACT

To amend and reenact R.S. 26:493.1, relative to alcoholic beverages; to provide relative to municipal authority to regulate the closing time at bars in certain parishes; to decrease the required population of a parish in which a municipality shall be authorized to enact ordinances relative to such regulations; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Mr. President	Marionneaux
Cravins	Tarver
Total—4	

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

## SENATE BILL NO. 830—

BY SENATORS ROMERO AND CRAVINS  
AN ACT

To amend and reenact R.S. 13:996.35, relative to the authority to collect additional sheriff fees in certain parishes; to continue the applicability of such authority in certain parishes; and to provide for related matters.

## Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 830 by Senator Romero

### AMENDMENT NO. 1

On page 1, line 3, change "sheriff" to "sheriffs" "

### AMENDMENT NO. 2

On page 1, line 15, delete "seventy-three" and insert "seventy"

On motion of Senator Romero, the amendments were adopted.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

Barham	Fontenot	Malone
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields, C	Lambert	
Total—35		

### NAYS

Total—0

### ABSENT

Mr. President	Marionneaux
Cravins	Tarver
Total—4	

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

## SENATE BILL NO. 892—

BY SENATORS CRAVINS AND ROMERO  
AN ACT

To amend and reenact R.S. 13:996.35, relative to the authority to collect additional sheriffs' fees in certain parishes; to continue the applicability of such authority in certain parishes; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Mr. President	Marionneaux	Tarver
Total—3		

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

**SENATE BILL NO. 893—**

BY SENATOR MARIONNEAUX

**AN ACT**

To enact R.S. 13:1000.6 and 1912, relative to the court-appointed special advocate program (CASA); to provide for the assessment and collection of additional costs in criminal matters for the support of CASA programs in the City Court of Port Allen and the Eighteenth Judicial District Court; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Tarver
Total—2	

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

**SENATE BILL NO. 898—**

BY SENATOR C. FIELDS

**AN ACT**

To amend and reenact Code of Civil Procedure Art. 5001, and Code of Criminal Procedure Art. 912.1(B), relative to appeals; to provide for certain appeals from certain city courts to be taken to the parish district court of original jurisdiction; 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. 898 by Senator C. Fields

**AMENDMENT NO. 1**

On page 2, line 5, following "Art." and before "is" change "921.1(B)" to "912.1(B)"

On motion of Senator Lambert, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Tarver
Total—2	

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

**SENATE BILL NO. 82—**

BY SENATOR C. FIELDS

**A JOINT RESOLUTION**

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, relative to the Board of Pardons; to provide for the effect of favorable recommendations of the board; to provide a time period for such recommendations to take effect without gubernatorial action; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dupre	Johnson
Boissiere	Fields, C	Jones, C
Cain	Fields, W	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Heitmeier	Mount
Cravins	Hines	Theunissen
Dean	Hoyt	Ullo
Total—21		

**NAYS**

Barham	Jones, B	Schedler
Bean	Lentini	Smith
Ellington	Malone	Thomas
Fontenot	Michot	
Hollis	Romero	
Total—13		

**ABSENT**

Mr. President	Irons	Tarver
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Dardenne  
Total—5

Lambert

The Chair declared the bill failed to pass. Senator C. Fields moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

## Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 82. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

## SENATE BILL NO. 217— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 14:67.17, relative to misappropriation without evidence; to create the crime of theft of the assets of an aged person or disabled person; to define such crime; to provide for penalties; to classify persons being effected by such crime; to require certain reporting; 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. 217 by Senator McPherson

### AMENDMENT NO. 1

On page 2, line 6, after "disabled" change "adult" to "person"

### AMENDMENT NO. 2

On page 2, line 15, after "aged" delete "person's" and after "disabled" change "adult's" to "person's"

On motion of Senator McPherson, 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

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

### NAYS

### ABSENT

Mr. President	Schedler	Tarver
Total—3		

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.

## SENATE BILL NO. 279— BY SENATOR DARDENNE

AN ACT

To enact R.S. 49:994(D)(4), relative to the powers of administrative law judges; to authorize adjudications, conferences and administering of oaths by electronic means; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Marionneaux	Tarver
Total—2	

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

## SENATE BILL NO. 321—

BY SENATORS ELLINGTON, BARHAM, BOISSIERE, C. FIELDS, HOLLIS, MICHOT AND SCHEDLER AND REPRESENTATIVES ANSARDI, CLARKSON, FRUGE, GREEN, JOHNS, MCMAINS, PINAC, AND WALSWORTH

AN ACT

To amend and reenact R.S. 19:2(7), relative to expropriation; to authorize domestic or foreign corporations that transmit or distribute electricity and steam for power to expropriate needed property; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Chaisson	Hoyt	Schedler

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Dardenne  
Dean  
Dupre  
Ellington  
Total—27

Johnson  
Jones, B  
Jones, C  
Lentini  
Smith  
Theunissen  
Thomas  
Ullo

## NAYS

Cain  
Campbell  
Cravins  
Total—8

Fields, C  
Fields, W  
Hollis  
Irons  
Malone

## ABSENT

Mr. President  
Lambert  
Total—4

Marionneaux  
Tarver

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

**SENATE BILL NO. 348—**  
BY SENATOR C. FIELDS

## AN ACT

To amend and reenact R.S. 15:874(5) and to enact R.S. 15:712, relative to inmates compensation accounts; to require that all interest earned on an inmate's money be credited to such inmate's compensation account; to prohibit any interest so earned to be credited to the state; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

## YEAS

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

Fields, C  
Fields, W  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C  
Lambert  
Lentini  
Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

## NAYS

Total—0

## ABSENT

Mr. President  
Total—3

Marionneaux  
Tarver

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

**SENATE BILL NO. 391—**  
BY SENATORS LENTINI AND SCHEDLER

## AN ACT

To enact R.S. 40:46.1(G), relative to vital statistics laws; to provide immunity for hospitals and their agents and employees involved in hospital based paternity programs; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

## YEAS

Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—35

Fields, C  
Fields, W  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Johnson  
Jones, B  
Jones, C  
Lambert

Lentini  
Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

## NAYS

Total—0

## ABSENT

Mr. President  
Irons  
Total—4

Marionneaux  
Tarver

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

**SENATE BILL NO. 393—**

BY SENATORS LENTINI AND SCHEDLER  
AN ACT

To amend and reenact R.S. 13:3715.1(B)(1), relative to subpoenas for medical records; to delete the requirement that the affidavit be delivered at the time of service of subpoena; to require that an affidavit be received before a subpoena for patient records can be issued; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

## YEAS

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

Fields, C  
Fields, W  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C

Lambert  
Lentini  
Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

## NAYS

Total—0

## ABSENT

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Mr. President                      Marionneaux                      Tarver  
Total—3

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

## SENATE BILL NO. 408— BY SENATOR C. FIELDS

### AN ACT

To enact R.S. 15:571.9, relative to pardons and parole; to provide for the effect of laws increasing a term of imprisonment, fine, or forfeiture, or imposing additional punishment; and to provide for related matters.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Bajoie	Fields, C	Hollis
Boissiere	Fields, W	Irons
Cain	Gautreaux	Johnson
Dean	Heitmeier	Jones, C
Dupre	Hines	Ullo
Total—15		

### NAYS

Barham	Hoyt	Mount
Bean	Jones, B	Romero
Chaisson	Lambert	Schedler
Dardenne	Lentini	Smith
Ellington	Malone	Theunissen
Fontenot	Michot	Thomas
Total—18		

### ABSENT

Mr. President	Cravins	McPherson
Campbell	Marionneaux	Tarver
Total—6		

The Chair declared the bill failed to pass.

## SENATE BILL NO. 425— BY SENATOR JOHNSON

### AN ACT

To enact R.S. 14:95.9, relative to offenses affecting public safety; to provide for the crime of criminal storage of a handgun; to require the securing of a handgun to prevent access by a minor under the age of sixteen years from obtaining such a weapon and causing or attempting to cause injury or death to himself or others; to provide for definitions; to provide for penalties; and to provide for related matters.

## Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 425 by Senator Johnson

### AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "14:95.9" and insert "40:1800"

### AMENDMENT NO. 2

On page 1, line 3, delete "crime of criminal" and insert "illegal"

### AMENDMENT NO. 3

On page 1, line 4, change "sixteen" to "eleven"

### AMENDMENT NO. 4

On page 1, line 6, after "definitions;" delete "to" and on line 7, delete "provide for penalties;"

### AMENDMENT NO. 5

On page 1, line 9, after "R.S." delete "14:95.9" and insert "40:1800"

### AMENDMENT NO. 6

On page 1, line 10, change "Criminal" to "Illegal"

### AMENDMENT NO. 7

On page 1, line 11, after "R.S." delete "14:95.9" and insert "40:1800"

### AMENDMENT NO. 8

On page 1, line 14, change "sixteen" to "eleven"

### AMENDMENT NO. 9

On page 2, line 3, after "B." delete the remainder of the line and insert "The provisions of this Section shall"

### AMENDMENT NO. 10

On page 2, delete lines 12 through 14 and on line 15, change "D." to "C."

Senator Lentini asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was germane to the bill.

Senator Johnson moved adoption of the amendments.

Senator Lentini objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Bajoie	Fields, C	Johnson
Boissiere	Fields, W	Jones, C
Cravins	Irons	Ullo
Total—9		

### NAYS

Barham	Fontenot	Malone
Bean	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Jones, B	Smith
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Total—27		

### ABSENT

Mr. President	Marionneaux	Tarver
Total—3		

The Chair declared the amendments were rejected.

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



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**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie  
Boissiere  
Chaisson  
Total—9

Cravins  
Fields, C  
Fields, W

Irons  
Johnson  
Jones, C

**NAYS**

Barham  
Bean  
Cain  
Campbell  
Dardenne  
Dean  
Dupre  
Ellington  
Fontenot  
Total—27

Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Jones, B  
Lambert  
Lentini  
Malone

McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

**ABSENT**

Mr. President  
Total—3

Marionneaux

Tarver

The Chair declared the bill failed to pass. Senator Johnson moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

**SENATE BILL NO. 489—**

BY SENATOR LENTINI

**AN ACT**

To enact R.S. 40:1299.39(E)(3) and 1299.41(E)(4), relative to medical malpractice; to provide that medical malpractice claims shall have priority on a court's trial docket; and to provide for related matters.

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

**SENATE BILL NO. 497—**

BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Total—34

Ellington  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Johnson  
Jones, B  
Jones, C  
Lambert  
Lentini

Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

**NAYS**

Fields, C  
Total—3

Fields, W

Irons

**ABSENT**

Marionneaux  
Total—2

Tarver

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

**SENATE BILL NO. 534—**

BY SENATOR LENTINI

**AN ACT**

To enact R.S. 40:1299.39(E)(3) and 1299.41(E)(4), relative to medical malpractice; to provide for claims to be resolved in a fair and expeditious manner; and to provide for related matters.

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

**SENATE BILL NO. 713—**

BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 40:1299.41(A)(1) and (8), relative to medical malpractice claims; to include "nursing home" as part of the definition of "health care provider"; to include claims for negligent hiring, negligent retention of insufficient staffing within the definition of "malpractice"; 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 Lentini to Engrossed Senate Bill No. 713 by Senator Ellington

**AMENDMENT NO. 1**

On page 1, line 4, after "negligent" change "hiring" to "training" and delete line 5 and insert "or supervision of staff within the definition of"

**AMENDMENT NO. 2**

On page 2, line 23, after "the" delete the remainder of the line and insert "training or supervision of"

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  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Campbell  
Chaisson  
Cravins  
Dardenne  
Dean

Dupre  
Ellington  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Johnson  
Jones, C  
Lambert

Lentini  
Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

April 10, 2001

Total—33

NAYS

Fields, C

Total—1

ABSENT

Fields, W

Irons

Total—5

Jones, B

Marionneaux

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.

### Rules Suspended

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

### Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

#### SENATE BILL NO. 995—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:329(H), relative to levee districts; to provide relative to ad valorem taxes; to specify the millage on which ad valorem tax payments made by the Terrebonne Levee and Conservation District to the Atchafalaya Basin Levee District is based; to provide for the transfer of ownership of certain property from the Atchafalaya Basin Levee District to the Terrebonne Levee and Conservation District; 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.

#### SENATE BILL NO. 996—

BY SENATOR HINES

AN ACT

To enact R.S. 47:305(I), relative to taxation; to exempt the purchase of certain health products under the Medicare program from local sales and use taxes; and to provide for related matters.

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

### Reports of Committees

The following reports of committees were received and read:

#### REPORT OF COMMITTEE ON

#### COMMERCE AND CONSUMER PROTECTION

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

April 10, 2001

To the President and Members of the Senate:

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

#### SENATE BILL NO. 834—

BY SENATOR HOYT AND REPRESENTATIVE TOWNSEND

AN ACT

To enact Subpart K of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:465.1 through 465.11, relative to the fair marketing of motor fuel; to provide for legislative findings and intent; to provide for definitions; to provide for enforcement and penalties for unlawful predatory practices; to provide for exceptions and exemptions; to provide for permits to sell motor fuel; to provide for private rights of action for violations; and to provide for related matters.

Reported with amendments.

#### SENATE BILL NO. 910—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 40:1625, 1626, 1627(B), 1628, 1629, 1630, 1631(A)(1), (B), (C), the introductory paragraph of R.S. 40:1636, 1637(C), and 1643(C), and to repeal R.S. 40:1631(A)(3) and (D), relative to the state fire marshal; to provide for powers, duties, and functions; to provide requirements for fire protection sprinkler systems; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

KEN HOLLIS

Chairman

### Privilege Report of the Legislative Bureau

April 10, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

#### HOUSE BILL NO. 1794—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from the State General Fund to the State Employees' Group Benefits Program for the Fiscal Year 2000-2001; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

LOUIS LAMBERT

Chairman

### Adoption of Legislative Bureau Report

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

### Messages from the House

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

April 10, 2001

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 10, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 70—**

BY REPRESENTATIVE BRUNEAU

**A CONCURRENT RESOLUTION**

To commend Edgar F. Poree, Jr. of New Orleans upon the occasion of his retirement after nearly thirty years of service to BellSouth.

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To commend Calvin Mills, Jr. upon his outstanding accomplishments.

**House Concurrent Resolutions**

Senator Johnson 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. 70—**

BY REPRESENTATIVE BRUNEAU

**A CONCURRENT RESOLUTION**

To commend Edgar F. Poree, Jr. of New Orleans upon the occasion of his retirement after nearly thirty years of service to BellSouth.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Marionneaux	Tarver
Total—2	

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

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To commend Calvin Mills, Jr. upon his outstanding accomplishments.

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

**Rules Suspended**

Senator Campbell asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 175 from the Committee on Commerce and Consumer Protection.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVES ILES, E. ALEXANDER, ANSARDI, BAUDOIN, BROOME, CAZAYOUX, DURAND, FRITH, LAFLEUR, MORRELL, GARY SMITH, AND JANE SMITH AND SENATORS CAMPBELL, DUPRE, HOLLIS, AND MOUNT

**AN ACT**

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

The bill was designated a duplicate of Senate Bill No. 23, was read by title and recommitted to the Committee on Finance.

**Motion to Make Special Order**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1794, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, April 11, 2001 immediately following the Morning Hour.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Cain	½ Day	C. Fields	½ Day
Fontenot	½ Day	Hines	½ Day
Hollis	½ Day	Irons	½ Day
Johnson	½ Day	Lambert	½ Day
Marionneaux	½ Day	Romero	½ Day
Tarver	½ Day	Theunissen	½ Day

**Adjournment**

Senator Lambert moved that the Senate adjourn until Wednesday, April 11, 2001, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Wednesday, April 11, 2001.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk