

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

Wednesday, April 11, 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	Ellington	Lambert
Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—36		

**ABSENT**

Hollis	Marionneaux	Tarver
Total—3		

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

**Prayer**

The prayer was offered by Senator Barham, 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 Barham, 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 11, 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. 1634—**

BY REPRESENTATIVES BRUCE, GALLOT, RIDDLE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 40:2264(A)(2) through (4) and to repeal R.S. 40:2264(A)(5), relative to the North Louisiana Criminalistics Laboratory Commission; to provide for the collection of fees on certain nonmoving violations; and to provide for related matters.

**HOUSE BILL NO. 172—**

BY REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to nonrefundable fees in civil matters; to require the clerk of the district court in Vermilion Parish to assess an additional fee for support of various nonprofit organizations providing shelter for battered women and their children; and to provide for related matters.

**HOUSE BILL NO. 187—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

**HOUSE BILL NO. 70—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 49:166, relative to the official state fruit; and to provide for related matters.

**HOUSE BILL NO. 1767—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 28:750(A)(introductory paragraph) and (1) and (B)(introductory paragraph), 751(1), (2), (4), (5), and (6), 752(5) and (6), and 753(A) and R.S. 36:259(L) and to enact R.S. 28:751(7) and (8) and 752(17), relative to the Louisiana State Planning Council on Developmental Disabilities; to change the name of the council to the Louisiana Developmental Disabilities Council; to provide for definitions; to provide for responsibilities of the council; to provide for an increase in membership of the council; and to provide for related matters.

**HOUSE BILL NO. 524—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 3:1894(B)(8) and to enact R.S. 3:1891(29) and (30), 1894(A)(13), (B)(9), and (C), and 1897(7), relative to commercial feeds; to provide for definitions relative to commercial feeds; to provide for labeling requirements for commercial feeds; to prohibit distribution of certain commercial feeds for consumption by ruminants; and to provide for related matters.

**HOUSE BILL NO. 1136—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

**HOUSE BILL NO. 1333—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Claiborne Parish to the Louisiana Agricultural Finance Authority from the Department of Transportation and Development; 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. 70—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 49:166, relative to the official state fruit; and to provide for related matters.

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

**HOUSE BILL NO. 172—**

BY REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to nonrefundable fees in civil matters; to require the clerk of the district court in Vermilion Parish to assess an additional fee for support of various nonprofit organizations providing shelter for battered women and their children; and to provide for related matters.

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

**HOUSE BILL NO. 187—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

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

**HOUSE BILL NO. 524—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 3:1894(B)(8) and to enact R.S. 3:1891(29) and (30), 1894(A)(13), (B)(9), and (C), and 1897(7), relative to commercial feeds; to provide for definitions relative to commercial feeds; to provide for labeling requirements for commercial feeds; to prohibit distribution of certain commercial feeds for consumption by ruminants; and to provide for related matters.

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

**HOUSE BILL NO. 1136—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

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

**HOUSE BILL NO. 1333—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Claiborne Parish to the Louisiana Agricultural Finance Authority 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 Natural Resources.

**HOUSE BILL NO. 1634—**

BY REPRESENTATIVES BRUCE, GALLOT, RIDDLE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 40:2264(A)(2) through (4) and to repeal R.S. 40:2264(A)(5), relative to the North Louisiana Criminalistics Laboratory Commission; to provide for the collection of fees on certain nonmoving violations; 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. 1767—**

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 28:750(A)(introductory paragraph) and (1) and (B)(introductory paragraph), 751(1), (2), (4), (5), and (6), 752(5) and (6), and 753(A) and R.S. 36:259(L) and to enact R.S. 28:751(7) and (8) and 752(17), relative to the Louisiana State Planning Council on Developmental Disabilities; to change the name of the council to the Louisiana Developmental Disabilities Council; to provide for definitions; to provide for responsibilities of the council; to provide for an increase in membership of the council; 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 Concurrent Resolutions  
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**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.

**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. 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 by the Committee on Judiciary C. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary C. On motion of Senator Lentini, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 111 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 14, after "**five**" and before "**nor**" insert "**dollars**"

AMENDMENT NO. 2

On page 2, line 3, after "occurred." delete the remainder of the line and delete line 4 in its entirety

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

**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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 148 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 10, after "**information**" insert a comma ",."

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

**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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 211 by Senator Irons

AMENDMENT NO. 1

On page 1, line 3, change "which" to "to"

AMENDMENT NO. 2

On page 1, line 4, before "drugs" insert "birth control", delete the remainder of the line and on line 5 delete "and contraceptive services"

AMENDMENT NO. 3

On page 1, line 16, after "for" delete the remainder of the line

AMENDMENT NO. 4

On page 2, line 1, delete "(1) Any drug or device" and insert the following: "any birth control drug"

AMENDMENT NO. 5

On page 2, line 2, delete "for use as a contraceptive"

AMENDMENT NO. 6

On page 2, delete lines 4 through 6 in their entirety

AMENDMENT NO. 7

On page 2, line 9, delete "contraceptive drug or device" and insert the following: "birth control drug"

AMENDMENT NO. 8

On page 2, line 10, delete "or device"

AMENDMENT NO. 9

On page 2, line 14, change "contraceptives or contraceptive services" to "birth control drugs"

AMENDMENT NO. 10

On page 2, line 26, change "of" to "for"

AMENDMENT NO. 11

On page 2, line 27, change "contraceptive services and supplies" to "birth control drugs"

AMENDMENT NO. 12

On page 3, line 12, change "contraceptives" to "birth control drugs"

AMENDMENT NO. 13

On page 4, between lines 9 and 10 insert the following:

"E. The provisions of this Section shall only apply to birth control drugs and shall not be construed to apply to any antiprogesterin or other abortifacient class drug.

F. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable limited benefit health insurance policies."

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

**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 by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 221 by Senator Hines

AMENDMENT NO. 1

On page 1, line 10, after "not" delete the remainder of the line and insert "preclude:"

AMENDMENT NO. 2

On page 1, line 16, after "any" insert "school building level"

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

**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 by the Committee on Judiciary B. On motion of Senator Cravins, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 293 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 4, after "filings" insert "if permitted by the policy of the clerk of court"

AMENDMENT NO. 2

On page 1, line 16, after "14.1" insert "if permitted by the policy of the clerk of court"

AMENDMENT NO. 3

On page 2, line 23, after "transmission" insert "if permitted by the policy of the clerk of court"

AMENDMENT NO. 4

On page 3, line 19, change "All clerks" to "In keeping with his policy, each clerk"

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

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 300 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 4, after "constables;" insert "to require attendance at the Justice of the Peace Training Course to receive such salary;"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 14, after "graded" change ", " to "1"

AMENDMENT NO. 4

On page 1, line 15, change "**one hundred**" to "**seventy-five**"

AMENDMENT NO. 4

On page 1, after line 15, insert the following:

**"(2) Every justice of the peace and constable shall attend at least one of the Justice of the Peace Training Courses offered by the attorney general pursuant to R.S. 49:251.1 every other year, and a justice of the peace or constable who fails to do so shall not earn or receive the compensation provided in this Section, until he attends a course and receives a certificate of completion from the attorney general.**

\* \* \*

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

**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 by the Committee on Judiciary B. On motion of Senator Cravins, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 345 by Senator Dardenne

AMENDMENT NO. 1

On page 2, delete line 16 and insert "threatening, terrifying, or harassing"

AMENDMENT NO. 2

On page 2, delete lines 22 and 23 and insert "threaten, terrify, or harass."

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

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 363 by Senator Dupre

AMENDMENT NO. 1

On page 10, delete lines 22 through 27 and add in lieu thereof:

"Section 5. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 2

On page 11, delete lines 1 through 3

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

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Agriculture. On motion of Senator Smith, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Health and Welfare. On motion of Senator Schedler, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Judiciary A. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Agriculture.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 577 by Senator Ullo

AMENDMENT NO. 1

On page 1, delete lines 14 through 16 and insert:

"Shrimp may be sold by count if the size of the shrimp in a container is within the specified count size listed on the container or invoice. Except as otherwise provided by this Section, shrimp shall be sold in accordance with the provisions of R.S. 3:4615."

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

**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 possession or ownership of movable property; to increase the jurisdictional amounts in certain instances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 653 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 3, after "jurisdiction" delete the comma "," and insert ";

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

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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 673 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 11, at the end of the line insert: "concerning money owed the state"

AMENDMENT NO. 2

On page 1, line 13, after "1565(A)" insert a comma ","

AMENDMENT NO. 3

On page 2, between lines 9 and 10, insert: "(8) The President of the Senate.

(9) The Speaker of the House of Representatives."

AMENDMENT NO. 4

On page 2, at the end of line 11, insert: "by certified mail, return receipt requested,"

AMENDMENT NO. 5

On page 2, line 12, after "The notice shall" insert "keep the identity of the taxpayer anonymous and shall"

AMENDMENT NO. 6

On page 2, line 13, after "include the" change "terms of the settlement, a summary of the issues" to "amount in controversy, the amount of the settlement"

AMENDMENT NO. 7

On page 2, line 19, after "(3)" insert "A majority of the members of the committee shall constitute a quorum."

AMENDMENT NO. 8

On page 2, line 20, at the end of the line delete "present"

AMENDMENT NO. 9

On page 2, line 22, after "confidentiality of" change "taxpayer" to "all"

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 698 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, between "4:707(D)" and ",to" insert "and 717"

AMENDMENT NO. 2

On page 1, line 10, change "is" to "and 717 are"

AMENDMENT NO. 3

On page 3, line 2, after "(3)" delete the remainder of the line

AMENDMENT NO. 4

On page 3, line 3, delete "**per raffle, a**" and insert "A"

AMENDMENT NO. 5

On page 3, between lines 25 and 26, insert the following:

"§717. Examination of books and records and personnel

**A.** The office and the municipality or governing body of the parish shall have power to examine or to cause to be examined the books, gaming account, and records of any organization or association to which such license is issued so far as they may relate to any transactions connected with the holding and conducting of any game of chance thereunder, and to examine the books and records of any entity for the purposes of determining if net gaming proceeds are devoted entirely to the purposes allowable under R.S. 4:707(B), and to examine any manager, officer, director, agent, member, or employee thereof under oath in relation to the conduct of any such game of chance under any such license, but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this Chapter.

**R.S. 4:717(B) is all proposed new law.**

**B.** The office and the municipality or governing body of the parish shall have power:

(1) To examine or to cause to be examined the books, gaming account, and records of any organization exempt from licensure under this Chapter so far as they may relate to any transactions connected with the holding and conducting of any game of chance for which a license is otherwise required under this Chapter.

(2) To examine the books and records of any entity for the purposes of determining if net gaming proceeds are devoted entirely to the purposes allowable under R.S. 4:707(B).

(3) To examine any manager, officer, director, agent, member, or employee thereof under oath in relation to the conduct of any such



game of chance for which a license is otherwise required under this Chapter, but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this Chapter.

\* \* \*

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

**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 by the Committee on Judiciary B. On motion of Senator Cravins, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Insurance. On motion of Senator Bean, the bill was read by title, ordered engrossed, and passed to a third reading.

**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 by the Committee on Commerce and Consumer Protection.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce to Original Senate Bill No. 834 by Senator Hoyt

AMENDMENT NO. 1

On page 4, at the end of line 23, change ";" to ":"

AMENDMENT NO. 2

On page 4, line 24, change "(d)" to "(i)"

AMENDMENT NO. 3

On page 4, line 25, change "(e)" to "(ii)"

AMENDMENT NO. 4

On page 4, line 26, change "(f)" to "(iii)" and at the end of the line, change the period "." to ", and"

AMENDMENT NO. 5

On page 4, between lines 26 and 27, insert the following:

"(iv)(aa) A markup of eight percent of that amount for a wholesaler and six percent of that amount for a dealer, to cover a proportionate part of the cost of doing business. However, if the nonrefiner establishes, by clear and convincing evidence, that its actual cost of doing business including without limitation, the reasonable rental value of the retail outlet, direct labor cost, and other costs attributable to the sale of motor fuel by the nonrefiner, is less than the applicable markup, then the actual cost of doing business established by the nonrefiner shall be added to the nonrefiner cost in lieu of the applicable percentage markup.

(bb) If the motor fuel is sold with another item, at a combined price, nonrefiner cost shall also included the costs of the other item."

AMENDMENT NO. 6

On page 6, at the end of line 7, add "; and"

AMENDMENT NO. 7

On page 6, between lines 7 and 8, insert the following:

"(d)(1) A markup of eight percent of that amount to cover a proportionate part of the cost of doing business. However, if the refiner establishes, by clear and convincing evidence, that its actual cost of doing business including without limitation, the reasonable rental value of the retail outlet, direct labor cost, and other costs attributable to the sale of motor fuel by the refiner, is less than the applicable markup, then the actual cost of doing business established by the refiner shall be added to the refiner cost in lieu of the applicable percentage markup.

(2) If the motor fuel is sold with another item, at a combined price, refiner cost shall also included the costs of the other item."

AMENDMENT NO. 8

On page 10, between lines 15 and 16, insert the following:

"D. The provisions of this Section shall not become effective unless and until fees are established by law which cover the costs of administering this Section."

AMENDMENT NO. 9

On page 10, line 26, after "for a" delete the remainder of the line

AMENDMENT NO. 10

On page 11, line 2, after "require." insert the following:

"Upon application for a temporary restraining order, the court shall require a bond."

AMENDMENT NO. 11

On page 11, line 18, after "D." delete the remainder of the line and delete lines 19 and 20 and insert "The court may award reasonable attorney fees to the prevailing party."

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. 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 by the Committee on Agriculture.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 876 by Senator Smith

AMENDMENT NO. 1

On page 2, line 12, after "articles" insert "**by the owner of such regulated articles who offers the regulated article for transportation or movement**"

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

**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 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. 910 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 3, after "1636," insert "and"

AMENDMENT NO. 2

On page 1, line 4, after "1637(C)," delete "and 1643(C),"

AMENDMENT NO. 3

On page 1, line 10, change "1637(C)," to "and 1637(C)"

AMENDMENT NO. 4

On page 1, at the beginning of line 11, delete "and 1643(C)"

AMENDMENT NO. 5

On page 13, delete lines 22 through 27, and on page 14, delete lines 1 and 2

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. 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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 922 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 5, after "periodic" and before "support" insert "**spousal**"

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

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 954 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "9:2801" delete the ";" and insert a comma ","

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

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 962 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." change "enacted " to "amended and reenacted"

AMENDMENT NO. 3

On page 1, delete lines 9 through 16 and add in lieu thereof:

"A. No person shall operate or play any sound-producing device or sound-amplification device in a public street, public park, or other outdoor public place in a manner ~~likely to disturb, inconvenience, or annoy a person of ordinary sensibilities, if the sound produced is in excess of fifty-five decibels as measured within ten feet of the entrance to:~~ plainly audible through the unaided hearing faculties of either:

(1) ~~Hospitals~~ Patients in a hospital.

(2) ~~Churches~~ Persons engaged in services at churches, synagogues, temples, or other houses of religious worship, ~~while the building is occupied and services are being performed;~~ provided that a sign is posted within ten feet of the front door of the building for religious worship which clearly states when services are being performed. Posting of the required signage shall be the responsibility of the officials of the house of worship for which the sign is posted.

B. (1) Whoever violates any of the provisions of this Section shall be imprisoned for not more than thirty days fined not more than one hundred dollars.

(2) Upon a second or subsequent conviction, the offender shall be fined not more than two hundred dollars or imprisoned for not more than thirty days, or both.

R.S. 14:103.2(C) is all proposed new law."

AMENDMENT NO. 4

On page 2, delete lines 1 through 7

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

**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 by the Committee on Insurance. On motion of Senator Bean, the bill was read by title, ordered engrossed, and passed to a third reading.

**Reconsideration**

On motion of Senator C. Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 10, 2001 was reconsidered.

**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.

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

**Reconsideration**

On motion of Senator C. Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 10, 2001 was reconsidered.

**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.

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

**Reconsideration**

On motion of Senator Johnson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 10, 2001 was reconsidered.

**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.

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

**Special Order of the Day**

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

**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.

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Marionneaux	Tarver
Hollis	Michot	
Total—5		

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.

**Personal Privilege**

Senator Michot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 1794. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**Senate Resolutions on Second Reading Reported by Committees**

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

**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 by the Committee on Judiciary A.

The resolution was read by title. On motion of Senator Schedler, the resolution was adopted.

**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. 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 by the Committee on Insurance.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

ABSENT

Bajoie	Marionneaux	Tarver
Hollis	Michot	
Total—5		

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

**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 by the Committee on Senate and Governmental Affairs.

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

**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 by the Committee on Judiciary A.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Marionneaux
Hollis	Tarver
Total—4	

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

**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 by the Committee on Judiciary B.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Hollis	Tarver
Bajoie	Marionneaux	
Total—5		

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

**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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 53 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 23, after "Justice." insert "or his designee."

AMENDMENT NO. 2

On page 3, line 3, change "Two" to "One"

AMENDMENT NO. 3

On page 3, between lines 7 and 8 insert the following:

"One representative to be appointed by the AFL-CIO"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis	Marionneaux	Tarver
Total—3		

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

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. 997—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:3562(1), (2), (3) and (4) and to enact R.S. 9:3562(7), relative to unauthorized collection practices; to provide a method of notifying creditors to cease further contact with a debtor; to provide civil penalties for intentional 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.

SENATE BILL NO. 998—

BY SENATOR B. JONES

AN ACT

To enact R.S. 25:214.3, relative to general libraries; to authorize the Lincoln Parish Police Jury to add two additional members to the parish Library Board of Control; to establish terms for the new members; and to provide for related matters.

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

Motion to Make Special Order

Senator Hines asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 4, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Thursday, April 19, 2001 immediately following the Morning Hour.

Motion to Make Special Order

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 158, which is on Third Reading and Final Passage, Special Order of the Day No. 2 on Thursday, April 19, 2001 immediately following the Morning Hour.

Motion to Make Special Order

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 166, which is on Third Reading and Final Passage, Special Order of the Day No. 3 on Thursday, April 19, 2001 immediately following the Morning Hour.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 11, 2001

To the President and Members of the Senate:

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

The following Senate Resolution has been properly enrolled:

**SENATE RESOLUTION NO. 9—**

BY SENATOR BOISSIERE

**A RESOLUTION**

To commend and congratulate Edgar F. Poree, Jr. for a lifetime of dedicated, extraordinary, and exemplary service and contribution to his state and his community on the occasion of his retirement.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Resolution was signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

April 11, 2001

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolution:

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH

**A CONCURRENT RESOLUTION**

To commend the players, coaches, and managerial personnel of the 2000-2001 Leesville Wampus Cats Boys Class 4A Basketball Team on being the state champions.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

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

**ENROLLMENTS**

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

April 11, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

**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.

**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.

Respectfully submitted,  
CHRIS ULLO  
Chairman

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Hollis	1 Day	Marionneaux	1 Day
Tarver	1 Day		

**Adjournment**

Senator Lambert moved that the Senate adjourn until Tuesday, April 17, 2001, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Tuesday, April 17, 2001.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk