

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

TWELFTH 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

Thursday, April 19, 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	Fontenot	Malone
Boissiere	Heitmeier	McPherson
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lambert	Ullo
Fields, W	Lentini	
Total—26		

ABSENT

Bajoie	Fields, C	Michot
Barham	Gautreaux	Tarver
Bean	Hines	Thomas
Cravins	Irons	
Dardenne	Marionneaux	
Total—13		

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

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

Morning Hour

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 68—
BY SENATOR B. JONES

A CONCURRENT RESOLUTION

To create a state tax structure committee to study certain business inducements and tax credits and report its findings to the legislature by March 1, 2002.

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

**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. 77—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 43:111.1, relative to public advertising; to prohibit the expenditure of any state funds for advertisement which mentions any elected official whether elected or appointed; to prohibit expenditure of public funds by any public entity for advertisement which mentions any elected official whether elected or appointed; to provide exceptions; 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. 230—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 42:821(A)(2)(a)(x) and 851(A)(2)(a)(x), relative to life and health and accident insurance coverage of the State Employees Group Benefits Program; to expand the definition of employees eligible for the program to include active and retired employees of the Louisiana Naval War Memorial Commission; and to provide for related matters.

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

SENATE BILL NO. 322—
BY SENATOR HEITMEIER

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. 322 by Senator Heitmeier

AMENDMENT NO. 1

On page 4, line 10, after "inserts in" insert "or messages on"

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.

Page 2 SENATE

April 19, 2001

SENATE BILL NO. 419— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3077(C)(2), relative to instructors of electrology; to change the number of hours of study and practice needed for licensure as an instructor of electrology; to change the categories of hours needed; to authorize the State Board of Electrolysis Examiners to provide for granting credit for completion of college-level courses; 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. 419 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 10, change "sixty-four" to "one hundred"

AMENDMENT NO. 2

On page 2, line 11, change "forty-six" to "seventy-five"

AMENDMENT NO. 3

On page 2, line 12, change "forty" to "fifty"

AMENDMENT NO. 4

On page 2, line 15, change "sixty-four" to "one hundred" and "forty-six" to "seventy-five"

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. 427— BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 40:1300.46, relative to smoking in public places; to authorize a state agency, parish, municipality, or other political subdivision to impose restrictive ordinances or regulations under certain conditions; 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. 445— BY SENATOR DARDENNE

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2714, relative to reimbursement of nursing homes participating in the Medicaid program; to provide for legislative findings and purpose; to provide for definitions; to provide for computation of reimbursement rates for nursing homes; to provide for calculation of direct care and care-related costs, administrative and operating costs, and property payment costs components of the per diem rate; to provide for provider fees and professional and general liability insurance costs; to provide for therapy costs; to provide for adjustments to the per diem rate for changes in law or regulations; to provide for annual adjustment to the per diem rate; to provide for rebasing; to provide for exclusion of certain services; to provide for establishment of a committee to develop a plan and to provide for committee duties and responsibilities; to provide for promulgation of rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

12th DAY'S PROCEEDINGS

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 445 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, change "2714" to "2704"

AMENDMENT NO. 2

On page 1, line 5, after "purpose;" delete the remainder of the line, delete lines 6 through 12, and at the beginning of line 13, delete "rebasings;" and insert the following: "to establish a case mix reimbursement methodology for nursing homes;"

AMENDMENT NO. 3

On page 1, line 16, after "date;" insert "to provide for reporting;"

AMENDMENT NO. 4

On page 2, line 4, change "2714" to "2704"

AMENDMENT NO. 5

On page 2, line 27, delete "fair" and delete "value"

AMENDMENT NO. 6

On page 3, line 7, after "adequate" insert a period"." and delete the remainder of the line and delete line 8 in its entirety

AMENDMENT NO. 7

On page 3, delete lines 9 through 27, on pages 4 through 16, delete lines 1 through 27, and on page 17, delete lines 1 through 8, and insert the following:

"§2702. Case mix reimbursement

R.S. 46:2702 is all proposed new law.

A. The Department of Health and Hospitals shall establish a case mix reimbursement methodology for nursing homes.

B. No later than July 1, 2002, the department shall promulgate rules and regulations in accordance with the Administrative Procedure Act to provide for a case mix reimbursement system. The rules and regulations shall include, at a minimum, the following:

(1) A payment commensurate with the resource requirements of patients through the use of an acuity-based system such as Resource Utilization Groups III (RUGs III) or an acuity-based system with nursing resource predictability comparable to RUGs.

(2) A payment for direct care costs at a level to achieve quality outcomes for patients and which is no less than one hundred ten percent of the median of direct care costs for all facilities.

(3) Incentives to encourage the admission and care of heavy care patients.

(4) A rate for administrative and operating costs that provides facilities the resources to:

(a) Recruit qualified employees.

(b) Expand training and education.

(c) Implement competency standards.

(d) Develop the organizational capacity to implement quality management systems and practice guidelines.

(5) A rental system for payment of property costs that:

(a) Differentiates payment based upon the size, age, and condition of the facility.

(b) Provides the capital for renovation, improvement, and replacement of facilities.

(c) Encourages investment in physical plant upgrades and renovations and long term ownership.

(6) A rate pass-through for property taxes and provider fees.

(7) Utilization of the most current cost reports which shall be either audited or given an estimated audit adjustment factor based on historical audits for rate rebasing bi-annually.

(8) Utilization of inflation factors that are predictive of actual nursing home cost increases during the rate year.

(9) A method for providing interim adjustments to the rates for unanticipated changes in costs."

AMENDMENT NO. 8

On page 17, line 9, change "2713" to "2703"

AMENDMENT NO. 9

On page 17, line 15, change "2714" to "2704"

AMENDMENT NO. 10

On page 17, line 17, after "committee" insert "of fifteen persons"

AMENDMENT NO. 11

On page 17, line 18, after "of" insert "seven" and after "department," insert "the chairman of the Senate Committee on Health and Welfare, the chairman of the House Committee on Health and Welfare,"

AMENDMENT NO. 12

On page 17, line 21, change "Six" to "Five"

AMENDMENT NO. 13

On page 17, line 26, after "shall" insert "recommend to the secretary"

AMENDMENT NO. 14

On page 17, delete line 27, and insert the following:

"(1) Rules and regulations to implement the new reimbursement system.

(2) A reimbursement mechanism for Medicaid therapy costs.

(3) A cost reporting document and an allowable cost manual.

(4) Hold harmless and phase-in provisions for the new reimbursement system.

(5) A medical review process including policies, procedures, and supporting documentation requirements."

AMENDMENT NO. 15

On page 18, delete lines 1 through 27, and on page 19, delete line 1

AMENDMENT NO. 16

On page 19, line 3, between "Section 3." and "The provisions of" insert the following:

"The Department of Health and Hospitals shall submit a progress report to the Senate and House committees on health and welfare no later than October 1, 2001, and quarterly thereafter until implementation."

AMENDMENT NO. 17

On page 19, line 5, change "2001" to "2003"

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. 455—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 36:4(B)(1)(e), R.S. 39:141(A)(1) and (3) and (B), 143(3), 199(E), 212(A)(3) and (B), 301(A) and (B), 302, and 1752(1), (6), and (9), and R.S. 49:1053(B) and 1054(9), to enact Subpart C of Part I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:15.1 through 15.5, Subpart D of Part I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:16.1 through 16.5, R.S. 39:141(A)(10), and 1752(12) and (13), and to repeal R.S. 39:196(C) and R.S. 39:290 through 298, relative to information technology; to establish the office of information technology; to provide for the offices, staff, and duties of that office; to provide for the chief information officer; to provide for his duties and responsibilities; to create the Louisiana Information Technology Advisory Board and provide for its membership, duties, and activities; to create the Louisiana Technology Advisory Group and provide for its membership, duties, and activities; to establish the office of electronic services; to provide for the duties of that office; to provide for a catalog in electronic format of

databases in Louisiana; to provide relative to the duties of the office of telecommunications management; to provide relative to certain procurement activities; to provide relative to the membership of the Louisiana Technology Innovations Council; to provide relative to the Advisory Council for Technology Access by Individuals with Disabilities and to provide for its membership; to provide relative to the definition of certain systems within the area of telecommunications systems and services; to provide relative to the Louisiana Geographic Information Systems Council; to repeal the provisions creating the Louisiana Data Base Commission; 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. 455 by Senator Michot

AMENDMENT NO. 1

On page 21, after line 10, add the following:

"Section 8. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 506—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:1074(B)(1)(c) and to enact R.S. 46:1074(B)(1)(d), relative to hospital service district commissions; to authorize certain hospital service district commissions to sell and convey immovable property based on a certain bed capacity and under certain other circumstances; 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. 560—

BY SENATOR HINES

AN ACT

To enact R.S. 40:2212(C), relative to basic benefit plans provided under a health care cost control program; to prohibit the basic benefit plan from excluding direct reimbursement to advance practice registered nurses; to require reimbursement for advanced practice registered nurses at a rate equal to that paid other health care providers for performance of the same services; 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. 562—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:775(10) and 776(A)(9) and (10), and to enact R.S. 37:752(9), relative to dentists; to provide for exemptions from licensure; to provide for definitions; to provide for unprofessional conduct; to provide for causes for non-issuance, suspension, revocation, or imposition of restrictions of a dental license; to provide for exemptions; 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. 562 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "(10)" delete the comma ", "

AMENDMENT NO. 2

On page 2, line 22, after "means" delete the remainder of the line and delete lines 23 through 25, and insert "those activities described in R.S. 37:751(A)(5)"

AMENDMENT NO. 3

On page 3, delete lines 5 through 7 in their entirety and insert the following:

"(i) The dentist is declared legally dead."

AMENDMENT NO. 4

On page 3, line 15, after "**disabled**" 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. 579—

BY SENATOR ULLO

AN ACT

To enact R.S. 40:608.4, relative to food and drugs; to provide for the proper labeling of shellfish sold under the name "crawfish"; 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. 579 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 10, after "crawfish" delete "(Procambrus" and insert "(Procambarus" and on line 11, after "crawfish" delete "(Procambrus sonanguis) and insert "(Procambarus zonangulus)"

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. 622—

BY SENATOR HAINKEL

AN ACT

To amend and reenact Part I of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:81 through 83, relative to uniform legislation; to rename the State Board of Commissioners for Promotion of Uniform Legislation in the United States to the Louisiana Commission on Uniform State Laws; to provide for the membership, powers, and duties of the commission; 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. 635—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 42:1114.1(A)(3), relative to legislative financial disclosure reports; to provide for disclosure of funds received from Medicaid; to authorize disclosure of such information on record with the Department of Health and Hospitals; 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. 730—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1031(B) and 1032, relative to the Joint Administration Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to provide for its membership; to provide for its powers and duties; to provide an effective date; 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. 730 by Senator Hines

AMENDMENT NO. 1

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

"the introductory paragraph of R.S. 37:1031(B), 1031(B) and (C), and 1032, relative to the Joint"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and insert the following:

"The introductory paragraph of R.S. 37:1031(B), 1031(B) and (C), and 1032 are hereby amended and"

AMENDMENT NO. 3

On page 1, line 15, change "eight" to "**ten**"

AMENDMENT NO. 4

On page 1, delete line 16, on page 2, delete lines 1 through 27, and on page 3, delete lines 1 through 9 and insert the following:

"(1) ~~Two~~ nonvoting members shall be appointed in the following manner:

(a) ~~One advanced practice registered nurse appointed by the Louisiana State Nurses Association;~~

(b) ~~One physician appointed by the Louisiana State Medical Society.~~ **One advanced practice registered nurse who practices in a rural area appointed by the Louisiana State Board of Nursing from a list of three names submitted by the Louisiana Association of Nurse Practitioners.**

(2) One advanced practice registered nurse who practices in an urban area appointed by the Louisiana State Board of Nursing from a list of three names submitted by the Louisiana Association of Nurse Practitioners.

~~(2)(3)~~ Three registered nurses who serve on the Louisiana State Board of Nursing, appointed by the board.

~~(3)(4)~~ **Three** ~~Two~~ members who serve on the Louisiana State Board of Medical Examiners, appointed by the board.

(5) One physician who collaborates with an advanced practice registered nurse in a rural area appointed by the Louisiana State

Board of Medical Examiners from a list of three names submitted by the Louisiana State Medical Society.

(6) One physician who collaborates with an advanced practice registered nurse in a urban area appointed by the Louisiana State Board of Medical Examiners from a list of three names submitted by the Louisiana State Medical Society.

(7) One physician who collaborates with an advanced practice registered nurse appointed by the Louisiana State Board of Medical Examiners from a list of three names submitted by the Louisiana State Medical Association.

C. The initial members of the committee shall be appointed no later than August 30, 1997. If any of the designated boards or associations fail to make their respective appointments by September 1, 1997, the secretary of the Department of Health and Hospitals shall appoint the respective member of the committee."

AMENDMENT NO. 5

On page 3, line 13, after "Develop" delete ", and" and insert "and" and after "approve" delete the comma ",."

AMENDMENT NO. 6

On page 3, at the beginning of line 14, delete "**and implement**"

AMENDMENT NO. 7

On page 3, line 25, change "**right**" to "**authority**"

AMENDMENT NO. 8

On page 4, after line 12, insert the following:

"Section 4. The list of prospective committee members shall be submitted by the Louisiana Association of Nurse Practitioners, the Louisiana State Medical Society, and the Louisiana State Medical Association no later than August 1, 2001. The respective boards shall appoint their respective committee members no later than September 30, 2001."

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. 731—

BY SENATOR HINES

AN ACT

To enact R.S. 37:930(E), relative to registered nurses; to provide for the administration of anesthetics; to clarify that certain advanced practice registered nurses may administer perineural anesthesia under certain conditions; 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. 731 by Senator Hines

AMENDMENT NO. 1

On page 1, line 4, delete "perineural anesthesia" and insert "a digital block or a pudendal block"

AMENDMENT NO. 2

On page 1, line 12, delete "perineural anesthesia" and insert "a digital block or a pudendal block"

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. 738—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 14:81.2(D)(1), R.S. 15:440.4(A)(5), R.S. 23:1021(11), R.S. 24:932(4), R.S. 37:3372(9)(b), R.S. 40:1299.39(A)(1)(a)(ii) and 1299.41, Children's Code Art. 326(A)(7), 1172, 1173(A)(2), 1272(D), Code of Criminal Procedure Art. 644(D)(1), and Code of Evidence Art. 510(A)(4)(c), relative to licensed professional counselors; to revise definitions; to provide for the authority of licensed professional counselors; to provide for an effective date; 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. 738 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 14:81.2(D)(1),"

AMENDMENT NO. 2

On page 1, line 5, delete "Code of Criminal Procedure Art. and at the beginning of line 6, delete "644(D)(1),"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16, and on page 2, delete lines 1 through 10

AMENDMENT NO. 4

On page 2, line 11, change "Section 2" to "Section 1"

AMENDMENT NO. 5

On page 2, line 24, change "Section 3" to "Section 2"

AMENDMENT NO. 6

On page 3, line 12, change "Section 4" to "Section 3"

AMENDMENT NO. 7

On page 3, line 22, change "Section 5" to "Section 4"

AMENDMENT NO. 8

On page 4, line 6, change "Section 6" to "Section 5"

AMENDMENT NO. 9

On page 5, line 20, change "Section 7" to "Section 6"

AMENDMENT NO. 10

On page 7, delete lines 14 through 27, and on page 8, delete lines 1 through 7

AMENDMENT NO. 11

On page 8, line 8, change "Section 9" to "Section 7"

AMENDMENT NO. 12

On page 8, line 18, change "Section 10" to "Section 8"

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. 863—

BY SENATOR THOMAS

AN ACT

To enact R.S. 22:1120 and R.S. 23:1200.4, relative to insurers; to limit the liability of insurance producers, agents and brokers; to provide for liability for loss attributed to negligent or willful, fraudulent or wanton acts; to extend limitations of liability to insurance agencies

and their officers, directors, shareholders, partners, and employees; and to provide for related matters.

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

SENATE BILL NO. 1012 (Substitute for Senate Bill 73 by Senator Cain)—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a), 871(A) and (D), 872(A), (C)(2) and (3), and (D), 874(B), 875, 876, 877, and 879 and to repeal R.S. 32:874(D), relative to motor vehicle accidents; to provide relative to abstracts of operating records; to authorize the submission of certain written reports under certain circumstances; to provide relative to certain damages; to provide relative to liability security; to provide relative to reinstatement of driver's license under certain circumstances; to repeal provisions relative to transmission of certain information for nonresidents; to provide relative to registration of certain motor vehicles following an accident; and to provide for related matters.

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

House Bills and Joint Resolutions Pending Referral to the Legislative Bureau

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

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, WOOTON, 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 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.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 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.

Reported favorably by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the

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

HOUSE BILL NO. 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.

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 Reengrossed House Bill No. 1274 by Representative Pinac

AMENDMENT NO. 1

On page 4, after line 10, insert the following:

"Section 4. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later."

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

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.

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 Reengrossed House Bill No. 1448 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 16, after "36:" and before "and" delete "4.1" and insert "4(V), 4.1,"

AMENDMENT NO. 2

On page 12, line 6, after "36:" and before "and" delete "4.1" and insert "4(V), 4.1,"

AMENDMENT NO. 3

On page 12, between lines 7 and 8, insert the following:

"§4. Structure of executive branch of state government
* * *

V. The Louisiana Economic Development Council (R.S. 51:2375 through 2383) is placed within the office of the governor under the supervision of the Cabinet Advisory Group on Economic Development and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law."

AMENDMENT NO. 4

On page 12, line 11, after "A." and before "With" insert "(1)"

AMENDMENT NO. 5

On page 12, delete lines 15 through 23

AMENDMENT NO. 6

On page 12, at the beginning of line 24, change "(2)" to "(a)", and on line 25, change "(3)" to "(b)", and on page 13, at the beginning of line 1, change "(4)" to "(c)"

AMENDMENT NO. 7

On page 13, between lines 2 and 3, insert the following:

"(2) The term "assistant secretary" shall have no application to the transfer or placement of agencies in the office of the governor provided in this Section and shall not be deemed to grant any power or authority to any officer or employee of the office of the governor with respect to any agency transferred to or placed within the office of the governor by this Section."

AMENDMENT NO. 8

On page 13, delete lines 17 through 21

AMENDMENT NO. 9

On page 13, line 22, change "E." to "D."

AMENDMENT NO. 10

On page 15, line 3, change "F." to "E."

AMENDMENT NO. 11

On page 15, line 9, change "G." to "F."

AMENDMENT NO. 12

On page 31, line 9, after "created" delete the remainder of the line, and at the beginning of line 10, delete "administration" and insert in lieu thereof "in the office of the governor under the supervision of the Cabinet Advisory Group on Economic Development"

AMENDMENT NO. 13

On page 31, at the beginning of line 19, delete "commissioner of administration" and insert "office of the governor"

AMENDMENT NO. 14

On page 32, at the beginning of line 4, delete "commissioner of administration" and insert "office of the governor"

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

HOUSE BILL NO. 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.

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 Reengrossed House Bill No. 1666 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "9:3574.2(4)," insert "R.S. 25:315(A) and (E) and 317(1),"

AMENDMENT NO. 2

On page 1, line 3, after "108," delete "and 201(C)(1)," and insert "109(H), 201(C)(1), and 913,"

AMENDMENT NO. 3

On page 1, line 9, after "109(D)(2)," delete "(3), and (4)" and insert "and (J)"

AMENDMENT NO. 4

On page 1, line 10, after "51:938.1" delete "938.2,"

AMENDMENT NO. 5

On page 1, line 13, after "repeal" delete the remainder of the line, and on line 14, delete "Revised Statutes of 1950, comprised of R.S. 25:315 through 317,"

AMENDMENT NO. 6

On page 1, line 15, after "(B)(3)" and before "and " delete the comma "," and "(H),"

AMENDMENT NO. 7

On page 2, line 17, after "exemptions;" delete the remainder of the line and delete line 18, and at the beginning of line 19, delete "duties;" and insert "to provide relative to the domicile of the Louisiana Music Commission;"

AMENDMENT NO. 8

On page 4, after line 24, insert the following:

"Section 3. R.S. 25:315(A) and (E) and 317(1) are hereby amended and reenacted to read as follows:

§315. Louisiana Music Commission; creation; membership; vacancies; terms; meeting; quorum

A. The Louisiana Music Commission is hereby created within the office of commerce and industry of the Department of Economic Development and shall be domiciled in New Orleans. The commission shall be composed of fifteen persons, each of whom shall be appointed by the governor, at least one of whom shall be a member of a minority, for a term concurrent with that of the governor making the appointment. Each appointment by the governor shall be submitted to the Senate for confirmation. The governor shall designate one of the members to serve as chairman. The members shall elect such other officers as they deem necessary for the efficient operation of the business of the commission.

A majority of the commission shall constitute a quorum for the transaction of business of the commission.

* * *

E. ~~The~~ With the consent of the secretary of the Department of Economic Development, the commission may appoint a director and an assistant director to administer the functions of the commission. ~~The director and assistant director shall be subject to the direct supervision of the secretary of the Department of Economic Development.~~

* * *

§317. Functions of the department

In order to carry out the purpose and functions of the commission, the Department of Economic Development may:

(1) Except as provided in R.S. 36:109(H) and 36:913(B), employ such administrative, technical, and other personnel as may be necessary to accomplish said purpose and functions and for which funds are made available.

* * *

AMENDMENT NO. 9

On page 5, at the beginning of line 1, change "Section 3." to "Section 4." and after "108," delete "and 201(C)(1)" and insert "109(H), 201(C)(1), and 913"

AMENDMENT NO. 10

On page 5, line 2, after "109(D)(2)" delete the remainder of the line, and at the beginning of line 3, delete "(4)" and insert "and (J)"

AMENDMENT NO. 11

On page 9, line 1, after "Regents," delete "and"

AMENDMENT NO. 12

On page 9, line 2, after "Colleges" insert ", the Department of Social Services, and the Department of Public Safety and Corrections. The office shall also coordinate its training efforts with the Louisiana Workforce Commission"

AMENDMENT NO. 13

On page 11, delete lines 23 and 24, and on page 12, at the beginning of line 1, change "(4)" to "(2)"

AMENDMENT NO. 14

On page 12, between lines 3 and 4, insert the following:

"H. The Louisiana Music Commission (R.S. 25:315-317) is placed within the Department of Economic Development, and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred as provided in R.S. 36:913(B) and R.S. 36:914.

* * *

J. The Louisiana Film and Video Commission (R.S. 51:938.1) is placed within the Department of Economic Development and shall exercise and perform its functions, duties, and responsibilities as provided in R.S. 36:913(B) and 914.

* * *

AMENDMENT NO. 15

On page 12, between lines 14 and 15, insert the following:

"§913. Transfer; certain appointing authority retained
A. The agencies transferred by the provisions of ~~R.S. 36:109(H), R.S. 36:509(K), and R.S. 36:629(D)~~ shall be transferred as provided in this Part except that each agency so transferred shall continue to appoint its own director and assistant director or personnel to fill comparable positions as provided by law.

B. The agencies transferred by the provisions of R.S. 36:109(H) and (J) shall be transferred as provided in this Part except that each agency so transferred shall, with the approval of the department secretary, appoint its own director and assistant director or personnel to fill comparable positions as provided by law."

AMENDMENT NO. 16

On page 12, at the beginning of line 15, change "Section 4." to "Section 5."

AMENDMENT NO. 17

On page 12, at the beginning of line 23, change "Section 5." to "Section 6."

AMENDMENT NO. 18

On page 13, at the beginning of line 13, change "Section 6." to "Section 7."

AMENDMENT NO. 19

On page 15, at the beginning of line 16, change "Section 7." to "Section 8."

AMENDMENT NO. 20

On page 17, at the beginning of line 16, change "Section 8." to "Section 9."

AMENDMENT NO. 21

On page 17, at the beginning of line 20, delete "938.2,"

AMENDMENT NO. 22

On page 18, delete lines 1 through 5

AMENDMENT NO. 23

On page 18, at the beginning of line 6, change "§938.2." to "§938.1."

AMENDMENT NO. 24

On page 18, line 9, after "as" delete the remainder of the line and insert "a commission in the Department of Economic Development."

AMENDMENT NO. 25

On page 18, at the beginning of line 11, insert "twenty-two"

AMENDMENT NO. 26

On page 19, line 7, after "(10)" change "Six" to "Five"

AMENDMENT NO. 27

On page 19, line 8, after "Louisiana." delete the remainder of the line, and at the beginning of line 9, delete "Alexandria northward and all of whom" and insert "who"

AMENDMENT NO. 28

On page 19, line 14, after "(11)" change "Two" to "Three"

AMENDMENT NO. 29

On page 19, line 15, after "Association." insert the following:

"At least one such person shall be from the region of Louisiana from Alexandria northwards."

AMENDMENT NO. 30

On page 19, line 20, after "Association" delete the remainder of the line and insert ". At least one such person"

AMENDMENT NO. 31

On page 20, delete lines 19 through 21 and insert the following:

"I.(1) With the consent of the secretary of the Department of Economic Development, the commission may appoint a director and an assistant director to administer the functions of the commission. The director and assistant director shall be subject to the direct supervision of the secretary of the Department of Economic Development.

(2) In order to carry out the functions of the commission, the department may, except as provided in R.S. 36:109(J) and 913(B), employ such administrative, technical, and other personnel as may be necessary to accomplish said functions and for which funds are made available."

AMENDMENT NO. 32

On page 41, delete lines 5 and 6 and insert the following:

"Section 10. R.S. 36:109(B)(3) and"

AMENDMENT NO. 33

On page 41, at the beginning of line 13, change "Section 10." to "Section 11."

AMENDMENT NO. 34

On page 41, at the beginning of line 20, change "Section 11." to "Section 12."

AMENDMENT NO. 35

On page 42, at the beginning of line 4, change "Section 12." to "Section 13."

AMENDMENT NO. 36

On page 42, line 7, change "R.S. 51:942(J)" to "R.S. 51:942(I)"

AMENDMENT NO. 37

On page 42, at the beginning of line 8, change "Section 13." to "Section 14."

AMENDMENT NO. 38

On page 42, at the beginning of line 12, change "Section 14." to "Section 15."

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

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitment House Bill No. 1492 from the Committee on Insurance to the Committee on Finance.

Recess

On motion of Senator Lambert, the Senate took a recess until 1:30 o'clock P.M.

After Recess

The Senate was called to order at 1:30 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, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullio
Dupre	Lambert	
Ellington	Lentini	
Total—37		

ABSENT

Fields, C
Total—2

Tarver

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

Senate Business Resumed

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 19, 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. 855—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:310(H), relative to the Video Draw Poker Devices Control Law; to provide that the holder of a license pursuant to the Video Draw Poker Devices Control Law shall not be required to undergo additional suitability investigation for the issuance of an additional license; and to provide for related matters.

HOUSE BILL NO. 1430—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to lifetime hunting licenses; to add the WMA hunting permit to the privileges included under lifetime licenses; and to provide for related matters.

HOUSE BILL NO. 1002—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:1232.1, relative to emergency medical service personnel; to establish a fee schedule; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 1406—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To amend and reenact R.S. 56:10(B)(1)(d) and (5) and (D), 104(B)(4), Subpart A-1 of Part IV of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:151 through 157, R.S. 56:642(A), and 649.1(A), relative to the Louisiana Duck Stamp Program; to change the duck stamp to a license; to eliminate the manner in which the duck stamp is designed and issued; and to provide for related matters.

HOUSE BILL NO. 1557—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:737.2 and Part XXV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1131 through 1151, to amend and reenact R.S. 22:1212(F), and to repeal Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1111 through 1119, relative to the qualification and license requirements for insurance producers; to provide for unearned premiums; to provide for licensing requirements; to provide for exceptions; to provide for

examinations; to provide for renewals; to provide for fees; to provide for penalties; to provide for payment of commissions; to provide for appointments; to provide for the powers of the commissioner of insurance; to provide for reciprocity; to provide for prohibitions; to provide for penalties; to provide for regulations; and to provide for related matters.

HOUSE BILL NO. 576—

BY REPRESENTATIVES NEVERS, SALTER, STRAIN, AND THOMPSON

AN ACT

To enact R.S. 56:678, relative to reciprocal recreational hunting and fishing privileges and licenses; to provide for nonresident fees equal to fees charged to Louisiana residents in the nonresident's state; to provide for the promulgation of an annual fee schedule by the Wildlife and Fisheries Commission; to provide relative to fees paid for licenses by persons employed in Louisiana; 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. 576—

BY REPRESENTATIVES NEVERS, SALTER, STRAIN, AND THOMPSON

AN ACT

To enact R.S. 56:678, relative to reciprocal recreational hunting and fishing privileges and licenses; to provide for nonresident fees equal to fees charged to Louisiana residents in the nonresident's state; to provide for the promulgation of an annual fee schedule by the Wildlife and Fisheries Commission; to provide relative to fees paid for licenses by persons employed in Louisiana; 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. 855—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:310(H), relative to the Video Draw Poker Devices Control Law; to provide that the holder of a license pursuant to the Video Draw Poker Devices Control Law shall not be required to undergo additional suitability investigation for the issuance of an additional license; 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. 1002—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:1232.1, relative to emergency medical service personnel; to establish a fee schedule; 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 Health and Welfare.

HOUSE BILL NO. 1406—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To amend and reenact R.S. 56:10(B)(1)(d) and (5) and (D), 104(B)(4), Subpart A-1 of Part IV of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:151 through 157, R.S. 56:642(A), and 649.1(A), relative to the Louisiana Duck

Stamp Program; to change the duck stamp to a license; to eliminate the manner in which the duck stamp is designed and issued; 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. 1430—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to lifetime hunting licenses; to add the WMA hunting permit to the privileges included under lifetime licenses; 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. 1557—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:737.2 and Part XXV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1131 through 1151, to amend and reenact R.S. 22:1212(F), and to repeal Part XXIV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1111 through 1119, relative to the qualification and license requirements for insurance producers; to provide for unearned premiums; to provide for licensing requirements; to provide for exceptions; to provide for examinations; to provide for renewals; to provide for fees; to provide for penalties; to provide for payment of commissions; to provide for appointments; to provide for the powers of the commissioner of insurance; to provide for reciprocity; to provide for prohibitions; to provide for penalties; 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.

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

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

April 19, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 339—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:415.1(A)(1), relative to motor vehicles; to provide for a medical hardship appeal of a driver's license suspension; to provide for certain driving prohibitions for a disabled driver; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 409—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:295(A),(B)(2), (C), and (D); and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 495—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 38:346, relative to levee districts; to authorize the sale at public auction of surplus movable property of the Orleans Levee District; to provide with respect to taking bids online; to provide for limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 967—

BY SENATOR BAJOE

AN ACT

To enact R.S. 32:147; to limit immobilizing motor vehicles parked on privately owned parking lots open for public use; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 982—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:1749.23(A), (B) (introductory paragraph), (C), and (E) and to repeal R.S. 40:1749.23(D), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide for enforcement; to provide for rules to implement a procedure for reporting and investigating violations through a centralized complaint processing center; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 983—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:1749.17(B)(1) and 1749.24(A) and (D), and to enact R.S. 40:1749.20(C), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to require excavators to notify emergency personnel when they damage underground utilities; to provide for punishment of violations that do not occur in the presence of a law enforcement officer; to provide for disbursement of civil penalties; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

April 19, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To direct the State Board of Elementary and Secondary Education together with the Department of Education and the Department of Public Safety and Corrections to collectively conduct a study of education programs for both adult and juvenile inmates who are incarcerated in both state and local penal institutions.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request a comprehensive study of the African American population in the state of Louisiana by Southern University's Nelson Mandela School of Public Policy and Urban Affairs.

Reported with amendments.

SENATE BILL NO. 212—
BY SENATOR IRONS

AN ACT

To enact R.S. 17:282.3, relative to courses of instruction; to authorize local school systems to offer instruction in personal financial management in public schools; to require the State Board of Elementary and Secondary Education to adopt rules and guidelines; to establish a clearinghouse of materials and best practices; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 400—
BY SENATOR MALONE

AN ACT

To amend and reenact Louisiana Children's Code Art. 791.1 and the introductory paragraph of Art. 791.2, to enact Louisiana Children's Code Art. 791.5, and to repeal Sections 2 and 3 of Act No. 1372 of the 1999 Regular Session of the Legislature, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in the parish of Bossier; to extend the period of effectiveness for the pilot program; to extend the period for reporting; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 558—

BY SENATORS THEUNISSEN, ELLINGTON, FONTENOT, GAUTREAUX, HINES, IRONS, MICHOT, MOUNT, ROMERO AND SMITH, AND REPRESENTATIVES BRUCE, CROWE, DARTEZ, FAUCHEUX, FRITH, HAMMETT, HILL, ILES, JOHNS, KENNARD, PINAC, RIDDLE, JACK SMITH, STRAIN, THOMPSON AND TOWNSEND

AN ACT

To enact Subpart A-2 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:185.1 through 185.4, relative to agricultural education; to develop nonmandatory instructional strategies for the integration of agriculture education into elementary and secondary programs of study for public schools; to establish the Agricultural Education Advisory Committee; to provide for the development of an agriculture education action plan that falls within the parameters established in the Unified State Plan for Workforce Development; to provide for the approval of such plan by the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 672—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:179(A), relative to student identification badges; to authorize certain local school boards in certain parishes to issue student identification badges; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 755—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2737.73(A), relative to school boards; to continue the authority of school boards in certain parishes to levy a sales tax; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 792—
BY SENATOR IRONS

AN ACT

To enact R.S. 17:282.3, relative to a program of youth suicide prevention; to establish a program of youth suicide prevention administered by the state Department of Education in cooperation with state and local agencies; to require the State Board of Elementary and Secondary Education to adopt rules and regulations for the development of a state plan; to provide relative to services provided to students under a program; to authorize local programs; to provide for funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 839—
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 17:282.3, relative to volunteer community service of high school students; to provide for certain orientation and notification procedures; to provide for written proposals for such service; to provide relative to guidelines for the administration and implementation of such requirement; to provide relative to the requirement for community service; to provide for the authorities, duties and responsibilities of the State Board of Elementary and Secondary Education and city and parish school boards; to provide relative to liability; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 991—
BY SENATOR GAUTREAUX

AN ACT

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

Reported favorably.

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.

Reported with amendments.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

April 19, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 748—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:804(C), relative to prison districts; to continue the membership of the board of governors of prison districts in certain parishes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 803—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 4:732, relative to amusements and sports; to continue the applicability of progressive mega jackpot bingo games in certain parishes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 929—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 27:306(E)(1), relative to gaming; to provide with respect to state license qualifications for video draw poker; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

April 19, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 136—
BY SENATOR LENTINI

AN ACT

To enact R.S. 33:383.2, relative to election of municipal officials; to authorize ordinances providing relative to term limitation of elected municipal officials; to require voter approval for such action; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 654—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 48:1309.2(A)(2), relative to road lightning districts; to continue the applicability of certain service charges of road lighting districts in certain parishes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 700—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 38:1770(B)(1), relative to gravity drainage districts and subdivisions; to continue the authority of such entities in certain parishes to impose and collect an acreage tax; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 721—
BY SENATOR IRONS AND REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 9:5625(G), relative to prescription periods; to exempt historical preservation and landmark property or areas from prescriptive periods relative to prosecution of zoning violations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 769—
BY SENATORS GAUTREAUX AND CAIN

AN ACT

To amend and reenact R.S. 33:1236(60), relative to parishes; to continue the authority of sewerage districts in certain parishes to have privilege against property for unpaid service charges or sewerage disposal services; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 978—
BY SENATOR THOMAS

AN ACT

To enact Part V-D of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:727, relative to the revocation, sale or exchange of certain immovable property in the town of Abita Springs; to establish the procedure for disposition of such property; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 990—
BY SENATOR C. JONES

AN ACT

To enact R.S. 33:2740.51, relative to special taxing districts; to create the Southside Economic Development District in the City of Monroe; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOE
Chairwoman

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 223 from the Committee on Judiciary A.

SENATE BILL NO. 223— BY SENATOR SMITH

A JOINT RESOLUTION

Proposing to amend Article X, Section 24(A), and add Article V, Section 25(E) of the Constitution of Louisiana, relative to the judicial branch; to provide that judges of the courts of record, whether elected or appointed, shall be subject to impeachment; to provide that the removal authority of the supreme court shall not be construed to have any effect on the impeachment article of this constitution; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Reconsideration

On motion of Senator Dardenne, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, April 18, 2001 was reconsidered.

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.

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

Reconsideration

On motion of Senator Smith, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, April 18, 2001 was reconsidered.

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.

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

Special Order of the Day

The following Senate Concurrent Resolution to be adopted, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 20— BY SENATOR HINES

A CONCURRENT RESOLUTION

To create the Louisiana Stroke Treatment Task Force to study the feasibility of developing and implementing a comprehensive statewide education program on stroke prevention targeted to high-risk populations and to geographic areas where there is a high incidence of stroke.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Marionneaux
Fields, C	Tarver
Total—4	

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

Senate and Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Hines asked that Senate Concurrent Resolution No. 12 be called from the Calendar at this time.

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.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Original Senate Concurrent Resolution No. 12 by Senator Hines

AMENDMENT NO. 1

On page 3, at the end of line 18, change the period "." to "; and"

AMENDMENT NO. 2

On page 3, between lines 18 and 19, insert the following:

"WHEREAS, the Legislature acknowledges that the "Policy on Naming University Facilities" approved by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College on May 28, 1993 provides in part that "no building, site, street, or park shall be named for an individual person (persons) until such person (persons) to be so honored has (have) been deceased for at least two years..."

AMENDMENT NO. 2

On page 3, between lines 24 and 25, insert the following:

"BE IT FURTHER RESOLVED that, because of the magnitude of the contributions of Dr. Trail to Louisiana State University and the medical profession in Louisiana, the Legislature of Louisiana respectfully urges and requests the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to consider waiving the two year waiting period in its policy for the purposes of this Resolution."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	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
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Fields, C	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 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. 1019—

BY SENATOR MOUNT

AN ACT

To enact R.S. 13:1911, relative to City Courts; to provide with respect to the Lake Charles City Court; to authorize the transfer of certain unclaimed fees and interest to the general operational fund of the court; to provide for notice to persons due refunds; 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.

SENATE BILL NO. 1020—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 47:332.10(B), relative to the disposition of state sales and use tax avails in certain parishes; to provide for the disposition of certain funds to the Ernest N. Morial-New Orleans Exhibition Hall Authority; and to provide for related matters.

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

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 13—

BY SENATOR MICHOT

A RESOLUTION

To express support of the goals and work of the Lafayette Chapter of the Chaîne des Rôtisseurs and its Académie Gastronomique Brillat-Savarin on the occasion of their visit to Louisiana and Acadiana.

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

SENATE CONCURRENT RESOLUTION NO. 69—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial, and Cultural Affairs to meet and function as a joint committee to study the hiring procedures of the police civil service.

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

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend and congratulate Beth Lundy of Calcasieu Parish on being the first female sheriff elected in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Fields, C	Tarver
Cravins	Fields, W	
Total—5		

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

Rules Suspended

Senator Gautreaux asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1430 from the Committee on Natural Resources.

HOUSE BILL NO. 1430—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to lifetime hunting licenses; to add the WMA hunting permit to the privileges included under lifetime licenses; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 8, was read by title and referred to the Legislative Bureau.

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 19, 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. 1421—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To amend and reenact R.S. 56:104(B)(4), relative to hunting and fishing licenses; to provide for inclusion of WMA hunting permit as a privilege of senior hunting and fishing licenses; 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. 1421—

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To amend and reenact R.S. 56:104(B)(4), relative to hunting and fishing licenses; to provide for inclusion of WMA hunting permit as a privilege of senior hunting and fishing licenses; 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.

**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. 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.

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. 877 by Senator Campbell

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "R.S. 39:" and before ", 254" change "252(A), (B), (C) and (D), 253" to "252, 253(A), (B), (C), and (D)"

AMENDMENT NO. 2

On page 1, lines 3 and 11, following "R.S. 39:" and before "(E)" change "252" to "253"

AMENDMENT NO. 3

On page 5, lines 20 and 24, following "R.S. 39:" change "252" to "253"

AMENDMENT NO. 4

On page 8, line 15, at the beginning of the line change "Chair" to "Chairmen"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 877 by Senator Campbell

AMENDMENT NO. 1

On page 7, at the end of line 18, insert the following:

"The provisions of Subsection B of this Section shall not apply to postsecondary institutions."

On motion of Senator Campbell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Bajoie	Fields, W	Marionneaux
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	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Fields, C	Lambert
Jones, C	Tarver
Total—4	

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

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.

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

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.

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

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.

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

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.

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

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.

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

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 to provide coverage for prescription birth control drugs; to provide relative to copayments or coinsurances; to provide for exclusions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dardenne	Johnson
Boissiere	Ellington	Jones, C
Cain	Fields, W	Marionneaux
Campbell	Heitmeier	Smith
Chaisson	Hines	
Cravins	Irons	

April 19, 2001

Total—16

NAYS

Barham	Hoyt	Romero
Dean	Jones, B	Schedler
Dupre	Lentini	Theunissen
Fontenot	Malone	Thomas
Gautreaux	Michot	Ullo
Hollis	Mount	

Total—17

ABSENT

Mr. President	Fields, C	McPherson
Bean	Lambert	Tarver

Total—6

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Personal Privilege

Senator Bean 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 Senate Bill No. 211. He had intended to vote nay on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 221—

BY SENATORS HINES AND THEUNISSEN
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.

The bill was read by title. Senator Hines 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	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lentini	

Total—32

NAYS

Dean
Total—1

ABSENT

Mr. President	Irons	Smith
Fields, C	Lambert	Tarver

Total—6

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones, B
Barham	Ellington	Jones, C
Cain	Fontenot	Smith
Campbell	Gautreaux	Ullo
Chaisson	Hines	
Dardenne	Johnson	

Total—16

NAYS

Bajoie	Heitmeier	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cravins	Lentini	Schedler
Dupre	Malone	Theunissen
Fields, W	Marionneaux	

Total—17

ABSENT

Fields, C	Lambert	Tarver
Irons	McPherson	Thomas

Total—6

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Senator Ellington in the Chair

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.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 241 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 4, after "state" delete "and" and insert a comma ", "

AMENDMENT NO. 2

On page 1, line 4, after "elections" insert "and their unclassified employees"

AMENDMENT NO. 3

On page 1, line 12, after "state" delete "and" and insert a comma ", "

AMENDMENT NO. 4

On page 1, line 13, after "Elections" insert "and their unclassified employees"

AMENDMENT NO. 5

On page 1, line 15, delete "Neither" and insert "Beginning with the term that begins at noon on January 13, 2004,"

AMENDMENT NO. 6

On page 1, line 16, delete "nor" and insert a comma ", "

AMENDMENT NO. 7

On page 1, line 16, after "elections" insert "and any employees in the unclassified state service under the supervision of either official,"

AMENDMENT NO. 8

On page 1, line 16, after "shall" insert "not"

AMENDMENT NO. 9

On page 2, line 7, delete "or" and insert a comma ", "

AMENDMENT NO. 10

On page 2, line 7, after "elections" insert "and any employees in the unclassified state service under the supervision of either official,"

On motion of Senator Campbell, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 241 by Senator Campbell

AMENDMENT NO. 1

On page 1, at the beginning of line 4, insert the following language: "attorney general, all parish clerks of court,"

AMENDMENT NO. 2

On page 1, at the beginning of line 16, insert the following language: "attorney general, all parish clerks of court,"

AMENDMENT NO. 3

On page 2, line 5, before "secretary" insert the following language: "attorney general, all parish clerks of court,"

AMENDMENT NO. 4

On page 2, at the beginning of line 7, insert the following language: "attorney general, all parish clerks of court,"

AMENDMENT NO. 5

On page 2, line 24, before "secretary" insert the following language: "attorney general, all parish clerks of court,"

Senator Barham moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Barham	Fontenot	Schedler
Bean	Hollis	Smith
Boissiere	Hoyt	Theunissen
Cain	Johnson	Ullo
Dardenne	Jones, B	
Dean	Malone	
Total—19		

NAYS

Campbell	Gautreaux	Marionneaux
Chaisson	Heitmeier	McPherson
Cravins	Hines	Michot
Dupre	Jones, C	Romero
Fields, W	Lentini	Thomas
Total—15		

ABSENT

Bajoie	Irons	Tarver
Fields, C	Lambert	
Total—5		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 241 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 4, before "election" insert "federal"

AMENDMENT NO. 2

On page 2, line 25, before "election" insert "federal"

Senator Cain moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fontenot	Theunissen
Total—3		

NAYS

Barham	Fields, W	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson

April 19, 2001

Campbell	Hines	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Thomas
Ellington	Lentini	Ullo
Total—30		

ABSENT

Mr. President	Fields, C	Lambert
Bajoie	Irons	Tarver
Total—6		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Engrossed Senate Bill No. 241 by Senator Campbell

AMENDMENT NO. 1

In Senate Floor Amendment Nos. 1 through 5 proposed by Senator Barham and adopted by the Senate on April 19, 2001, delete "attorney general,"

Senator C. Jones moved adoption of the amendments.

Senator Barham objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Dupre	Jones, C
Campbell	Fields, W	Lentini
Chaisson	Hines	Marionneaux
Cravins	Irons	McPherson
Total—12		

NAYS

Mr. President	Fontenot	Michot
Barham	Heitmeier	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Thomas
Ellington	Malone	Ullo
Total—21		

ABSENT

Bajoie	Gautreaux	Tarver
Fields, C	Lambert	Theunissen
Total—6		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dupre	Malone
Boissiere	Ellington	Marionneaux
Cain	Fields, W	McPherson
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, C	
Total—23		

NAYS

Mr. President	Heitmeier	Michot
Bean	Hoyt	Theunissen
Fontenot	Jones, B	Thomas
Gautreaux	Lentini	Ullo
Total—12		

ABSENT

Bajoie	Lambert
Fields, C	Tarver
Total—4	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—31		

NAYS

Cravins
Total—2

Fields, W
ABSENT

Mr. President
Bajoie
Total—6

Fields, C
Lambert
Tarver
Thomas

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

Mr. President in the Chair

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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
Ellington	Lentini	Ullo
Total—33		

NAYS

Fields, W
Total—1

ABSENT

Mr. President	Fields, C	Tarver
Bajoie	Lambert	
Total—5		

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

SENATE BILL NO. 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 if permitted by the policy of the clerk of court; 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.

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

Mr. President	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	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Lambert
Fields, C	Tarver
Total—4	

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. 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; to require attendance at the Justice of the Peace Training Course to receive such salary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dean	Lambert
Bajoie	Fields, C	Tarver
Total—6		

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

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.

On motion of Senator Lambert, 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.

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

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Lambert
Bajoie	Hines	Tarver
Total—6		

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

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.

Motion to Make Special Order

Senator Dupre asked for a suspension of the rules for the purpose of making Senate Bill No. 363, which is on Third Reading and Final Passage, Special Order of the Day No. 1 on Tuesday, April 24, 2001 immediately following the Morning Hour.

SENATE BILL NO. 469—

BY SENATORS SMITH AND SCHEDLER

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.

Floor Amendments Sent Up

Senator W. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 469 by Senator Smith

AMENDMENT NO. 1

On page 1, line 10, delete "A."

AMENDMENT NO. 2

On page 1, delete lines 15 and 16

AMENDMENT NO. 3

On page 2, delete lines 1 through 6

Senator W. Fields moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Fontenot	Lentini
Boissiere	Gautreaux	Malone
Cain	Heitmeier	Marionneaux
Campbell	Hollis	McPherson
Chaisson	Hoyt	Mount
Cravins	Irons	Schedler
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields, W	Jones, C	Ullo
Total—27		

NAYS

Barham
Total—3

Romero

Smith

ABSENT

Mr. President
Bajoie
Dardenne
Total—9

Dean
Fields, C
Hines

Lambert
Michot
Tarver

The Chair declared the amendments were adopted.

Motion

Senator McPherson moved to table the bill.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Bean
Campbell
Chaisson
Cravins
Dupre
Ellington
Total—20

Fields, W
Fontenot
Gautreaux
Heitmeier
Hollis
Hoyt
Johnson

Marionneaux
McPherson
Mount
Theunissen
Thomas
Ullo

NAYS

Mr. President
Boissiere
Cain
Dean
Total—12

Irons
Jones, B
Jones, C
Lentini

Malone
Romero
Schedler
Smith

ABSENT

Bajoie
Dardenne
Fields, C
Total—7

Hines
Lambert
Michot

Tarver

The Chair declared the bill was tabled.

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.

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

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.

Floor Amendments Sent Up

Senator Schedler 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. 510 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, following "enact" and before "44" insert "R.S."

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Bean
Boissiere
Cain
Campbell
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—32

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

Malone
Marionneaux
McPherson
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Fields, C
Total—7

Hines
Lambert
Michot

Tarver

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Fields, W	Lentini
Dean	Hines	Michot
Fields, C	Lambert	Tarver
Total—9		

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

SENATE BILL NO. 568—

BY SENATORS ULLO AND SCHEDLER

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.

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

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.

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

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

NAYS

Total—0

ABSENT

Bajoie	Hines	Tarver
Fields, C	Lambert	
Fields, W	Michot	
Total—7		

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. 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.

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

Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Irons	Smith
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, C	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—31		

NAYS

Dean
Total—1

ABSENT

Bajoie	Hines	Tarver
Fields, C	Lambert	
Fields, W	Michot	
Total—7		

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Hines	Michot
Fields, C	Lambert	Tarver
Total—6		

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

SENATE BILL NO. 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.

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. 673 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 10, following "A." change "Where" to "When"

AMENDMENT NO. 2

On page 1, line 12, following "litigation" and before "or" insert a comma ", "

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed Senate Bill No. 673 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 12, after "owed the state" delete the remainder of the line and insert:

"or money which has been paid under protest and placed into an escrow account as provided by law which is either in litigation or is in dispute after a notice of"

AMENDMENT NO. 2

On page 2, line 11, after "Senate" insert ", or his designee"

AMENDMENT NO. 3

On page 2, line 12, after "Representatives" insert ", or his designee"

AMENDMENT NO. 4

On page 2, line 20, change "in a timely manner." to "within thirty days of the date of mailing."

AMENDMENT NO. 5

On page 2, delete lines 21 and 22, and insert:

"(2)(a) If the secretary receives forms approving the settlement from a majority of the members of the committee, the secretary may settle the tax dispute in accordance with the terms of the proposed settlement. However, if two or more members of the committee provide a written request for a meeting of the committee to the secretary within thirty days of the mailing of the notice provided for in Paragraph (1) of this Subsection, the secretary shall issue a written call for such meeting to the members of the committee within thirty days of receipt of the request and the mail approval shall be disregarded.

(b) If the secretary does not receive forms in which a majority of the committee either approves or disapproves the proposed settlement by the thirtieth day after the mailing of the notice provided for in Paragraph (1) of this Subsection, the secretary shall issue a written call for a meeting to the members of the committee within thirty days of that date."

AMENDMENT NO. 6

On page 2, at the end of line 25, insert:

"The absence of a quorum on the meeting date or a failure to come to a decision on the part of the committee shall constitute disapproval of the proposed settlement."

AMENDMENT NO. 7

On page 2, delete lines 26 and 27, and on page 3, delete line 1, and insert:

"D. The confidentiality of all records, files, and documents of the secretary and the committee shall be preserved and maintained in accordance with R.S. 47:1508 and 1508.1, and R.S. 44:425, and all meetings of the committee shall be considered strategy sessions concerning prospective litigation, the public discussion of which would have a detrimental effect on the bargaining or litigating position of the secretary."

AMENDMENT NO. 8

On page 3, line 2, change "D." to "E."

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

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 673 by Senator Bill Jones

AMENDMENT NO. 1

On page 2, line 16, change "keep" to "include"

AMENDMENT NO. 2

On page 2, line 17, delete "anonymous and shall include" and insert in lieu thereof a comma ", "

Senator Campbell moved adoption of the amendments.

Senator B. Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fontenot	McPherson
Boissiere	Heitmeier	Michot
Cain	Hollis	Mount
Campbell	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones, C	Smith
Dupre	Lentini	Theunissen
Ellington	Malone	Ullo
Fields, W	Marionneaux	
Total—26		

NAYS

Chaisson	Hoyt	Jones, B
Total—3		

ABSENT

Mr. President	Fields, C	Tarver
Bajoie	Gautreaux	Thomas
Bean	Hines	
Dardenne	Lambert	
Total—10		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
Barham	Fontenot	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hollis	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lentini	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Lambert
Bean	Gautreaux	Tarver
Dardenne	Hines	Thomas
Total—9		

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

SENATE BILL NO. 698—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 4:707(D) and 717, 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.

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

Barham	Fields, W	Marionneaux
Boissiere	Fontenot	McPherson
Cain	Heitmeier	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones, C	Smith
Dupre	Lentini	Theunissen
Ellington	Malone	Ullo
Total—27		

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Jones, B
Bajoie	Gautreaux	Lambert
Bean	Hines	Tarver
Dardenne	Hollis	Thomas
Total—12		

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. 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.

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

Barham	Fontenot	McPherson
Boissiere	Heitmeier	Michot
Cain	Hoyt	Mount
Campbell	Irons	Romero
Chaisson	Johnson	Schedler
Cravins	Jones, B	Smith
Dean	Jones, C	Theunissen

April 19, 2001

Dupre
Ellington
Fields, W
Total—28

Lentini
Malone
Marionneaux

Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Bean
Dardenne
Total—11

Fields, C
Gautreaux
Hines
Hollis

Lambert
Tarver
Thomas

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Cain
Campbell
Chaisson
Cravins
Dean
Dupre
Ellington
Fields, W
Total—27

Fontenot
Heitmeier
Hoyt
Irons
Johnson
Jones, B
Jones, C
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Bean
Boissiere
Total—12

Dardenne
Fields, C
Gautreaux
Hines

Hollis
Lambert
Tarver
Thomas

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

SENATE BILL NO. 834—

BY SENATORS HOYT, MICHOT AND SMITH 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.

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

SENATE BILL NO. 876—

BY SENATORS SMITH, HOYT AND THOMAS

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.

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

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, and 1637(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.

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

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.

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

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.

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

SENATE BILL NO. 962—

BY SENATOR IRONS

AN ACT

To amend and reenact 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.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 962 by Senator Irons

AMENDMENT NO. 1

On page 1, delete lines 10 through 15 in their entirety and insert:

"A. It shall be unlawful for any person or persons to create or cause the creation of any noise in excess of 78 decibels within a distance of 50 feet from any entrance of any church, synagogue, temple, or other house of worship during religious services provided that conspicuous signs, which clearly state services are being conducted, are displayed within 10 feet of the entrances of any such church, synagogue, temple or other house of worship during the conduct of such services.

B. (1) Any law enforcement authority shall order any person or persons in violation of this section to immediately cease creating or causing the creation of such noise. If such person or persons fail to obey any such order, then the violation of such order shall subject such person or persons to a fine of no more than one hundred dollars."

AMENDMENT NO. 2

On page 2, delete lines 1 through 8 in their entirety

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Malone
Boissiere	Fontenot	McPherson
Cain	Heitmeier	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lentini	Ullo
Total—27		

NAYS

Marionneaux
Total—1

ABSENT

Mr. President	Fields, C	Lambert
Bajoie	Gautreaux	Tarver
Bean	Hines	Thomas
Dardenne	Hollis	
Total—11		

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 964 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 8, after "~~Declaration and purpose~~" delete "**Fair Access to Insurance**" and delete line 9 in its entirety, and insert the following: "**Louisiana Joint Reinsurance Plan; Fair Access to Insurance Requirements Plan (FAIR Plan)**"

AMENDMENT NO. 2

On page 2, delete lines 14 and 15 and insert the following: "**Therefore, the Louisiana Joint Reinsurance Plan was reestablished to affect the area of the state designated as the Fair Access to Insurance Requirements (FAIR) Plan area.**"

On motion of Senator Boissiere, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fontenot	Malone
Boissiere	Heitmeier	Marionneaux
Cain	Hollis	Michot
Chaisson	Hoyt	Mount
Cravins	Irons	Romero
Dean	Johnson	Schedler
Dupre	Jones, B	Smith
Ellington	Jones, C	Theunissen
Fields, W	Lentini	Ullo
Total—27		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Lambert
Bajoie	Fields, C	McPherson
Bean	Gautreaux	Tarver
Campbell	Hines	Thomas
Total—12		

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

SENATE BILL NO. 8—

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 56:649.1(A), relative to hunting licenses and fees; to provide that holders of lifetime hunting licenses shall be exempt from payment of wildlife management area hunting fees; and to provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of Senate Bill No. 1430 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 11—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Chapter 35 of Title 17 of the Louisiana Revised Statutes of 1950 by renaming the Chapter, by designating existing provisions R.S. 17:3801 through 3804 as Part I of the Chapter, and by enacting Part II of the Chapter, to be comprised of R.S. 17:3805, relative to constitutional education funds; to provide for approval by the appropriate legislative standing committees of prioritized plans for expenditure of money from the Education

April 19, 2001

Excellence Fund; to provide for certain revisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
Barham	Fontenot	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hollis	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lentini	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Lambert
Bean	Gautreaux	Tarver
Dardenne	Hines	Thomas
Total—9		

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

SENATE BILL NO. 24—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:141(D), relative to motor vehicles; to require the removal of vehicles from a roadway following an accident under certain conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Heitmeier	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lentini	
Total—29		

NAYS

Malone
Total—1

ABSENT

Bajoie
Bean
Dardenne
Total—9

Fields, C
Gautreaux
Hines

Lambert
Tarver
Thomas

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

SENATE BILL NO. 28—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 48:279(A), relative to highways; to provide for certain requirements for contractors to earn bonus reimbursements; to provide relative to night time construction and maintenance work on limited access highways in certain areas; 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

Mr. President	Fontenot	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hollis	Michot
Cain	Hoyt	Mount
Campbell	Irons	Romero
Chaisson	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lentini	Ullo
Fields, W	Malone	
Total—29		

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Tarver
Bean	Gautreaux	Thomas
Cravins	Hines	
Dardenne	Lambert	
Total—10		

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. 52—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Section 2 of Act No. 1341 and Section 3 of Act No. 1342 both of the 1999 Regular Session of the Legislature, relative to the distribution of certain monies; to provide a formula for the calculation of monies saved as the result of a change in certain requirements; to correct a reference in a provision regarding a change in the calculation of monies saved as the result of a change in certain requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Heitmeier	Marionneaux
Boissiere	Hollis	McPherson
Campbell	Hoyt	Michot
Chaisson	Irons	Mount
Dean	Johnson	Romero
Dupre	Jones, B	Schedler
Ellington	Jones, C	Smith
Fields, W	Lentini	Theunissen
Fontenot	Malone	Ullo
Total—27		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Hines
Bajoie	Dardenne	Lambert
Bean	Fields, C	Tarver
Cain	Gautreaux	Thomas
Total—12		

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

SENATE BILL NO. 112— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 36:806, relative to the office of conservation; to provide for certain responsibilities of the commissioner of conservation; to provide for effective date; 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

Mr. President	Fontenot	McPherson
Barham	Heitmeier	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Campbell	Irons	Schedler
Chaisson	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Fields, W	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Lambert
Bean	Gautreaux	Tarver
Cravins	Hines	Thomas
Dardenne	Jones, C	
Total—11		

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

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Barham	Heitmeier	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Fields, W	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Lambert
Bean	Gautreaux	Tarver
Campbell	Hines	Thomas
Dardenne	Jones, C	
Total—11		

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.

Rules Suspended

Senator C. Jones 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. 1021—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 17:6(A)(15) and 22(11) and to enact R.S. 17:6(A)(16) and 22(12) and Part XII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:410.1 through 410.8, relative to public schools; to create a program for construction and modernization of certain public schools; to create the Public School Construction and Modernization Fund and provide for the use of monies in the fund; to provide for the powers, duties, and functions of the state superintendent of education, the State Board of Elementary and Secondary Education, and local school board in developing and implementing certain programs for funding construction and modernization of public school facilities; and to provide for related matters.

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

SENATE BILL NO. 1022—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9033.3(A), relative to sales tax incremental financing in New Orleans; to provide that New Orleans may implement sales tax increment financing for certain economic development projects; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 1023—
BY SENATOR C. D. JONES

AN ACT

To enact R.S. 9:2800.13, relative to offenses and quasi offenses; to create a cause of action against the state for wrongful conviction and imprisonment; to provide for compensation; to provide procedures for filing the cause of action; to provide for the period of time in which the cause of action shall be filed; and to provide for related matters.

Motion

Senator Hainkel moved that the bill be referred to the Committee on Judiciary A.

Senator C. Jones moved as a substitute motion that the bill be referred to the Committee on Judiciary B.

Senator Ellington objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Cain	Fields, W	Mount
Campbell	Hoyt	Theunissen
Chaisson	Johnson	Ullo
Cravins	Jones, C	
Total—14		

NAYS

Barham	Hollis	Romero
Dean	Jones, B	Schedler
Ellington	Lentini	Smith
Fontenot	Malone	

Heitmeier
Total—13

Michot

ABSENT

Bajoie
Bean
Boissiere
Dardenne
Total—12

Fields, C
Gautreaux
Hines
Irons

Lambert
McPherson
Tarver
Thomas

The Chair declared the bill was referred to Judiciary B.

SENATE BILL NO. 1024—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:305(G), relative to commercial gear licenses; to remove certain provisions regarding the duration for fees on gear for taking shrimp; 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.

SENATE BILL NO. 1025—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:461.4(b)(3), relative to advertising signs; to provide that certain signs shall not be placed in a stacked configuration; 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.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Economic Development to study the benefits of a Louisiana indigenous entertainment industry.

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

Motion to Recommit

Senator Dean asked for a suspension of the rules and recommitted Senate Bill No. 854 from the Committee on Agriculture to the Committee on Judiciary C.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Chaisson
Cravins
Dupre
Total—8

Fields, W
Johnson
Marionneaux

Michot
Romero

NAYS

Barham	Jones, B	Smith
Cain	Lentini	Theunissen
Ellington	Malone	Ullio
Heitmeier	McPherson	
Hoyt	Mount	
Total—13		

ABSENT

Mr. President	Dean	Irons
Bajoie	Fields, C	Jones, C
Bean	Fontenot	Lambert
Boissiere	Gautreaux	Schedler
Campbell	Hines	Tarver
Dardenne	Hollis	Thomas
Total—18		

The Chair declared the Senate refused to suspend the rules.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 19, 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. 360— BY REPRESENTATIVES ANSARDI AND MCMAINS AN ACT

To amend Civil Code Articles 767, 1228, and 1829 and to repeal Civil Code Articles 337, 877, 878, and 879 and R.S. 9:1421, relative to successions; to eliminate references to benefit of inventory; to provide that until a successor accepts a succession confusion as to servitudes does not take place; and to provide for related matters.

HOUSE BILL NO. 361— BY REPRESENTATIVES ANSARDI AND MCMAINS AN ACT

To enact Section 8 of Chapter 6 of Title II of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 1617 through 1626, and R.S. 9:2502, relative to successions; to provide for disinheriton of forced heirs; to provide the formalities for disinheriton of forced heirs; to provide the grounds that constitute just cause for disinheriton; to provide grounds for which both parents and grandparents can disinherit forced heirs; to provide for reconciliation between the testator and the forced heirs; to provide for defenses for disinheriton; to provide for the retroactivity of these rules; and to provide for related matters.

HOUSE BILL NO. 425— BY REPRESENTATIVES FUTRELL AND CLARKSON AN ACT

To enact R.S. 48:443(C)(4), relative to expropriation of property; to provide for the availability of certain information; to require the Department of Transportation and Development to provide copies of estimates used in expropriating property; and to provide for related matters.

HOUSE BILL NO. 603— BY REPRESENTATIVE DIEZ AN ACT

To enact R.S. 32:387.15, relative to interstate highways; to provide for a special permit for movement of certain boats on interstates; and to provide for related matters.

HOUSE BILL NO. 606— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 48:256.1(A) and (D) and to repeal R.S. 48:256 and 256.1(B) and (C), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to retained amounts for department contracts; to provide relative to retainage bonds; to provide for the dedication of certain funds; to provide relative to payment by the department of retained amounts to a contractor; to repeal provisions relative to escrow agreements; and to provide for related matters.

HOUSE BILL NO. 625— BY REPRESENTATIVE FLAVIN AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

HOUSE BILL NO. 814— BY REPRESENTATIVE K. CARTER AN ACT

To enact R.S. 47:322.38(B)(1)(i), relative to dedication of state sales and use tax proceeds; to provide for distribution and use of a certain portion of the avails of the state tax on hotel occupancy collected in the parish of Orleans; to provide for an allocation of funds to the Vieux Carré Property Owners and Residents Association; and to provide for related matters.

HOUSE BILL NO. 943— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 32:295.1(D)(2)(a), relative to the use of seat belts; to require the commissioner of motor vehicles to indicate on the face of the applicant's driver's license that the applicant is not required to use a seat belt due to a permanent disability; and to provide for related matters.

HOUSE BILL NO. 984— BY REPRESENTATIVE HAMMETT AN ACT

To amend and reenact R.S. 47:306(B)(11)(a), relative to the state sales and use tax; to increase the effective period of an exemption identification number issued for an exemption from the payment of advance sales and use tax; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 985— BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 47:1582, relative to the Department of Revenue; to authorize the collection of the cost of federal refund offset fees from the tax debtor; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1332— BY REPRESENTATIVE STRAIN AN ACT

To enact R.S. 33:1243(A)(3), relative to St. Tammany Parish ordinances prohibiting littering; to provide relative to penalties for violations of certain ordinances; to provide relative to justice of the peace authority over cases involving littering; and to provide for related matters.

HOUSE BILL NO. 1649—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 33:2740.31(C)(1), relative to the Berwick Development District; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 21—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Article 4732, relative to eviction procedures; to provide for the effective period for judgments of eviction; and to provide for related matters.

HOUSE BILL NO. 148—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(c), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service 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. 165—

BY REPRESENTATIVES DIEZ, CAZAYOUX, FRITH, HAMMETT, JOHNS, AND PINAC AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 38:2212(E), relative to contracts for public works let by publicly owned utilities; to remove required bidding procedures applicable to work done for the contract limit or less; to authorize public entities to use certain maintenance employees for certain projects; and to provide for related matters.

HOUSE BILL NO. 241—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact Code of Civil Procedure Article 1267 and to repeal Code of Civil Procedure Article 1266(B)(4), relative to service of citation or other process on limited liability companies; to authorize service of process on the secretary of state in certain circumstances; to repeal provisions providing for service on court-appointed attorney; and to provide for related matters.

HOUSE BILL NO. 255—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:251(B) and 252(A)(introductory paragraph), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to increase the contract limit for such projects; to increase the minimum aggregate estimated cost of contracts over which the department must send invitations for quotations; and to provide for related matters.

HOUSE BILL NO. 261—

BY REPRESENTATIVES GALLOT AND R. ALEXANDER
AN ACT

To enact R.S. 47:302.51, 322.43, and 332.49, relative to the disposition of certain sales tax collections in Bienville Parish; to establish the Bienville Parish Tourism and Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

HOUSE BILL NO. 328—

BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 32:171(H), relative to railroad grade crossings; to authorize certain persons to report railroad grade crossing violations; to authorize reporting of railroad grade crossing violations by certain means; to require certain information to be reported; to authorize law enforcement to issue citations for violations; to provide for certain deadlines; and to provide for related matters.

HOUSE BILL NO. 316—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To amend and reenact Children's Code Articles 303(7), 424.7(A), 438(C) and (D), 439(C), 443, 603(8), 619(C), 620(B), 624(C), (D), and (E), 626(B), 629, 630, 672, 672.1(D), 688, 702(C) through (G), 710(A)(introductory paragraph) and (C), 745(C), 776(A), 841(C), 1004(G), 1037.1, 1128, 1131(A), 1137(C), 1144(B), 1146(B) and (C), 1195(C), 1196(D), 1223(B)(4), 1223.1(C)(1)(A), 1243(A) and (C), and 1249 and Code of Civil Procedure Article 10(A)(1); to enact Children's Code Articles 438(E) and 439.1, 624(F), 710(D), and 1196(E); and to repeal Children's Code Articles 617(G) and (H), 618(G) and (H), and 702(H), relative to children; to provide for the continuous revision of the Children's Code; to provide for further implementation of the Adoption and Safe Families Act of 1999; to provide for children in need of care, court-appointed and court-approved administrative bodies, instant orders, continued custody, informal adjustment agreements, assignment of custody of children, reunification efforts, and permanency hearings and orders; to provide for mediation in the Children's Code, selection and qualification of mediators, and preparation of mediation agreements; to provide for jurisdiction over children and minors; to provide for the effect of informal family services plan agreements, permanency planning reports, informal adjustment agreements, authorizations to file petitions for termination of parental rights, continued contact with biological relatives, notice of opposition to adoptions, fee disclosure, intrafamily adoptions, and service and jurisdiction in adoption proceedings; and to provide for related matters.

HOUSE BILL NO. 347—

BY REPRESENTATIVES MCDONALD AND MCMAINS
AN ACT

To enact R.S. 49:170.6, relative to the adoption of state symbols; to provide for the official tartan of the state of Louisiana; and to provide for related matters.

HOUSE BILL NO. 1786—

BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.2(A), relative to the scope of admissible evidence in the penalty phase of a capital rape prosecution; to provide that at the sentencing hearing, evidence can be introduced to demonstrate the impact the crime has had on the victim and the victim's family; and to provide for related matters.

HOUSE BILL NO. 1818— (Substitute for House Bill No. 1576 by Representative Doerge)

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 22:1585(A) and (F) and R.S. 40:1593 and to repeal R.S. 22:1585(F), relative to state expenditures for fire protection activities; to provide for distribution of the proceeds of certain fire insurance premium taxes; to provide support for certain firefighter training facilities; to abolish the Volunteer Firefighter Insurance Premium Fund; to provide for payment of certain volunteer firefighter group insurance premiums; to provide for effective dates; and to provide for related matters.

HOUSE BILL NO. 223—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:1899(J), relative to costs in criminal cases in city courts; to authorize the use of surplus probation supervision fees in criminal, traffic, and juvenile cases in the City Court of Slidell to be used for the operational expenses of the court; and to provide for related matters.

HOUSE BILL NO. 554—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 25:736(6), relative to the Donaldsonville Historic District Commission; to provide that members of the commission shall be residents and electors of the district; and to provide for related matters.

HOUSE BILL NO. 696—

BY REPRESENTATIVES MCDONALD, HAMMETT, AND THOMPSON AND SENATOR JONES

AN ACT

To enact R.S. 13:961(F)(1)(l), relative to court reporter fees in the Sixth Judicial District; to authorize an increase in transcription fees in civil and criminal cases; and to provide for related matters.

HOUSE BILL NO. 727—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 13:1907(A), relative to the City Court of Lake Charles; to authorize the transfer of certain unclaimed fees and interest to the general operational fund of the court; to provide for notice to persons due refunds; and to provide for related matters.

HOUSE BILL NO. 735—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact the title of Chapter 5-E of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.21, 380.22(A), 380.23(B)(5) and (C)(1), 380.24, 380.25(A), (B), (C)(1), (2)(b)(iii), and (3), and 380.26, and R.S. 36:744(N) and 801.9(A) and (C), relative to the Caddo Pine Island Oil and Historical Museum; to rename the museum; and to provide for related matters.

HOUSE BILL NO. 456—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:5062(B), relative to removal of weeds and growths in municipalities with a population of less than four hundred thousand; to provide relative to the notification period during which the owner of the property or of the abutting property where weeds or growths are to be removed may do the work himself; and to provide for related matters.

HOUSE BILL NO. 542—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 13:970(L) and to enact R.S. 13:961(F)(1)(l), relative to court reporters in the Twenty-Sixth Judicial District Court; to authorize an increase in per page fees charged for transcription of testimony and for copies thereof in civil and criminal cases in Bossier Parish and Webster Parish; and to provide for related matters.

HOUSE BILL NO. 915—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact R.S. 33:3031(A)(1)(a)(ii)(cc) and (C)(3) and to repeal R.S. 33:3031(D) and (E), relative to economic development; to provide relative to employees of business concerns receiving incentives; to enlarge the geographic boundaries of the Mid City Research and Technology Zone; to repeal provisions prohibiting a business from

receiving certain rebates and exemptions; to repeal certain approval requirements for receiving incentives; and to provide for related matters.

HOUSE BILL NO. 960—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 13:843.1, relative to court costs in civil suits; to shorten the time period for the clerk of a district court to refund unused advance deposits or issue a demand payment for accrued costs; and to provide for related matters.

HOUSE BILL NO. 1016—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 30:2531.3(F)(1) and to enact R.S. 30:2531.3(C)(3), relative to commercial littering; to require industrial, commercial, mining, or agricultural operations within the city of Donaldsonville to construct and maintain fences or walls to contain litter; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 1151—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 15:255(G), relative to witness fees paid to off-duty law enforcement officers; to authorize the city of Hammond to transfer money in the witness fee fund to the general fund of that city to purchase police equipment; to provide for maintaining certain balances; and to provide for related matters.

HOUSE BILL NO. 1295—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 23:631(A)(1)(a), relative to discharged employees; to extend the time period within which a discharged employee must be compensated; and to provide for related matters.

HOUSE BILL NO. 959—

BY REPRESENTATIVES GUILLORY, BOWLER, CLARKSON, MURRAY, NEVERS, PERKINS, PITRE, POWELL, SCALISE, STELLY, AND TUCKER

AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(e), relative to the Department of Labor, including provisions to provide for the re-creation of the Department of Labor 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. 1157—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i), relative to derelict structures; to authorize the governing authority of the parish of Bossier to compel or require property owners to repair or demolish such structures and to charge the property owners therefor; to provide for the collection of such charges and enforcement thereof; and to provide for related matters.

HOUSE BILL NO. 665—

BY REPRESENTATIVES ODINET AND WOOTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(J) and R.S. 14:98(D)(1), (E)(1) and (3), (I), (J), and (K) and to enact Code of Criminal Procedure Article 894.2(K) and R.S. 14:98(D)(3) and (E)(4), relative to operating a vehicle while intoxicated (DWI); to require substance abuse treatment for certain DWI offenders; to require home incarceration for certain DWI offenders; to provide for the specific requirements of home incarceration for such offenders; to require the installation of interlock devices and to provide for the issuance of restricted driver's licenses in certain circumstances; to provide for the

payment of costs of substance abuse treatment, home incarceration, and court-approved driver improvement programs; 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. 21—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Code of Civil Procedure Article 4732, relative to eviction procedures; to provide for the effective period for judgments of eviction; 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. 148—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(c), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service 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. 165—

BY REPRESENTATIVES DIEZ, CAZAYOUX, FRITH, HAMMETT, JOHNS, AND PINAC AND SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2212(E), relative to contracts for public works let by publicly owned utilities; to remove required bidding procedures applicable to work done for the contract limit or less; to authorize public entities to use certain maintenance employees for certain projects; 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. 223—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:1899(J), relative to costs in criminal cases in city courts; to authorize the use of surplus probation supervision fees in criminal, traffic, and juvenile cases in the City Court of Slidell to be used for the operational expenses of the 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 C.

HOUSE BILL NO. 241—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact Code of Civil Procedure Article 1267 and to repeal Code of Civil Procedure Article 1266(B)(4), relative to service of citation or other process on limited liability companies; to authorize service of process on the secretary of state in certain circumstances; to

repeal provisions providing for service on court-appointed attorney; 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. 255—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:251(B) and 252(A)(introductory paragraph), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to increase the contract limit for such projects; to increase the minimum aggregate estimated cost of contracts over which the department must send invitations for quotations; 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. 261—

BY REPRESENTATIVES GALLOT AND R. ALEXANDER

AN ACT

To enact R.S. 47:302.51, 322.43, and 332.49, relative to the disposition of certain sales tax collections in Bienville Parish; to establish the Bienville Parish Tourism and Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; 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. 316—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend and reenact Children's Code Articles 303(7), 424.7(A), 438(C) and (D), 439(C), 443, 603(8), 619(C), 620(B), 624(C), (D), and (E), 626(B), 629, 630, 672, 672.1(D), 688, 702(C) through (G), 710(A)(introductory paragraph) and (C), 745(C), 776(A), 841(C), 1004(G), 1037.1, 1128, 1131(A), 1137(C), 1144(B), 1146(B) and (C), 1195(C), 1196(D), 1223(B)(4), 1223.1(C)(1)(A), 1243(A) and (C), and 1249 and Code of Civil Procedure Article 10(A)(1); to enact Children's Code Articles 438(E) and 439.1, 624(F), 710(D), and 1196(E); and to repeal Children's Code Articles 617(G) and (H), 618(G) and (H), and 702(H), relative to children; to provide for the continuous revision of the Children's Code; to provide for further implementation of the Adoption and Safe Families Act of 1999; to provide for children in need of care, court-appointed and court-approved administrative bodies, instant orders, continued custody, informal adjustment agreements, assignment of custody of children, reunification efforts, and permanency hearings and orders; to provide for mediation in the Children's Code, selection and qualification of mediators, and preparation of mediation agreements; to provide for jurisdiction over children and minors; to provide for the effect of informal family services plan agreements, permanency planning reports, informal adjustment agreements, authorizations to file petitions for termination of parental rights, continued contact with biological relatives, notice of opposition to adoptions, fee disclosure, intrafamily adoptions, and service and jurisdiction in adoption proceedings; 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. 328—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 32:171(H), relative to railroad grade crossings; to authorize certain persons to report railroad grade crossing violations; to authorize reporting of railroad grade crossing violations by certain means; to require certain information to be reported; to authorize law enforcement to issue citations for violations; 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. 347—

BY REPRESENTATIVES MCDONALD AND MCMAINS

AN ACT

To enact R.S. 49:170.6, relative to the adoption of state symbols; to provide for the official tarten of the state of Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 360—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend Civil Code Articles 767, 1228, and 1829 and to repeal Civil Code Articles 337, 877, 878, and 879 and R.S. 9:1421, relative to successions; to eliminate references to benefit of inventory; to provide that until a successor accepts a succession confusion as to servitudes does not take place; 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. 361—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To enact Section 8 of Chapter 6 of Title II of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 1617 through 1626, and R.S. 9:2502, relative to successions; to provide for disinheriton of forced heirs; to provide the formalities for disinheriton of forced heirs; to provide the grounds that constitute just cause for disinheriton; to provide grounds for which both parents and grandparents can disinherit forced heirs; to provide for reconciliation between the testator and the forced heirs; to provide for defenses for disinheriton; to provide for the retroactivity of these rules; 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. 425—

BY REPRESENTATIVES FUTRELL AND CLARKSON

AN ACT

To enact R.S. 48:443(C)(4), relative to expropriation of property; to provide for the availability of certain information; to require the Department of Transportation and Development to provide copies of estimates used in expropriating 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. 456—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:5062(B), relative to removal of weeds and growths in municipalities with a population of less than four hundred thousand; to provide relative to the notification period during which the owner of the property or of the abutting property where weeds or growths are to be removed may do the work himself; and to provide for related matters.

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

HOUSE BILL NO. 542—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 13:970(L) and to enact R.S. 13:961(F)(1)(I), relative to court reporters in the Twenty-Sixth Judicial District Court; to authorize an increase in per page fees charged for transcription of testimony and for copies thereof in civil and criminal cases in Bossier Parish and Webster Parish; 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. 554—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 25:736(6), relative to the Donaldsonville Historic District Commission; to provide that members of the commission shall be residents and electors 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. 603—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:387.15, relative to interstate highways; to provide for a special permit for movement of certain boats on interstates; 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. 606—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:256.1(A) and (D) and to repeal R.S. 48:256 and 256.1(B) and (C), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to retained amounts for department contracts; to provide relative to retainage bonds; to provide for the dedication of certain funds; to provide relative to payment by the department of retained amounts to a contractor; to repeal provisions relative to escrow agreements; 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. 625—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; 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. 665—
BY REPRESENTATIVES ODINET AND WOOTON
AN ACT

To amend and reenact Code of Criminal Procedure Article 894.2(J) and R.S. 14:98(D)(1), (E)(1) and (3), (I), (J), and (K) and to enact Code of Criminal Procedure Article 894.2(K) and R.S. 14:98(D)(3) and (E)(4), relative to operating a vehicle while intoxicated (DWI); to require substance abuse treatment for certain DWI offenders; to require home incarceration for certain DWI offenders; to provide for the specific requirements of home incarceration for such offenders; to require the installation of interlock devices and to provide for the issuance of restricted driver's licenses in certain circumstances; to provide for the payment of costs of substance abuse treatment, home incarceration, and court-approved driver improvement programs; 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. 696—
BY REPRESENTATIVES MCDONALD, HAMMETT, AND THOMPSON AND SENATOR JONES
AN ACT

To enact R.S. 13:961(F)(1)(l), relative to court reporter fees in the Sixth Judicial District; to authorize an increase in transcription fees in civil and criminal cases; 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. 727—
BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 13:1907(A), relative to the City Court of Lake Charles; to authorize the transfer of certain unclaimed fees and interest to the general operational fund of the court; to provide for notice to persons due refunds; 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. 735—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact the title of Chapter 5-E of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:380.21, 380.22(A), 380.23(B)(5) and (C)(1), 380.24, 380.25(A), (B), (C)(1), (2)(b)(iii), and (3), and 380.26, and R.S. 36:744(N) and 801.9(A) and (C), relative to the Caddo Pine Island Oil and Historical Museum; to rename the museum; 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. 814—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 47:322.38(B)(1)(i), relative to dedication of state sales and use tax proceeds; to provide for distribution and use of a certain portion of the avails of the state tax on hotel occupancy collected in the parish of Orleans; to provide for an allocation of funds to the Vieux Carré Property Owners and Residents Association; and to provide for related matters.

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

HOUSE BILL NO. 915—
BY REPRESENTATIVE M. JACKSON
AN ACT

To enact R.S. 33:3031(A)(1)(a)(ii)(cc) and (C)(3) and to repeal R.S. 33:3031(D) and (E), relative to economic development; to provide relative to employees of business concerns receiving incentives; to enlarge the geographic boundaries of the Mid City Research and Technology Zone; to repeal provisions prohibiting a business from receiving certain rebates and exemptions; to repeal certain approval requirements for receiving incentives; 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.

HOUSE BILL NO. 943—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:295.1(D)(2)(a), relative to the use of seat belts; to require the commissioner of motor vehicles to indicate on the face of the applicant's driver's license that the applicant is not required to use a seat belt due to a permanent disability; 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. 959—
BY REPRESENTATIVES GUILLORY, BOWLER, CLARKSON, MURRAY, NEVERS, PERKINS, PITRE, POWELL, SCALISE, STELLY, AND TUCKER
AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(e), relative to the Department of Labor, including provisions to provide for the re-creation of the Department of Labor 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 Labor and Industrial Relations.

HOUSE BILL NO. 960—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 13:843.1, relative to court costs in civil suits; to shorten the time period for the clerk of a district court to refund unused advance deposits or issue a demand payment for accrued costs; 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. 984—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:306(B)(11)(a), relative to the state sales and use tax; to increase the effective period of an exemption identification number issued for an exemption from the payment of advance sales and use tax; 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. 985—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 47:1582, relative to the Department of Revenue; to authorize the collection of the cost of federal refund offset fees from the tax debtor; 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. 1016—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 30:2531.3(F)(1) and to enact R.S. 30:2531.3(C)(3), relative to commercial littering; to require industrial, commercial, mining, or agricultural operations within the city of Donaldsonville to construct and maintain fences or walls to contain litter; to provide 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 Local and Municipal Affairs.

HOUSE BILL NO. 1151—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 15:255(G), relative to witness fees paid to off-duty law enforcement officers; to authorize the city of Hammond to transfer money in the witness fee fund to the general fund of that city to purchase police equipment; to provide for maintaining certain balances; 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. 1157—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i), relative to derelict structures; to authorize the governing authority of the parish of Bossier to compel or require property owners to repair or demolish such structures and to charge the property owners therefor; to provide for the collection of such charges and enforcement thereof; 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. 1295—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 23:631(A)(1)(a), relative to discharged employees; to extend the time period within which a discharged employee must be compensated; 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. 1332—

BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 33:1243(A)(3), relative to St. Tammany Parish ordinances prohibiting littering; to provide relative to penalties for violations of certain ordinances; to provide relative to justice of the peace authority over cases involving littering; 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. 1649—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 33:2740.31(C)(1), relative to the Berwick Development District; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; 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. 1786—

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact Code of Criminal Procedure Article 905.2(A), relative to the scope of admissible evidence in the penalty phase of a capital rape prosecution; to provide that at the sentencing hearing, evidence can be introduced to demonstrate the impact the crime has had on the victim and the victim's family; 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. 1818 (Substitute for House Bill No. 1576 by Representative Doerge)—

BY REPRESENTATIVE DÖERGE

AN ACT

To amend and reenact R.S. 22:1585(A) and (F) and R.S. 40:1593 and to repeal R.S. 22:1585(F), relative to state expenditures for fire protection activities; to provide for distribution of the proceeds of certain fire insurance premium taxes; to provide support for certain firefighter training facilities; to abolish the Volunteer Firefighter Insurance Premium Fund; to provide for payment of certain volunteer firefighter group insurance premiums; to provide for effective dates; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

April 19, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 168—

BY SENATOR MCPHERSON

A JOINT RESOLUTION

Proposing to add Article I, Section 27 of the Constitution of Louisiana, relative to the declaration of rights; to preserve the freedom to hunt, fish and trap, subject to reasonable regulation, restriction, or prohibition imposed pursuant to law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 338—
BY SENATOR DUPRE

AN ACT

To enact R.S. 56:104(A)(8), relative to license fees; to provide for a disabled hunting license; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 359—
BY SENATOR MCPHERSON

AN ACT

To enact Part XIII-A of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:699.21 and 699.22, relative to the creation of the Hunting and Fishing Advisory Education Council; to provide for membership on the Hunting and Fishing Education Advisory Council; to provide for powers, duties and responsibilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 362—
BY SENATORS DUPRE AND GAUTREAUX

AN ACT

To amend and reenact R.S. 56:499(B)(1), relative to the size of certain fishing nets; to provide relative to certain maximum dimensions and to the determination of the size of double skimmer nets used in shrimping; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 416—
BY SENATOR MCPHERSON

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries and the secretary of the Department of Agriculture and Forestry to exchange title to certain described parcels in the parish of Rapides with certain individuals; to provide for reservation of mineral rights; to provide for execution of necessary documents; to provide for appraisal; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 474—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 56:104(A)(2) and 302.1(A), relative to recreational hunting and fishing license fees; to provide that certain fee charged to nonresident full-time college students be equal to fees charged to residents; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 638—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:116(C)(2), relative to hunting wild quadrupeds; to authorize the use of a magnified scope on a muzzleloader; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 650—
BY SENATOR DUPRE

AN ACT

To repeal R.S. 56:301.2(B), relative to the collection of certain alien individual license fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 928—
BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to seines or nets; to provide that hoop nets without leads may be left unattended; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1005—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 56:8(105)(a)(ii) and (iv), relative to wild quadrupeds; to include nutria in the definition of outlaw quadruped; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 19, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES NEVERS, STRAIN, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOUIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS THOMAS, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of former state representative Lawrence A. "Buster" Sheridan of Angie.

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of William "Bill" (Gabby) Hays of Jamestown.

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

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**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 19, 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. 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.

**SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR HOYT AND REPRESENTATIVE FRITH****A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former state senator, R.C. "Cliff" Gaspard.

SENATE CONCURRENT RESOLUTION NO. 62—

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

A CONCURRENT RESOLUTION

To express the condolences of the members of the legislature to the family of Deborah Morrell Heisser Richardson, sister of Representative Arthur Morrell.

**SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING****A CONCURRENT RESOLUTION**

To commend Jazzland Theme Park for a successful operation that has proven to be an asset to the city of New Orleans and continues to assist in the revitalization of New Orleans East and for its outstanding service and dedication to the citizens of the city of New Orleans.

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:

Bajoie	½ Day	Barham	½ Day
Bean	½ Day	Cravins	½ Day
Dardenne	½ Day	C. Fields	1 Day
Gautreaux	½ Day	Hines	½ Day
Irons	½ Day	Marionneaux	½ Day
Michot	½ Day	Tarver	1 Day
Thomas	½ Day		

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, April 23, 2001, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, April 23, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk