

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

**FIFTEENTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 25, 2001

The Senate was called to order at 1:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

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

**PRESENT**

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

**ABSENT**

Tarver  
Total—1

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

**Prayer**

The prayer was offered by Mr. Jim Dixon, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

April 25, 2001

To the President and Members of the Senate:

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

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

**HOUSE BILL NO. 923—**

BY REPRESENTATIVES PINAC AND DANIEL  
AN ACT

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

Reported without amendments.

**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.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1274 by Representative Pinac

**AMENDMENT NO. 1**

On page 4, line 7, following "47:306" and before "and" change "(A)(4)(a)" to "(B)(4)(a)"

**HOUSE BILL NO. 1513—**

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

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

licensure and permits to practice medicine; to delete reference to a specific date for renewal of medical licensure; to delete exemptions from jury and military services superseded by law; to repeal the requirement for board maintenance of examinations and reference to Laetrile; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1711—**

BY REPRESENTATIVE THOMPSON

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 provide for definitions; to provide for powers and duties of the commissioner; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

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

**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 25, 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. 1745—**

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 22:1922(A)(1)(o), (p), and (q), relative to the Advisory Committee on Equal Opportunity in the Department of Insurance; to provide for nominees; to provide for appointment; and to provide for related matters.

**HOUSE BILL NO. 1761—**

BY REPRESENTATIVES POWELL, PITRE, AND BOWLER

AN ACT

To amend and reenact R.S. 23:1161(B)(introductory paragraph), 1168(A)(1), 1174.1(A), 1200.3(A) and (B) and R.S. 39:1549, relative to group self-insurance funds; to clarify references to group self-insurance funds as insurers or providers of insurance

coverage; to provide proper citations to group self-insurance within the workers' compensation act and other statutes; and to provide for related matters.

**HOUSE BILL NO. 1796—**

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 42:1123(28), relative to an exception to the ethics code; to provide for an exception to the ethics code to allow a public servant, legal entity in which he has a controlling interest, or member of his immediate family to donate services, moveable property, or funds to his agency; and to provide for related matters.

**HOUSE BILL NO. 118 (Duplicate of Senate Bill No. 325)—**

BY REPRESENTATIVE POWELL AND SENATOR HAINKEL

AN ACT

To enact R.S. 33:2481(B)(6), relative to the fire and police civil service; to provide that the chief of police for the city of Hammond is placed in the unclassified service; and to provide for related matters.

**HOUSE BILL NO. 123—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:441(A), relative to mayors' courts; to authorize the suspension of sentence or fine and the imposition of probation; and to provide for related matters.

**HOUSE BILL NO. 137—**

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

To repeal Act No. 61 of the 1976 Regular Session of the Legislature, Act No. 429 of the 1977 Regular Session of the Legislature, Act Nos. 633 and 634 of the 1978 Regular Session of the Legislature, Act No. 562 of the 1980 Regular Session of the Legislature, Act Nos. 126 and 127 of the 1988 Regular Session of the Legislature, and Act No. 160 of the 1990 Regular Session of the Legislature, relative to the Municipal Police Employees Civil Service system and the Municipal Employees Civil Service system of the city of Slidell; to repeal special Act providing for such systems; and to provide for related matters.

**HOUSE BILL NO. 299—**

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

To enact R.S. 13:1899(J), relative to the City Court of Slidell; to provide for witness fees in criminal and traffic matters in the City Court of Slidell; and to provide for related matters.

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 15:254.7, relative to law enforcement officers subpoenaed to testify in the City Court of Slidell; to require the clerk of the City Court of Slidell to pay witness fees when off-duty law enforcement officers are subpoenaed to testify; to provide for certification requirements; to provide for maximum allowable fees; and to provide for related matters.

**HOUSE BILL NO. 298—**

BY REPRESENTATIVE CROWE

## AN ACT

To enact R.S. 13:2113, relative to the City Court of Slidell; to authorize filing fees in civil and juvenile matters and additional costs in certain juvenile matters; to provide for the disposition and use of such funds; and to provide for related matters.

**HOUSE BILL NO. 454—**

BY REPRESENTATIVE WELCH

## AN ACT

To amend and reenact R.S. 13:785, relative to clerks of court; to provide with respect to the disposition of the clerk's salary fund at the expiration of a clerk's term of office; and to provide for related matters.

**HOUSE BILL NO. 435—**

BY REPRESENTATIVES NEVERS AND MURRAY

## AN ACT

To amend and reenact R.S. 23:1210, relative to workers' compensation; to provide for an increase in the maximum burial expenses paid by employers for work-related deaths; and to provide for related matters.

**HOUSE BILL NO. 1601—**

BY REPRESENTATIVE SNEED

## AN ACT

To enact R.S. 14:70.6, relative to crimes; to create the crime of unlawful distribution, possession, or use of theft alarm deactivation devices; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 1661—**

BY REPRESENTATIVE DONELON

## AN ACT

To enact R.S. 14:67.17, relative to theft of business records; to provide for the crime of theft of a business record; to provide for penalties; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 654—**

BY REPRESENTATIVES HUDSON, ALARIO, E. ALEXANDER, BAYLOR, BROOME, R. CARTER, CAZAYOUX, CRANE, CROWE, DOWNER, DURAND, FAUCHEUX, GALLOT, GLOVER, GREEN, GUILLORY, HILL, L. JACKSON, M. JACKSON, KENNARD, LAFLEUR, LUCAS, MCDONALD, MONTGOMERY, MORRELL, MURRAY, PIERRE, PINAC, POWELL, QUEZAIRE, GARY SMITH, JOHN SMITH, STRAIN, WELCH, AND WOOTON

## AN ACT

To amend and reenact R.S. 40:1321(C) and (D), relative to public safety; to establish the Protect and Save our Children Program; to provide for special identification cards for children; to set the fees therefor; and to provide for related matters.

**HOUSE BILL NO. 1871 (Substitute for House Bill No. 269 by Representative Lancaster)—**

BY REPRESENTATIVE LANCASTER

## AN ACT

To amend and reenact R.S. 42:1141(B)(1), relative to the notification provided to a person who files a complaint with the Board of Governmental Ethics; to provide that a person who files a non-sworn complaint shall be provided only a notification of disposition of the complaint; and to provide for related matters.

**HOUSE BILL NO. 651—**

BY REPRESENTATIVE FUTRELL

## AN ACT

To enact R.S. 17:427.1, and 427.2 relative to the Critical Teacher Shortage Incentive Program; to provide for the creation and purpose of such program; to provide for program definitions, contracts, administration, implementation, reporting, and funding; to provide relative to legislative findings and intent; and to provide for related matters.

**HOUSE BILL NO. 718—**

BY REPRESENTATIVE MCMAINS AND SENATOR MOUNT

## AN ACT

To amend and reenact R.S. 37:213 and 219(B) and to enact R.S. 37:219(C), relative to attorneys; to provide for increased penalties for the solicitation of employment for an attorney; to provide for increased penalties for certain unlawful payments by attorneys; and to provide for related matters.

**HOUSE BILL NO. 759—**

BY REPRESENTATIVE MCMAINS

## AN ACT

To amend and reenact R.S. 13:4202(B)(1) and to enact R.S. 13:4202(A)(13) through (16), relative to the rate of legal interest; to statutorily codify the rate of legal or judicial interest for the last four years; to provide for calculation of legal interest in future years; and to provide for related matters.

**HOUSE BILL NO. 747—**

BY REPRESENTATIVE MCMAINS

## AN ACT

To amend and reenact Code of Civil Procedure Articles 155 and 157(A) and Code of Criminal Procedure Articles 675 and 676(A) through (D) and to enact Code of Criminal Procedure Article 676(E), relative to the recusal of judges; to provide procedures for recusal; to provide for the hearing of a motion to recuse; to provide for the random process for appointment of a judge ad hoc to hear a motion to recuse; to provide for the random process for appointment of a judge to hear a case after recusal of a judge; and to provide for related matters.

**HOUSE BILL NO. 497—**

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, AND WALSWORTH

## AN ACT

To amend and reenact R.S. 11:1316(C)(2), 1317, 1321(A)(2), and 1322(C), relative to the State Police Pension and Retirement System; to provide with respect to the survivor benefits payable to minor children; to provide with respect to the criteria used to determine eligibility for such benefits and certain limitations applicable to the payment thereof; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 499—**

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, AND WALSWORTH

## AN ACT

To amend and reenact R.S. 11:1302(A), relative to the State Police Pension and Retirement System; to provide with respect to the board of trustees, the composition thereof, and the service of designees thereon; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 540—**

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:1554.1, relative to the coroner in Livingston Parish; to provide for qualifications for office; to authorize the reelection of a person who is not a licensed physician to the office of coroner in Livingston Parish; and to provide for related matters.

**HOUSE BILL NO. 546—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 37:1279, relative to the recordation of medical licenses; to eliminate the requirement that medical licenses be recorded with the clerk of court for each parish in which the licensed person practices; and to provide for related matters.

**HOUSE BILL NO. 1300—**

BY REPRESENTATIVES SNEED, GREEN, AND LANCASTER

AN ACT

To amend and reenact R.S. 33:172.1, relative to municipal annexation procedures in Jefferson Parish; to provide relative to requirements for annexation; to provide relative to petitioning to annex territory in Jefferson Parish and requirements for petitions; to provide requirements relative to areas to be annexed; to provide relative to approval of annexation; to provide relative to suits to contest proposed extensions of corporate limits; and to provide for related matters.

**HOUSE BILL NO. 1003—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 23:1212, relative to medical expense payments in workers' compensation; to provide that payment by Medicaid or other state medical assistance programs does not extinguish claims for medical expenses; and to provide for related matters.

**HOUSE BILL NO. 1112—**

BY REPRESENTATIVES SCHNEIDER, CROWE, AND STRAIN

AN ACT

To amend and reenact R.S. 13:621.22, relative to district judges; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

**HOUSE BILL NO. 1468—**

BY REPRESENTATIVES LANCASTER, FAUCHEUX, WALSWORTH, PRATT, GALLOT, AND WELCH

AN ACT

To amend and reenact R.S. 33:1565(B)(1), relative to organ donation and coroners; to provide for prompt delivery of anatomical gifts; to provide immunity from civil litigation and criminal prosecution for delivery of anatomical gifts; to provide for judicial enforcement of anatomical gifts; and to provide for related matters.

**HOUSE BILL NO. 1648—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 26:80(A)(4) and 280(A)(4), relative to alcoholic beverages permits, to provide for qualifications for applicants; and to provide for related matters.

**HOUSE BILL NO. 1682—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 26:71.1(1)(g), (h), and (i) and 271.2(1)(g), (h), and (i), relative to permits for alcoholic beverages; to provide requirements for Class A-General retail permits; 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. 118 (Duplicate of Senate Bill No. 325)—**

BY REPRESENTATIVE POWELL AND SENATOR HAINKEL

AN ACT

To enact R.S. 33:2481(B)(6), relative to the fire and police civil service; to provide that the chief of police for the city of Hammond is placed in the unclassified service; 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. 123—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:441(A), relative to mayors' courts; to authorize the suspension of sentence or fine and the imposition of probation; 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. 137—**

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

To repeal Act No. 61 of the 1976 Regular Session of the Legislature, Act No. 429 of the 1977 Regular Session of the Legislature, Act Nos. 633 and 634 of the 1978 Regular Session of the Legislature, Act No. 562 of the 1980 Regular Session of the Legislature, Act Nos. 126 and 127 of the 1988 Regular Session of the Legislature, and Act No. 160 of the 1990 Regular Session of the Legislature, relative to the Municipal Police Employees Civil Service system and the Municipal Employees Civil Service system of the city of Slidell; to repeal special Act providing for such systems; 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. 225—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 15:254.7, relative to law enforcement officers subpoenaed to testify in the City Court of Slidell; to require the clerk of the City Court of Slidell to pay witness fees when off-duty law enforcement officers are subpoenaed to testify; to provide for certification requirements; to provide for maximum allowable fees; 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. 298—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:2113, relative to the City Court of Slidell; to authorize filing fees in civil and juvenile matters and additional costs in certain juvenile matters; to provide for the disposition and use of such funds; 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. 299—**

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

To enact R.S. 13:1899(J), relative to the City Court of Slidell; to provide for witness fees in criminal and traffic matters in the City Court of Slidell; 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. 435—**

BY REPRESENTATIVES NEVERS AND MURRAY

AN ACT

To amend and reenact R.S. 23:1210, relative to workers' compensation; to provide for an increase in the maximum burial expenses paid by employers for work-related deaths; 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. 454—**

BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 13:785, relative to clerks of court; to provide with respect to the disposition of the clerk's salary fund at the expiration of a clerk's term of office; 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. 497—**

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 11:1316(C)(2), 1317, 1321(A)(2), and 1322(C), relative to the State Police Pension and Retirement System; to provide with respect to the survivor benefits payable to minor children; to provide with respect to the criteria used to determine eligibility for such benefits and certain limitations applicable to the payment thereof; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 499—**

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, AND WALSWORTH

AN ACT

To amend and reenact R.S. 11:1302(A), relative to the State Police Pension and Retirement System; to provide with respect to the board of trustees, the composition thereof, and the service of designees thereon; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 540—**

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:1554.1, relative to the coroner in Livingston Parish; to provide for qualifications for office; to authorize the reelection of a person who is not a licensed physician to the office of coroner in Livingston 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 C.

**HOUSE BILL NO. 546—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 37:1279, relative to the recordation of medical licenses; to eliminate the requirement that medical licenses be recorded with the clerk of court for each parish in which the licensed person practices; 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. 651—**

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 17:427.1, and 427.2 relative to the Critical Teacher Shortage Incentive Program; to provide for the creation and purpose of such program; to provide for program definitions, contracts, administration, implementation, reporting, and funding; to provide relative to legislative findings and intent; 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. 654—**

BY REPRESENTATIVES HUDSON, ALARIO, E. ALEXANDER, BAYLOR, BROOME, R. CARTER, CAZAYOUX, CRANE, CROWE, DOWNER, DURAND, FAUCHEUX, GALLOT, GLOVER, GREEN, GUILLORY, HILL, L. JACKSON, M. JACKSON, KENNARD, LAFLEUR, LUCAS, MCDONALD, MONTGOMERY, MORRELL, MURRAY, PIERRE, PINAC, POWELL, QUEZAIRE, GARY SMITH, JOHN SMITH, STRAIN, WELCH, AND WOOTON  
AN ACT

To amend and reenact R.S. 40:1321(C) and (D), relative to public safety; to establish the Protect and Save our Children Program; to provide for special identification cards for children; to set the fees therefor; 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. 718—**

BY REPRESENTATIVE MCMAINS AND SENATOR MOUNT  
AN ACT

To amend and reenact R.S. 37:213 and 219(B) and to enact R.S. 37:219(C), relative to attorneys; to provide for increased penalties for the solicitation of employment for an attorney; to provide for increased penalties for certain unlawful payments by attorneys; 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. 747—**

BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact Code of Civil Procedure Articles 155 and 157(A) and Code of Criminal Procedure Articles 675 and 676(A) through (D) and to enact Code of Criminal Procedure Article 676(E), relative to the recusal of judges; to provide procedures for recusal; to provide for the hearing of a motion to recuse; to provide for the random process for appointment of a judge ad hoc to hear a motion to recuse; to provide for the random process for appointment of a judge to hear a case after recusal of a judge; 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. 759—**

BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact R.S. 13:4202(B)(1) and to enact R.S. 13:4202(A)(13) through (16), relative to the rate of legal interest; to statutorily codify the rate of legal or judicial interest for the last four years; to provide for calculation of legal interest in future years; 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. 1003—**

BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact R.S. 23:1212, relative to medical expense payments in workers' compensation; to provide that payment by Medicaid or other state medical assistance programs does not extinguish claims for medical expenses; 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. 1112—**

BY REPRESENTATIVES SCHNEIDER, CROWE, AND STRAIN  
AN ACT

To amend and reenact R.S. 13:621.22, relative to district judges; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

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

**HOUSE BILL NO. 1300—**

BY REPRESENTATIVES SNEED, GREEN, AND LANCASTER  
AN ACT

To amend and reenact R.S. 33:172.1, relative to municipal annexation procedures in Jefferson Parish; to provide relative to requirements for annexation; to provide relative to petitioning to annex territory in Jefferson Parish and requirements for petitions; to provide requirements relative to areas to be annexed; to provide relative to approval of annexation; to provide relative to suits to contest proposed extensions of corporate limits; 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. 1468—**

BY REPRESENTATIVES LANCASTER, FAUCHEUX, WALSWORTH, PRATT, GALLOT, AND WELCH  
AN ACT

To amend and reenact R.S. 33:1565(B)(1), relative to organ donation and coroners; to provide for prompt delivery of anatomical gifts; to provide immunity from civil litigation and criminal prosecution for delivery of anatomical gifts; to provide for judicial enforcement of anatomical gifts; 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. 1601—**

BY REPRESENTATIVE SNEED  
AN ACT

To enact R.S. 14:70.6, relative to crimes; to create the crime of unlawful distribution, possession, or use of theft alarm deactivation devices; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1648—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 26:80(A)(4) and 280(A)(4), relative to alcoholic beverages permits, to provide for qualifications for applicants; 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. 1661—**

BY REPRESENTATIVE DONELON  
AN ACT

To enact R.S. 14:67.17, relative to theft of business records; to provide for the crime of theft of a business record; to provide for penalties; to provide for definitions; and to provide for related matters.

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

**HOUSE BILL NO. 1682—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 26:71.1(1)(g), (h), and (i) and 271.2(1)(g), (h), and (i), relative to permits for alcoholic beverages; to provide requirements for Class A-General retail permits; 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. 1745—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 22:1922(A)(1)(o), (p), and (q), relative to the Advisory Committee on Equal Opportunity in the Department of Insurance; to provide for nominees; to provide for appointment; and to provide for related matters.

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

**HOUSE BILL NO. 1761—**

BY REPRESENTATIVES POWELL, PITRE, AND BOWLER  
AN ACT

To amend and reenact R.S. 23:1161(B)(introductory paragraph), 1168(A)(1), 1174.1(A), 1200.3(A) and (B) and R.S. 39:1549, relative to group self-insurance funds; to clarify references to group self-insurance funds as insurers or providers of insurance coverage; to provide proper citations to group self-insurance within the workers' compensation act and other statutes; 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. 1796—**

BY REPRESENTATIVE FRUGE  
AN ACT

To enact R.S. 42:1123(28), relative to an exception to the ethics code; to provide for an exception to the ethics code to allow a public servant, legal entity in which he has a controlling interest, or member of his immediate family to donate services, moveable property, or funds to his agency; 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. 1871 (Substitute for House Bill No. 269 by Representative Lancaster)—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 42:1141(B)(1), relative to the notification provided to a person who files a complaint with the Board of Governmental Ethics; to provide that a person who files a non-sworn complaint shall be provided only a notification of disposition of the complaint; 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.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

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

April 25, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 399—**

BY SENATOR W. FIELDS  
AN ACT

To enact R.S. 22:214 and 2016 (F), relative to health plans; to prohibit denial of coverage on health and accident insurance policies that would otherwise be covered except for the potential liability of an employer's workers' compensation plan; to provide for subrogation rights of the health insurer for reimbursement of claims paid; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 753—**

BY SENATOR BOISSIERE  
AN ACT

To amend and reenact R.S. 22:1304(A) relative to insurers; to provide for examinations and investigations of insurers; to provide for

examinations of third party administrators for insurers or self insurance funds; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 774—**

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 22:3077(C)(2) and (3), relative to procedures for making medical necessity determinations; to provide relative to notification of such determinations by a medical necessity review organization; to clarify the inclusion of both health care professional or facility in the requirement of such notification to providers of services; to include the person receiving the service in such required notification; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 807—**

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 22:3077(A), relative to procedures for making medical necessity determinations; to prohibit denial of coverage of services on the basis of technical non-compliance with claims requirements when the order for such service meets certain criteria; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 858—**

BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:456.2 and to amend and reenact R.S. 42:456, relative to public officers and employees; to provide for payroll deductions in certain situations; to provide for competitive selection of payroll deduction insurance products; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 865—**

BY SENATOR THOMAS

AN ACT

To enact R.S. 22:230.5, relative to health insurance coverage; to provide with respect to health insurance benefits and options mandated by law; to provide for actuarial cost analysis and periodic reevaluations of statutory mandates; to provide that statutes mandating such benefits or options shall be null and void unless periodically reenacted by the legislature; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1004—**

BY SENATOR CRAVINS

AN ACT

To enact Part LVII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.181 through 1300.185, relative to protection of health care providers; to provide for legislative findings and purpose; to provide definitions; to require the use of safety sharps systems; to

provide for promulgation of rules; to provide for a listing of safety sharps systems; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

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

April 25, 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. 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.

Reported favorably.

**HOUSE BILL NO. 1269—**

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:83(B)(9) and (D), relative to the Oilfield Site Restoration Commission; to provide for the nomination of one member of the commission; to provide relative to meetings of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1270—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 30:21(B)(1)(d), relative to the office of conservation; to provide relative to funds from application fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1272—**

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(g), relative to the Department of Natural Resources, including provisions for the re-creation of the Department of Natural Resources 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 with amendments.

**HOUSE BILL NO. 1273—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:88(F), relative to the Oilfield Site Restoration Program; to provide for exemption from liability for site restoration upon fully funding of site-specific trust account; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1297—**

BY REPRESENTATIVE DURAND

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 1315—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:6.1(C), relative to the authority of the commissioner of conservation; to provide relative to contracts to respond to a declared emergency; to provide for exemption from certain required bidding procedures; to provide for an informal bid process; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CRAIG F. ROMERO  
Chairman

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

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

**SENATE BILL NO. 36—**

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 27:323(B)(2), relative to the Louisiana Gaming Control Law; to provide with respect to video draw poker devices; to provide for the Video Draw Poker Device Purse Supplement Fund; to provide for the allocation of funds provided to the Louisiana Quarterhorse Breeders' Association; and to provide for related matters.

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

**SENATE BILL NO. 226—**

BY SENATOR SMITH

A JOINT RESOLUTION

Proposing to add Article XII, Section 6(D) of the Constitution of Louisiana, relative to gaming, gambling, or wagering; to prohibit any gaming, gambling, or wagering in any municipality incorporated after a certain date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE BILL NO. 232—**

BY SENATOR FONTENOT

AN ACT

To enact Civil Code Art. 3520(C), relative to civil unions, domestic partnerships, or similar relationships of other states; to prohibit the recognition of certain civil unions, domestic partnerships, or similar relationships in this state; to prohibit such persons from asserting a right or claim provided under state law to married persons; and to provide for related matters.

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

**SENATE BILL NO. 239—**

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 14:32.1(B), 52.1(B), 56.2(D), 62.1(B) and (C), 62.2, 62.6(B), 67.15(C), 69.1(B)(2), 70.1(B), 79(B)(2) and (3) and (C)(1), (2), and (3), 81.1(E), 82(D), 91.7(C), 98(B)(2), the introductory paragraph of (C)(1),(C)(2), (D)(1), (E)(3), and (J), 106(G)(2)(a), (3), and (4), 106.1(C)(2), 119(D), 119.1(D), 122.1(D), 123(C)(1) and (2), 283(B)(2), (3), and (4), 352, and 402.1(B), R.S. 15:529.1(A)(1)(b)(ii) and (c)(ii), 1303(B), and 1304(B), R.S. 27:262(C), (D), and (E), 309(C), and 375(C), R.S. 40:966(B)(1) and (C)(1), 967(B)(2), (3), and (4)(a) and (b), 979(B), 981.2(C), and 981.3(E), and to repeal R.S. 15:529.1(G) and 967(G) and R.S. 40:966(F) relative to non-violent crimes; to provide relative to mandatory sentences for such crimes; to remove such mandatory sentences; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, delete "32.1(B),"

AMENDMENT NO. 2

On page 1, line 3, delete "62.6(B),"

AMENDMENT NO. 3

On page 1, line 3, delete "79(B)(2) and (3) and"

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AMENDMENT NO. 3

On page 1, line 4, delete "(C)(1), (2), and (3), 81.1(E)"

AMENDMENT NO. 4

On page 1, line 4, after "91.7(C)," insert "92.2(B), 92.3(C), 95(D) and (E),"

AMENDMENT NO. 5

On page 1, line 4, delete "98(B)(2), and the remainder of the line

AMENDMENT NO. 6

On page 1, line 5, delete "paragraph of (C)(1), (C)(2), (D)(1), (E)(3), and (J),"

AMENDMENT NO. 7

On page 1, line 11, delete "and 967(G)" and after "R.S. 40:966(F)" insert "and 967(G),"

AMENDMENT NO. 8

On page 1, line 15, delete "32.1(B),"

AMENDMENT NO. 9

On page 1, line 16, delete "62.6(B)"

AMENDMENT NO. 10

On page 1, line 16, delete "79(B)(2) and (3) and (C)(1), (2), and"

AMENDMENT NO. 11

On page 2, line 1, delete "(3), 81.1(E)"

AMENDMENT NO. 12

On page 2, line 1, after "91.7(C)," insert "92.2(B), 92.3(C), 95(D) and (E),"

AMENDMENT NO. 13

On page 2, line 1, delete "98(B)(2), and the remainder of the line

AMENDMENT NO. 14

On page 2, line 2, at the beginning of the line delete "(C)(2), (D)(1), (E)(3), and (J),"

AMENDMENT NO. 15

On page 2, delete lines 5 through 16

AMENDMENT NO. 16

On page 3, delete line 27

AMENDMENT NO. 17

On page 4, delete lines 1 through 8

AMENDMENT NO. 18

On page 5, delete lines 15 through 27 and delete pages 6 and 7

AMENDMENT NO. 19

On page 8, delete lines 1 through 11

AMENDMENT NO. 20

On page 9, between lines 7 and 8 insert the following:

§92.2. Improper supervision of a minor by parent or legal custodian; penalty

\* \* \*

B. Whoever violates the provisions of this Section shall be fined not less than twenty-five dollars and not more than two hundred fifty dollars for each offense, or imprisoned for not more than thirty days, or both. ~~Imposition of sentence shall not be suspended unless the offender is placed on probation with a minimum condition that he~~ **A minimum condition of parole shall be that the offender** participate in forty hours of court-approved community service activities, or a combination of forty hours of court-approved community service and attendance at a court-approved family counseling program by both a parent or legal custodian and the minor.

\* \* \*

§92.3. Retaliation by a minor against a parent, legal custodian, witness, or complainant

C. A minor who violates the provisions of this Section shall be placed in the custody of the Department of Public Safety and Corrections for a period not to exceed six months. ~~Imposition of sentence shall not be suspended unless the minor is placed on probation with a minimum condition that he~~ **A minimum condition of parole shall be that the offender** participate in forty hours of court-approved community service activities or a combination of forty hours of court-approved community service and attendance at a court-approved family counseling program by both a parent or legal custodian and the minor.

\* \* \*

§94. Illegal use of weapons or dangerous instrumentalities

\* \* \*

C. Except as provided in Subsection E, on a second or subsequent conviction, the offender shall be imprisoned at hard labor for not less than five years nor more than seven years, ~~without benefit of probation or suspension of sentence.~~

E. Whoever commits the crime of illegal use of weapons or dangerous instrumentalities by discharging a firearm from a motor vehicle located upon a public street or highway, where the intent is to injure, harm, or frighten another human being, shall be imprisoned at hard labor for not less than five nor more than ten years ~~without benefit of probation or suspension of sentence.~~

F. Whoever commits the crime of illegal use of weapons or dangerous instrumentalities by discharging a firearm while committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another person to commit a crime of violence or violation of the Uniform Controlled Dangerous Substances Law, shall be imprisoned at hard labor for not less than ten years nor more than twenty years, ~~without benefit of parole, probation, or suspension of sentence.~~ If the firearm used in violation of this Subsection is a machine gun or is equipped with a firearm silencer or muffler, as defined by R.S. 40:1751 and R.S. 40:1781, respectively, the offender shall be sentenced to imprisonment for not less than twenty years nor more than thirty years, ~~without benefit of parole, probation, or suspension of sentence.~~ Upon a second or subsequent conviction, under this Subsection, such offender shall be sentenced to imprisonment for not less than twenty years. If the violation of this Subsection, upon second or subsequent conviction, involves the use of a machine gun or a firearm equipped with a firearm silencer or muffler, such offender shall be sentenced to imprisonment for life ~~without benefit of parole, probation, or suspension of sentence.~~

§95. Illegal carrying of weapons

\* \* \*

D. On third and subsequent convictions, the offender shall be imprisoned with or without hard labor for not **less than one nor more than ten years** ~~without benefit of parole, probation, or suspension of sentence.~~

E. If the offender uses, possesses, or has under his immediate control any firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, while committing or attempting to commit a crime of violence or while in the possession of or during the sale or distribution of a controlled dangerous substance, the offender shall be fined not more than ten thousand dollars and imprisoned at hard labor for not less than five nor more than ten years ~~without the benefit of probation, parole, or suspension of sentence.~~ Upon a second or subsequent conviction, the offender shall be imprisoned at hard labor for not less than twenty years nor more than thirty years ~~without the benefit of probation, parole, or suspension of sentence.~~

\* \* \*

AMENDMENT NO. 21

On page 9, delete lines 8 through 27

AMENDMENT NO. 22

On page 10, delete lines 1 through 27

AMENDMENT NO. 23

On page 11, delete lines 1 through 27

AMENDMENT NO. 24

On page 12, delete lines 1 through 6

AMENDMENT NO. 25

On page 24, after line 27, insert the following: "Section 5. R.S. 15:529.1(G) and R.S. 40:966(F) and 967(G) are hereby repealed"

AMENDMENT NO. 26

On page 24, after line 27, insert the following: "Section 6. The provisions of this Act shall only have prospective effect"

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

**SENATE BILL NO. 382—**

BY SENATOR ELLINGTON

AN ACT

To enact Chapter 3-A of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:141 through 147, relative to overhead electric utility lines; to provide for restrictions and prohibited activities; to provide for temporary security of lines; to provide for grounding requirements; to provide for the posting of warning signs; to provide for liability for damages; to provide for certain exemptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 382 by Senator Ellington

AMENDMENT NO. 1

On page 1, lines 3 and 11, after "through" change "147" to "146"

AMENDMENT NO. 2

On page 1, line 5, after "lines;" delete the remainder of the line and on line 6, delete "requirements; to provide for the posting of warning signs;"

AMENDMENT NO. 3

On page 2, delete lines 22 through 24 in their entirety

AMENDMENT NO. 4

On page 3, delete lines 3 through 8 in their entirety

AMENDMENT NO. 5

On page 4, line 3, after "hours" delete the comma "," and the remainder of the line, delete line 4 and insert the following:

"prior to the scheduled commencement of the work, exclusive of holidays and weekends, except in emergency situations that include police, fire, and rescue emergencies, in which case the notice shall be made as soon as possible."

AMENDMENT NO. 6

On page 4, delete lines 5 through 12 and insert the following:

"B. The work shall be performed only after satisfactory mutual arrangements have been negotiated between the owner or operator of the high voltage overhead lines and the person or persons responsible for the work to be done. The owner or operator of the lines shall initiate the agreed upon safety arrangements within three working days and shall complete the work promptly, subject to emergency weather conditions. Arrangements may include placement of temporary mechanical barriers separating and preventing contact between material, equipment, or persons and high voltage overhead lines, temporary deenergization and grounding, temporary location or raising of the lines, or by other means deemed appropriate by the owner or operator of the lines."

AMENDMENT NO. 7

On page 4, delete lines 18 and 19 in their entirety

AMENDMENT NO. 8

On page 4, delete lines 20 through 27 in their entirety

AMENDMENT NO. 9

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

AMENDMENT NO. 11

On page 5, lines 6 and 19, change "146" to "144"

AMENDMENT NO. 12

On page 5, line 20, change "147" to "145"

AMENDMENT NO. 13

On page 6, line 2, after "ranching," delete the remainder of the line and delete lines 3 and 4 and insert "logging, or reforestation who lawfully own, lease, or have the right to operate the land where a line is located."

April 25, 2001

AMENDMENT NO. 14

On page 6, line 6, after "Development" insert "or to employees of parish or municipal governments performing duties relating to public projects in the course and scope of their employment"

AMENDMENT NO. 15

On page 6, between line 6 and 7, insert the following:

"(4) The provisions of this Part shall not apply to the employees, contractors, or subcontractors of chemical, petrochemical, natural gas and liquid pipelines, gas processing, refining, pulp and paper, and wood products manufacturing facilities when such persons are engaged in activities relating to the operation, maintenance, or expansion of such manufacturing facilities.

§ 146. Rules and regulations

**R.S. 45:146 is all proposed new law.**

The Public Service Commission shall promulgate rules and regulations requiring owners or operators of overhead electric utility lines to promote public awareness of the requirements of this Chapter, including but not limited to annual inserts in all customers' billing statements."

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

**SENATE BILL NO. 417—**

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 38:2251(D), (E), and (G), and R.S. 39:1595(D) through (G), relative to certain Public Bid Law and central purchasing procurement preferences; to decrease certain agricultural preferences; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 417 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, before "(G)" delete "and" and after "(G)," insert "and (H)"

AMENDMENT NO. 2

On page 1, line 3, change "(G)" to "(H)"

AMENDMENT NO. 3

On page 1, line 7, after "(E)," and before "(G)," delete "and" and after "(G)," insert "and (H)"

AMENDMENT NO. 4

On page 1, line 8, change "(G)" to "(H)"

AMENDMENT NO. 5

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

"H. Each procurement officer, purchasing agent, or similar official who procures or purchases materials, supplies, or equipment

under the provisions of this Chapter may purchase materials, supplies, or equipment which are Louisiana products, as defined in Paragraph A(2) of this Section, and which are equal in quality to other materials, supplies, or equipment, provided that all of the following conditions are met:

(1) The cost of the Louisiana products does not exceed the cost of other materials, supplies, or equipment which are manufactured, processed, produced, or assembled outside the state by more than ten percent.

~~(2) The vendor of Louisiana products agrees to sell the products at the same price as the lowest bid offered on such products:~~

~~(3) (2) In cases where **one or** more ~~than one~~ bidders offers Louisiana products which are within ten percent of the lowest bid, the bidder offering the lowest **responsive** bid on Louisiana products is entitled to ~~accept the price of the lowest bid made on such products~~ **award of the purchase contract, unless all bids are rejected for just cause.**"~~

AMENDMENT NO. 6

On page 4, between lines 11 and 12 insert the following:

"H. Each procurement officer, purchasing agent, or similar official who procures or purchases materials, supplies, products, provisions, or equipment under the provisions of this Chapter may purchase such materials, supplies, products, provisions, or equipment which are produced, manufactured, or assembled in Louisiana, as defined in Paragraph (C)(6) of this Section, and which are equal in quality to other materials, supplies, products, provisions, or equipment, provided that all of the following conditions are met:

(1) The cost of such items does not exceed the cost of other items which are manufactured, processed, produced, or assembled outside the state by more than ten percent.

~~(2) The vendor of such Louisiana items agrees to sell the items at the same price as the lowest bid offered on such items:~~

~~(3) (2) In cases where **one or** more ~~than one~~ bidders offers Louisiana items which are within ten percent of the lowest bid, the bidder offering the lowest **responsive** bid on Louisiana items is entitled to ~~accept the price of the lowest bid made on such items~~ **award of the purchase contract, unless all bids are rejected for just cause.**"~~

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

**SENATE BILL NO. 511—**

BY SENATOR LENTINI AND REPRESENTATIVE DOWNER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 924 and to enact Code of Criminal Procedure Art. 926.1, Art. 930.3(7), and R.S. 151.2(G), relative to post conviction relief; to provide for a procedure for filing post conviction relief to allow DNA testing; to establish a two year period within which an application may be filed; to provide for the burden of proof in such proceeding; to provide for definitions; to provide for the selection of a laboratory; to provide for the protection of evidence during pendency of the application; to provide for a procedure to count the number of applications filed; to create the DNA Testing Post-Conviction Relief for Indigents Fund; to provide relative to legislative appropriations; to provide for the

Louisiana Indigent Defender Assistance Board to administer such funds; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 511 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 3, after "930.3(7), and R. S." insert "15:"

AMENDMENT NO. 2

On page 1, line 9, after the semicolon ";" add "to require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2003"

AMENDMENT NO. 3

On page 3, line 9, after "petitioner" change "and" to "in"

AMENDMENT NO. 4

On page 5, between lines 13 and 14, add the following:

"(3) The clerks of court of each parish and all law enforcement agencies, including but not limited to district attorneys, sheriffs, the office of state police, local police agencies, and crime laboratories shall preserve until August 31, 2003, all biological material and physical items that can be tested for biological material, in all cases that, as of August 15, 2001, have been concluded by a verdict of guilty or a plea of guilty."

AMENDMENT NO. 5

On page 6, line 8, after "Indigent" change "Defender" to "Defense"

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

SENATE BILL NO. 536—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 30:3(1), relative to minerals, oil and gas, and environment; and to provide for related matters.

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

Regular Session, 2001

SENATE BILL NO. (Substitute for Senate Bill 536 by Senator Cain)

BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:3812(G) relative to waterworks districts; to provide for the membership of the board of commissioners of certain districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:3812(G) is hereby enacted to read as follows: §3812. Waterworks commissioners; qualifications

\* \* \*

R.S. 33:3812(G) is all proposed new law.

G. The membership of the Waterworks District Number Three of Beauregard Parish is increased from five to seven. The two additional members shall be appointed by the governing authority of Beauregard Parish to serve at its pleasure. Except to the extent of any conflict with this Subsection, the provisions of this Chapter shall apply to the two additional members and their successors.

On motion of Senator Cain, the committee substitute bill was adopted and becomes Senate Bill No. 1099 by Senator Cain, substitute for Senate Bill No. 536 by Senator Cain.

SENATE BILL NO. 1099 (Substitute for Senate Bill 536 by Senator Cain)—

BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:3812(G) relative to waterworks districts; to provide for the membership of the board of commissioners of certain districts; and to provide for related matters.

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

SENATE BILL NO. 589—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 38:3098.6, relative to public contracts; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 589 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 38:216" to "R.S. 38:3098.6"

AMENDMENT NO. 2

On page 1, line 5, change "R.S. 38:216" to "R.S. 38:3098.6"

AMENDMENT NO. 3

On page 1, delete lines 7 through 16 and insert the following:

§3098.6. Advisory committee

A. The Department of Natural Resources is hereby authorized to appoint a committee to serve in an advisory capacity and to make recommendations for the regulation and control of water well drillers as defined in this Chapter. This advisory committee shall consist of ten eleven members as follows:

(1) The secretary of the Department of Transportation and Development, office of public works, or his designee;

(2) The secretary of the Department of Natural Resources or his designee;

(3) The president of the Louisiana Engineering Society or his designee;

(4) The secretary of the Department of Health and Hospitals or his designee;

(5) One representative of the United States Geological Survey;

(6) Three drillers selected by the governor as follows: one domestic well driller selected from a list of three submitted by the Louisiana Water Well Drillers Association; one municipal and industrial driller selected from a list of three submitted by the Louisiana Water Well Drillers Association; one irrigation driller selected from a list of three submitted by the Louisiana Water Well Drillers Association.

and (7) Two drillers at large selected by the secretary for the Department of Transportation and Development, office of public works, from the industry as a whole.

**(8) The secretary of the Department of Environmental Quality or his designee.**

B. The first appointment of the domestic well driller and one at large driller shall be for one year; the first appointment of the irrigation well driller and one at large driller shall be for two years; the first appointment of the municipal and industrial driller shall be for three years; thereafter, all appointments shall be for four year terms. The chairman and vice chairman shall be selected by the members of the committee. The members who are public employees shall receive no pay or allowances for their attendance at meetings of the advisory committee. All other members of the advisory committee shall receive no salary or per diem but may be compensated for expenses actually incurred in official activities approved by the Department of Transportation and Development, office of public works, out of funds derived from license fees collected under the provisions of this Chapter. Such compensation shall be based upon proof to the satisfaction of the department in accordance with policies adopted by the legislative auditor in such matters."

AMENDMENT NO. 4

On page 2, delete lines 1 through 14.

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

**SENATE BILL NO. 648—**

BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1918, 2031, 2782, 4906, and 4923 and to enact Code of Civil Procedure Arts. 1702(F) and 1702.1(C) and R.S. 9:5504, relative to civil procedure; to provide for the contents of judgments in identifying the judgment debtor; to provide for liability for costs, including court costs and attorney fees; and to provide for related matters.

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

**SENATE BILL NO. 708—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:(85)(3)(a)(iv), relative to procedures for forfeiture of bail bonds; to provide release of the bond obligation for the commercial surety of such bond if power of attorney number is not included on a forfeiture notice; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 708 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, change "15:(85)(3)(a)(iv)" to "15:85(3)(a)(iv)"

AMENDMENT NO. 2

On page 2, line 8, after "**which**" insert "**the bond obligation of the commercial surety shall be suspended until the power of attorney number is supplied provided the commercial surety provides notice to the clerk of court who mailed the notice to the surety of the failure to include such number in the notice by certified mail not later than thirty days following receipt of notice of the judgment. If the power of attorney number is not provided to the commercial surety within thirty days following the date of receipt by the clerk of court of the notice that it was not included in the notice of the judgement.**"

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

**SENATE BILL NO. 716—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 13:3881(A)(1), relative to seizures; to increase the amount of disposable income exempt from seizure; to protect voluntary and court-ordered wage assignments of income for the support of minor children; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 716 by Senator Irons

AMENDMENT NO. 1

On page 2, at the end of line 27, change "." to "."

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

**SENATE BILL NO. 717—**

BY SENATOR IRONS

AN ACT

To enact R.S. 13:3881(A)(6), relative to seizures; to provide that one motor vehicle registered to the debtor shall be exempt from seizure; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 717 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "seizures;" insert "to provide that one motor vehicle registered to the debtor shall be exempt from seizure; to provide for exceptions;"

AMENDMENT NO. 2

On page 1, on line 13, after "spouse." insert "This exemption extends to five thousand dollars in equity value of the motor vehicle. A debtor shall not be entitled to an exemption under this Paragraph if the debtor is entitled to an exemption of any vehicle under Subsection (A)(2) of this Section."

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

**SENATE BILL NO. 724—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 20:1(A)(1) and (2) and (B), relative to seizures; to increase the amount of the homestead exemption; to recognize and provide for its application to co-owners of property in indivision; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 724 by Senator Irons

AMENDMENT NO. 1

On page 2, line 3, change "one" to "sixty"

AMENDMENT NO. 2

On page 2, delete line 4, and insert in lieu thereof "thousand dollars in value of the"

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

**SENATE BILL NO. 795—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Criminal Procedure Art. 344(A) and (B)(3) and (4), relative to notice to be given of time and place of defendant's required appearance; to provide relative to appearance of defendant when bail bond sets appearance date; to require notice of such appearance to be given to the defendant, the surety or the bondsman under certain circumstances; and to provide for related matters.

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

**SENATE BILL NO. 822—**

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To amend and reenact R.S. 13:621.22, 719(C) through (G) and to enact R.S. 13:719(H) and (I), relative to the Twenty-Second Judicial District Court; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; to provide for the office of commissioner for the Twenty-Second Judicial District Court in civil and criminal matters; to provide relative to the duties and powers of the commissioner; to provide for a written report of the commissioner's findings; to provide for contempt of court power; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for signing of rulings and judgments of the commissioner by a district judge; to delete termination provisions for the office of commissioner; and to provide for related matters.

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

**SENATE BILL NO. 866—**

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 14:102.5(C) and to enact R.S. 14:102.5(A)(7) and (E), relative to dogfighting; to define the crime of dog fighting; to provide for prima facie evidence of dogfighting; to provide exceptions; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 866 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 1, delete "breaking stick,"

AMENDMENT NO. 2

On page 3, line 6, after "altered" delete "by any licensed veterinarian"

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

**SENATE BILL NO. 878—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:89, relative to prescription of forfeiture judgment; to provide for a limitation on the obligation of certain bail bonds; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 878 by Senator Marionneau

AMENDMENT NO. 1

On page 2, line 12, after "pursuant to" insert "Title 17 of the"

AMENDMENT NO. 2

On page 2, line 13, after "Procedure" delete "Articles 572 and 578,"

AMENDMENT NO. 3

On page 2, line 14, after "collectible" insert "unless previously forfeited"

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

**SENATE BILL NO. 913—**

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 9:331.1, relative to drug testing in custody or visitation proceedings; to provide for testing to be performed only by certified laboratories; and to provide for related matters.

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

**SENATE BILL NO. 918—**

BY SENATOR HOYT

AN ACT

To enact R.S. 27:312(C)(1)(b)(iii), relative to the Video Draw Poker Devices; to provide for the redistribution of monies in the Video Draw Poker Device Fund; and to provide for related matters.

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

**SENATE BILL NO. 979—**

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:2571(A) and (B), relative to administrative adjudication of parking violations; to authorize the Board of Commissioners of the Port of New Orleans to prescribe civil fines for violation of ordinances under certain conditions; to authorize the commissioners to establish an administrative adjudication hearing procedure; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 979 by Senator Boissiere

AMENDMENT NO. 1

On page 2, at the end of line 21, insert "parish court or justice of the peace court"

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

**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. 70—**

BY REPRESENTATIVE POWELL

AN ACT

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

Reported favorably by the Committee on Agriculture. 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. 187—**

BY REPRESENTATIVE THOMPSON

AN ACT

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

Reported with amendments by the Committee on Agriculture.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Agriculture to Engrossed House Bill No. 187 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 14 change "incorporation" to "association"

On motion of Senator Smith, 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. 524—**

BY REPRESENTATIVE THOMPSON

AN ACT

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

Reported favorably by the Committee on Agriculture. 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  
Pending Referral to Legislative Bureau**

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

**HOUSE BILL NO. 1611—**

BY REPRESENTATIVE FAUCHEUX

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.

**Floor Amendments Sent Up**

Senator Heitmeier sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1611 by Representative Fauchaux (Duplicate of Senate Bill No. 983)

AMENDMENT NO. 1

On page 2, line 5, delete "emergency services," and insert in lieu thereof "and"

AMENDMENT NO. 2

On page 2, line 7, delete "agencies"

AMENDMENT NO. 3

On page 3, line 6, change "1749.23" to "40:1749.23"

On motion of Senator Heitmeier, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 983, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1659—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:1749.23, 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.

**Floor Amendments Sent Up**

Senator Heitmeier sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1659 by Representative Fauchaux (Duplicate of Senate Bill No. 982)

AMENDMENT NO. 1

On page 1, line 10, delete "Enforcement;" and insert the following:

**"Enforcement and adjudication; administration"**

AMENDMENT NO. 2

On page 3, line 22, change "shall" to "will"

On motion of Senator Heitmeier, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 982, was read by title and referred to the Legislative Bureau.

**Special Order of the Day**

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

**SENATE BILL NO. 141—**

BY SENATOR MCPHERSON

A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to municipal fire and police civil service; to remove certain prohibitions against political activity by members of the municipal fire and police civil service; to authorize political activities by members of municipal fire and police civil service; to prohibit solicitation of contributions for political purposes from any member of the municipal fire and police civil service; to prohibit the punishment or coercion of any member in the classified service of the municipal fire and police civil service to influence his vote or other political activity; to prescribe penalties for violations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator WFields to Engrossed Senate Bill No. 141 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 10, change "person" to "agency head"

On motion of Senator W. Fields, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Fontenot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 141 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 10, after "activity;" insert "to prohibit such persons from seeking elective office;"

AMENDMENT NO. 2

On page 2, line 7, after "activities," delete the remainder of the line and on line 8, delete "candidates for public office,"

AMENDMENT NO. 3

On page 2, between lines 15 and 16, insert the following:

"C. No classified employee in the civil service as established by this Part shall seek to become a candidate for public office or hold a public office while employed as such classified employee."

AMENDMENT NO. 4

On page 2, line 16, change "C." to "D."

AMENDMENT NO. 5

On page 3, line 4, after "activities" delete the remainder of the line and insert "to"

AMENDMENT NO. 6

On page 3, at the beginning of line 6, insert "to prohibit such employees' candidacy for such office;"

On motion of Senator Fontenot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lambert
Cain	Fontenot	Marionneaux
Campbell	Hines	McPherson
Cravins	Irons	Thomas
Fields, C	Jones, C	
Total—14		

NAYS

Mr. President	Gautreaux	Mount
Barham	Heitmeier	Romero
Bean	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—22		

ABSENT

Boissiere	Michot	Tarver
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Total—3

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Personal Privilege

Senator Michot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 141. He had intended to vote nay on the bill. He asked that the Official Journal so state.

Special Order of the Day

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

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.

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

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
Dardenne	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—33		

NAYS

Dean

Total—1

ABSENT

Boissiere	Irons	Tarver
Cravins	Marionneau	
Total—5		

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

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Irons
Hines	Tarver

Total—4

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

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was taken up and acted upon as follows:

**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.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1448 by Representative Pinac, et al

AMENDMENT NO. 1

On page 4, delete lines 3 and 4 and insert "It shall be composed of ~~ten~~ persons appointed by the governor; one person appointed from each congressional district and two persons appointed at large, all appointed by the governor."

AMENDMENT NO. 2

On page 14, line 2, change "through 93" to "et seq."

AMENDMENT NO. 3

On page 14, line 4, change "through 157" to "et seq."

AMENDMENT NO. 4

On page 14, lines 5 and 6, change "through 1459" to "et seq."

AMENDMENT NO. 5

On page 14, line 8, change "through 1489" to "et seq."

AMENDMENT NO. 6

On page 14, line 10, change "through 2163" to "et seq."

AMENDMENT NO. 7

On page 14, line 12, change "through 2318" to "et seq."

AMENDMENT NO. 8

On page 14, line 14, change "through 2559" to "et seq."

AMENDMENT NO. 9

On page 14, line 16, change "through 3123" to "et seq."

AMENDMENT NO. 10

On page 14, line 18, change "through 3183" to "et seq."

AMENDMENT NO. 11

On page 14, line 20, change "through 3413" to "et seq."

AMENDMENT NO. 12

On page 14, line 22, change "through 85" to "et seq."

AMENDMENT NO. 13

On page 14, line 24, change "through 1259" to "et seq."

AMENDMENT NO. 14

On page 14, line 26, change "through 766" to "et seq." and change "through 777" to "et seq."

On motion of Senator Hollis, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1448 by Representative Pinac, et al

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on April 19, 2001, on page 1, line 12 of such amendment, after "governor" delete the remainder of the line and delete line 13 and at the beginning of line 14 delete "Development"

AMENDMENT NO. 2

In Senate Committee Amendment No. 12 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on April 19, 2001, on page 2, line 11 of such amendment, after "governor" delete the remainder of the line and on line 12 delete "on Economic Development"

On motion of Senator Dardenne, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1448 by Representative Pinac

AMENDMENT NO. 1

On page 3, line 4, after "confirmation" insert "each term"

AMENDMENT NO. 2

On page 3, lines 4 and 5, delete the sentence beginning with "The governor" and insert in lieu thereof "The board shall elect a chairman, vice chairman and secretary."

AMENDMENT NO. 3

On page 4, line 6, after "confirmation" insert "each term"

AMENDMENT NO. 4

On page 4, lines 6 and 7, delete the sentence beginning with "The governor"

AMENDMENT NO. 5

On page 4, line 8, after "membership" insert "a chairman."

AMENDMENT NO. 6

On page 11, line 2, delete "designated by the governor" and insert in lieu thereof "elected by the commission"

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Cravins	Malone
Boissiere	Fields, C	Marionneaux
Cain	Fields, W	McPherson
Campbell	Irons	
Total—11		

**NAYS**

Mr. President	Gautreaux	Lentini
Barham	Heitmeier	Michot
Bean	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fontenot	Lambert	Ullo
Total—27		

**ABSENT**

Tarver  
Total—1

The Chair declared the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Marionneaux  
Total—1

**ABSENT**

Tarver

Total—1

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

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 5, was taken up and acted upon as follows:

**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.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1666 by Representative Pinac, et al

AMENDMENT NO. 1

In Senate Committee Amendment No. 15 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on April 19, 2001, on page 3, line 12 of such amendment, delete ", R.S. 509(K) and"

On motion of Senator Hollis, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1666 by Representative Pinac, et al

AMENDMENT NO. 1

On page 8, delete lines 10 through 13 and insert the following:

"(3) International trade and investment attraction are vital to Louisiana's diversification and economic well being in an increasingly competitive global marketplace. The office shall assist in the promotion of Louisiana products and services to international markets and encourage and enable the development export markets for Louisiana businesses. Further, it shall assist in the location of international companies in Louisiana."

AMENDMENT NO. 2

On page 34, line 9 after "by" insert "and currently serving on" and after "Commission" insert "Board"

On motion of Senator Dardenne, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields, W	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, B	Ullo
Fields, C	Jones, C	
Total—32		

**NAYS**

Cain	Dean	Marionneaux
Campbell	Malone	
Total—5		

**ABSENT**

McPherson	Tarver
Total—2	

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

**Senator Barham in the Chair**

**Special Order of the Day**

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 6, was taken up and acted upon as follows:

**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.

**Motion**

On motion of Senator Campbell, Senate Bill No. 241 was made Special Order of the Day, No. 1 on Monday, April 30, 2001 immediately following the Morning Hour.

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

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

**SENATE CONCURRENT RESOLUTION NO. 61—**

BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To create a task force to review the disproportionate caseload in the First Circuit Court of Appeal and suggest solutions.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Concurrent Resolution No. 61 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 14, after "among" insert "the"

AMENDMENT NO. 2

On page 2, line 18, after "Court" insert a comma ","

AMENDMENT NO. 3

On page 2, line 22, after "chief judge of" delete the rest of the line and insert in lieu thereof: "each of the five (5) circuit courts of the Louisiana courts of appeal, or his respective designee selected from among the court of appeal judges of each of their respective circuits"

AMENDMENT NO. 4

On page 2, delete lines 23 and 24 in their entirety

AMENDMENT NO. 5

On page 2, line 25, change "(8)" to "(7)"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

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

NAYS

Total—0

ABSENT

Heitmeier	Tarver
Total—2	

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

**SENATE CONCURRENT RESOLUTION NO. 64—**

BY SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to increase federal aid to Louisiana farmers.

Reported favorably by the Committee on Agriculture.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Mr. President in the Chair

SENATE BILL NO. 18— BY SENATOR HOLLIS

AN ACT

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

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed Senate Bill No. 18 by Senator Hollis

AMENDMENT NO. 1

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

"In the event the entity which holds a National Football League Franchise terminates its lease of the stadium facility, the monies shall revert to the Louisiana Stadium and Exposition District."

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed Senate Bill No. 18 by Senator Hollis

AMENDMENT NO. 1

On page 1, at the beginning of line 11, insert "A."

AMENDMENT NO. 2

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

"B. All monies raised by the sale pursuant to Subsection A in excess of five million dollars shall be returned to the state general fund."

Motion

Senator Heitmeier moved the previous question on the entire subject matter.

Without objection, so ordered.

Senator Marionneaux moved adoption of the amendments.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Cravins, Dean, Fields, C, Total—8; Fields, W, Fontenot, Malone; Marionneaux, Ullo

NAYS

Table with 3 columns: Mr. President, Bajois, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dupre, Total—30; Ellington, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C; Lambert, Lentini, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas

ABSENT

Table with 1 column: Tarver, Total—1

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajois, Barham, Bean, Boissiere, Cain, Campbell, Dardenne, Dupre, Ellington, Gautreaux, Total—31; Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone; McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Table with 3 columns: Chaisson, Fields, C, Marionneaux



Cravins Fields, W  
 Dean Fontenot  
 Total—7  
 ABSENT

Tarver  
 Total—1

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

**SENATE BILL NO. 176—**  
 BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 11:462, relative to the Louisiana State Employees' Retirement System; to repeal the system's disability rehabilitation program; to provide for an effective date; 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

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

NAYS

Total—0

ABSENT

Irons Tarver  
 Total—2

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. 177—**  
 BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:403(2)(a), (12), (15), and (26), 422(A), and 461(A), and to repeal R.S. 11:403(22), all relative to the Louisiana State Employees' Retirement System; to provide for

changes in definitions for "actuarial interest", "employer", "job appointment", "prior service", and "spouse"; to provide clarification of part-time service provisions and statutes that apply to disability; to provide for an effective date; 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

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

NAYS

Total—0

ABSENT

Tarver  
 Total—1

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. 289—**  
 BY SENATOR ULLO

AN ACT

To enact R.S. 15:832.1(A)(3) and to enact R.S. 39:128(D), relative to the capital construction projects; to exempt the construction of buildings to house inmate work programs from the capital outlay budget process under certain circumstances; to exempt the use of inmate labor to construct such facilities on prison grounds from maximum cost limits; to provide for an annual report to the legislature; 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. 289 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 16, following "Paragraph" change "(2)" to "(1)"

On motion of Senator Lambert, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Fields, C	Fields, W	Irons
Total—3		

ABSENT

Tarver  
Total—1

The Chair declared the amended 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. 404—**

BY SENATOR BOISSIERE

AN ACT

To enact Part VI of Chapter 1 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:1491 through 1494, relative to the Louisiana Assessors' Retirement Fund; to create and provide relative to an excess benefit plan for members of the fund; to provide for an effective date; 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

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

NAYS

Total—0

ABSENT

Tarver  
Total—1

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. 632—**

BY SENATOR DARDENNE

AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99.1 through 99.20, relative to tobacco settlement financing; to provide legislative findings and intent; to provide for definitions; to create the Tobacco Settlement Financing Corporation and to provide for a board; to provide for staffing of the corporation; to provide for tax exemptions; to provide for bond validation actions; to provide for the sale of certain tobacco assets; to provide for the issuance of bonds and for the security for payment of bonds; to provide for ancillary contracts and swaps; 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. 632 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 23, following "39:" change "99.17" to "99.16"

AMENDMENT NO. 2

On page 4, line 18, following "39:" change "99.16" to "99.15"

AMENDMENT NO. 3

On page 5, line 18, following "means" and before "described" change "contract" to "contracts"

AMENDMENT NO. 4

On page 5, line 19, following "39:" change "99.17" to "99.16"

AMENDMENT NO. 5

On page 11, line 25, following "R.S." and before ":1101" change "41" to "42"

AMENDMENT NO. 6

On page 16, line 27, following "39:" and before "may" change "99.16" to "99.15"

AMENDMENT NO. 7

On page 17, at the beginning of line 6, change "D." to "C."

On motion of Senator Lambert, the amendments were adopted.

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

SENATE BILL NO. 668—

BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH AN ACT

To amend and reenact R.S. 47:1541 and R.S. 47:1562(B), relative to audits and assessments; to authorize the secretary of the Department of Revenue to use auditing methods which use sampling for the purpose of projecting audit findings when the taxpayer and the secretary agree to this method of audit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, C, Malone; Bajoie, Fields, W, Marionneaux; Barham, Fontenot, McPherson; Bean, Gautreaux, Michot; Boissiere, Heitmeier, Mount; Cain, Hines, Romero; Campbell, Hollis, Schedler; Chaisson, Hoyt, Smith; Cravins, Johnson, Theunissen; Dardenne, Jones, B, Thomas; Dean, Jones, C, Ullo; Dupre, Lambert; Ellington, Lentini

NAYS

Total—0

ABSENT

Table with 2 columns: Irons, Tarver; Total—2

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

SENATE BILL NO. 809—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:1335, relative to State Police Pension and Retirement System; to authorize lump sum payment for accumulated annual and sick leave that exceeds one hundred percent of the retirement benefit; 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

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

NAYS

Total—0

ABSENT

Table with 2 columns: Tarver; Total—1

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. 821—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 11:2257(H), relative to Firefighters' Retirement System of Louisiana; to create an alternative retirement option under the deferred retirement option plan; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Tarver  
Total—1

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

**SENATE BILL NO. 980—**  
BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:181(B)(2), relative to Louisiana Clerks of Court Retirement System and Relief Fund; to provide for the change in membership of the governing board; 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**

Mr. President	Fields, C	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  
Ellington  
Total—37

Lambert  
Lentini

**NAYS**

Total—0

**ABSENT**

Jones, C  
Total—2

Tarver

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 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:

**Senator C. Fields in the Chair**

**Called from the Calendar**

Senator Ullo asked that Senate Bill No. 104 be called from the Calendar at this time for its final passage.

**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.

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	Fields, C	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	Lambert	

Ellington  
Total—37

Lentini  
NAYS

Total—0

ABSENT

Jones, C  
Total—2

Tarver

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.

**Called from the Calendar**

Senator Ullo asked that Senate Bill No. 105 be called from the Calendar at this time for its final passage.

**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.

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

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

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

NAYS

Total—0

ABSENT

Hines  
Total—3

Jones, C

Tarver

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.

**Called from the Calendar**

Senator Ullo asked that Senate Bill No. 111 be called from the Calendar at this time for its final passage.

**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.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 111 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 5 after "(2)" insert the following:

"This Subsection shall only apply to courts as defined in Code of Criminal Procedure Article 931."

AMENDMENT NO. 2

On page 2, at the beginning of line 23, insert "(3)"

On motion of Senator Ullo, the amendments were adopted.

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

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

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

**HOUSE BILL NO. 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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Tarver  
Total—1

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

**Rules Suspended**

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

**Mr. President in the Chair**

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 25, 2001

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 72—**

BY SENATOR IRONS

**A CONCURRENT RESOLUTION**

To designate May, 2001, as Adolescent Pregnancy Prevention in Louisiana "Building on Success" Month.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 73—**

BY SENATOR THOMAS AND REPRESENTATIVES MORRISH AND NEVERS

**A CONCURRENT RESOLUTION**

To commend Reverend Philip Lowell Stagg on twenty-five years of service.

Reported without amendments.

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

**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 25, 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. 94—**

BY REPRESENTATIVE SALTER

**AN ACT**

To amend and reenact R.S. 9:315.13(B)(1)(introductory paragraph) and to enact R.S. 9:315.13(C), relative to the schedule of child support obligations; to provide for eligibility of federal and state tax dependency deductions for child support based on percentage of the total child support obligation; and to provide for related matters.

**HOUSE BILL NO. 179—**

BY REPRESENTATIVE NEVERS

**AN ACT**

To enact R.S. 47:306(B)(1)(d)(iii), relative to advance collection of state sales taxes; to provide that the advance collection of state sales tax shall not apply to certain dealers in all-terrain vehicles and marine products; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVE FLAVIN

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 9(B) of the Constitution of Louisiana, to provide that each parish school board shall fix the qualifications and prescribe the duties of the parish superintendent of schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 403—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:142, 143, and 144(A), relative to the State Board of Architectural Examiners; to provide for board membership; to provide for terms of office; to provide for a quorum; and to provide for related matters.

**HOUSE BILL NO. 438—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 23:691, relative to loans by employers; to exempt certain financial institutions from interest rate requirements; and to provide for related matters.

**HOUSE BILL NO. 1076—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1907(F)(2), relative to assessors; to provide requirements for certification of assessors; and to provide for related matters.

**HOUSE BILL NO. 1080—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Civil Procedure Articles 3951, 3952, 3953, 3956, 3957(A) and (B), and 3958, relative to procedures for divorce; to provide procedures for divorce under Civil Code Article 103; and to provide for related matters.

**HOUSE BILL NO. 1111—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 47:1901, 1902, and 1904, relative to assessors; to delete certain obsolete election provisions; to provide relative to the filing of bonds and oaths of office; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1119—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 47:1923(A) and to enact R.S. 47:1923(C), relative to the Assessors' Insurance Fund; to authorize assessors to enter into contracts for disability insurance; to provide relative to the administration of the fund; to provide for the remittance of premiums; to provide for penalties for delinquent payments; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1182—**

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

To enact Code of Civil Procedure Article 3603.1(C) and R.S. 46:2134(F), relative to domestic abuse; to provide for the issuance of temporary restraining orders in certain circumstances; to provide relative to payment or prepayment of certain court costs; and to provide for related matters.

**HOUSE BILL NO. 1189—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:1405.1(B), relative to the State Bond Commission; to provide for the rebate of excess fees to certain issuers; and to provide for related matters.

**HOUSE BILL NO. 1236—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:333(A)(1) and (6), (F)(11), and (I)(1) and to enact R.S. 6:333(A)(2.1) and (11) and (F)(15), relative to banks; to provide for definitions; to provide for disclosure of certain records by banks; to limit liability for disclosure of certain information; and to provide for related matters.

**HOUSE BILL NO. 1289—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:532(10.1), relative to bank structure; to provide for definitions; to repeal certain criteria for determining whether to grant a certificate of authority for a branch office; and to provide for related matters.

**HOUSE BILL NO. 1299—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 9:5390(A), relative to the amendment, renewal, or refinancing of mortgage notes; to provide that the amendment of a conventional mortgage, conventional chattel mortgage, or security agreement to reflect certain changes in the note does not alter the effectiveness, validity, enforceability, and priority thereof; and to provide for related matters.

**HOUSE BILL NO. 1327—**

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 47:1508(B)(11), relative to the Department of Revenue; to provide an exception to the provisions regarding confidentiality of tax records for the tobacco settlement enforcement unit of the Louisiana Department of Justice; to provide for an effective date; 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. 94—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 9:315.13(B)(1)(introductory paragraph) and to enact R.S. 9:315.13(C), relative to the schedule of child support obligations; to provide for eligibility of federal and state tax dependency deductions for child support based on percentage of the total child support obligation; 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. 179—**

BY REPRESENTATIVE NEVERS

AN ACT

To enact R.S. 47:306(B)(1)(d)(iii), relative to advance collection of state sales taxes; to provide that the advance collection of state sales tax shall not apply to certain dealers in all-terrain vehicles and marine products; 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. 305—**

BY REPRESENTATIVE FLAVIN

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 9(B) of the Constitution of Louisiana, to provide that each parish school board shall fix the qualifications and prescribe the duties of the parish superintendent of schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 403—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:142, 143, and 144(A), relative to the State Board of Architectural Examiners; to provide for board membership; to provide for terms of office; to provide for a quorum; 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. 438—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 23:691, relative to loans by employers; to exempt certain financial institutions from interest rate requirements; 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. 1076—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1907(F)(2), relative to assessors; to provide requirements for certification of assessors; 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. 1080—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Civil Procedure Articles 3951, 3952, 3953, 3956, 3957(A) and (B), and 3958, relative to procedures for divorce; to provide procedures for divorce under Civil Code Article 103; 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. 1111—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 47:1901, 1902, and 1904, relative to assessors; to delete certain obsolete election provisions; to provide relative to the filing of bonds and oaths of office; 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. 1119—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 47:1923(A) and to enact R.S. 47:1923(C), relative to the Assessors' Insurance Fund; to authorize assessors to enter into contracts for disability insurance; to provide relative to the administration of the fund; to provide for the remittance of premiums; to provide for penalties for delinquent payments; 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. 1182—**

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

To enact Code of Civil Procedure Article 3603.1(C) and R.S. 46:2134(F), relative to domestic abuse; to provide for the issuance of temporary restraining orders in certain circumstances; to provide relative to payment or prepayment of certain court 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. 1189—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 39:1405.1(B), relative to the State Bond Commission; to provide for the rebate of excess fees to certain issuers; 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. 1236—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:333(A)(1) and (6), (F)(11), and (I)(1) and to enact R.S. 6:333(A)(2.1) and (11) and (F)(15), relative to banks; to provide for definitions; to provide for disclosure of certain records by banks; to limit liability for disclosure of certain information; 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. 1289—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:532(10.1), relative to bank structure; to provide for definitions; to repeal certain criteria for determining whether to grant a certificate of authority for a branch office; 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. 1299—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 9:5390(A), relative to the amendment, renewal, or refinancing of mortgage notes; to provide that the amendment of a conventional mortgage, conventional chattel mortgage, or security agreement to reflect certain changes in the note does not alter the effectiveness, validity, enforceability, and priority thereof; 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. 1327—**

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 47:1508(B)(11), relative to the Department of Revenue; to provide an exception to the provisions regarding confidentiality of tax records for the tobacco settlement enforcement unit of the Louisiana Department of Justice; 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.

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 25, 2001

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 96—**

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To proclaim April 26, 2001, as "Take Our Daughters to Work Day".

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVES TOWNSEND, MONTGOMERY, AND WADDELL

A CONCURRENT RESOLUTION

To commend and congratulate head coach John Michael McConathy as well as the players, assistant coaches, and other staff members of the Northwestern State University men's basketball team for their outstanding achievements during a remarkable 2000-2001 season culminating in the university's first appearance in the National Collegiate Athletic Association Division I Basketball Championship Tournament.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend internationally recognized pianist Ronnie Kole for his remarkable musical accomplishments and to recognize his incomparable contributions to the city of New Orleans and the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 99—**

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School swimming team on being the state Division II Class 4-A champions.

**HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School wrestling team on being the state Division II champions.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School cross country team on being the state Division II Class 4-A champions.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 96—**  
BY REPRESENTATIVE WINSTON  
A CONCURRENT RESOLUTION

To proclaim April 26, 2001, as "Take Our Daughters to Work Day".

The resolution was read by title. Senator Irons moved to concur in the House 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
Boissiere	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—34		

**NAYS**

Total—0

**ABSENT**

Campbell	Romero	Thomas
Cravins	Tarver	
Total—5		

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

**HOUSE CONCURRENT RESOLUTION NO. 97—**  
BY REPRESENTATIVES TOWNSEND, MONTGOMERY, AND WADDELL  
A CONCURRENT RESOLUTION

To commend and congratulate head coach John Michael McConathy as well as the players, assistant coaches, and other staff members of the Northwestern State University men's basketball team for their outstanding achievements during a remarkable 2000-2001 season culminating in the university's first appearance in the National Collegiate Athletic Association Division I Basketball Championship Tournament.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Campbell	Dean	Tarver
Cravins	Romero	Thomas
Total—6		

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

**HOUSE CONCURRENT RESOLUTION NO. 98—**  
BY REPRESENTATIVE SCHNEIDER  
A CONCURRENT RESOLUTION

To commend internationally recognized pianist Ronnie Kole for his remarkable musical accomplishments and to recognize his incomparable contributions to the city of New Orleans and the state of Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields, W	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Hollis	Michot
Chaisson	Hoyt	Mount
Dardenne	Irons	Schedler
Dupre	Johnson	Smith
Ellington	Jones, B	Theunissen

Fields, C Jones, C Ullo  
Total—33

NAYS

Total—0

ABSENT

Campbell Dean Tarver  
Cravins Romero Thomas  
Total—6

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

**HOUSE CONCURRENT RESOLUTION NO. 99—**  
BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School swimming team on being the state Division II Class 4-A champions.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell Romero Thomas  
Cravins Tarver  
Total—5

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

**HOUSE CONCURRENT RESOLUTION NO. 100—**  
BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School wrestling team on being the state Division II champions.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell Tarver  
Cravins Thomas  
Total—4

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

**HOUSE CONCURRENT RESOLUTION NO. 101—**  
BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the 2000-01 Saint Paul's High School cross country team on being the state Division II Class 4-A champions.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

April 25, 2001

Fields, C  
Total—34

Lentini

NAYS

Total—0

ABSENT

Campbell  
Cravins  
Total—5

Hollis  
Tarver

Thomas

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**COMMERCE AND CONSUMER PROTECTION**

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

April 25, 2001

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 65—**

BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To urge and request the commissioner of the office of financial institutions to promulgate rules and regulations defining the parameters of its examination of the records of collections agencies.

Reported favorably.

**SENATE BILL NO. 16—**

BY SENATOR HOLLIS

**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. 51:464 through 468, relative to advertisements; to prohibit certain practices; to provide for civil and criminal penalties and other actions and procedures for violations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1002—**

BY SENATOR HAINKEL

**AN ACT**

To amend and reenact R.S. 37:693(B)(3), relative to land surveyor interns; to provide for the qualifications of land surveyor interns; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

April 25, 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:  
Regular Session, 2001

**SENATE BILL NO. 78—**

BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 43:111(A) and (B), and to enact R.S. 43:111(E), relative to advertising by the state and its agencies; to prohibit the state and its agencies from expending public funds for advertising on billboards; to provide relative to exceptions to the state advertising prohibition; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 123—**

BY SENATOR MALONE

**AN ACT**

To enact R.S. 18:1491.7(B)(23) and 1495.5(B)(22), relative to campaign finance reporting; to require that campaign finance reports include specific information relative to preprinted sample ballots; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 341—**

BY SENATOR DUPRE

**AN ACT**

To enact R.S. 27:102 and 261.1, relative to gaming; to provide with respect to elected public officials; to prohibit elected officials and their immediate family members from having a pecuniary interest in any business or organization which holds a riverboat gaming license or land-based casino license; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 428—**

BY SENATOR JOHNSON

**AN ACT**

To enact Chapter 4.1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:221 through 226, relative to the Louisiana Tax Law Institute; to create the institute and

provide for its membership, powers, duties, and responsibilities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 465—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 42:1123(27), relative to the Code of Governmental Ethics; to exempt Sabine River Authority board members from the prohibition of entering into contracts with such board; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 466—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 18:1300.24, relative to gaming; to provide with respect to gaming elections; to prohibit any further referendum elections to allow or expand any gaming activity authorized by legislative act; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 471—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R. S. 18:1505.2(J), relative to the Campaign Finance Disclosure Act; to provide relative to contribution limits; to provide for civil penalties for violations of campaign finance prohibitions against excessive contributions to a candidate; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 490—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 42:1123(13), relative to the Code of Governmental Ethics; to allow the acceptance of certain things of economic value by all elected officials; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 514—**  
BY SENATOR JOHNSON

AN ACT

To enact Chapter 10-A of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1473 through 1475, and 1511.4(E), relative to election offenses; to prohibit certain acts impacting candidates for elective office, their employees and relatives; to provide for reporting and investigations; to provide for injunctions and fines; to provide for civil remedies; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 525—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 36:477(C)(1) and to enact R.S. 40:600.6(A)(24), relative to the transfer of the authority to administer the federal grants for emergency assistance and weatherization services for low income persons; to transfer that authority from the Department of Social Services to the Louisiana Housing Finance Agency; to authorize the transfer of all books, records, money, and other property used by the Department of Social Services in the administration of the program to the Louisiana Housing Finance Agency; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 974—**  
BY SENATOR ULLO

AN ACT

To repeal Part X of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:551.81 through 551.85, Part XIV of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:559 through 559.11, Part IV of Chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950, comprised of R.S. 4:250 through 265, R.S. 17:10.1(C), (D) and (E), R.S. 36:651(G)(3), R.S. 17:1903 and 1904, R.S. 18:1907, Part XXIX-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1394 through 1395.19, R.S. 23:1294, Chapter 12 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:2001 through 2008, Part I of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:81 through 83, Chapter 4-B of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:321 through 322, Chapter 14 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:671 through 675, R.S. 30:2005, R.S. 30:2523, R.S. 33:2740.20, R.S. 33:4567.1 through 4567.5, Chapter 25-A of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:8031 through 8037, Chapter 16 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1851 through 1857, Chapter 22 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2151 through 2157, Chapter 27 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2351 through 2357, Chapter 39 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3201 through 3208, Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3351 through 3356, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, Subpart C of Part III of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1007, Part VI of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1031 through 1034, Chapter 16-A of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1391 through 1401, Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2861 through 2887, Chapter 15 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3201, Chapter 19 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3361 through 3369, Part XII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of

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1950, comprised of R.S. 40:2198 through 2198.6, Chapter 22 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2491 through 2494, Chapter 8-D of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:853 through 838, Chapter 11 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1501 through 1515, Chapter 14 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1631 through 1644, Chapter 21 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1811 through 1814, Chapter 22 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1821 through 1827, Part VII of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:981 through 984, Chapter 40 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2401 through 2406, Subpart G-3 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:580.1 through 580.6, all relative to boards and commissions in state government; to abolish certain inactive boards and commissions; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 50—**

BY REPRESENTATIVE LUCAS

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to recognize the last week in April of every year as Minister Appreciation Week and to commend and honor the ministers of the United States of America.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

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

April 25, 2001

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 28—**

BY SENATOR BAJOLE

**A CONCURRENT RESOLUTION**

To express and declare the support of the Legislature of Louisiana for a women's health platform that recognizes inequities in the health prevention and treatment of women and requests elimination of these inequities to improve the health status of women in the state.

Reported with amendments.

**SENATE BILL NO. 150—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 28:52(H), 53(K)(1), and 55(I)(1), relative to persons suffering from mental illness and substance abuse; to provide for the administration of medication in a psychiatric emergency to a patient admitted to a treatment facility voluntarily or by emergency certificate or a judicial hearing; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 151—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 28:21(E) relative to the reorganization of the office of mental health; to provide for an area management structure; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 298—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 39:1494.1(A)(3), relative to social service contracts; to expand the exemptions requiring requests for proposals for certain contracts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 361—**

BY SENATOR HINES

**AN ACT**

To amend and reenact R.S. 37:1041(4), relative to the practice of optometry; to revise the definition of the term "diagnostic and therapeutic pharmaceutical agent"; to authorize certain licensed optometrists to use certain drugs and other substances in the treatment of diseases of the eye and its adnexa; to prohibit prescribing or using drugs and other substances listed in Schedule I and Schedule II of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 389—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 37:613, relative to podiatry; to provide for qualifications of applicants for licensure to practice podiatry; to provide for completion of a post graduation training program; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 722—**

BY SENATOR HAINKEL

**AN ACT**

To enact R.S. 40:1058.3(C), relative to certification of substance abuse/addiction treatment facilities; to declare a moratorium on the certification of methadone maintenance clinics; to prohibit such certification during the moratorium; to authorize

certification of such clinics approved prior to the effective date of the moratorium; to require the Department of Health and Hospitals to study the need for and the criteria for such clinics during the moratorium; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 781—**

BY SENATOR HINES

AN ACT

To enact R.S. 46:976(A)(5)(d) and (B)(1)(d), relative to the Louisiana Children's Health Insurance Program; to expand coverage to certain parents of Medicaid and LaCHIP eligible children and to certain pregnant women; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 883—**

BY SENATOR ELLINGTON

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701, relative to health care; to create the Health Trust Fund within the state treasury; to provide for the appropriation of monies to the fund; to provide for investment and uses of monies in the fund; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

**Rules Suspended**

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 13 from the Committee on Senate and Governmental Affairs.

**SENATE BILL NO. 13—**

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 22:2(A)(1) and R.S. 36:682(A), relative to the commissioner of insurance for the Louisiana Department of Insurance; to provide for the appointment of the commissioner of insurance by the governor in lieu of election; to provide for Senate confirmation; to provide for the term of such appointment; and to provide for related matters.

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

**Rules Suspended**

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 606 from the Committee on Commerce and Consumer Protection.

**SENATE BILL NO. 606—**

BY SENATOR HOLLIS

AN ACT

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

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

**Rules Suspended**

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 889 from the Committee on Revenue and Fiscal Affairs.

**SENATE BILL NO. 889—**

BY SENATORS HOLLIS, DARDENNE, MICHOT, ELLINGTON AND HAINKEL

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; and to provide for related matters.

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

**Motion to Recommit**

Senator Fontenot asked for and obtained a suspension of the rules and recommitted Senate Bill No. 1050 from the Committee on Judiciary B to the Committee on Local and Municipal Affairs.

**Motion to Recommit**

Senator Gautreaux asked for and obtained a suspension of the rules and recommitted Senate Concurrent Resolution No. 75 from the Committee on Senate and Governmental Affairs to the Committee on Judiciary B.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Tarver 1 Day

**Adjournment**

Senator Lambert moved that the Senate adjourn until Thursday, April 26, 2001, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Thursday, April 26, 2001.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk