

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

SIXTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 26, 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 Bishop James Daniels, following
which the Senate joined in pledging allegiance to the flag of the United
States of America.

Reading of the Journal

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

Morning Hour

Messages from the Governor

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

STATE OF LOUISIANA
Office Of The Governor

April 25, 2001

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed the persons on the attached list to the offices
indicated.

In compliance with Article IV, Section 5(H)(3) of the Louisiana
Constitution of 1974, I do hereby present these names for your
review.

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

Addictive Disorders, Commission on

Barnes, C.D.	Carline, Elizabeth B
Hernandez, Lloyd D	Reed, Susan H
Wickramasekera, Anthony O	Young, Aubrey W

Administration, Division of

Davis, Angele D	DuBos, James G
-----------------	----------------

**Amite River Basin Drainage and Water Conservation District,
Board of Commissioners of the**
Cornette, Russell

Auctioneers Licensing Board, Louisiana

Bonnette, Barbara

Aviation Advisory Commission, Governor's

Culp, Anthony M

Bar Pilots for the Port of New Orleans, Bd of Examiners

Ittman, Thomas L	Messa (IV), Victor C
Steinmuller, Charles P	

Baton Rouge Port Commission, Greater

Anderson, Johnny G

Bayou D'Arbonne Lake Watershed District, Commission

Roark, William E

**Board of Examiners for New Orleans & Baton Rouge Steamship
Pilots for the Mississippi River**

Gould (Jr), Martin W	Shows, Henry G
Wattigney, Louie M	

Cafeteria Plan Study Commission, State Employees

Altazan (Jr), C.A.	Benedict, Forest
Dartez (Rep), Carla B	Kling (Jr), Whitman J
Lambert, Jerri	O'Shee, Richard L
Temple (Jr), Aubrey T	Wall, A. Kip

Page 2 SENATE

April 26, 2001

16th DAY'S PROCEEDINGS

Calcasieu Parish Pari-Mutuel Live Racing Facility Econ Redevelopment & Gaming Control Asst District

Braquet, Eugene C	Castille, Earl
Granger, Sue	Grove, Johnny D
Hebert, Jack E	Jones, Lynley E
Lundy, Beth O	Patton (Jr), Shady
Terrell, Roland L	

Cancer and Lung Trust Fund Board, Louisiana

Glass (MD), Johnathan

Capital Area Groundwater Conservation District, Board of Commissioners for the

Babin, Daryl J	Barry (Jr), John S
Martin, Kevin J	Part, Elie J

Cemetery Board, Louisiana

Crow, Michele (Shelly) M	Kramer, Casper "Jimmy" P
--------------------------	--------------------------

Child Death Review Panel

Springer (MD), Ann	Whitty-Tucker, Margaret (Peg)
--------------------	-------------------------------

Children's Trust Fund Board, Louisiana

Benton (MD), Scott A	Bouie, Leslie
Clancy, Holly M	Forbes, Martha G
Hallstrom, Karen A	Kirk (PhD), Alan B
Larrieu (PhD), Julie A	Myer, Malcolm G
Soniat, Karen M	

Chiropractic Examiners, Louisiana Board of

Kruse, Mark B

Clinical Laboratory Personnel Committee

Bohrer, Elizabeth H	Cropper, Deliah R
McCole, Mary R	Tulley, Richard

Community and Technical Colleges, Board of Supervisors

Delaney, John E

Cosmetology, Louisiana State Board of

Meyers, Nola B

Counselors Board of Examiners, La Licensed Professional

Gagnon, Charles A

Crime Victims Reparations Board

Thibodeaux, Audrey D

Deaf, Louisiana Commission for the

Abshire, Gail C	Brackin, Laura
Ledet-Dawson, Suzette M	Moss, Patti S
Olivier, Lawrence	Veade, Mary Ann D

Dentistry, Louisiana State Board of

Guillaume, Christine M	McCabe (Jr), Charles T
Wise, Charles L	

Developmental Disabilities, Louisiana State Planning Council on

Adams, Dwayne	Bearden, Ben A
---------------	----------------

Blereau, Ronald
Cole, W. Troy
Dupree, Nichole M
Price, Warren T
Ramos, Linda L

Breaux, Donna S
Cormier, Harold J
Ganier, Cynthia M
Prockner, Deborah L
Treubig, Edith "Kathy" K

Dietetics and Nutrition, Louisiana State Board of Examiners

Enault, Cecelia E	Pope, Janet F
-------------------	---------------

Disability Affairs, Gov's Advisory Council on

Beridon, Virginia	Blereau, Ron
Brown, Ellen	Chauvin, Barry
Crain, Marilyn Istre	Ellis, Sandi
Forster, Garey J	Gates, Mark
Hannie, Rosemary	Harrell, Ronnie
Hilburn, Frances	Jetson, Raymond A
Jones, Jerry W	Kennedy, Patricia A
Labue, Jared	Lamendola, Craig
Lander, Ann	Marcel, Kay
Mark, Yadi	Meadours, James
Meyer, Barry A	Mitchell, Suzanne
Nesbit, Julie	Obier, Bill
Richter, Art	Rossi, Gina
Russell, Julie	Sherrard, Erica
Simpson, Lois	Singelmann, Brenda
Spickerman, Bill	Watson, Chris
White, Mary Francis	Williams, Oscar
Winchell, Sandee	Woods (Jr), Otray J

Drug Policy Board

Austin-Duffin, Jocelyn Renea	Edwards, Ricky
Landreneau, Bennett C	Landry, Terry C

DWI-Vehicular Homicide, Governor's Task Force on

Young, John F

Economic Development Corporation, Louisiana

Gerald, Don

Economic Development Council, Louisiana

Caffey, H. Rouse	Charlot (Jr), Henry R
Chiasson, Katie S	Gayle (Jr), Robert H
Gianna, Beverly	Gothreaux, Gregg
Johnson, Tim	Lafont, Victor R
Lower, Dennis	Pierson (Jr), Donald M
St. L. O'Brien, Gregory M	

Economic Development, Department of

Hutchinson, Don J

Eddie G. Robinson Museum Commission

Belton, John F.K	Davison, James E
Green, Lottie J	Maxwell, John E

Education Commission of the States

Hudson (Rep), Charles I	Jindal, Bobby
Perry, J. Stephen	Picard, Cecil J

Education, Board of Control for Southern Regional

Savoie, E. Joseph

Election Supervisors, Parish Boards of

Barnum, Valerie	Bethard, Florence T
Bruneau, James Emile "Jeb"	Clark, Sheila B
Guillory, Wilbert	Levy, Elizabeth Weber
Usrey, Thomas F	

Electrolysis Examiners, State Board of

Bonnette, Lucille A

Engineering and Land Surveying Board, Professional

Durrett, Richard I	McManis, Kenneth L
--------------------	--------------------

Environmental Education Commission

Dearborne, Johnathon	Tizzard, Marie
York, Jane D	

Ethics, Board of

Guin (Jr), Billy J	Perret (Jr), Henry C
--------------------	----------------------

Film and Video Commission, Louisiana

LoCicero, Phil S

Fluoridation Advisory Board

McGuire, Susan

Folklife Commission, Louisiana

Berthelot (Jr), Raymond O	Calcote, Sharon
Eubanks, Thomas H	Kramer, Adriane F
Smith, Geraldine	

Formosan Termite Task Force

Cromwell, Jon A	Dicharry, Christopher J
Dupont, Mike	Smith, Lynda N

Gaming Control Board, Louisiana

Cadoria (Brig Gen Ret.), Sherian G	Fleming, Robert M
Kinchen, Dennis R	

Governor Jimmie Davis Sunshine Award Board

Davis, Anna C	Diefenthal, Edward (Ned) L
Ewing, Randy L	Sport, Kim
Zuber, Nancy	

Greater Ouachita Port Commission

Baber, Ola T "Kay"	Hoffman, Susan
Guillot, Richard W	Lee (Sr), James T
Norris, Ricky	Sanderson, Matthew D
Smith, Willie M	

Health and Hospitals, Department of

Jetson, Raymond A

Hearing Aid Dealers, Louisiana Board for

Sayer, Susan W

Hearing Impaired Infants, Early Identification Advisory Council

Berry (MD), Susan	Brown, Karla R
Chase, Lisa	Crochet, Vicki
deGraauw, Claudette	Quantrille, Dawn

Thibodaux, Lois

Thomason, Karen

Higher Education Estimating Conference

Perry, J. Stephen

Highway Safety Commission, Louisiana

Brewton, Randall P	Champagne (III), Allen C
Vicknair, Carl J	

Historical Records Advisory Board, Louisiana

Everard, Wayne	Hardy (Jr)(PhD), Florent
Jagneaux, Charles	Lemmon, Alfred E
Miller, Leon C	

HIV and AIDS, Louisiana Commission on

Brennan, Christine S	Brown, Barbara
Bush, Amy D	Cowdin, Donald E
Davis, Eric P	Gruber, DeAnn M
Madison (DDS), Romell J	Malone, Harvey L
Munroe, David	Scott, Mary K

Housing Finance Agency, Louisiana

Montgomery, Joan C

Human Resources Estimating Conference

Kopplin, Andrew D

Humanities, Louisiana Endowment for the

Detweiler, William M	Earhart, Philip C
Erwin, Neil	Morein, Janet R

Independent Living Council, Statewide

Bateman, Henry	Dale, Larry N
Granger, Mitchell L	Landry, Darren J
Mark, Yadi	Martin (Jr), Harold A
Moak, William E	Moss, Robert
Saunders, John D	Woods, Karl A

Indigent Defense Assistance Board

DeSalvo, Frank G	Phelps, Donald T
------------------	------------------

Integrated Criminal Justice Information System Policy Board

Martin (V), Patrick H

Interagency Coordinating Council, State

Arnould, Patricia L	Boudreaux (PhD), Ronald F
Daigle, Marcia L	Doiron, Jeannie
Dugger Wadsworth, Dr. Donna E	Fontenot, Kimberly M
Provenza, Charlotte S	Rose, Linda B
Washington, Aaron	Winchell, Sandee

Interior Designers, State Board of Examiners of

Bouligny (Sr), Joseph D	Fetzer, Nell G
Gauthier, Melissa D	Hebert (Dr), Paulette R
King, Robert C	Steinmetz, Deborah
Verges, Judith Andre'	

Interstate 49 North Extension Feasibility and Funding Task Force

Adger (Mayor), Helen H	Blake, Harry
------------------------	--------------

Braxton, Rodney C
Clark, Thomas M
Flanders (Jr), Cecil A
Gibson, Mike
Green, James E
Strong, H.M. Mike
Walker, Arthur L

Busada, Barry
Cordaro, Emile
Gautreaux, Cathy F
Glover (Rep), Cedric B
Sarpy, Maxine P
Waddell (Rep), Wayne

Interstate 49 South Project Task Force
Pace, Kenneth D

Jefferson Parish Public Administrator
Lepow, Joseph J

Juvenile Justice and Delinquency Prevention, Governor's Advisory Board of
Guidry, Janene M
Metz, Nancy

Hill (Jr), Robby Ray
Shotwell, Justin

Kenner Naval Museum Commission

Burnsed (Mrs), Pan
Eckelmann, Clarence F

Dunigan (LtCol-Ret), Theodore R
Melia, Robert F

Lafourche Basin Levee District, Board of Commissioners of
Tastet, Shelley M

Lake Borgne Basin Levee District, Board of Commissioners of
Odinet, Randolph T

Lake Charles Harbor and Terminal District, Board of Commissioners of
Thielen, John "Chad"

Williams, George E

Library, Board of Commissioners of the Louisiana State
Snyder (Sr), Robert C

Liquefied Petroleum Gas Commission, Louisiana
Montecino, John C

Lottery Corporation, Board of Directors of the Louisiana State
Bollinger, Brandi L

Mason, Patricia C

Louisiana State University and Agricultural and Mechanical College, Board of Supervisors

Anderson, Kent
Cusimano, Charles V
Slack, C. Stewart

Andonie, Jack A.
Rucks (IV), William W
West, Roderick K

Massage Therapy, Louisiana Board of

Bernard, Jan
Breau, Michael A
Kershaw, Tammy C
Tucker, Juanita B

Blamphin, Mark W
Cavanaugh, Michael R
LaRocca-Parrino, Ellen

Maurepas State Park Steering Committee

Bankston, James M
Davidge, Dickie
McKaskle, Charles R
Monica, Rosemary W
Schexnayder, Perry P

Daley, Thomas F
Hawkins, Margaret G
Mitchell (Sr), Leroy
Roussel, Sean P
Taylor, Ben

Medical Advisory Board, Louisiana

Baker (MD), Larry E
Carter (OD), Henry J
Embree (MD), Larry J
Ferriss, Gregory S
Jackson (MD), John D
Phillips (Jr), Edward W
Ruffin (MD), Glenn B
Threefoot (MD), Henry K

Baldone, Joseph A
Dunlap, Daniel C
Faludi (MD), Jeffrey E
Green (Jr)(MD), Matthew R
Leatherman (MD), Edward H
Reynolds, Joseph B
Sabatier (Jr)(MD), Joseph A

Military Advisory Board, Governor's

Berry (Jr), T.L. "Sonny"
Howerton, William B
Randolph (Jr), Edward G
Viser, Murray W

Garber, Wayne T
Livingston (Maj Gen, USMC), James E
Suggs, Mrs. Carroll W
Walker, Lorenz J

Mineral Board, State

Allain (II), Robert "Bret" L

Mississippi River Road Commission

Broussard, Lance
Denstel, Ted
Falgoust, Angela
Judice (MD), Robert C
Quezaire (Rep), Roy
Richoux, Marilyn M
Wolbrette, Mary

Chaisson (II) (Sen), Joel T
Devillier (Rep), Emma
Hainkel (Jr)(Sen), John J
Mayhew, Debra D
Remondet, Julia
Schwartz, Kitty

Morgan City Harbor and Terminal District, Board of Commissioners of
Tezeno, Willie C

Motor Vehicle Commission, Louisiana
Domingue (Sr), W. Lee

Museum, Board of Directors of the Louisiana State

Adams, Jerry F
Bollinger, Brandi L
Cohn, Marianne W
Gomez, Donald
Sisung, Frances V

Bergin, Edward H
Coates, R. Emmett
Davis, Mary H
Shea, Harriet B

Music Commission, Louisiana

Batiste, Alvin

Naval War Memorial Commission, Louisiana
Norwood, David I

New Orleans Center for Creative Arts/Riverfront Board of Directors

Blanchard, Terence
Chachere, Ernest G
Garrity-Adams, Cynthia
Rack, Elizabeth
Vrazel (Jr), Raymond A

Breaux, Pam
Corey, Shirley T
Holloway, Clifford "Kip" L
Ross, Ronald D

New Orleans Expressway Commission, Greater
Connick, William P

North Lafourche Conservation Levee & Drainage District

Bollinger, Christopher B St. Romain, Steven M

Nursing, Louisiana State Board of

Crapanzano, Elsie (Sissy) S Moody, Karen B

Oil Centennial Commission, LouisianaCassidy, Edward Thomas Chiasson, Katie
Goodreau, Carita C Marcantel, Gregory N
Miller, Ruth Loyd Shultz, Ronald C
Spears, Dolores**Oilfield Site Restoration Commission**Bourgeois, Michael J Briggs, Don G
Fruge, Wilfred Lancot, Randy P
Lyons, Richard Michael Vickers, Daniel T**Optometry Examiners, Louisiana State Board of**

Spurlock, (II)(OD), Darrell R

Orleans Parish Jury Commission

Bajoie (Jr), Olander P

Orleans Parish Public Administrator

Babin, Marlene L

Parks and Recreation Commission, State

Odom, Joey

Patient's Compensation Fund Oversight BoardBelleau (MD), Charles D Cosse' (III), Clark R
Darnell, Gary R Foret (MD), Gerald L
Griffen (MD), Forrest Dean Lennie, Daniel J
Odinet (Jr)(MD), Kenneth Tullier, Wanda C**Pharmacy, Louisiana Board of**Adams, Joseph L Anderson, Lois R
Bond, Brian A Lantier (Jr), Larry J
Oubre, Richard J Rabb, T. Morris**Physical Fitness and Sports, Governor's Council on**Bujol, William E Covington, Mary Lou
Dugas, Edmond Dr. A Evans, Edward C
Jenkins, Kenneth W LaCour, Etha
LaFleur, Gregory L Pierce, Kyle
Seneca, Gene P Shilstone (Jr), Cecil M
Turrentine, Sharon G**Pontchartrain Levee Board**Baptiste, Henry Harelson (Sr), Webb L
Wilson, Steven C**Practical Nurse Examiners, State Board of**

Fulmer, Bobby G Norton, Faye

Prison Enterprises Board

Strickland, Frank J

Private Employment Service Advisory Council, Louisiana

Baer, Deborah H

Private Investigators, Louisiana State Board of

Abshire, Wilbur "Will" Malpass, William H

Psychologists, La State Board of Examiners of

Hartwell (PhD), Linda J

Public Safety and Corrections, Department of

Jones, Jerry W

Racing Commission, Louisiana State

Gaffney, Joseph Peter

Real Estate Appraisal State Board of Certification, Louisiana

Thorns (Jr), Jimmie

Red River Waterway CommissionKirksey (III), Floyd C Pernici, Frank R
Simpson, Michael B**Regents, Board of**Blake, William D Henry, Frances T
Robinson (Jr), Virgil Smith, William C**Rehabilitation Council, Louisiana**Adams, Dwayne Curole, Lanor E
Dubel, Pamela Gardner, Mary Ann
Granger, Mitchell L Martin, David
Martin, Clyntie W Singelmann, Brenda G
Trapen, John**Resource Recovery and Development Authority, Louisiana**

McHugh, Tom Ed

Retirement Development Commission, La.Cordes (Jr), Paul D Curtis Sparks, Linda
Fontenot, Ruth Gill, Richard F
Scoggins (Dr), Leland C**Revenue, Department of**Bridges, Cynthia J Comeaux, Kenneth J
Dunham, Susan Louise Hymel, Stephen J
Lymon, Clarence J Mullins, Joy M**Rice Promotion Board, Louisiana**Berken, Kevin M Bollich, Richard D
Griffin, J.C. Hensgens, Leonard "Lenny" J
Hoppe, James Leonards, Edwin J
Trahan, Glenray P Wild, Edward H
Zaunbrecher, Wayne N**Rice Research Board, Louisiana**Boudreaux, John W Denison, John R
Fontenot, Richard B Girouard (Jr), R.E.
Guillory (Jr), Paul H Hensgens, Johnny
Loewer (Jr) Paul Lounsberry, Errol E
Miller, Robert H Patrick (Jr), E.W.
Unkel, Charles H Wild, Brian T
Wild, Wayne P

River Port Pilot Commissioners for the Port of New Orleans, Board of

Anderson, Jack H

River Port Pilots for the Port of New Orleans

Brignac, Bryan P

Grusich (III), Mark M

Short, Travis W

River Region Cancer Screening and Early Detection District

Bell, Pat

Bishop, Morrie A

Patterson, Suzanne B

Rouyeau, Margaret B

Tureau, Cynthia

Roadside Rest Area Task Force

Braxton, Rodney C

Sabine River Authority, Board of Commissioners for the

Zeigler (Jr), William R

Sanitarians Examiners Board

Antoon, James P

Seafood Promotion and Marketing Board, Louisiana

Adams, Gene

Bush (Jr), Thomas J

Chauvin, William D

Cvitanovich, Tommy

Gerica, Peter M

Pearce (Jr), Harlon H

Rich, James

Rivere, Darrel J

Vinterella (Jr), Nicholas

Seafood Standards of Identity Task Force

Cashio, Mike

Edgar, Daniel

Shorthand Court Reporters, Certified Bd of Examiners

Hennigan (Jr), Lloyd E

Long, Merrell L

Rannals, Tracey L

Small & Emerging Business Development Advisory Council

White, Earl A

Social Services, State Department of

Hincks, Joel B

Social Work Examiners, Louisiana State Board of Certified

Franklin, Kenna M

Showers, Robert D

Zelden, R. Janet Cothern

South Tangipahoa Parish Port Commission

Irion, John E

Lansden, Robert K

Perrilloux, Mark

Pistorius, Merlin A

Southern Growth Policies Board

Sharp, John "Jack" F

Southern Rapid Rail Transit Commission (Formerly LA-MISS-AL Transit Comm)

Barrow, Willie

Waddell (Rep), Wayne

Woodruff (Jr), Roy W

Southern University, Board of Supervisors

Alexander, Angela J

Clayton, Antonio "Tony" M

Gilliam, Sam A

Sparta Groundwater Conservation District

Brantley, Kim L

Carlisle, Gary

Coleman, T. E. "Gene"

Greer, Elva A

Jacob, George H

Michael, James R

Rosenzweig, Michael H

Smith, Morgan C

Speech Pathology and Audiology, Louisiana Board of Examiners of

Braud (MD), Lawrence L

Peat, Melinda Myhres

Rodgers, Theresa H

State and National Data Estimating Conference

Kopplin, Andrew D

State Employees Group Benefits Program, Board of Trustees of

Calvin (MD), James R

Castaing, Charles E

Substance Abuse Counselors, Louisiana State Board of Certification for

Dykes, Martin

French, Chris

Hayward, Kathleen G

Roy (III)(MD), A. Kennison

Schoen, Paul

Television Authority, Louisiana Educational

White (Jr), James E

Tensas Basin Levee District, Board of Commissioners of

Hutchins, Rodney

Venable, Charles R

Terrebonne Levee & Conservation District, Bd of Commissioners of the

Chiasson, Donald J

Daisy, Walton "Buddy"

Henry, Willis J

Luke, Allan

Naquin, Thomas P

Pellegrin, Eugene "Skip" J

Scurto, Michael J

Talbot (Sr), Gilbert J

Thibodeaux, Marvin R

Tobacco Settlement Payment Options Task Force

Braxton, Rodney C

Tourism Development Commission, Louisiana

Brown, Stacy A

Tourism Promotion District, Board of Directors for the Louisiana

Smith, W. Harrison

Transportation and Development, Department of

Nelson, Gordon E

Perret, Kenneth A

University of Louisiana System (Board of Trustees)

Chabert, Marty J

Coudrain, Andre G

Lippman, Alfred S

Long (Sr), Jimmy D

Pugh, Gordon A

Sibille, Winfred F

Teamer (Sr), Charles C

Used Motor Vehicle and Parts Commission, Louisiana

Adcock, Hoyt

Galland, Jay

Hunter, Bernie

Link, Gerald J

Veterinary Medicine Examiners, Louisiana Board of

Walther, Glenn R

Water Policy Advisory Task Force, State

Credeur (Jr), Patrick

Gautreaux, Karen K

Loewer (Jr), Paul

Durrett, Richard I

Kerr, Patrick J

Owen, Eugene H

West Jefferson Levee District, Board of Commissioners

Soutullo, Catherine J

Territo (Sr), Peter R

Wholesale Drug Distributors, Louisiana Board of

Broadus, Robert V

Wildlife and Fisheries Commission, Louisiana

Denmon, Terry D.

Felterman, Dean "Lee"

Women's Policy and Research Commission, Louisiana

Arceneaux (Jr), Paul "Pete" F

Austin-Duffin, Jocelyn Renea

Bajoie (Sen), Diana E

Beal, Susan T

Brassette, Linda

Brown, Bridgett

Casente, Constance L

Clarkson (Rep), Jacquelyn B

Clay, Vera E

Dartez (Rep), Carla B

Godfrey, Helen C

Hamilton, Gwendolyn P

Henderson, Helena N

Irons (Sen), Paulette R

Kemp, Alice A

Patterson, Karen W

Picard, Cecil J

Pope, Janet F

Smith, Susan H

Suitor, J. Jill

Waters, Melissa S

Watson, Dawn R

Willinger, Beth A

Winston (Rep), Diane G

Wooten Rosenberg, Kimberly

Workforce Commission, Louisiana

Brannon, Lori

Juneau, Richard "Dick"

Keeley (Jr), William "Rocky" E

Lawson, Huey P

Pugh, Gordon A

Reine, Louis S

Roden, William

Siekkinen, Jack C

**Privilege Report of the
Legislative Bureau**

April 26, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 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 without amendments.

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 without amendments.

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 without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

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

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

April 26, 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. 1365—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:1958(A), relative to the assessment of lands and lots; to provide for the assessment of land which is being developed for subsequent sale as residential property; and to provide for related matters.

HOUSE BILL NO. 1620—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 6:121.7, relative to troubled financial institutions and holding companies; to allow the addition of directors and executive officers; to provide for definitions; to provide for notice; and to provide for related matters.

HOUSE BILL NO. 1658—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact Code of Civil Procedure Articles 74.2(D), 2785(5), 2786(C)(3)(a), 2787, 2788(A)(introductory paragraph) and (B), and 2790(A), relative to the Intrastate Registration of Support Orders Act; to provide for the registration of obligors in certain cases; and to provide for related matters.

HOUSE BILL NO. 1667—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 9:315.21(A), (B)(2), (C), and (E), relative to the modification of child support; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1747—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to change the minimum grace period for repayment of a loan; and to provide for related matters.

HOUSE BILL NO. 1750—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:282(A), (B), (C)(1), 285(A), 714(A), and 1188(C) and to repeal R.S. 6:1188(D), relative to financial institutions; to require election of a chairman of the board of directors; and to provide for related matters.

HOUSE BILL NO. 1891 (Substitute for HB No. 1293 by Representative Schneider)—

BY REPRESENTATIVES SCHNEIDER AND CROWE
AN ACT

To amend and reenact R.S. 13:719(D), (E), and (F) and 720(E) and to repeal R.S. 13:719(G) and R.S. 13:720(I), relative to the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide relative to the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for a written report of the commissioner's findings; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal termination provisions for the office of commissioner; and to provide for related matters.

HOUSE BILL NO. 1850 (Substitute for House Bill No. 1053 by Representative Pinac)—

BY REPRESENTATIVE PINAC AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 45:163(D)(1)(b), relative to towing and storage of vehicles; to provide relative to public liability and property damage insurance coverage for certain tow trucks; and to provide for related matters.

HOUSE BILL NO. 532—

BY REPRESENTATIVES ANSARDI, BRUCE, K. CARTER, DAMICO, DEWITT, FAUCHEUX, HAMMETT, HEATON, HEBERT, HOLDEN, JOHNS, LAFLEUR, MARTINY, MONTGOMERY, MORRELL, PINAC, RICHMOND, JACK SMITH, AND WOOTON

AN ACT

To amend and reenact R.S. 27:353(4) and 361(C) and to enact R.S. 27:392(B)(3)(d) and 372.1, relative to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to provide with respect to the allocation of revenue; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

HOUSE BILL NO. 1680—

BY REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 17:1202(E)(1), relative to extended sick leave for teachers and certain others; to permit such leave to be requested by the covered employee subsequent to the employee's return to service; to require the granting of such leave for all days requested upon presentation of required documentation; to provide limitations; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 833

BY REPRESENTATIVES MARTINY, CROWE, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, PRATT, ROMERO, AND WELCH, AND SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stopper organizations; to provide for an additional cost of court to be imposed on offenders convicted of criminal and traffic violations; to provide for the payment of the funds derived from the additional cost of court to crime stopper

organizations; to provide for the use of those funds; and to provide for related matters.

HOUSE BILL NO. 1872 (Substitute for House Bill No. 685 by Representative Devillier)—

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact R.S. 14:37.2(C) and to enact R.S. 14:37.4, relative to aggravated assault with a firearm; to create the crime of aggravated assault with a firearm; to provide for penalties; to provide for penalties for the crime of aggravated assault upon a peace officer with a firearm; and to provide for related matters.

HOUSE BILL NO. 1339—

BY REPRESENTATIVES SCHNEIDER AND THOMPSON AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:701(19), 762(B)(1) and (D)(1), 788(B), and 883.1(C)(1)(a), (2), and (4) and to enact R.S. 11:883.1(C)(5)(a) and (b) and (F), relative to the Teachers' Retirement System; to provide with respect to the Deferred Retirement Option Plan and lump sum distributions made from the Deferred Retirement Option Account; to provide with respect to redeposit of monies into the system's fund; to provide with respect to the definition of "minor child"; to provide with respect to payment of survivor benefits; to provide with respect to the employee experience account, including but not limited to authorizing the use of funds held in that account for certain designated purposes; to provide with respect to cost-of-living adjustments; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1342—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE

AN ACT

To enact Subpart C of Part IV of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:815, relative to the Teachers' Retirement System; to provide with respect to benefits, including but not limited to the payment of benefits through electronic funds transfer; to provide exceptions; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1343—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:701(30) and (33)(b), 722, 728(A)(3), (B)(1), (C)(1) and (2), and (F)(2) and (3), 751, 761(A), 783(A)(introductory paragraph) and (Option 5) and (D), (G), and (I), 788(C), and 856(A), to enact R.S. 11:794, and to repeal R.S. 11:783(J), relative to the Teachers' Retirement System; to provide with respect to definitions, including but not limited to the definition of the terms "service" and "teacher"; to provide with respect to enrollment applications; to provide with respect to service credit and the criteria used for determining eligibility for the purchase of such credit; to provide with respect to rounding of service credit; to provide with respect to retirement applications; to provide with respect to benefits, including but not limited to the selection of Option 5 as a method for payment of benefits; to provide with respect to changes of beneficiaries; to repeal the provision authorizing a change of beneficiary in certain limited instances; to provide with respect to the Deferred

Retirement Option Plan, including but not limited to the interest that is credited to members' subaccounts; to provide with respect to returning employer contributions; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 321—

BY REPRESENTATIVES FARRAR AND FAUCHEUX

AN ACT

To enact R.S. 13:841(F), relative to fees in civil matters; to provide for the assessment of fees in consolidated cases; and to provide for related matters.

HOUSE BILL NO. 847—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 33:1999(A), relative to firefighters; to provide benefits for those firefighters not scheduled to work on a holiday; and to provide for related matters.

HOUSE BILL NO. 1460—

BY REPRESENTATIVES L. JACKSON AND GLOVER

AN ACT

To enact Subpart F of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2881.1 through 2881.4, relative to property adjudicated more than five years previously to a parish or municipality; to provide a means by which a political subdivision may acquire such adjudicated property; to provide for notice to registered owners and other interested parties; to authorize political subdivisions to sell or donate such properties; to provide for definitions; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1431—

BY REPRESENTATIVES SCHNEIDER, JOHNS, STELLY, DOWNER, AND FLAVIN AND SENATORS BOISSIERE, DUPRE, GAUTREAUX, AND ULLO

AN ACT

To amend and reenact R.S. 11:122(introductory paragraph), 123, 124, and 127(C) and to repeal R.S. 11:122(6), relative to the Public Retirement Systems' Actuarial Committee; to provide with respect to membership and voting requirements, including but not limited to the repeal of the position of independent actuary from the committee; to provide 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. 321—

BY REPRESENTATIVES FARRAR AND FAUCHEUX

AN ACT

To enact R.S. 13:841(F), relative to fees in civil matters; to provide for the assessment of fees in consolidated cases; and to provide for related matters.

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

HOUSE BILL NO. 532—

BY REPRESENTATIVES ANSARDI, BRUCE, K. CARTER, DAMICO, DEWITT, FAUCHEUX, HAMMETT, HEATON, HEBERT, HOLDEN, JOHNS, LAFLEUR, MARTINY, MONTGOMERY, MORRELL, PINAC, RICHMOND, JACK SMITH, AND WOOTON

AN ACT

To amend and reenact R.S. 27:353(4) and 361(C) and to enact R.S. 27:392(B)(3)(d) and 372.1, relative to slot machine gaming at live racing facilities; to authorize slot machine gaming at an eligible facility in Orleans Parish; to provide with respect to the allocation of revenue; to provide for the authority of the Gaming Control Board to approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans 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 B.

HOUSE BILL NO. 833 —

BY REPRESENTATIVES MARTINY, CROWE, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, PRATT, ROMERO, AND WELCH, AND SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.4, relative to crime stopper organizations; to provide for an additional cost of court to be imposed on offenders convicted of criminal and traffic violations; to provide for the payment of the funds derived from the additional cost of court to crime stopper organizations; to provide for the use of those 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 C.

HOUSE BILL NO. 847—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 33:1999(A), relative to firefighters; to provide benefits for those firefighters not scheduled to work on a holiday; 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. 1339—

BY REPRESENTATIVES SCHNEIDER AND THOMPSON AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:701(19), 762(B)(1) and (D)(1), 788(B), and 883.1(C)(1)(a), (2), and (4) and to enact R.S. 11:883.1(C)(5)(a) and (b) and (F), relative to the Teachers' Retirement System; to provide with respect to the Deferred Retirement Option Plan and lump sum distributions made from the Deferred Retirement Option Account; to provide with respect to redeposit of monies into the system's fund; to provide with respect to the definition of "minor child"; to provide with respect to payment of survivor benefits; to provide with respect to the employee experience account,

including but not limited to authorizing the use of funds held in that account for certain designated purposes; to provide with respect to cost-of-living adjustments; 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. 1342—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE

AN ACT

To enact Subpart C of Part IV of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:815, relative to the Teachers' Retirement System; to provide with respect to benefits, including but not limited to the payment of benefits through electronic funds transfer; to provide exceptions; 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. 1343—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:701(30) and (33)(b), 722, 728(A)(3), (B)(1), (C)(1) and (2), and (F)(2) and (3), 751, 761(A), 783(A)(introductory paragraph) and (Option 5) and (D), (G), and (I), 788(C), and 856(A), to enact R.S. 11:794, and to repeal R.S. 11:783(J), relative to the Teachers' Retirement System; to provide with respect to definitions, including but not limited to the definition of the terms "service" and "teacher"; to provide with respect to enrollment applications; to provide with respect to service credit and the criteria used for determining eligibility for the purchase of such credit; to provide with respect to rounding of service credit; to provide with respect to retirement applications; to provide with respect to benefits, including but not limited to the selection of Option 5 as a method for payment of benefits; to provide with respect to changes of beneficiaries; to repeal the provision authorizing a change of beneficiary in certain limited instances; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the interest that is credited to members' subaccounts; to provide with respect to returning employer contributions; 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. 1365—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:1958(A), relative to the assessment of lands and lots; to provide for the assessment of land which is being developed for subsequent sale as residential property; 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. 1431—

BY REPRESENTATIVES SCHNEIDER, JOHNS, STELLY, DOWNER, AND
FLAVIN AND SENATORS BOISSIERE, DUPRE, GAUTREAUX, AND ULLO
AN ACT

To amend and reenact R.S. 11:122(introductory paragraph), 123, 124, and 127(C) and to repeal R.S. 11:122(6), relative to the Public Retirement Systems' Actuarial Committee; to provide with respect to membership and voting requirements, including but not limited to the repeal of the position of independent actuary from the committee; 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. 1460—

BY REPRESENTATIVES L. JACKSON AND GLOVER
AN ACT

To enact Subpart F of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2881.1 through 2881.4, relative to property adjudicated more than five years previously to a parish or municipality; to provide a means by which a political subdivision may acquire such adjudicated property; to provide for notice to registered owners and other interested parties; to authorize political subdivisions to sell or donate such properties; to provide for definitions; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1620—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 6:121.7, relative to troubled financial institutions and holding companies; to allow the addition of directors and executive officers; to provide for definitions; to provide for notice; 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. 1658—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact Code of Civil Procedure Articles 74.2(D), 2785(5), 2786(C)(3)(a), 2787, 2788(A)(introductory paragraph) and (B), and 2790(A), relative to the Intrastate Registration of Support Orders Act; to provide for the registration of obligors in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 1667—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 9:315.21(A), (B)(2), (C), and (E), relative to the modification of child support; 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 Judiciary A.

HOUSE BILL NO. 1680—

BY REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 17:1202(E)(1), relative to extended sick leave for teachers and certain others; to permit such leave to be requested by the covered employee subsequent to the employee's return to service; to require the granting of such leave for all days requested upon presentation of required documentation; to provide limitations; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1747—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:824(A)(1), relative to repayment of loans; to change the minimum grace period for repayment of a loan; 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. 1750—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 6:282(A), (B), (C)(1), 285(A), 714(A), and 1188(C) and to repeal R.S. 6:1188(D), relative to financial institutions; to require election of a chairman of the board of directors; 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. 1850 (Substitute for House Bill No. 1053 by Representative Pinac)—

BY REPRESENTATIVE PINAC AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 45:163(D)(1)(b), relative to towing and storage of vehicles; to provide relative to public liability and property damage insurance coverage for certain tow trucks; and to provide for related matters.

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

HOUSE BILL NO. 1872 (Substitute for House Bill No. 685 by Representative Devillier)—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 14:37.2(C) and to enact R.S. 14:37.4, relative to aggravated assault with a firearm; to create the crime of aggravated assault with a firearm; to provide for penalties; to provide for penalties for the crime of aggravated assault upon a peace officer with a firearm; 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. 1891 (Substitute for HB No. 1293 by Representative Schneider)—

BY REPRESENTATIVES SCHNEIDER AND CROWE

AN ACT

To amend and reenact R.S. 13:719(D), (E), and (F) and 720(E) and to repeal R.S. 13:719(G) and R.S. 13:720(I), relative to the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide relative to the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for a written report of the commissioner's findings; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal termination provisions for the office of commissioner; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 26, 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. 102—

BY REPRESENTATIVES BRUNEAU AND LANCASTER AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of former Representative Vernon J. Gregson of New Orleans, and to record his important contributions to the legislative institution.

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. 102—

BY REPRESENTATIVES BRUNEAU AND LANCASTER AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of former Representative Vernon J. Gregson of New Orleans, and to record his important contributions to the legislative institution.

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	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Total—30		

NAYS

Total—0

ABSENT

Campbell	Fields, C	McPherson
Cravins	Fontenot	Tarver
Dardenne	Lambert	Thomas
Total—9		

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

LABOR AND INDUSTRIAL RELATIONS

Senator Charles Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

April 26, 2001

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 46—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 23:1231(B)(2), relative to workers' compensation; to provide with respect to death benefits; to increase the parental benefit of an employee who leaves no legal dependents; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 278—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1021(11), relative to the Workers' Compensation; to provide with respect to definitions; to include occupational therapist within the definition of health care providers; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 941—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 4:266, relative to racing; to provide with respect to Louisiana horsemen injury compensation fund; to provide for workers' compensation group benefits program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

April 26, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 853—

BY SENATORS MCPHERSON, CAIN, ELLINGTON AND HINES, AND REPRESENTATIVES DEWITT AND RIDDLE

AN ACT

To amend and reenact R.S. 17:1501 and 1501.1 and the heading of Subpart B of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, relative to Louisiana State University at Alexandria; to provide relative to institutions under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to recognize and define Louisiana State University at Alexandria as an institution authorized to offer baccalaureate degrees; to provide for implementation; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 16 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 15 delete "television commercials," and after "wire," insert "or" and on line 16 after "wireless" delete ", in motion pictures" and insert "; however, advertisements on television or motion pictures shall not be considered spoken advertisement"

AMENDMENT NO. 2

On page 3, line 6, after "public" insert "any written, printed, or spoken advertisement"

AMENDMENT NO. 3

On page 3, line 9 at the beginning of the line delete "telecasts," and after "wireless," delete "motion picture,"

AMENDMENT NO. 4

On page 4, line 3 after "radio" delete "or on television"

AMENDMENT NO. 5

On page 4, line 4 after "disclaimer" delete "either"

AMENDMENT NO. 6

On page 4, line 5 after "listener" delete the remainder of the line and at the beginning of line 6 delete "easily readable by the viewer,"

AMENDMENT NO. 7

On page 4, delete line 12, and insert: "Subpart may be fined not more than one thousand five hundred dollars following the first violation"

and not more than two thousand five hundred dollars following a subsequent violation."

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 78 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 2, after "Development" insert ", the Louisiana Lottery Corporation, the Department of Health and Hospitals for health, education or outreach programs when funds have been appropriated or are otherwise available to the department for that purpose,"

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 150 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 9, after "Section." delete the remainder of the line and delete lines 10 through 18 in their entirety

AMENDMENT NO. 2

On page 2, line 19, after "(2)" insert "(a)"

AMENDMENT NO. 3

On page 2, line 22, delete "may" and after "physician" delete the remainder of the line and insert "who is observing the patient during the emergency, constitutes"

AMENDMENT NO. 4

On page 2, line 24, after "emergency" delete the remainder of the line and delete line 25 in its entirety and insert "occurs when a patient, as a result of mental illness, substance abuse,"

AMENDMENT NO. 5

On page 2, line 26, change "resulting" to "engages"

AMENDMENT NO. 6

On page 2, at the end of line 27, insert the following:

"The emergency administration of medication may be continued until the emergency subsides, but in no event shall it exceed forty-eight hours, except on weekends or holidays when it may be extended for an additional twenty-four hours.

(b) The physician shall make a reasonable effort to consult with the primary physician outside the facility that has previously treated the patient for his mental condition at the earliest possible time, but in no event more than forty-eight hours after the emergency administration of medication has begun, except on weekends or holidays, when the time period may be extended an additional twenty-four hours. The physician shall record in the patient's file either the date and time of the consultation and a summary of the comments of the primary physician or, if the physician is unable to consult with the primary physician, the date and time that a consultation with the primary physician was attempted."

AMENDMENT NO. 7

On page 3, line 21, delete "may" and after "physician" delete the remainder of the line and insert "who is observing the patient during the emergency, constitutes"

AMENDMENT NO. 8

On page 3, line 23, after "emergency" delete the remainder of the line and delete line 24 in its entirety and insert "occurs when a patient, as a result of mental illness, substance abuse,"

AMENDMENT NO. 9

On page 3, line 25, change "resulting" to "engages"

AMENDMENT NO. 10

On page 3, at the end of line 26, insert the following:

"The emergency administration of medication may be continued until the emergency subsides, but in no event shall it exceed forty-eight hours, except on weekends or holidays when it may be extended for an additional twenty-four hours.

(c) The physician shall make a reasonable effort to consult with the primary physician outside the facility that has previously treated the patient for his mental condition at the earliest possible time, but in no event more than forty-eight hours after the emergency administration of medication has begun, except on weekends or holidays, when the time period may be extended an additional twenty-four hours. The physician shall record in the patient's file either the date and time of the consultation and a summary of the comments of the primary physician or, if the physician is unable to consult with the primary physician, the date and time that a consultation with the primary physician was attempted."

AMENDMENT NO. 11

On page 4, line 20, delete "could" and after "physician" delete the remainder of the line and insert "who is observing the patient during the emergency, constitutes"

AMENDMENT NO. 12

On page 4, line 22, after "emergency" delete the remainder of the line and delete line 23 in its entirety and insert "occurs when a patient, as a result of mental illness, substance abuse, or intoxication engages in behavior which"

AMENDMENT NO. 13

On page 4, at the end of line 25, insert the following:

"The emergency administration of medication may be continued until the emergency subsides, but in no event shall it exceed forty-eight hours, except on weekends or holidays when it may be extended for an additional twenty-four hours.

(c) The physician shall make a reasonable effort to consult with the primary physician outside the facility that has previously treated the patient for his mental condition at the earliest possible time, but in no event more than forty-eight hours after the emergency administration of medication has begun, except on weekends or holidays, when the time period may be extended an additional twenty-four hours. The physician shall record in the patient's file either the date and time of the consultation and a summary of the comments of the primary physician or, if the physician is unable to consult with the primary physician, the date and time that a consultation with the primary physician was attempted."

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 151 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 28:21(E)" insert a comma ","

AMENDMENT NO. 2

On page 1, line 3, after "structure;" insert "to provide an effective date;"

AMENDMENT NO. 3

On page 1, delete line 7 in its entirety

AMENDMENT NO. 4

On page 1, line at the end of line 16, change "is to" to "shall"

AMENDMENT NO. 5

On page 2, line 1, change "Region" to "Regions"

AMENDMENT NO. 6

On page 2, lines 3 and 7, change "is to" to "shall"

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 298 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 4, after "contracts;" insert "to provide an effective date;"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 39:1494.1(A)(3)" delete the comma ","

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 341 by Senator Dupre

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "the pecuniary interests"

AMENDMENT NO. 2

On page 1, line 3, after "elected public officials" delete the remainder of the line and delete lines 4 through 6 and insert "may have in certain gaming entities or organizations which hold a license to conduct gaming on a riverboat or the contract to operate the official gaming establishment in New Orleans; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 11, after "A." delete "(1)" and at the end of the line delete "nor any"

AMENDMENT NO. 4

On page 1, line 12, delete "member of the immediate family of an elected public official"

AMENDMENT NO. 5

On page 1, line 13, after "interest" insert "greater than ten percent"

AMENDMENT NO. 6

On page 1, delete line 16 in its entirety and on page 2, delete lines 1 through 3

AMENDMENT NO. 7

On page 2, line 11, after "A." delete "(1)" and after "R.S. 42:1" delete "nor any"

AMENDMENT NO. 8

On page 2, line 12, delete "member of the immediate family of an elected public official"

AMENDMENT NO. 9

On page 2, line 13, after "interest" insert "greater than ten percent"

AMENDMENT NO. 10

On page 2, delete lines 16 through 19

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 361 by Senator Hines

AMENDMENT NO. 1

On page 2, between lines 13 and 14, insert the following:

"(i) Any "diagnostic and therapeutic pharmaceutical agent" as defined in Paragraph (4)(a) of this Subsection listed in Schedule III, IV, and V of the Uniform Controlled Dangerous Substances Law shall be limited to use or be prescribed by a licensed optometrist for a maximum of forty-eight hours when used in treatment of disorders or diseases of the eye and its adnexa."

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

SENATE BILL NO. 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 by the Committee on Health and Welfare. On motion of Senator Schedler, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 399 by Senator W. Fields

AMENDMENT NO. 1

On page 2, line 8, immediately after "related." add the following:

"Any insurer who arbitrarily denies a claim on the basis that the claim is not due to a work related injury shall be subject to the provisions of Part XXVI of Chapter 1 of this Title."

AMENDMENT NO. 2

On page 2, line 24, immediately after "related." add the following:

"Any insurer who arbitrarily denies a claim on the basis that the claim is not due to a work related injury shall be subject to the provisions of Part XXVI of Chapter 1 of this Title."

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 490 by Senator Boissiere

AMENDMENT NO. 1

On page 2, after line 7, insert

"* * *

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 514 by Senator Johnson

AMENDMENT NO. 1

Page 18 SENATE

April 26, 2001

On page 1, line 6, delete "injunctions" and insert "a letter of reprimand or censure"

AMENDMENT NO. 2

On page 1, line 10, after "1475" insert ", "

AMENDMENT NO. 3

On page 2, line 15, delete "cease and desist orders" and insert "letter of reprimand or censure"

AMENDMENT NO. 4

On page 2, line 24, delete "de facto"

AMENDMENT NO. 5

On page 3, line 1, after "acts" insert "as defined in the Louisiana Criminal Code"

AMENDMENT NO. 6

On page 3, line 10, after "investigation" delete the remainder of the line and delete lines 11 through 15 and insert "and shall provide for a ten day notice from receipt of the complaint and opportunity to be heard at the next regular scheduled meeting of the Board of Ethics. The provisions of R.S. 42.5 shall not"

AMENDMENT NO. 7

On page 3, line 22, after "occurred" delete the remainder of the line and on line 23, delete "order shall remain in force" and after "supervisory committee" insert "shall issue a letter of reprimand or censure and"

AMENDMENT NO. 8

On page 5, line 6, after "issue" delete the remainder of the line and on line 7, delete "prevent or terminate" and insert "letters of reprimand or censure and to make public"

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 525 by Senator Ellington

16th DAY'S PROCEEDINGS

AMENDMENT NO. 1

On page 1, line 4, change "emergency" to "energy"

AMENDMENT NO. 2

On page 2, between lines 20 and 21 insert ** * *"

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

SENATE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 722 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 8, after "moratorium;" insert "to provide an effective date;"

AMENDMENT NO. 2

On page 2, line 7, after "July 1," change "2001" to "2003"

AMENDMENT NO. 3

On page 2, after line 11, insert the following:

"Section 2. This Act shall become effective July 1, 2001."

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

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 753 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1304(A)" insert "and to enact R.S. 22:1304(C)"

AMENDMENT NO. 2

On page 1, line 7, between "reenacted" and "to" insert the following:
"and R.S. 22:1304(C) is hereby enacted"

AMENDMENT NO. 3

On page 2, at the end of line 1, delete ", or third party" and on line 2 delete "administrator for an insurer or self insurance fund," and insert "or self insurance fund"

AMENDMENT NO. 4

On page 2, line 4, delete ", or third party administrator for an insurer"

AMENDMENT NO. 5

On page 2, below line 9, insert the following:

"R.S. 22:22:1304 (C) is all proposed new law.

C. The commissioner of insurance may recover all expenses incurred from the examination or investigation of any person or entity acting as an administrator or third party administrator in this state for any insurer or self insurance fund not authorized to transact the business of insurance in this state."

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

SENATE BILL NO. 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 by the Committee on Insurance. On motion of Senator Bean, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 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 by the Committee on Health and Welfare. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

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

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 858 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert the following: "R.S. 42:456(A)(3) and 456.2, relative to"

AMENDMENT NO. 2

On page 2, line 1, change "R.S. 22.6" to R.S. 22:6"

AMENDMENT NO. 3

On page 4, line 23, after "Section 2." delete the remainder of the line and insert the following: "R.S. 42:456(A)(3) is hereby enacted to read as"

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

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 865 by Senator Thomas

AMENDMENT NO. 1

On page 2, line 4, delete "230.4, 669,"

AMENDMENT NO. 2

On page 2, line 6, after "option" delete the period "." and add the following: "nor any mandate involving organ transplant programs in which an insurer is mandated to allow a patient to use the nearest transplant facility."

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

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 by the Committee on Health and Welfare. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

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 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 974 by Senator Ullo

AMENDMENT NO. 1

On Page 1, line 3, change "XIV" to "XVI"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 36:651(G)(3),"

AMENDMENT NO. 3

On page 1, line 8, delete "Part XXIX-B of Chapter 1 of Title 22 of the" and delete line 9 in its entirety and at the beginning of line 10, delete "1395.19, R.S. 23:1294,"

AMENDMENT NO. 4

On page 1, at the end of line 11, delete "Part I of" and delete line 12 in its entirety and at the beginning of line 13, delete "comprised of R.S. 24:81 through 83,"

AMENDMENT NO. 5

On page 2, line 11, after "3356," delete the remainder of the line and delete lines 12 through 15 and on line 16 delete "1034" and insert "R.S. 36:651(G)(3)"

AMENDMENT NO. 6

On page 2, line 17, change "1401" to "1399"

AMENDMENT NO. 7

On page 2, line 22, after "3369," insert "R.S. 40:2194.2(2), R.S. 40:2194.3, R.S. 40:2194.4,"

AMENDMENT NO. 8

On page 2, line 26, change "45:853" to "45:835"

AMENDMENT NO. 9

On page 2, line 27, after "838," insert "R.S. 46:153.3(C),"

AMENDMENT NO. 10

On page 3, line 16, change "XIV" to "XVI"

AMENDMENT NO. 11

On page 3, line 20, delete "R.S. 36:651(G)(3),"

AMENDMENT NO. 12

On page 3, line 21, delete "Part XXIX-B of Chapter 1 of Title 22 of the Louisiana Revised" and delete line 22

AMENDMENT NO. 13

On page 3, line 24, delete "Part I of Chapter 2 of Title 24 of the Louisiana" and on line 25, delete, "Revised Statutes of 1950, comprised of R.S. 24:81 through 83,"

AMENDMENT NO. 14

On page 4, line 10, after "3356," insert "R.S. 36:651(G)(3),"

AMENDMENT NO. 15

On Page 4, delete line 11 through 14, and on line 15, delete "of 1950, comprised of R.S. 37:1031 through 1034,"

AMENDMENT NO. 16

On Page 4, line 17, change "1401" to 1399"

AMENDMENT NO. 17

On page 4, line 21, after "3369," insert "R.S. 40:2194.2(2), R.S. 40:2194.3, R.S. 40:2194.4,"

AMENDMENT NO. 18

On Page 4, line 25, change "45:853" to "45:835"

AMENDMENT NO. 19

On page 4, line 25, after "838," insert "R.S. 46:153.3(C),"

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

SENATE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 1002 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 10 change "July 1, 1991" to "January 1, 1995"

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

SENATE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 1004 by Senator Cravins

AMENDMENT NO. 1

On page 4, line 3, before "No" insert "A."

AMENDMENT NO. 2

On page 4, between lines 25 and 26, insert the following:

"B. Notwithstanding the provisions of this Part to the contrary, pre-filled syringes which have been approved by the Federal Food and Drug Administration shall be exempt from the provisions of this Part until July 1, 2003."

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

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

SENATE BILL NO. 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.

On motion of Senator Cain, the 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. 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 by the Committee on Natural Resources. 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. 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 by the Committee on Natural Resources. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1272 by Representative Pierre

AMENDMENT NO. 1

On page 2, line 16, change "2005" to "2003"

On motion of Senator Romero, 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. 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 by the Committee on Natural Resources. 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. 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 by the Committee on Natural Resources. 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. 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 by the Committee on Natural Resources. 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.

Reconsideration

On motion of Senator McPherson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, April 25, 2001 was reconsidered.

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.

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

Special Order of the Day

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

SENATE BILL NO. 409—

BY SENATORS DUPRE, MOUNT AND SCHEDLER

AN ACT

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

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

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

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

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR BAJOE

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 28 by Senator Bajoie

AMENDMENT NO. 1

On page 1, lines 3 and 5, change "inequities" to "disparities"

AMENDMENT NO. 2

On page 1, line 4, after "requests" delete the remainder of the line and insert "that the state strive to eliminate these"

AMENDMENT NO. 3

On page 2, line 23, change "inequities" to "disparities"

AMENDMENT NO. 4

On page 2, line 24, delete "elimination of these inequities" and insert "that the state strive to eliminate these disparities"

AMENDMENT NO. 5

On page 2, line 27, change "shall" to "should"

AMENDMENT NO. 6

On page 3, line 11, delete "unimpeded"

AMENDMENT NO. 7

On page 4, line 3, between "offices" and "women" delete "of" and insert "that address" and at the end of the line insert "issues"

AMENDMENT NO. 8

On page 4, delete line 14, and insert "taken to decrease or eliminate disparities in health care,"

AMENDMENT NO. 9

On page 4, line 15, after "researchers" insert "and providers"

AMENDMENT NO. 10

On page 4, line 16, delete "unimpeded"

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

SENATE CONCURRENT RESOLUTION NO. 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 by the Committee on Commerce and Consumer Protection.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate 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	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Campbell	Jones, B
Fields, C	Tarver
Total—4	

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 36—

BY SENATORS CAIN AND ROMERO

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.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero and Senator Cain to Engrossed Senate Bill No. 36 by Senator Cain

AMENDMENT NO. 1

On page 1, line 6, delete the word "Breeders"

AMENDMENT NO. 2

On page 2, line 2, delete "One third" and insert "**Except as otherwise provided in this Paragraph, one third**"

AMENDMENT NO. 3

On page 2, line 6, delete the word "and" and insert "by the Louisiana State Racing Commission shall be"

AMENDMENT NO. 4

On page 2, line 7, delete the word "**Breeders**"

AMENDMENT NO. 5

On page 2, line 8, after "quarterhorses." add the following:

"The remainder of the one third of the funds paid to the Louisiana Quarterhorse Breeders Association shall be provided to the licensed racing associations in the state which conduct live horse racing on the basis of the total number of quarterhorse races conducted statewide for the preceding year and such funds shall be used solely to supplement purses in accordance with a schedule or formula established by the purse committee of the Louisiana Quarterhorse Breeders Association on Louisiana bred quarterhorse races scheduled for purses not to exceed twenty thousand dollars."

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Fields, W	Lambert	
Fontenot	Lentini	
Total—31		

NAYS

Dean	Malone
Total—2	

ABSENT

Mr. President	Dupre	Tarver
Campbell	Fields, C	Thomas
Total—6		

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

Personal Privilege

Senator Thomas 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. 36. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Senator W. Fields in the Chair**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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hines	Schedler
Barham	Hoyt	Smith
Cain	Lambert	Theunissen
Ellington	Lentini	Thomas
Fontenot	Malone	Ullo
Heitmeier	Michot	
Total—17		

NAYS

Bajoie	Dean	Jones, B
Bean	Fields, C	Jones, C
Boissiere	Fields, W	Marionneaux
Campbell	Gautreaux	Romero
Chaisson	Irons	
Cravins	Johnson	
Total—16		

ABSENT

Dardenne	Hollis	Mount
----------	--------	-------

Dupre
Total—6

McPherson

Tarver

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Fontenot, 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 Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 232. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 239—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 14:52.1(B), 56.2(D), 62.1(B) and (C), 62.2, 67.15(C), 69.1(B)(2), 70.1(B), 82(D), 91.7(C), 92.2(B), 92.3(C), 95(D) and (E), 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 R.S. 40:966(F) and 967(G), 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.

Motion

On motion of Senator C. Jones, Senate Bill No. 239 was made Special Order of the Day, No. 1 on Thursday, May 3, 2001 immediately following the Morning Hour.

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 146, relative to overhead electric utility lines; to provide for restrictions and prohibited activities; to provide for temporary security of lines; to provide for liability for damages; to provide for certain exemptions; and to provide for related matters.

On motion of Senator Lambert, the bill, which is a duplicate of House Bill No. 932 was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 932 from the Committee on Judiciary A.

HOUSE BILL NO. 932—

BY REPRESENTATIVES JOHNS AND ANSARDI
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 146, relative to overhead electric utility lines; to provide for restrictions and prohibited activities; to provide for temporary security of lines; to provide for liability for damages; to provide for certain exemptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Ellington to Reengrossed House Bill No. 932 by Representative Johns (Duplicate of Senate Bill No. 382)

AMENDMENT NO. 1

On page 4, line 14, immediately after "contract" add a period "." and delete the remainder of the line.

AMENDMENT NO. 2

On page 4, delete line 15 in its entirety.

AMENDMENT NO. 3

On page 4, line 22, change "45:146(A)" to "45:144(A)"

AMENDMENT NO. 4

On page 4, line 24, change "A." to "(1)"

AMENDMENT NO. 5

On page 5, line 4, change "B." to "(2)"

AMENDMENT NO. 6

On page 5, line 8, change "C." to "(3)"

AMENDMENT NO. 7

On page 5, line 12, change "D." to "(4)"

On motion of Senator Ellington, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 382, was read by title and referred to the Legislative Bureau.

Mr. President in the Chair

SENATE BILL NO. 417—

BY SENATORS SCHEDLER, GAUTREAUX, HOYT, MARIONNEAUX,
SMITH AND THOMAS

AN ACT

To amend and reenact R.S. 38:2251(D), (E), (G), and (H) and R.S. 39:1595(D) through (H), relative to certain Public Bid Law and central purchasing procurement preferences; to decrease certain agricultural preferences; 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. 417 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 7, following "(H)" delete "and R.S. 39:1595(D)" and on line 8, before "are" delete "through (H)"

AMENDMENT NO. 2

On page 3, between lines 17 and 18, insert the following:

"Section 2. R.S. 39:1595(D) through (H) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 5, line 25, following "Section" and before "This" change "2." to "3."

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 417 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "2251" insert "(C)(6),"

AMENDMENT NO. 2

On page 1, line 3, after "1595" delete "(D)" and insert "(C)(7),"

AMENDMENT NO. 3

On page 1, line 7, after "2251" insert "(C)(6),"

AMENDMENT NO. 4

On page 1, line 7, "1595" delete "(D)" and insert "(C)(7),"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"C. In addition to the requirements listed in Subsection B of this Section, the following products shall meet the following specific requirements:

* * *

(6) Paper and paper products shall be manufactured ~~and~~ or converted in Louisiana. For the purposes of this Paragraph, "manufactured" shall mean the process of making a product suitable for use from raw materials by hand or by machinery, and "converted" shall mean the process of converting roll stock into a sheeted and fully packaged product in a full-time converting operation. Furthermore, all paper and paper

products manufactured or converted in Louisiana that are in wrappers or cartons shall be clearly labeled with the name and location of the manufacturer or converter in Louisiana."

AMENDMENT NO. 6

On page 3, between lines 20 and 21, insert the following:

"C. In order to qualify as Louisiana products for the purpose of this Section, the following products shall meet the following requirements:

* * *

(7) All other types of materials, supplies, equipment, provisions, and products shall be produced, manufactured, or assembled in Louisiana. **Furthermore, all paper and paper products manufactured or converted in Louisiana that are in wrappers or cartons shall be clearly labeled with the name and location of the manufacturer or converter in Louisiana."**

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Dupre
Total—2

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

SENATE BILL NO. 511—

BY SENATORS LENTINI AND DUPRE 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. 15:151.2(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 require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2003; 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.

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. 511 by Senator Lentini

AMENDMENT NO. 1

On page 7, line 7, following "15:151.2" and before "is" insert "(G)"

AMENDMENT NO. 2

On page 7, between lines 8 and 9, insert asterisks " * * * "

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed Senate Bill No. 511 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 11, change "August 31, 2003," to "August 31, 2005,"

AMENDMENT NO. 2

On page 2, line 24, change "August 31, 2003," to "August 31, 2005,"

AMENDMENT NO. 3

On page 3, line 2, change "August 31, 2003," to "August 31, 2005,"

AMENDMENT NO. 4

On page 3, line 5, change "August 31, 2003," to "August 31, 2005,"

Page 28 SENATE

April 26, 2001

16th DAY'S PROCEEDINGS

AMENDMENT NO. 5

On page 3, delete lines 10 through 13 and insert in lieu thereof the following:

"(1) A factual explanation of why a reasonable probability exists that the person would not have been prosecuted or convicted if exculpatory results had been obtained through DNA testing."

AMENDMENT NO. 6

On page 3, delete lines 25 through 27 and insert in lieu thereof the following:

"(1) A factual explanation of why a reasonable probability exists that the person would not have been prosecuted or convicted if exculpatory results had been obtained through DNA testing."

AMENDMENT NO. 7

On page 4, delete line 1

AMENDMENT NO. 8

On page 5, line 19, change "August 31, 2003," to "August 31, 2005,"

Motion

Senator Dardenne moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator C. Jones moved the adoption of Amendments No. 5, 6 and 7.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Jones, C
Boissiere	Fields, C	Marionneaux
Cain	Fields, W	McPherson
Campbell	Heitmeier	Romero
Cravins	Irons	Thomas
Dean	Johnson	
Total—17		

NAYS

Mr. President	Gautreaux	Michot
Barham	Hines	Mount
Bean	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Lambert	Theunissen
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—20		

ABSENT

Jones, B
Total—2

Tarver

The Chair declared Amendments No. 5, 6 and 7 were rejected.

Senator C. Jones moved the adoption of Amendments No. 1, 2, 3, 4 and 8.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Marionneaux
Boissiere	Fields, W	McPherson
Cain	Heitmeier	Romero
Campbell	Irons	Thomas
Cravins	Johnson	
Dupre	Jones, C	
Total—16		

NAYS

Mr. President	Gautreaux	Michot
Barham	Hines	Mount
Bean	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—22		

ABSENT

Tarver
Total—1

The Chair declared Amendments No. 1, 2, 3, 4 and 8 were rejected.

The bill was read by title. Senator Lentini moved final passage of the amended 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	Irons	Smith
Cravins	Johnson	Theunissen

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

NAYS

Total—0

ABSENT

Hoyt	Tarver
Total—2	

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 589 by Senator Cain

AMENDMENT NO. 1

On page 1, delete lines 2 through 15 and insert:

"To amend and reenact R.S. 38:3091, 3092, 3094, 3095, 3096, 3098.5 and 3098.6, and to enact R.S. 36:4(V) and R.S. 38:3097.1 and 3097.2, all relative to ground water resources in the state of Louisiana; to create the Ground Water Management Commission in the office of the governor; to create the Ground Water Management Advisory Task Force; to provide for the powers, duties, functions, and responsibilities of each of these entities as they relate to ground water management; to provide for adoption of rules and regulations for the determination of critical ground water areas and possible limitation of access to ground water sources and response to emergency situations; to require the development of a plan for implementation of a statewide comprehensive ground water management system; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:4(V) is hereby enacted to read as follows:

§4. Structure of executive branch of state government

* * *

R.S. 36:4(V) is all proposed new law.

V. The Ground Water Management Commission, as provided in R.S. 38:3097.1, shall be placed within the office of the governor and shall exercise its powers, duties, functions, and responsibilities as provided by law.

* * *

Section 2. R.S. 38:3091, 3092, 3094, 3095, 3096, 3098.5 and 3098.6 are hereby amended and reenacted and R.S. 38:3097.1 and 3092.1 are hereby enacted to read as follows:

§3091. Legislative findings; purpose

The utilization of ground water resources is hereby found and declared to be a matter of public interest. **In the public interest, a comprehensive ground water management system must be implemented. Such ground water management system must take into consideration the requirements, needs, and obligations of all stakeholders of ground water in the state of Louisiana. Any such system shall be based upon good management practices and sound science and must include as a goal the long-term protection of each aquifer. Ground water must be managed, protected, and regulated in the best interests of all the citizens of the state.**

It is the purpose of this Chapter to provide for the efficient administration, and gathering of data concerning ground water resources of the state of Louisiana.

§3092. Definitions

Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Chapter:

(1) "Persons" means any natural person, corporation, association, partnership, receiver, tutor, curator, executor, administrator, fiduciary, or representative of any kind.

(2) "Ground water" is water suitable for any beneficial purpose percolating below the earth's surface.

(3) "Well" or "water well" shall mean any well drilled or constructed for the principal purpose of producing ground water.

(4) "Beneficial purpose" or "beneficial use" means the use of ground water for domestic, municipal, industrial, agricultural, recreational, or therapeutic purposes.

(5) "User" means any person making any beneficial use of ground water in excess of fifty thousand gallons for any day during any calendar year from a well or wells owned or operated by such person or from a well or wells owned or operated solely for the production of water used by such person.

(6) "Director" means the director of the Department of Public Works of the state of Louisiana or his designated representative.

R.S. 38:3092(7) is all proposed new law.

(7) "Sustainability" means the development and use of ground water in a manner that can be maintained for the present and future time without causing unacceptable environmental, economic, social, or health consequences.

R.S. 38:3092(8) is all proposed new law.

(8) "Critical ground water area" means an area where sustainability of an aquifer is not being maintained under current or projected usage or under normal environmental conditions.

* * *

§3094. Rules and regulations; powers of director

A. The director shall make reasonable rules and regulations for the following purposes:

(1) To ~~require provide for~~ registration of all wells ~~producing in excess of fifty thousand gallons per day with the director showing the date drilled; and the name of the driller, if available, the location of the well in latitude, longitude, and depth,~~ and the current ownership together with such other information as the director may reasonably require. ~~The director may, at his discretion, require registration of smaller wells. For any well not registered prior to July 1, 2001, this information shall be collected at a time when the information is needed to determine a critical ground water area or to determine the impact of drilling a proposed new well. Any well drilled after July 1, 2001 shall be registered with the director. After July 1, 2001, for any water well with a casing larger than four inches which is drilled for purposes other than domestic use and which is not a replacement well, the owner shall submit to the director, at least sixty days prior to drilling the well, information showing the name of the driller, the projected location of the well in latitude, longitude, and depth, the capacity of the well, and the ownership of the well, together with other information as the director may reasonably require.~~

(2) To require that all users of ground water within the state register with the director showing the number, location, and capacity of wells owned or operated by them or solely for their benefit and designating the beneficial use or uses of ground water by them. The director shall classify each user as a domestic, municipal, industrial, agricultural, or recreational or therapeutic user of ground water upon the basis of such information. The director shall have authority in his discretion to require ~~periodic~~ renewals of registrations ~~if the use or owner changes, to determine alterations in uses of water within the state; such registrations may be required on an annual basis or such greater periods of time as the director may deem appropriate.~~

(3) To establish ~~regulations governing~~ standards for the construction of all ground water wells drilled ~~after July 26, 1972,~~ except that where authority is exercised by the Louisiana Department of Health and Hospitals, the director shall work cooperatively with that department in the establishment of standards for construction.

(4) To require well owners to furnish, on request, information pertinent to wells, such as well logs, chemical analyses, strata samples, water levels, water uses, drawdowns, grouting, casing sizes, property descriptions, and other pertinent information reasonably required by the director, provided that as to wells in existence on July 26, 1972, such information is available.

(5) To gather data with respect to existing and future flowing wells.

(6) To require that all abandoned wells be reported and sealed in accordance with approved standards and to establish such standards.

(7) To require the well owner and/or lessee to install control devices on free flowing water wells producing in excess of five thousand gallon gallons per day. However, control devices shall

not be required for those wells which are used to relieve pressure on flood control levees.

(8) To require the well owner and/or lessee to grout the upper portion of the annular space of existing unsealed water wells to prevent surface runoff from contaminating wells.

B. In addition to the specific regulatory matters set forth in Subsection A of this ~~section~~ Section, the director shall have authority to do, ~~as required,~~ the following:

(1) To make, ~~after notice and hearing,~~ and to enforce all reasonable rules, regulations, or orders necessary from time to time to achieve the purposes of this ~~chapter~~ Chapter.

(2) To collect data; to make investigations and inspections; to examine properties, papers, books, and records relevant to ground water use or conservation; to examine, survey, check, test, and gauge all water wells within the state; to hold hearings; and to provide for the keeping of records and making of reports by owners of water wells and users of ground water.

(3) To require that authorized personnel be enabled to enter property at reasonable times and under reasonable conditions to inspect wells, perform tests, and examine records.

(4) To cooperate with other governmental units and agencies of this state, with governments and agencies of other states and of the United States, and with private agencies for the purpose of utilizing and conserving the ground waters of the state.

(5) To receive grants and enter into contracts for ground water and surface water resource development.

(6) To conduct studies and investigations of all problems concerning ground water resources of the state, either on his own motion or by request of a ground water conservation district, local governing body or agency, other state agency or state university.

(7) To require records to be kept and reports to be made of the drilling, equipping, and completion of wells into any aquifer or aquifers and the taking and use of ground water therefrom and to require accurate drillers' logs to be kept of such wells and a copy thereof and of any electric logs made of such wells to be filed with the director.

C. To provide for uniform protection of public water supply users in the state, the director with the concurrence and approval of the Department of Health and Hospitals shall be authorized as follows:

(1) To assure that all community public water supply systems within the state are developed so as to provide for the proper utilization of the ground water aquifers and are organized to provide proper operation and maintenance of the system. It shall be the responsibility of the director, with assistance from the Department of Health and Hospitals, to promulgate rules and regulations in accordance with the Administrative Procedure Act, so as to ensure the safety and welfare of the general public utilizing such systems.

(2) The authority to promulgate such rules and regulations set out in ~~Subsection Paragraph (C)(1) of this Subsection~~ shall only apply to public water systems affecting five hundred connections or less.

§3095. Falsification of documents to evade regulations; penalty

A. No person shall for the purpose of evading this ~~chapter~~ Chapter, or any rule, regulation, or order made thereunder:

(1) Make or cause to be made any false entry or statement of fact in any report required to be made by this ~~chapter~~ Chapter or by any rule, regulation, or order made hereunder; ~~or,~~

(2) Make or cause to be made any false entry in an account, record, or memorandum kept by any person in connection with the provisions of this ~~chapter~~ **Chapter** or of any rule, regulation, or order made thereunder; ~~or,~~

(3) Remove out of the jurisdiction of the state, or destroy or mutilate, alter, or by any other means falsify any book, record, or other paper, pertaining to the matters regulated by this ~~chapter~~ **Chapter** or by any rule, regulation, or order made thereunder.

B. Whoever violates this ~~section~~ **Section** shall be fined not more than five thousand dollars, or imprisoned not more than six months, or both.

§3096. Violations; penalty; jurisdiction; attorney general to conduct suit; complicity

A. ~~(1)~~ **(2)** Whoever knowingly and willfully violates a provision of this Chapter; or a rule, regulation, or order of the director or a board made hereunder; shall be subject to a civil penalty of not more than one thousand dollars a day for each day of violation and for each act of violation, if a penalty for the violation is not otherwise provided in this Chapter.

~~(1)(2)~~ The place of suit to recover this penalty shall be selected by the director ~~or board, as may be appropriate,~~ in the district court of the parish of the residence of any one of the defendants, or in the district court of the parish where the violation took place.

~~(2)(3)~~ Suit shall be at the direction of the director ~~or board, as may be appropriate,~~ and shall be instituted and conducted in his ~~or its~~ name by the attorney general or by the district attorney of the district under the direction of the attorney general.

B. Whoever knowingly and willfully aids or abets a person in the violation of a provision of this Chapter; or any rule, regulation, or order made hereunder; shall be subject to the same penalties provided herein for the principal violator.

C. If the Department of Transportation and Development, office of public works, has reasonable grounds for believing that there has been a violation of this Chapter or any rules or regulations adopted pursuant thereto, the department shall give written notice to the person alleged to be in violation and shall conduct a hearing on such alleged violation, such hearing to be conducted in accordance with the Administrative Procedure Act. The department shall have the authority to assess a civil penalty not to exceed one hundred dollars for each violation and for each day of violation. Such notice shall identify the provisions of this Chapter or regulation issued hereunder alleged to be violated and the facts alleged related thereto. The notice shall be served in the manner required by law for the service of process upon a person in a civil action, and may be accompanied by an order of the department requiring described remedial action which, if taken within the time specified in such order, will effect compliance with the requirements of this Chapter and regulations issued thereunder. Such order shall become final within thirty days from the service thereof unless a request for hearing as provided elsewhere in this Chapter is made within such time. In lieu of such order the department may require the person or persons named in such notices to appear at a hearing at a time and place specified in the notice.

* * *

§3097.1. Ground Water Management Commission; membership; responsibilities

R.S. 38:3097.1 is all proposed new law.

A. The Ground Water Management Commission is hereby created in the office of the governor and shall be composed of the following members:

(1) The governor or his designee.

(2) One member, appointed by the governor, who is a geologist or an engineer with expertise in groundwater resource management.

(3) The commissioner of agriculture and forestry or his designee.

(4) The secretary of the Department of Economic Development or his designee.

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

(6) The secretary of the Department of Health and Hospitals or his designee.

(7) The secretary of the Department of Natural Resources or his designee.

(8) The secretary of the Department of Transportation and Development or his designee.

(9) The secretary of the Department of Wildlife and Fisheries or his designee.

(10) One member, appointed by the governor, who is a member of Louisiana Farm Bureau and a farmer actively engaged in farming and whose primary source of income is from such farming activity.

(11) One member who is appointed by the Sparta Groundwater Conservation District Board of Commissioners.

B. The governor or his designee shall serve as chairman of the commission. The Department of Transportation and Development shall serve as staff for the commission.

C. The commission shall be responsible for determination of critical ground water areas in the state's aquifers. In cases of such determination, the commission shall describe the proposed boundaries of the critical ground water area and shall hold public hearings within each parish located within the boundaries of that area described as a critical ground water area. After holding the public hearings, the commission shall promulgate the boundaries of the area which is determined to be a critical ground water area. The commission shall develop and promulgate rules for actions which shall be taken to preserve and manage the ground water in the critical ground water areas, including but not limited to restrictions on the amount of withdrawals by each user in the area and requiring permits for the drilling of new wells including spacing and depth restrictions. Permits for replacement wells shall automatically be granted upon proper closing of the original well. In addition, the commission shall provide use guidelines for those ground water areas where drilling of new wells could result in the creation of a critical ground water area. In critical ground water areas, if limitations must be placed on withdrawals of ground water, ground water needed for human consumption and public health and safety shall have the highest priority. All other uses for ground water shall be of equal priority and limitations shall be determined on a proportional basis. In making those determinations, the commission shall consider the ability of a particular user to relocate to an alternative source of water and shall give particular consideration to historical users. In addition, the commission shall take into consideration prior voluntary conservation measures and actual reductions of usage.

D. In addition, the commission shall develop a contingency plan to respond to emergency situations where depletion of a ground water source or lack of access to a ground water source is a result of a natural force or a man-made accident. Such contingency plan shall

provide that ground water needed for human consumption shall have the highest priority.

E. The commission shall adopt and promulgate rules and regulations under the Administrative Procedure Act which provide for determination and response to critical ground water areas and which provide for a contingency plan for emergency situations. The commission shall cease to exist on July 1, 2003, and shall have no further powers, duties, functions, or responsibilities after that date. When the commission ceases to exist, its powers, duties, functions, and responsibilities shall not automatically transfer to any particular state agency.

§3097.2. Permitting of wells in critical ground water areas

R.S. 38:3097.2 is all proposed new law.

The commission shall adopt and promulgate rules and regulations under the Administrative Procedure Act to provide for permitting of new wells in critical ground water areas and in those ground water areas where drilling of new wells could result in the creation of a critical ground water area. Such rules and regulations shall include consideration of well capacity, geographical location, well depth, use of the water produced, and potential damage to the aquifer or aquifer system. Such rules shall be subject to review under the Administrative Procedure Act by the House Committee on Natural Resources and the House Environmental Quality Committee and the Senate Committee on Natural Resources and Senate Environmental Quality Committee.

* * *

§3098.5. Driller to keep records and file reports

The driller shall keep accurate records on each water well drilled, including but not limited to its location, depth, character of rocks or formations drilled, fluids encountered, and such other reasonable information as the department may specify. Within thirty days after completion of each well, each driller shall, ~~within thirty days after completion of each well~~, file a report containing such information in the Department of Transportation and Development, office of public works, on forms provided by the department. A copy of this information shall be provided to the Louisiana Geological Survey by the Department of Transportation and Development, office of public works. However, no report or information shall be required to be filed with the department if the well is a driven well or if it is dug by the use of a hand auger.

§3098.6. Advisory committee

~~A. The Department of Natural Resources is hereby authorized to appoint~~ **There is hereby created** 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 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.

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.

C. 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.

* * *

Section 3. The Ground Water Management Commission is hereby authorized and encouraged to appoint or designate local or regional bodies composed of local stakeholders who are representative of current water users to function in an advisory capacity to the director and the commission. Any decisions made by the director or the commission which have a local impact may only be made with the advice and consultation of those local or regional bodies.

Section 4.A. As stated in R.S. 38:3091, a comprehensive ground water management system must be implemented. To that end, there is hereby created a Ground Water Management Advisory Task Force with membership as follows:

- (1) A person representing the office of the governor appointed by the governor.
- (2) The president of the Louisiana Senate or his designee.
- (3) The speaker of the Louisiana House of Representatives or his designee.
- (4) The chair of the Senate Committee on Natural Resources or his designee.
- (5) The chair of the House Committee on Natural Resources or his designee.
- (6) The chair of the Senate Committee on Environmental Quality or his designee.
- (7) The chair of the House Committee on Environment or his designee.
- (8) The chair of the Governor's Task Force on Environmental Protection and Preservation.
- (9) The chancellor of the Louisiana State University Agricultural Center or his designee.
- (10) The assistant commissioner for soil and water conservation.

(11) The Louisiana district chief, United States Geological Survey, Water Resources Division, or his designee.

(12) The district engineer of the United States Army Corps of Engineers, New Orleans District, or his designee.

(13) The director of the Louisiana Geological Survey or his designee.

(14) The executive director of the Louisiana Wildlife Federation or his designee.

(15) The president of the Louisiana Farm Bureau or his designee.

(16) The president of the Louisiana Chemical Association or his designee.

(17) The executive director of the Coalition to Restore Coastal Louisiana or his designee.

(18) The president of the Louisiana Rice Growers Association or his designee.

(19) The executive director of Mid-Continent Oil and Gas Association or his designee.

(20) The president of the Louisiana Catfish Farmers Association or his designee.

(21) One representative of the Louisiana Rural Water Association.

(22) The president of the Cotton Producers Association or his designee.

(23) One representative of the Capital Area Groundwater Conservation district.

(24) One representative of the Sparta Groundwater Conservation District.

(25) The executive director of the Louisiana Forestry Association or his designee.

(26) One representative of the Sabine River Authority.

(27) The president of the American Sugar Cane League or his designee.

(28) One representative of the Red River Compact Commission.

(29) The executive director of the Lake Pontchartrain Foundation or his designee.

(30) The president of the Louisiana Soybean Association or his designee.

(31) The president of the Louisiana Cattlemen Association or his designee.

(32) The executive director of the Barataria-Terrebonne National Estuary program or his designee.

(33) The president of the Louisiana Crawfish Farmers Association or his designee.

(34) The chairman of the Louisiana Pulp and Paper Association or his designee.

(35) A representative of the Louisiana Water Well Drillers Association.

(36) A representative of the Louisiana Engineering Society who is a registered engineer.

B. The director, the Ground Water Management Commission (R.S. 38:3097.1), the Ground Water Management Advisory Task Force created herein, and any local or regional advisory entities which are created or designated by the Ground Water Management Commission, shall develop and promulgate under the Administrative Procedure Act, the plan for implementation of a comprehensive water management system. Such water management system shall include but not be limited to an evaluation of the state's ground water resources including current and projected demands on the aquifers of the state; determination of data necessary to manage the state's water

resources and sources of such data; a definition of sustainability of aquifers which can be used to determine critical ground water areas and predict critical ground water areas; development of alternatives to ground water use; evaluation of the state's surface water resources available for development; use of surface water, recycling of used or treated waters, identification and development of surface water projects to meet current and future demands; incentives for conservation of surface water resources; use of alternative technologies; development of an education and conservation program; development of a program to provide mitigation for loss of ground water resources and incentives to transfer use from ground water sources to surface water sources or alternative sources where such transfer will not harm the surface water sources; and a designation of the appropriate state entity structure to manage and protect the state's water resources.

C. The plan for implementation of a statewide comprehensive water management system shall be promulgated prior to January 2003, and any portions of that plan which require statutory implementation shall be prepared for legislative consideration during the 2003 Regular Session of the legislature.

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

AMENDMENT NO. 2

Delete page 2 and 3 in their entirety.

Senator Hoyt asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis	Hoyt	Tarver
Total—3		

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

Rules Suspended

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

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

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

Called from the Calendar

Senator Dupre asked that Senate Bill No. 409 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 409—

BY SENATORS DUPRE, MOUNT AND SCHEDLER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fontenot	Marionneaux
Total—2	

ABSENT

Mr. President	Hollis
Dean	Tarver
Total—4	

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

Regular Order of the Day Resumed

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	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

Hollis	Tarver
Total—2	

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

SENATE BILL NO. 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.

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. 716 by Senator Irons

AMENDMENT NO. 1

On page 2, at the end of line 1, following "from" insert "seizure of the"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, B
Barham	Fields, W	Jones, C
Bean	Gautreaux	Lentini
Boissiere	Heitmeier	Malone
Cain	Hines	Marionneaux
Campbell	Hoyt	McPherson
Cravins	Irons	Schedler
Dupre	Johnson	Theunissen
Total—24		

NAYS

Chaisson	Michot	Thomas
Dardenne	Mount	Ullo
Ellington	Romero	
Fontenot	Smith	
Total—10		

ABSENT

Mr. President	Hollis	Tarver
Dean	Lambert	
Total—5		

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Jones, C
Barham	Fields, C	Lentini
Bean	Fields, W	Malone
Boissiere	Hines	Marionneaux
Cain	Irons	McPherson
Campbell	Johnson	Schedler
Cravins	Jones, B	
Total—20		

NAYS

Mr. President	Gautreaux	Romero
Chaisson	Heitmeier	Smith
Dardenne	Hoyt	Theunissen
Dean	Lambert	Thomas
Ellington	Michot	Ullo
Fontenot	Mount	
Total—17		

ABSENT

Hollis	Tarver
Total—2	

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

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 717. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Cravins	Johnson
Barham	Fields, C	Jones, C
Bean	Fields, W	Marionneaux
Boissiere	Gautreaux	McPherson
Cain	Hines	
Campbell	Irons	
Total—16		

NAYS

Chaisson	Hoyt	Romero
Dardenne	Jones, B	Schedler
Dean	Lambert	Smith
Dupre	Lentini	Theunissen
Ellington	Malone	Thomas
Fontenot	Michot	Ullo
Heitmeier	Mount	
Total—20		

ABSENT

Mr. President	Hollis	Tarver
Total—3		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

April 26, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 512—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 33:2955(A)(1)(h), relative to investments by political subdivisions; to authorize investment in certain additional investment instruments; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 619—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 33:2841.1 relative to enforcement of taxes; to provide that local governing authorities may privatize collection of delinquent ad valorem taxes; to provide for civil penalties; to provide relative to notice of taxes due; to provide for the recovery costs, expenses and attorney fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 621—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 40:1498(F), relative to fire protection districts; to provide for an increase in per diem for governing board members of a fire protection district with a population of more than 100,000 persons; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 623—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33: 3813.2(D), relative to the Tangipahoa Water District; to increase the length of the term served by members of the board of commissioners; to extend the current commissioners' terms by an additional two years; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 911—

BY SENATOR BOISSIERE

AN ACT

To amend R.S. 34:25, relative to navigation and shipping; to provide with respect to ports and harbors; to provide for the force and effect of ordinances of New Orleans passed by the Board of Commissioners of the Port of New Orleans; to limit the jurisdiction of certain courts over the trial and punishment of certain violations of ordinances passed by the board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 987—

BY SENATOR JOHNSON

AN ACT

To enact Subpart B-1 of Part I of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5633, relative to the improvement of blighted property; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for acquisitive prescription of three years under certain circumstances; to provide certain requisites and procedures for acquiring blighted property; to provide for security interests; to provide for certain causes of action; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 996—

BY SENATOR HINES

AN ACT

To enact R.S. 47:305(I), relative to taxation; to exempt the purchase of certain health products under the Medicare program from local sales and use taxes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1003—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4880, relative to illegal dumping; to authorize the governing authority for the parish of Orleans to increase the fine for illegal dumping; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1022—

BY SENATOR JOHNSON

AN ACT

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

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS,
AND PUBLIC WORKS**

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

April 26, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 372—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 48:442(3)(d) and to enact R.S. 48:442(3)(e), relative to expropriation; to require certain notification to the owners of property; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 420—

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To amend and reenact Section 1 of Act No. 1 of the 1989 Regular Session of the Legislature, relative to the Crescent City Connection; to rename one bridge as the "Captain Neville Levy Memorial Bridge"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 556—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 48:1(20) and (21), relative to roads and highways; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 616—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:1975 and to enact R.S. 40:1392(C) and (D), relative to tax and taxation; to provide for an exemption to tolls on the Crescent City Connection Bridge at New Orleans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 626—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 32:772(F)(9) relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide conditions for participation in trade shows by non-licensed dealers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 687—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(xi) and to enact R.S. 47:820.5(B)(2)(b)(v), relative to the Crescent City Connection Bridge; to provide for the use of toll proceeds; to provide for compensating property owners affected by certain projects; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 794—

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 32:169(E), relative to cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any public or private school; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 835—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:756(B)(1) and to repeal R.S. 48:756(B)(2)(d), relative to the Parish Transportation Fund; to provide for funding for mass transit purposes; to provide for changes in funding amounts for certain local governments; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1025—

BY SENATOR MCPHERSON

AN ACT

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

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 318 from the Committee on Judiciary C.

SENATE BILL NO. 318—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Criminal Procedure Art. 786, relative to court procedure; to provide relative to information concerning jurors; to prohibit the disclosure of the address of the residence of a juror in open court; and to provide for related matters.

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

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 747 from the Committee on Health and Welfare.

SENATE BILL NO. 747—

BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1300.143(5) and R.S. 40:1300.144(A)(3)(d), relative to Medicaid reimbursement for out of state health services; to define certain institutions as unique providers of health services for catastrophically ill children; to define "pediatric;" to require reimbursement for services of such institutions to be equitable to in-state reimbursement for children's hospitals for pediatric patient tertiary care; and to provide for related matters.

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

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted House Bill No. 225 from the Committee on Judiciary B to the Committee on Judiciary A.

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted House Bill No. 298 from the Committee on Judiciary B to the Committee on Judiciary A.

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted House Bill No. 299 from the Committee on Judiciary B to the Committee on Judiciary A.

Motion to Recommit

Senator Smith asked for and obtained a suspension of the rules and recommitted House Bill No. 1207 from the Committee on Judiciary B to the Committee on Commerce and Consumer Protection.

Message from the House**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 26, 2001

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE QUEZAIRE AND SENATORS BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To commend Calvin Mills, Jr. upon his outstanding accomplishments.

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

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

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

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

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

April 26, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 72—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

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

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.

Respectfully submitted,

CHRIS ULLO

Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Tarver 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, April 30, 2001, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, April 30, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk