

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 22, 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, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

ABSENT

Dupre
Total—1

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

Prayer

The prayer was offered by Father Phil Spano, 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

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

LSU HEALTH SCIENCES CENTER

May 18, 2001

The Honorable John J. Hainkel
President of the Senate
P. O. Box 94183
Capitol Station
Baton Rouge, LA 70804

RE: Appointments to the Louisiana State University Health Sciences Center - Health Care Services Division Community Advisory Committee

Dear Senator Hainkel:

Attached are completed Confirmation Questionnaires on Ms. Sheila S. Champagne and Ms. Janet Elaine Broussard. Ms. Champagne and Ms. Broussard were recently appointed to the W. O. Moss Regional Medical Center Community Advisory Committee to fill two vacancies on the committee.

In accordance with R. S. 17:1519.3.E.(3)(i), "Each appointment to the community advisory committee shall be submitted to the Senate for confirmation."

If you have any questions regarding the questionnaires, please contact Marcia Daigle of my staff. Ms. Daigle may be reached at 922-0493.

Sincerely,
JAMES L. BREXLER
Chief Executive Officer

**Privilege Report of the
Legislative Bureau**

May 22, 2001

To the President and Members of the Senate:

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

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

HOUSE BILL NO. 158—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 56:31(C), (D), and (E), relative to penalties and enforcement procedures for certain hunting and fishing violations; to authorize the secretary of the Department of Wildlife and Fisheries to assess adjudicatory costs and a late penalty; to authorize the secretary to institute civil proceedings to enforce rulings regarding class one violations; to provide relative to awarding attorney fees, judicial interest, and costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 165—

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

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

Reported without amendments.

HOUSE BILL NO. 201—

BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 33:3837, relative to certain revenues in a parishwide waterworks district in DeSoto Parish; to prohibit diversion of such revenues; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 295—

BY REPRESENTATIVE TOWNSEND
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 367—

BY REPRESENTATIVE DOWNER
AN ACT

To enact R.S. 29:36.1(D), relative to the postsecondary education tuition exemption program provided at state public colleges and universities for eligible members of the Louisiana National Guard; to provide for program definitions for certain purposes; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 388—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:171(F), relative to railroad grade crossings; to provide with respect to penalties; to require persons who violate laws relating to railroad crossing signals and warning devices to attend an Operation Lifesaver Course; to require the Operation Lifesaver Program to design a safe driver's course; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 399—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 33:3813(K), relative to Waterworks District No. 3 of the Parish of Rapides, State of Louisiana; to provide for the membership of the board of commissioners; to provide for implementation of the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 575—

BY REPRESENTATIVE NEVERS
AN ACT

To enact Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.23, to provide for titling and registering boats and outboard motors; to provide for declaration of policy; to provide for the use of funds; to provide for definitions; to provide for registration and certificates of title; to provide for fees; to provide for cancellation and surrender of certificates of title; to provide for security interests; to provide for rules; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 596—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to workers' compensation; to allow motions for new trial in workers' compensation hearings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 597—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1201.2, relative to workers' compensation; to provide penalties for the wrongful discontinuance of workers' compensation payments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 606—

BY REPRESENTATIVE DIEZ
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 610—

BY REPRESENTATIVE DOWNER

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 628—

BY REPRESENTATIVE HUDSON

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 637—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 32:1524, relative to motor vehicles; to provide relative to for-hire motor carriers transporting railroad employees; to provide for definitions; to provide for driving time requirements; to require for-hire carrier companies to maintain certain records; to authorize state police to inspect certain records; to require the department to promulgate rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 674—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:1652(C)(20) and R.S. 34:1652.1 and to enact R.S. 34:1652(C)(21) and (22) and (D), relative to the Greater Lafourche Port Commission; to provide relative to the rights and powers of the commission; to authorize the commission to enter into certain agreements to make certain highway and bridge improvements; to authorize the commission to receive certain monetary assistance for certain highway and bridge improvements; to authorize the commission to utilize new and innovative funding mechanisms for certain highway and bridge improvements; to authorize the commission to exercise certain powers relative to airports within the geographical jurisdiction of the commission; to provide relative to port and harbor police; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 678—

BY REPRESENTATIVE JACK SMITH

AN ACT

To authorize and provide for the lease of certain state property in Jefferson Parish from the division of administration to the adjacent landowner; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 786—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:532.1(A)(7)(c) and (C), relative to public license tag agents; to provide relative to the maximum amount of convenience fees authorized to be collected for certain transactions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 794—

BY REPRESENTATIVE THOMPSON AND SENATOR C. JONES

AN ACT

To amend and reenact R.S. 17:3991(B)(1)(b)(ii), relative to charter school enrollment requirements; to provide relative to requirements for enrolling at-risk pupils in Types 2, 3, and 4 charter schools in certain parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 951—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:161(10)(b), relative to employment of minors; to correct an erroneous reference to federal law, the Fair Labor Standards Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 954—

BY REPRESENTATIVE GUILLORY

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 956—

BY REPRESENTATIVE GUILLORY

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 957—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 23:1554, relative to quarterly wage and contribution reports; to require employers to round to the next nearest dollar individual employee wages on wage reports and total wages for all employees on contribution reports provided to the Department of Labor on a quarterly basis; and to provide for related matters.

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Reported without amendments.

HOUSE BILL NO. 962—

BY REPRESENTATIVE DIEZ

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:407(A)(3) and 422(A), relative to Class "E" learner's license; to provide for certain authorized persons to be in a vehicle when the person driving has a learner's permit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1136—

BY REPRESENTATIVE THOMPSON

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1154—

BY REPRESENTATIVE STELLY

AN ACT

To enact Subpart B-4 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.71 through 130.73, relative to creation of the Ward One Economic Development Board of Calcasieu Parish to promote, encourage, and participate in economic development activities in the Ward One area of Calcasieu Parish; to provide for the composition, powers, and functions of the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1157—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1177—

BY REPRESENTATIVE POWELL

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE SCHWEGMANN AND SENATOR BOISSIERE

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1220—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 33:4341.2 and R.S. 46:1064.2, relative to hospital service districts in Jefferson Parish; to provide relative to the sale or lease of any hospital owned by a hospital service district in Jefferson Parish; to provide relative to approval of any such sale or lease; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1263—

BY REPRESENTATIVES CLARKSON AND TUCKER

AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and walkways along certain levees in Orleans Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1279—

BY REPRESENTATIVE HEATON

AN ACT

To enact R.S. 33:2826, relative to the parish of Orleans and the city of New Orleans; to establish the Oak Street Economically Disadvantaged Enterprise Zone; to specify the boundaries of the zone; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1282—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3983(A)(1)(introductory paragraph), (3)(a), (4)(c) and (d), and (B)(1), 3995(A)(2) and (4), (E), and (F), and 3996(B)(4) and to enact R.S. 17:3983(A)(4)(f), 3994, and 3996(G) and (H), all relative to charter schools; to provide relative to the chartering process, approval time lines, procedures for application and budget submission, funding adjustments and allocations, litigation costs, pupil counts, and exemptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1300—

BY REPRESENTATIVES SNEED, GREEN, AND LANCASTER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1301—

BY REPRESENTATIVES BOWLER, ANSARDI, GREEN, AND LANCASTER
AND SENATOR LENTINI

AN ACT

To amend and reenact Part XV of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:1420.11 through 1420.15, relative to special districts and subdistricts in Jefferson Parish; to provide relative to general authority for the establishment, creation, merger, consolidation, or abolition of special districts and subdistricts in Jefferson Parish; to provide relative to the powers and authorities of such special districts and subdistricts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1477—

BY REPRESENTATIVES PITRE AND DIEZ
AN ACT

To enact R.S. 36:509(D) and Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2061 through 2067, relative to the Louisiana Investment in Infrastructure for Economic Prosperity Commission; to provide for the placement of the commission within the Department of Transportation and Development; to create the Louisiana Investment in Infrastructure for Economic Prosperity Commission; to provide relative to the commission's purpose and declaration of findings; to provide for the membership, qualifications, selection, terms, vacancies, and compensation of the commission; to provide relative to the commission's officers, meetings, and voting; to provide relative to the rights and powers of the commission; to provide relative to criteria for the ranking and prioritization of certain projects; to authorize the promulgation of rules and regulations; to provide relative to funding provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1481—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 56:322(A) and (B), relative to the saltwater and freshwater division; to provide for the boundary of the saltwater and freshwater division; to provide for specific water bodies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1512—

BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, GREEN,
HUTTER, ODINET, TOOMY, TUCKER, AND WOOTON

AN ACT

To authorize certain vehicles occupied by one or more persons to use the designated "HOV2" or "High Occupancy Vehicle 2" lanes on the Crescent City Connection for a limited time; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1534—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e), relative to the Tuition Opportunity Program for Students high school core curriculum requirements specified for certain awards; to provide for the number of units that must be successfully completed by students for program eligibility; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1551—

BY REPRESENTATIVE DIEZ

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1606—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 56:430.1 and to repeal R.S. 56:430(A), relative to oyster leases; to require the submission of certain production information; to delete certain cultivation requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1609—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:463.4(A)(7), (B), (E)(3), (G)(5), and (J) and to repeal R.S. 47:463.4(H), relative to mobility-impaired license plates, hang tags, and identification cards; to provide relative to eligibility and renewal; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1612—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.567, relative to municipalities in certain parishes; to authorize the governing bodies of two or more municipalities in a parish with a population in excess of twelve thousand but less than thirteen thousand according to the latest federal decennial census to create by local services agreement and intergovernmental contract a special district for industrial, commercial, tourism, and economic development purposes; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1612 by Representative Thompson

AMENDMENT NO. 1

On page 9, line 12, following "Subsection" and before "of" change "B" to "A"

AMENDMENT NO. 2

On page 10, line 5, following "33:130.563" and before "(11)" insert "A"

HOUSE BILL NO. 1795—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 56:428.1(A), relative to oyster leases; to provide for annual determination by the Department of Natural Resources of projected impact areas of coastal restoration projects where leases may be renewed for less than fifteen years; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1824—

BY REPRESENTATIVE THOMPSON

AN ACT

To authorize and provide for the transfer or lease of certain state property in Richland Parish to the adjacent landowner from the Department of Public Safety and Corrections; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1836—

BY REPRESENTATIVES QUEZAIRE AND KATZ

AN ACT

To amend and reenact R.S. 48:271, relative to signs; to authorize the Department of Transportation and Development to erect historical markers; to provide relative to certain other directional signs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 33:4574.13, relative to a tourist commission in certain parishes; to provide for the creation of a tourist commission in parishes with a population between thirteen thousand five hundred and fourteen thousand persons; to provide for the appointment, powers, and duties of the commission; to authorize, subject to voter approval, the levy and collection of a hotel occupancy tax by the governing authority of the commission for the purpose of funding the activities of the commission; to provide relative to borrowing by the commission and other budgetary matters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1865—

BY REPRESENTATIVES TUCKER AND BROOME

AN ACT

To enact R.S. 33:9033.3(N), relative to financing of economic development projects in certain parishes; to authorize sales tax increment financing of economic development projects in parishes with a population between four hundred thousand and four hundred seventy-five thousand; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1880—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 33:4562.3, relative to recreation districts; to authorize the governing authority of Evangeline Parish to create the Evangeline-Ville Platte Recreation District; to provide for boundaries; to provide for the objects and purposes of the district; to provide for the powers and governance of the district; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**JUDICIARY C**

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

May 22, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To urge and request the Disposition of Pornographic Evidence Committee of the Louisiana State Law Institute to study the tracking, confiscation, limitation of access to, destruction, or other disposition of obscene, video voyeuristic, and pornographic material in the possession of any law enforcement or other agency during the pendency of, and when it is no longer needed as evidence, in criminal, civil, or juvenile cases.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE FLAVIN

A CONCURRENT RESOLUTION

To create a task force to study the criminal trespass statutes and to report its findings to the Louisiana Legislature prior to January 1, 2003.

Reported favorably.

HOUSE BILL NO. 74—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 14:95(H), relative to illegal carrying of weapons; to include coroners in the list of officials who may carry a concealed handgun when certified by the Council on Peace Officer Standards and Training; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 330—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 13:4711(A)(4) and to enact R.S. 13:4711(A)(8), relative to public nuisances; to provide for the abatement of public nuisances based on a pattern of criminal activity involving violence or weapons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 362—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 40:1379.3(J)(3), relative to permits for concealed handguns; to provide for the definition of "resident"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 379—

BY REPRESENTATIVE MARTINY

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property (effects); to clarify that contraband has no such protection; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 390—

BY REPRESENTATIVES TOOMY AND DEVILLIER AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 16:51(A)(12), (22), (31), and (34), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 787—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 14:67.5(B), relative to theft of crawfish; to provide relative to penalties for commission of the crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 941—

BY REPRESENTATIVE KENNARD

AN ACT

To repeal R.S. 40:1472.3(F) and 1472.4(B)(2), relative to explosives; to repeal provisions authorizing persons who do not possess a license to work with explosives provided that the person is working under the immediate and personal supervision and control of a person with a valid license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1305—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:402(D) and 514 and R.S. 44:201.1 and 231.1, relative to the offices of recorder of mortgages and register of conveyances for the parish of Orleans; to provide that the elections for the offices of recorder of mortgages and register of conveyances for the parish of Orleans shall be conducted at the

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regular congressional election; to provide for the beginning and ending of the terms for such offices; to provide for the extension of the current terms for such offices; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1648—

BY REPRESENTATIVE TOWNSEND
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1682—

BY REPRESENTATIVE TOWNSEND
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1971—

BY REPRESENTATIVES GARY SMITH AND PINAC
AN ACT

To enact R.S. 47:843(D)(4) and 865(C)(3)(c), relative to tobacco products; to provide that certain activities relative to cigarettes shall be unlawful; to provide for the seizure, sale, and destruction of cigarettes; to provide for filing of injunctive actions; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2038—

BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 14:44.2, relative to the crime of aggravated kidnapping; to create the crime of aggravated kidnapping of a child; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON

AGRICULTURE

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

May 22, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 93—

BY REPRESENTATIVES STRAIN, THOMPSON, BAUDOIN, BRUCE, R. CARTER, CAZAYOUX, DEVILLIER, DURAND, FRITH, FRUGE, HILL, ILES, KENNEY, LAFLEUR, MORRISH, NEVERS, JACK SMITH, AND STRAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to ratify the Southern Dairy Compact.

Reported favorably.

HOUSE BILL NO. 1459—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 14:102.5(C), relative to the crime of dogfighting; to increase the penalties for violations of that crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1497—

BY REPRESENTATIVES PINAC, FRITH, AND THOMPSON
AN ACT

To amend and reenact R.S. 3:3370(A), relative to standard contracts for termite protection; to provide for the form of the contract; to provide for the transfer of such contracts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1913—

BY REPRESENTATIVES STRAIN, BAUDOIN, BRUCE, R. CARTER, CAZAYOUX, DEVILLIER, DURAND, FRITH, FRUGE, HILL, ILES, KENNEY, LAFLEUR, MORRISH, NEVERS, JACK SMITH, AND THOMPSON

AN ACT

To amend and reenact R.S. 3:2097, relative to diseases of animals and unsanitary animal products; to provide definitions; to provide for the unlawful transport of certain diseased animals and adulterated meat; to provide for civil penalties; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2062 (Substitute for House Bill No. 1699 by Representative Schwegmann)—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 3:2364 and R.S. 36:4(V), relative to animals; to provide definitions; to create the Louisiana Animal Welfare Commission; to provide for membership of the commission; to provide for the power and authority of the commission; to create the Louisiana Animal Welfare Fund; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MIKE SMITH
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. 108—
BY SENATOR HINES

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 1300.191, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 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 Finance. On motion of Senator Dardenne, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 715—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1072(A), relative the state insurance code; to provide for penalties for delinquent filing of annual tax reports and payment of license taxes by insurance companies; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, 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 favorably by the Committee on Finance. On motion of Senator Dardenne, the bill was read by title, 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. 6—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact Code of Civil Procedure Article 1915(A)(6), relative to partial, final judgments for sanctions and disciplinary actions; to provide for rendition for sanctions imposed for violations of health care provider-patient privilege; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 6 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 9, after "Partial" insert "final" and after "judgment;" insert "partial judgment;"

On motion of Senator Ellington, 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. 19—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 17:221(A)(1) and (E) and to enact R.S. 17:221(F), relative to school attendance; to require certain persons having control or charge of a child to send such child to school from the child's seventh birthday until his eighteenth birthday; to provide for individualized plans of education for certain students over age seventeen; to provide exceptions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 44—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of owners and

operators of motor vehicles used for transportation in emergencies; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 111—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To repeal R.S. 13:501(B)(3)(c), relative to the Fortieth Judicial District Court; to repeal the date on which the authorization of the court to hold certain proceedings and sessions on the east bank must terminate.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 111 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "repeal" insert "amend and reenact R.S. 13:501(B)(3) and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, insert "to authorize the Fortieth Judicial District Court to hear certain civil and criminal matters on the east bank of the Mississippi River;"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:

"Section 1. R.S. 13:501(B)(3) is hereby amended and reenacted to read as follows:

§501. Continuous sessions in districts of one parish
* * *

B. * * *

(3)(a) Notwithstanding the provisions of Code of Criminal Procedure Article 762, in the Fortieth Judicial District, with the consent of a majority of the judges of the district, each section of court may hold sessions of the court in accordance with applicable rules of court and a schedule of sessions approved by a majority of the judges of the Fortieth Judicial District in an appropriate public building provided by the St. John the Baptist Parish Council or the law enforcement district on the east bank of the Mississippi River to conduct the following proceedings for offenses which occur or civil actions arising on the east bank of the Mississippi River:

- (i) Arraignments of misdemeanors and traffic tickets.
- (ii) Trials of misdemeanors and traffic tickets for which the defendant is not entitled to a trial by jury.
- (iii) Arraignments of felony matters.
- (iv) Contempt of court hearings and compliance hearings.
- (v) Seventy-two hour appointment of counsel hearings pursuant to Code of Criminal Procedure Article 230.1.
- (vi) Hearings on all matters relating to misdemeanors and traffic offenses.
- (vii) Civil and criminal motions and pretrial hearings.

* * *

AMENDMENT NO. 4

On page 1, at the beginning of line 9, change "Section 1." to "Section 2."

On motion of Senator Ellington, 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. 136—
BY REPRESENTATIVE BROOME
AN ACT

To enact R.S. 11:411(10), relative to the Louisiana State Employees' Retirement System, but only applicable with respect to the East Baton Rouge Parish Housing Authority; to provide with respect to membership in the system; to provide with respect to the purchase of prior service credit; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 139—
BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(I), relative to the Pineville City Court; to increase the jurisdictional amount in civil matters; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 178—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 13:1889.2, relative to the City Court of Bossier City; to authorize the transfer of surplus funds generated from court fees to the general operational fund of the court; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 178 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 2, after "the" and before "court," insert "~~city of Bossier City~~"

On motion of Senator Ellington, 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. 220—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 11:473, relative to the Louisiana State Employees' Retirement System; to provide relative to survivor benefits payable to the surviving spouse and major children; to provide with respect to the entitlement to and distribution of such benefits; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 233—

BY REPRESENTATIVES MCDONALD AND FAUCHEUX

AN ACT

To enact R.S. 47:1712, relative to the ad valorem tax; to provide for a method of application for the special assessment level for certain persons sixty-five years of age or older; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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. 241—

BY REPRESENTATIVE BRUNEAU

AN ACT

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

Reported favorably by the Committee on Judiciary A. 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. 341—

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

To amend and reenact Civil Code Article 230(B) and to enact R.S. 9:315.22(D), relative to child support; to provide for continued support for a child with disabilities until his twenty-second birthday; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 345—

BY REPRESENTATIVES KENNARD AND DOWNER

AN ACT

To enact R.S. 11:1302(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to membership of the board of trustees; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 409—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 9:975, relative to the non-legal custodians; to authorize non-legal custodians to give legal consent for rendering of certain services by affidavit; to provide for the form and limitations on the use of the affidavit; to provide for limited immunity; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 495—

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, HUDSON, WALSWORTH, ALARIO, R. ALEXANDER, BRUCE, BRUNEAU, R. CARTER, CAZAYOUX, DAMICO, DARTEZ, DONELON, ERDEY, FARRAR, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GUILLORY, HAMMETT, HEATON, HOPKINS, HUNTER, L. JACKSON, M. JACKSON, KENNARD, KENNEY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PINAC, PRATT, RIDDLE, ROMERO, SALTER, SCHWEGMANN, JACK SMITH, JANE SMITH, THOMPSON, TOWNSEND, TRICHE, WADDELL, WELCH, AND WRIGHT

AN ACT

To amend and reenact R.S. 11:1307(A) and R.S. 22:1419(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to benefits, including but not limited to the benefit accrual rate used for calculation of benefits, the age, service, and date of employment criteria used for determining eligibility for benefits, and the use of funds derived from assessments against insurers for the payment of actuarial costs related to increasing the benefit accrual rate and survivor benefits; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 496—

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

AN ACT

To enact R.S. 11:246(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to benefits; to provide with respect to the payment of cost-of-living adjustments; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 511—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:3200(12)(f), relative to the Firemen's Pension and Relief Fund for the city of Bossier City; to provide with respect to the Deferred Retirement Option Plan, including

but not limited to the interest that is payable on Deferred Retirement Option Plan deposits; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 564—
BY REPRESENTATIVES GALLOT AND MONTGOMERY
AN ACT

To amend and reenact R.S. 11:1732(12), relative to the Municipal Employees' Retirement System, but limited in application to the cities of Bossier City and Ruston; to provide with respect to definitions; to provide regarding the sources of compensation that are included in earnings for purposes of determining contributions and calculating retirement benefits; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 568—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 11:1651(B)(2)(b), relative to the District Attorneys' Retirement System; to provide with respect to the board of trustees, including but not limited to the terms and qualifications for serving as a member of the board; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 590—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:701(33)(a), relative to the Teachers' Retirement System, but only applicable to the employees of the Louisiana High School Athletic Association and the employees of the Louisiana Association of Educators; to provide with respect to definitions; to provide with respect to membership in the system and the criteria used for determining eligibility for such membership; to provide regarding the withdrawal of membership from the system and the refund of contributions based on such withdrawal; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 591—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:446(A)(2), relative to the Louisiana State Employees' Retirement System; to provide with respect to benefits, including but not limited to the creation of an option for designating a beneficiary or beneficiaries for receipt of

benefits upon the death of the member; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 625—
BY REPRESENTATIVE FLAVIN
AN ACT

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

Reported favorably by the Committee on Finance. 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. 747—
BY REPRESENTATIVE MCMAINS
AN ACT

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

Reported favorably by the Committee on Judiciary A. 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. 763—
BY REPRESENTATIVES HUNTER, KATZ, MCDONALD, THOMPSON, AND
WALSWORTH AND SENATORS BARHAM, ELLINGTON, AND C. D. JONES

AN ACT
To enact R.S. 13:587.2, relative to the Fourth Judicial District Court; to authorize the judges by court rule to assign matters to be heard by specified divisions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 769—
BY REPRESENTATIVES RIDDLE AND FUTRELL
AN ACT

To amend and reenact R.S. 33:2218.2(F)(2), relative to supplemental compensation for certain law enforcement personnel; to increase the number of Tunica-Biloxi tribal officers eligible for such additional compensation; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 772—

BY REPRESENTATIVES DOWNER, BRUNEAU, DONELON, LANCASTER, FUTRELL, MCDONALD, AND JOHN SMITH AND SENATORS W. FIELDS, HOLLIS, LAMBERT, THEUNISSEN, AND THOMAS

AN ACT

To amend and reenact R.S. 11:153 and to repeal R.S. 11:153.1, relative to all state and statewide public retirement systems; to provide regarding the purchase of credit for military service and to provide for the duplicate use thereof; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 883—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 9:2715, relative to the transfer of structured settlement payment rights; to provide for definitions; to provide for a procedure for transfer; to provide for ex parte orders; to provide for requirements for transfer; to provide for the payment of costs; to provide for the effect of certain provisions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 883 by Representative Riddle

AMENDMENT NO. 1

On page 4, line 2, after "rights" delete the remainder of the line

AMENDMENT NO. 2

On page 4, line 3, delete "dollars using a discount of six percent"

AMENDMENT NO. 3

On page 6, delete lines 7 through 10 in their entirety

AMENDMENT NO. 4

On page 6, line 11, change "(3)" to "(1)" and on line 13, change "(4)" to "(2)"

On motion of Senator Ellington, 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. 931—

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 17:3056(A), relative to the Health Education Authority of Louisiana; to increase the authority of HEAL to issue bonds; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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. 978—

BY REPRESENTATIVE MURRAY

AN ACT

To enact Children's Code Article 1509(E) and R.S. 13:4611(1)(e), relative to penalties for violating child visitation orders; to require the violating party to supply additional days to make up for visitation denied to the other parent; to authorize the court to require parents to attend parenting classes, counseling, or mediation; to provide for attorney fees; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 981—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact Children's Code Article 423(F), relative to hearing officers; to provide delays for objections; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1106—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 33:2002, relative to extra compensation for firemen; to provide eligibility for supplemental pay for ten Chitimacha tribe of Louisiana firemen; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 1108—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 13:712(B) and 715(B), relative to commissioners of the Nineteenth Judicial District Court and the Fifteenth Judicial District Court; to provide for the salaries of commissioners who are paid by the state; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1182—

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

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

Reported favorably by the Committee on Judiciary A. 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. 1189—

BY REPRESENTATIVE ALARIO

AN ACT

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

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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. 1266—

BY REPRESENTATIVE THOMPSON

AN ACT

To reinstate credit for service performed by certain legislative assistants who were subjected to an earnings-based test instead of an hours-worked test for purposes of qualifying for membership in the system and crediting service to the members' accounts; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 1266 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 15, delete "December 31, 1985," and insert "December 31, 1986,"

AMENDMENT NO. 2

On page 2, at the end of line 17, delete "account, but" and insert "account and any member who on July 1, 2001, is a legislative assistant in Senate District No. 8 who was employed in any state service during the period of February 25, 1963, through March 19, 1965, and May 19, 1969, through February 2, 1973, shall have all such state service credited to the member's account, but"

AMENDMENT NO. 3

On page 2, line 20, change "The" to "(1) Except as provided in (2), the"

AMENDMENT NO. 4

On page 2, between lines 26 and 27, insert:

"(2) The actuarial cost of any service by a legislative assistant for the Senate which is credited to a member's account pursuant to this Act shall be paid by the member."

On motion of Senator Boissiere, 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. 1304—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 11:1481(2)(b) and to enact R.S. 11:1481(2)(c) and (d), relative to the Assessors' Retirement Fund; to provide with respect to the payment of contributions, including but not limited to the payment of employee contributions by the board of assessors for the parish of Orleans, procedures for remitting contributions to the fund, liability and penalties related to delinquent contributions, and procedures for notification and collection of delinquent contributions; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1327—

BY REPRESENTATIVE DOWNER

AN ACT

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

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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. 1340—

BY REPRESENTATIVES SCHNEIDER, DANIEL, DOERGE, MCDONALD, TOOMY, AND WALSWORTH AND SENATOR BOISSIERE

AN ACT

To enact R.S. 11:710 and to repeal R.S. 11:707, 707.1, 708, 737, and 791, relative to the Teachers' Retirement System; to provide with respect to employment of retirees and the benefits payable to such retirees; to provide regarding contributions and employer reporting requirements related to such reemployment; to repeal certain provisions of law related to the reemployment of retirees who did and those who did not participate in the Deferred Retirement Option Plan and those retirees who were hired pursuant to a critical shortage of teachers; to provide relative to the suspension or reduction of benefits of all reemployed retirees; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 1340 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 4, between lines 8 and 9, insert:

"Section 2. Upon the effective date of this Act, the system shall cease the collection of the penalty in the form of any suspension or reduction of benefits that is based on employment occurring on or after January 1, 2000, but only as such reduction or suspension is applicable to any retiree of the system who has been reemployed as a chief campus-based administrator, provided that any such administrator has been reemployed in that capacity for at least three consecutive years immediately preceding the effective date of this Act."

AMENDMENT NO. 2

On page 4, at the beginning of line 9, delete "Section 2." and insert "Section 3."

AMENDMENT NO. 3

On page 4, at the beginning of line 11, delete "Section 3." and insert "Section 4."

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

HOUSE BILL NO. 1345—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To repeal R.S. 11:232, relative to all state and statewide retirement systems; to repeal the provisions requiring board approval of retirement benefits; and to provide an effective date.

Reported favorably by the Committee on Retirement. 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. 1347—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

To repeal R.S. 11:143(H), relative to all public retirement or pension systems, funds, or plans; to repeal the restriction against becoming a member of a system from which credit was previously transferred; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1395—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:502, 502.2(A)(1)(introductory paragraph) and (B)(1), 502.4, and Subsection 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, and to enact R.S. 11:502.2(A)(1)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to the Optional Retirement Plan, including but not limited to membership and those classes of employees that are eligible for such membership; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1396—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:416, relative to the Louisiana State Employees' Retirement System; to provide with respect to the reemployment of retirees, including but not limited to the benefits payable to such retirees, the deletion of certain earnings limitations, and the reporting requirements that apply upon reemployment; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 1607—

BY REPRESENTATIVES DOERGE AND DANIEL
AN ACT

To enact R.S. 11:723.1, relative to the Teachers' Retirement System; to provide with respect to membership; to provide with respect to service credit, including but not limited to the purchase of credit for certain service performed while on contract; and to provide for related matters.

Reported favorably by the Committee on Retirement. 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. 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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1658 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 15, after "modification" insert a comma ","

AMENDMENT NO. 2

On page 2, line 10, after "R.S. 46:236.1" and before the comma, delete "(A)(7)"

On motion of Senator Ellington, 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. 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.

Reported favorably by the Committee on Judiciary A. 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. 1712—
BY REPRESENTATIVE NEVERS

AN ACT

To authorize the Department of Transportation and Development to acquire immovable property for improvements to LA Highway 10 and LA Highway 1 and the replacement of the St. Francisville/New Roads Ferry; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 1731—
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 46:460.21(A), (B)(2), (C)(1), (2)(b)(iii), and (3), (D), and (E) and to enact R.S. 46:460.21(B)(6), relative to fees in child protection cases; to provide efficient processing of requests for legal fees; to provide for class of counsel to be paid; to provide for mediation fees; to provide for procedures and forms for electronic approval and submission of requests; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1772—
BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:1078(B)(3), 1079, and 1765 and to repeal R.S. 22:1078(B)(7), relative to fees for the Department of Insurance; to provide for license fees; to provide for retaliatory fees; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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. 1805—
BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact Children's Code Article 412(H)(1)(a), relative to notice to schools when students are involved in the juvenile correction system; to clarify that transmission to schools of pertinent portions of predisposition reports affecting students who are involved in the juvenile correction system is mandatory; to specify the age of the students to which these provisions apply; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1812—
BY REPRESENTATIVE L. JACKSON
AN ACT

To amend and reenact R.S. 33:4720.17(A) and 4720.31(A) and R.S. 47:2261(B)(1) and to enact R.S. 47:2261(C) and (D), relative to notice requirements on post-adjudication sale or donation of property; to provide for adequacy of the notice; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1998—
BY REPRESENTATIVES LEBLANC AND FAUCHEUX
AN ACT

To enact R.S. 39:115, relative to capital outlay budget development; to provide for certain notice requirements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. 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.

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 296, which was on Third Reading and Final Passage, to the Committee on Finance.

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 723, which was on Third Reading and Final Passage, to the Committee on Finance.

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 1841, which was on Third Reading and Final Passage, to the Committee on Finance.

Senator Lambert in the Chair

Rules Suspended

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

**House Bills and Joint Resolutions on
First Reading, Subject to Call**

The following House Bills and Joint Resolutions on first reading, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Dardenne asked that House Bill No. 1391 be called from the Calendar at this time.

HOUSE BILL NO. 1391—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:301(14)(i)(ii)(bb) and (cc)(I) and (16)(d)(ii), 302(C), and 331(C), relative to the sales and use tax; to provide for the taxation of mobile telecommunications services; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1391 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, after "331(C)," delete the remainder of the line and delete line 4 and insert in lieu thereof the following: "relative to mobile telecommunications services; to conform Louisiana Law to the federal Mobile Telecommunications Servicing Act; and to provide for"

On motion of Senator Dardenne, the amendments were adopted.

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

Senate Concurrent Resolutions Returned from the House of Representatives with Amendments

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the attorney general, the Coastal Zone Management Program and the office of state lands to give the public notice prior to any publicly navigable waterways being barricaded or gated and to take such action as may be necessary to protect public waters.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Concurrent Resolution No. 52 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 4, after "any" delete "publicly navigable" and insert in lieu thereof "public" and after "gated" delete the remainder of the line and insert a period "."

AMENDMENT NO. 2

On page 1, delete line 5 in its entirety

AMENDMENT NO. 3

On page 1, line 9, after "1812," delete the remainder of the line and delete line 10 in its entirety and insert in lieu thereof "including the sea and its shores as defined by state law; and"

AMENDMENT NO. 4

On page 1, line 14, after "use" delete "by persons claiming that such waters were privately owned"

AMENDMENT NO. 5

On page 1, delete lines 15 and 16 in their entirety and on page 2, delete line 1 in its entirety

AMENDMENT NO. 6

On page 2, line 7, after "navigate" delete the semi-colon ";" and the word "and" and insert a period "."

AMENDMENT NO. 7

On page 2, delete lines 8 through 11 in their entirety

AMENDMENT NO. 8

On page 2, line 14, after "prior to" delete "any" and insert in lieu thereof "the barricading or gating of a"

AMENDMENT NO. 9

On page 2, line 15, delete "publicly navigable" and after "waterway" delete "being barricaded or gated" and insert in lieu thereof "traditionally used by the public"

AMENDMENT NO. 10

On page 2, line 19, after the word "blockage" insert a period "." and delete the remainder of the line and delete lines 20 and 21 in their entirety

Senator McPherson moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Hollis	McPherson
Bean	Hoyt	Michot
Cain	Irons	Mount
Chaisson	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Fields, W	Lambert	Thomas
Fontenot	Lentini	Ullo
Gautreux	Malone	

May 22, 2001

Hines Marionneaux
Total—28

NAYS

Total—0

ABSENT

Mr. President Cravins Heitmeier
Bajoie Dupre Romero
Boissiere Ellington Schedler
Campbell Fields, C
Total—11

The Chair declared the amendments proposed by the House were rejected. Senator McPherson moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR CRAVINS
A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR DARDENNE
A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to engrossed Senate Concurrent Resolution No. 61 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 11, change "2002" to "2003"

AMENDMENT NO. 2

On page 2, line 14, after "Senate" and before "chosen" insert "two of whom shall be"

AMENDMENT NO. 3

On page 2, line 15, after "Senate" change the period "." to a comma "," and add "and one of whom shall be chosen by the president from among the chairmen of the Senate Committee on the Judiciary."

AMENDMENT NO. 4

On page 2, line 16, after "Representatives" and before "chosen" insert "two of whom shall be"

AMENDMENT NO. 5

On page 2, line 17, after "House" change the period "." to a comma "," and add "and one of whom shall be the chairman of the House Committee on the Judiciary."

AMENDMENT NO. 6

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

"(8) One member chosen by the governor.

(9) Two members of the public at large chosen by the chief justice of the Louisiana Supreme Court."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative J. D. Smith to Engrossed Senate Concurrent Resolution No. 61 by Senator Dardenne

AMENDMENT NO. 1

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

"(8) One judge from the Sixteenth Judicial District Court."

Senator Dardenne moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Barham Hines Marionneaux
Bean Hollis McPherson
Cain Hoyt Michot
Chaisson Irons Mount
Dardenne Johnson Smith
Dean Jones, B Tarver
Ellington Jones, C Theunissen
Fields, C Lambert Thomas
Fields, W Lentini Ullo
Fontenot Malone
Total—29

NAYS

Total—0

ABSENT

Mr. President Cravins Romero
Bajoie Dupre Schedler
Boissiere Gautreaux
Campbell Heitmeier
Total—10

The Chair declared the amendments proposed by the House were rejected. Senator Dardenne moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

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; to provide an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Alexander to Engrossed Senate Bill No. 151 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 15, after "District." delete the remainder of the line and delete line 16 and on page 2, delete lines 1 through 8 and insert the following:

"(1) Area A shall consist of the following:

(a) The parishes of Assumption, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, and Jefferson, except the Jefferson Parish Human Services Authority.

(b) Southeast Louisiana State Hospital.

(c) New Orleans Adolescent Hospital.

(d) The acute psychiatric units operated by the office of mental health in the parishes listed in Subparagraph (a) of this Paragraph.

(2) Area B shall include the following:

(a) Except the services provided by the Capital Area Human Services District, the parishes of Acadia, Allen, Ascension, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Pointe Coupee, St. Landry, St. Martin, Vermilion, West Baton Rouge, and West Feliciana.

(b) The Eastern Louisiana Mental Health System, comprised of the facilities previously known as:

(i) East Louisiana State Hospital.

(ii) Feliciana Forensic Facility.

(iii) Greenwell Springs Hospital.

(c) The acute psychiatric units operated by the office of mental health in the parishes listed in Subparagraph (a) of this Paragraph.

(3) Area C shall include the following:

(a) The parishes of Avoyelles, Bienville, Bossier, Caddo, Catahoula, Caldwell, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Rapides, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, Vernon, and Winn.

(b) Central Louisiana State Hospital.

(c) The acute psychiatric units operated by the office of mental health in the parishes listed in Subparagraph (a) of this Paragraph."

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Cain	Hollis	Michot
Chaisson	Hoyt	Mount
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Ellington	Jones, B	Tarver
Fields, C	Jones, C	Theunissen
Fields, W	Lambert	Thomas
Fontenot	Lentini	Ullo
Gautreaux	Malone	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Campbell	Romero
Bajoie	Cravins	
Boissiere	Dupre	
Total—7		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 176—
BY SENATOR BOISSIERE

AN ACT

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

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

SENATE BILL NO. 177—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:403(2)(a), (12), (15), and (26), 422(A), and 461(A), and to repeal R.S. 11:403(22), all relative to the Louisiana State Employees' Retirement System; to provide for changes in definitions for "actuarial interest", "employer", "job appointment", "prior service", and "spouse"; to provide clarification of part-time service provisions and statutes that apply to disability; to provide for an effective date; and to provide for related matters.

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

May 22, 2001

SENATE BILL NO. 523—
BY SENATOR SCHEDLER

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 523 by Senator Schedler

AMENDMENT NO. 1

On page 1, at the end of line 5, add "and to repeal R.S. 36:259(I)(1),"

AMENDMENT NO. 2

On page 2, line 5, change "LSU System" to "Louisiana State University system"

AMENDMENT NO. 3

On page 2, line 12, change "LSU System" to "Louisiana State University system"

AMENDMENT NO. 4

On page 4, at the end of line 18, delete "to the" and delete lines 19 through 21 and insert the following: "in accordance with R.S. 36:802. The terms "secretary" and "undersecretary" as used in such Section and as applicable to the board shall mean the president or the president's designee"

AMENDMENT NO. 5

On page 7, after line 3, insert the following:

"Section 2. R.S. 36:259(I)(1) is hereby repealed in its entirety."

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Hines	McPherson
Bean	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver

Ellington	Jones, C	Theunissen
Fields, C	Lambert	Thomas
Fields, W	Lentini	Ullo
Fontenot	Malone	
Heitmeier	Marionneau	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Campbell	Gautreaux
Bajoie	Cravins	Romero
Boissiere	Dupre	
Total—8		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 579—
BY SENATOR ULLO

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thompson to Engrossed Senate Bill No. 579 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" change "R.S. 40:608.4," to "R.S. 56:578.13,"

AMENDMENT NO. 2

On page 1, line 3, after "crawfish;" insert "to provide for penalties;"

AMENDMENT NO. 3

On page 1, line 6 after "Section 1." and before "is" change "R.S. 40:608.4" to "R.S. 56:578.13"

AMENDMENT NO. 4

On page 1, line 7, at the beginning of the line, change "\$608.4" to "\$578.13"

AMENDMENT NO. 5

On page 1, at the beginning of line 8, change "R.S. 40:608.4" to "R.S. 56:578.13"

AMENDMENT NO. 6

On page 1, line 9, at the beginning of the line insert "A."

AMENDMENT NO. 7

On page 1, delete line 12 and insert the following:

"B. Any violation of the labeling requirements shall subject the distributor or packager to the penalties provided in R.S. 56:578.10(B)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Romero, Durand, Frith, Hebert and Morrish to Engrossed Senate Bill No. 579 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 11, "after "clarkii)" delete the remainder of the line and insert a comma "," and the following: "the white river crawfish (Procambarus zonangulus), or Louisiana pond-raised crawfish."

Senator Ullo moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of representatives and their counts.

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 254 be called from the Calendar at this time.

SENATE BILL NO. 254—

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 9:1783(A)(2), relative to trustees; to provide that a bank or trust company authorized to exercise fiduciary powers may serve as a trustee of a trust; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative McCallum to Engrossed Senate Bill No. 254 by Senator B. Jones (Duplicate of H.B. No. 346)

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line, delete line 3 in its entirety, and on line 4, delete "serve as a trustee of a trust;" and insert "trusts; to provide for trustees; to provide criteria allowing certain financial institutions to serve as a trustee;"

AMENDMENT NO. 2

On page 1, line 9, after "A." delete the remainder of the line and insert the following:

"Only the following persons or entities may serve as a trustee of a trust established pursuant to this Code:

* * *

AMENDMENT NO. 3

On page 2, line 10, after "(2)" delete the remainder of the line and delete lines 11 through 13 in their entirety and insert "A bank or trust"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 254 by Senator B. Jones

AMENDMENT NO. 1

May 22, 2001

In House Floor Amendments proposed by Representative McCallum and adopted by the House on May 7, 2001, on line 13 after "page" and before ", line" change "2" to "1"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCallum to Engrossed Senate Bill No. 254 by Senator B. Jones

AMENDMENT NO. 1

In House Floor Amendment No. 3 proposed by Representative McCallum and adopted by the House of Representatives on May 7, 2001, on line 14, change "bank" to "financial institution"

AMENDMENT NO. 2

On page 1, line 13, change "bank" to "financial institution"

Senator B. Jones moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Romero
Bajoie	Dupre	Thomas
Total—6		

The Chair declared the amendments proposed by the House were rejected. Senator B. Jones moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 668 be called from the Calendar at this time.

SENATE BILL NO. 668—

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

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Engrossed Senate Bill No. 668 by Senator B. Jones

AMENDMENT NO. 1

On page 2, line 11, after "(2)" delete "(a)"

AMENDMENT NO. 2

On page 2, delete lines 19 through 26 in their entirety and on page 3, delete lines 1 through 4 in their entirety.

Senator B. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Dupre	Romero
Cravins	Michot	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 669 be called from the Calendar at this time.

SENATE BILL NO. 669—

BY SENATORS B. JONES, DARDENNE AND GAUTREUX AND REPRESENTATIVES HAMMETT, LANCASTER, MONTGOMERY AND GARY SMITH

AN ACT

To enact R.S. 47:1574.1, relative to taxes; to provide for a cease and desist of business action for the secretary of the Department of Revenue for failure to pay certain taxes and related amounts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 669 by Senator B. Jones

AMENDMENT NO. 1

On page 2, line 10, between "costs" and the period ".", insert "or has entered into an agreement with the secretary to do so"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 669 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 16, following "tax" and before "as" change "and/or" to "or"

AMENDMENT NO. 2

On page 2, line 1, following "may" change "only be taken" to "be taken only"

AMENDMENT NO. 3

On page 2, line 12, following "hearing" and before "to" insert "in not less than two days or more than ten days, exclusive of holidays," and on line 13, following "occurred" delete "in not less than two or" and on line 14, delete "more than ten days, exclusive of holidays"

Senator B. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Marionneaux, McPherson, Michot, Mount, Schedler, Smith

Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Total—34

Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone

Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Mr. President, Bajoie, Total—5

Cravins, Dupre

Romero

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 675 be called from the Calendar at this time.

SENATE BILL NO. 675—

BY SENATORS B. JONES, DARDENNE, GAUTREUX AND DUPRE AND REPRESENTATIVES LANCASTER AND MONTGOMERY

AN ACT

To amend and reenact R.S. 47:116(A) and 118(A) and (D) and R.S. 47:120.1(A), the introductory paragraph of R.S. 47:120.1 (D), and R.S. 47:120.1(G)(1), relative to income tax; to change the requirement that a declaration of estimated individual income tax be filed and paid; to provide for failure of corporations to pay estimated income taxes; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 675 by Senator B. Jones

AMENDMENT NO. 1

On page 1, lines 2 and 9, following "and" and before "(D)" insert "the introductory paragraph of"

Senator B. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Barham, Bean, Boissiere, Gautreaux, Heitmeier, Hines, Malone, Marionneaux, McPherson

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Cain	Hollis	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Ellington	Jones, B	Tarver
Fields, C	Jones, C	Theunissen
Fields, W	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Dupre
Bajoie	Dean	Romero
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 763 be called from the Calendar at this time.

SENATE BILL NO. 763—
BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER
AN ACT

To amend and reenact the introductory paragraph of R.S. 13:3715.3(A), to amend and reenact R.S. 13:3715.3(A)(2), and to enact R.S. 13:3715.3(G)(4)(e), relative to peer review committees; to make government surveys inadmissible as evidence in civil trials against nursing facilities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Fruge to Reengrossed Senate Bill No. 763 by Senator Ellington (Duplicate of H.B. No. 1798)

AMENDMENT NO. 1
On page 1, line 2, after "To" delete the remainder of the line

AMENDMENT NO. 2
On page 1, line 4 after "relative to" delete the remainder of the line and delete line 5 in its entirety and insert the following: "the production of evidence; to provide for the use of certain medical documents; to provide for the disclosure of medical documents;"

AMENDMENT NO. 3
On page 1, line 6, delete "nursing facilities;"

AMENDMENT NO. 4

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

AMENDMENT NO. 5
On page 3, line 4, delete "authorized representative; and"

AMENDMENT NO. 6
On page 3, line 10, after "G." delete the remainder of the line and delete line 11 in its entirety

AMENDMENT NO. 7
On page 3, line 19, after "surveys" and before "may" insert "conducted by or on behalf of any governmental regulatory agency"

AMENDMENT NO. 8
On page 3, line 21, change "specific to" to "directly related to the type of injury allegedly sustained by"

AMENDMENT NO. 9
On page 3, line 23, after "or" and before "been" insert "have"

AMENDMENT NO. 10
On page 3, line 24, after the period "." delete the remainder of the line and delete lines 25 and 26 in their entirety and insert the following: "When a party seeks to admit into evidence surveys, statements of deficiencies, and related documents, any party to a civil action may request and the court, using its discretion, may conduct a voir dire of the witness supporting the surveys and related documents to determine whether the deficiency is based on reliable evidence."

AMENDMENT NO. 11
On page 4, delete lines 1 through 3 in their entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 763 by Senator Ellington

AMENDMENT NO. 1
On page 1, line 8, following "Section 1." delete the remainder of the line and on line 2, change "are" to "R.S. 13:3715.3(A)(2) is"

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Campbell	Johnson	Tarver
Chaisson	Jones, B	Theunissen
Dardenne	Jones, C	Thomas

Dean Ellington Total—32	Lambert Lentini	Ullo
	NAYS	
Fields, C Total—3	Fields, W	Marionneaux
	ABSENT	
Cravins Dupre Total—4	Irons Romero	

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**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. 193—
BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2844.2, relative to the collection of sales and use taxes; to provide alternative remedies for taxpayers contesting local sales and use tax assessments; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 193 by Senator Michot.

AMENDMENT NO. 1

On page 2, line 1, after "jurisdiction" and before ".", insert "contesting the final assessment"

AMENDMENT NO. 2

On page 2, delete lines 4 through 6 in their entirety and insert the following: "to the petition evidence of the taxpayer's ability to post bond or other security."

AMENDMENT NO. 3

On page 2, line 18, after "penalties." insert the following: "The court may order that a portion of the unpaid taxes, interest and penalties be paid under protest and the balance secured by the posting of a bond or other security as provided herein."

AMENDMENT NO. 4

On page 2, delete lines 19 through 23 in their entirety and insert the following:

"D. The posting of such bond or other security or the payment under protest shall be made no later than thirty days after the mailing of the notice of the decision"

AMENDMENT NO. 5

On page 3, delete lines 4 through 6 in their entirety and insert the following:

"F. To the extent not inconsistent with this Section, the nature and amount of the bond or security and the procedures for posting bond or providing other security shall be consistent with the provisions for providing security in connection with a suspensive appeal under the Code of Civil Procedure."

On motion of Senator Michot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre	Romero
Total—3		

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

SENATE BILL NO. 457—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Civil Code Art. 1826, relative to subrogation; to provide for the effects of subrogation; to provide for the right of preference for the balance of a partially paid debt; to prohibit the waiver of the right of preference in certain circumstances; and to provide for related matters.

May 22, 2001

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

SENATE BILL NO. 884—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a), (b)(iv), (v), and (vi), relative to the forfeiture and collection of bonds taken to secure the appearance of persons in court; to provide a period of one year for the surety to satisfy a judgment of bond forfeiture for certain bail obligations; to provide with regard to enforcement and collection of judgments; to provide with regard to failure to satisfy judgments of bond forfeiture; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jones, B	Lentini
Total—2	

ABSENT

Mr. President	Lambert
Dupre	Romero
Total—4	

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. 885—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(B), (C), and (D)(2), relative to letters of incarceration after detention of a defendant relative to forfeiture of bond; to authorize issuance of such letters by any officer of the facility where the defendant is incarcerated; to provide relative to proof of defendant's incarceration; to provide relative to conditions required to satisfy judgment of bond forfeiture; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 396—

BY SENATORS FONTENOT AND W. FIELDS

AN ACT

To enact R.S. 51:426(10) relative to the prohibition of below cost sales of petroleum products; to provide for certain exemptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Irons	Schedler
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—31		

NAYS

Gautreaux	Marionneaux	Theunissen
Hoyt	Smith	
Total—5		

ABSENT

Mr. President	Cravins	Dupre
Total—3		

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

Senator Barham in the Chair

SENATE BILL NO. 592—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 44:1(A)(2), relative to public records; to provide that security features of a public body's electronic systems are not public records; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Cravins, Dupre, Marionneaux, Total—4

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

SENATE BILL NO. 50—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 23:1143(B)(1), relative to maximum attorney fees; 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

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

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Dupre, Theunissen, Total—3

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. 162—

BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 9, 10, and 13(B) and (C) and to repeal Section 13(D) of the Constitution of Louisiana, relative to the existence of city, parish, and other local public schools systems; to recognize certain systems; to require the enactment of provisions of law for the establishment of additional systems; to require the inclusion of certain provisions in such law; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 256—

BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR

AN ACT

To enact Subpart A-2 of Part II of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:74.1 through R.S. 17:74.8; to provide for the authorization to establish a school system; to provide definitions; to provide relative to the initiation and petitioning necessary to establish a school system; to provide for an election to address the question of whether a school system should be established; to provide for a temporary school board and the appointment of an interim school board; to provide for the election of a permanent school board; to establish the authority and requirements of each type of school board; to provide for and require judicial validation; to provide for the land, facilities, and funding of a newly established school system; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 719—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1201(F), relative to workers' compensation; to provide with respect to benefits; to provide for penalties and attorney fees; and to provide for related matters.

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

May 22, 2001

SENATE BILL NO. 956—

BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2933, relative to electronic governmental transactions; to authorize local entities to conduct electronic transactions using credit cards, debit cards, and similar payment devices; to authorize a fee for such services; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Dupre
Total—2

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

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 179—

BY REPRESENTATIVE NEVERS

AN ACT

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

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

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
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Dupre
Total—1

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

HOUSE BILL NO. 229—

BY REPRESENTATIVES HUDSON AND LAFLEUR

AN ACT

To amend and reenact R.S. 47:332.20, relative to the disposition of certain collections in St. Landry Parish; to provide for the dedication of an additional one cent of sales taxes collected on room rentals in St. Landry Parish; to provide for the use of such monies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dupre
Total—1

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

HOUSE BILL NO. 261—

BY REPRESENTATIVES GALLOT AND R. ALEXANDER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dean
Ellington
Fields, C
Total—35

Jones, C
Lambert
Lentini
Thomas
Ullo

NAYS

Mr. President
Total—2

Smith
ABSENT

Dupre
Total—2

Jones, B

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

HOUSE BILL NO. 483—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact Part I-A of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:408.1 through 408.5, relative to the Louisiana State Employees' Retirement System; to provide for electronic signatures and records, including but not limited to the legal effect of such signatures and records, the use of such signatures and records for system records, procedures for the use of such signatures and records, and definitions related thereto; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dupre
Total—1

May 22, 2001

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

HOUSE BILL NO. 497—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—35; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Cravins, Total—4; Dupre, McPherson.

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

HOUSE BILL NO. 499—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Total—36; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Total—3; Dupre, McPherson.

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

HOUSE BILL NO. 626—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 9:3518.3, relative to credit cards; to limit the amount of information that may appear on an electronically printed credit card receipt; to provide for exceptions; to provide for violations and penalties; to provide for effectiveness; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 626 by Representative Flavin

AMENDMENT NO. 1

In Senate Floor Amendment No. 12, proposed by Senator Fontenot and adopted by the Senate on May 15, 2001, on page 2, line 10, change "January 1, 2003" to "January 1, 2004"

AMENDMENT NO. 2

On page 2, line 21, after "characters" insert the following: "on any receipt provided or made available to the cardholder"

On motion of Senator Michot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Thomas
Fields, W	Lentini	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Mr. President	Campbell	Dupre
Total—3		

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

HOUSE BILL NO. 838—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:2220(F) and (G) and R.S. 22:1419(A)(3) and to enact R.S. 11:2220(H), relative to the Municipal Police Employees' Retirement System, but limited to members who were merged into the system from the Police Pension Fund for the Police Department of the City of New Orleans; to provide with respect to benefits and cost-of-living adjustments; to provide for payment of certain benefits from certain funds derived from an assessment on the gross premiums collected by insurers; and to provide for related matters.

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

HOUSE BILL NO. 896—
BY REPRESENTATIVES JOHNS AND THOMPSON
AN ACT

To amend and reenact R.S. 47:304(F), relative to the state sales and use tax; to permit a dealer to absorb the tax under certain circumstances; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Fields, W	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		
NAYS		
Total—0		
ABSENT		
Mr. President	Fontenot	
Dupre	McPherson	
Total—4		

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

HOUSE BILL NO. 1103—
BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

To amend and reenact R.S. 47:1580(A)(4) and (C), relative to suspension and interruption of the prescription period for payment of any state tax, license, excise, interest, penalty, or other charge; to provide for the actions which constitute the filing of a false or fraudulent return; to provide that prescription is interrupted with the failure to file any state tax return; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1105—
BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

To enact R.S. 47:1582, relative to the failure to pay tax; to provide for a rule to cease business for failure by certain persons to remit taxes collected on behalf of the state to the Department of Revenue; to provide for an effective date; and to provide for related matters.

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

May 22, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Dupre
Campbell	McPherson
Total—4	

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

HOUSE BILL NO. 1172—

BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

To enact R.S. 47:1508(B)(18), relative to the confidentiality of state tax records; to provide for an exception to confidentiality requirements for certain delinquent taxpayers; to authorize the publication of the names of such delinquent taxpayers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneau
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Ellington	Jones, C	Ullo

Fields, C
Fields, W
Total—34

Lambert
Lentini

NAYS

Malone
Total—1

ABSENT

Mr. President	Dupre
Campbell	McPherson
Total—4	

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

HOUSE BILL NO. 1242—

BY REPRESENTATIVE BRUNEAU
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	Dupre
Total—2	

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

Rules Suspended

Senator Johnson asked for and obtained a suspension of the rules for the purpose of reverting to the order of

Introduction of Senate Concurrent Resolutions

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

Rules Suspended

Senator Johnson asked for and obtained a suspension of the rules for the purpose of taking up Senate Concurrent Resolutions No. 132 out of order.

SENATE CONCURRENT RESOLUTION NO. 132—

BY SENATORS BOISSIERE BAJOIE, BARHAM, BEAN, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREUX, 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 AND REPRESENTATIVE SWILLING

A CONCURRENT RESOLUTION

To proclaim May 22, 2001, as New Orleans Day at the legislature, and to join in "Celebrating a Saintsational City".

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Chaisson, Dardenne, Dean, Ellington, Fields, C, Fields, W, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Campbell, Cravins, Dupre.

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

Regular Order of the Day Resumed

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Malone, Marionneaux, McPherson, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

Total—34

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dupre, Fontenot, Irons, Michot.

Total—5

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

HOUSE BILL NO. 1342—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE AN ACT

May 22, 2001

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	McPherson
Dupre	Schedler
Total—4	

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

HOUSE BILL NO. 1357—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND DOERGE
AN ACT

To amend and reenact R.S. 11:1162(A)(introductory paragraph) and (7), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees, including but not limited to the addition of a retired member to the board and the terms of office of the retired members of the board; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	McPherson
Bajoie	Dupre	Schedler
Total—6		

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

HOUSE BILL NO. 1358—

BY REPRESENTATIVES SCHNEIDER, CURTIS, DANIEL, AND DOERGE,
AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(4) and 1144(B), relative to the Louisiana School Employees' Retirement System; to provide with respect to contributions, including but not limited to increasing the employee contribution rate; to provide with respect to benefits, including but not limited to a retroactive increase in the benefit accrual rate; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1358 by Representative Schneider

AMENDMENT NO. 1

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

"(4) Notwithstanding any other provision of law to the contrary, the cost of implementing the Act which originated as House Bill 1358 of the 2001 Regular Session shall not be paid from funds which are contained in the employer credit account."

On motion of Senator Boissiere, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—35; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Romero, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President, Campbell, Total—4; Dupre, Schedler.

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

HOUSE BILL NO. 1359—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND DOERGE AN ACT

To amend and reenact R.S. 11:1141(C)(1), relative to the Louisiana School Employees' Retirement System; to provide with respect to the reemployment of retirees, including but not limited to the employer entities by which a retiree cannot become reemployed; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero.

Table with 3 columns of names: Cravins, Dardenne, Dean, Ellington, Fields, C, Total—36; Irons, Johnson, Jones, B, Jones, C, Lambert; Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President, Total—3; Dupre, Schedler.

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

HOUSE BILL NO. 1360—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND DOERGE AN ACT

To amend and reenact R.S. 11:1147(B)(3), relative to the Louisiana School Employees' Retirement System; to provide with respect to benefits, including but not limited to the criteria used for determining eligibility for disability benefits; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—35; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Romero, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Mr. President, Total—1

ABSENT

Cravins, Total—3; Dupre, Schedler.

May 22, 2001

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

HOUSE BILL NO. 1361—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND DOERGE
AN ACT

To enact R.S. 11:1152.1 and to repeal R.S. 11:1150(B)(5), relative to the Louisiana School Employees' Retirement System; to provide with respect to benefits, including but not limited to the criteria used for determining eligibility for the Initial Benefit Retirement Plan, and the total amount of benefits that are allowable pursuant to the plan and the method of distributing such benefits; to repeal and redesignate the statutory section for the Initial Benefit Option; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for House Bill No. 1361, including Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, and Ullo.

NAYS

Total—0

ABSENT

Mr. President Dupre
Total—2

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

HOUSE BILL NO. 1392—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:448(A) and 450(C) and (D)(3), relative to the Louisiana State Employees' Retirement System; to provide relative to the Deferred Retirement Option Plan, including but not limited to the status of participants, employment after participation, and the death of a participant; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for House Bill No. 1392, including Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, and Ullo.

NAYS

Total—0

ABSENT

Mr. President Dupre McPherson
Total—3

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

HOUSE BILL NO. 1394—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:441(A)(4), relative to the Louisiana State Employees' Retirement System; to provide with respect to the initial benefit option; to provide with respect to conditions related to retirement under the twenty-year early retirement provision; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for House Bill No. 1394, including Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, and Smith.

Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Fields, W	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Dupre
Total—2	

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

HOUSE BILL NO. 1399—
BY REPRESENTATIVES LANCASTER AND MONTGOMERY
AN ACT

To enact R.S. 47:299.2(1)(a)(vii) and 299.11(9), relative to offset claims against individual income tax refunds; to authorize the Louisiana Board of Ethics to file such claim; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dupre	Marionneaux	Romero
Total—3		

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

HOUSE BILL NO. 1402—
BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

To amend and reenact R.S. 47:299.1, 299.2(1)(a), and 299.11(8) and to enact R.S. 47:299.11(9), relative to offset claims against individual income tax refunds; to authorize any agency of the state to file such claim; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dupre	Hoyt	Michot
Total—3		

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

HOUSE BILL NO. 1818 (Substitute for House Bill No. 1576 by Representative Doerge)—
BY REPRESENTATIVE DOERGE
AN ACT

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

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

May 22, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Mr. President	Cravins	Dupre
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Total—3

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

HOUSE BILL NO. 11—

BY REPRESENTATIVE LANDRIEU

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, W
Total—35

Lentini

NAYS

Total—0

ABSENT

Mr. President	Dupre
Boissiere	Michot

Total—4

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

HOUSE BILL NO. 36—

BY REPRESENTATIVES NEVERS, BRUCE, ROMERO, AND THOMPSON

AN ACT

To enact R.S. 14:67.17, relative to misappropriation without violence; to create the crime of theft of anhydrous ammonia; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Boissiere	Dupre
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Total—2

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

HOUSE BILL NO. 69—

BY REPRESENTATIVE PITRE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Total—36; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Dupre, Fields, W, Total—3

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

HOUSE BILL NO. 124—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 14:102.8(B) and to enact R.S. 14:102.8(E), relative to killing or injuring a police animal; to make the crime applicable to dogs in the service of public safety agencies providing fire protection, emergency medical services, emergency preparedness services, or other emergency services; to provide definitions; to provide for restitution; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—35; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, C, Lambert, Lentini, Malone; Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Boissiere, Dupre, Jones, B, Total—4

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

HOUSE BILL NO. 160—

BY REPRESENTATIVES DANIEL AND FAUCHEUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Lambert; Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen.

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Fields, C	Lentini	Thomas
Fields, W	Malone	Ullo
Total—33		

NAYS

Barham	Ellington
Total—2	

ABSENT

Mr. President	Jones, B
Dupre	Jones, C
Total—4	

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

HOUSE BILL NO. 168—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Civil Code Article 2713, relative to leases; to provide for a uniform delay between notice or rendition of a judgment of eviction and the execution of that judgment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Dupre
Total—2	

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

Senator Ellington in the Chair

HOUSE BILL NO. 176—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 14:65.2, relative to misappropriation with violence; to create the crime of aggravated robbery; to define serious bodily injury; to provide penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Hollis	Malone
Dupre	Jones, B	Tarver
Fields, W	Jones, C	
Total—8		

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

HOUSE BILL NO. 207—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 14:67.17 and to repeal R.S. 27:100 and 264, relative to gaming; to repeal provisions of law with respect to cheating contained in the Louisiana Gaming Control Law; to create the crime of cheating and swindling; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, 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	Tarver
Dean	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Dupre	Jones, B
Total—3		

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

HOUSE BILL NO. 215—

BY REPRESENTATIVES PITRE, DOWNER, TRICHE, AND WOOTON AND SENATORS CHAISSON AND DUPRE

AN ACT

To amend and reenact R.S. 13:621.17, relative to district judges; to provide for an additional judgeship for the Seventeenth Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Mr. President	Dupre	Jones, B
Cain	Heitmeier	Lambert
Total—6		

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

HOUSE BILL NO. 222—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 13:2487.30, relative to the City Court of Slidell; to define "operational expenses" for purposes of the City Court of Slidell; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre
Total—2	

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

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HOUSE BILL NO. 223—

BY REPRESENTATIVE CROWE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Dupre
Total—2

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

HOUSE BILL NO. 228—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 13:756.9, relative to the clerk of court of St. John the Baptist Parish; to provide for a branch office on the east bank of the Mississippi River; to provide for the functions of the office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Dupre Jones, B
Total—3

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

HOUSE BILL NO. 349—

BY REPRESENTATIVES MCMAINS AND CRANE

AN ACT

To amend and reenact the heading of Part III-B of Title 19 of the Louisiana Revised Statutes of 1950 and R.S. 19:131, 131.1(A), 131.3, 131.4, and 131.6(A), relative to expropriation of property; to authorize the parish of East Baton Rouge and the city of Baton Rouge to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

Motion

Senator W. Fields moved to return the bill to the Involuntary Calendar.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Malone
Cain	Irons	Marionneau
Campbell	Johnson	McPherson
Fields, C	Jones, C	Schedler
Fields, W	Lentini	Tarver
Total—15		

NAYS

Barham	Heitmeier	Romero
Bean	Hines	Smith

Chaisson	Hollis	Theunissen
Dardenne	Hoyt	Thomas
Dean	Jones, B	Ullo
Ellington	Lambert	
Fontenot	Mount	
Total—19		

ABSENT

Mr. President	Cravins	Michot
Boissiere	Dupre	
Total—5		

The Chair declared the Senate refused to return the bill to the Involuntary Calendar.

Mr. President in the Chair

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Reengrossed House Bill No. 349 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 8 in their entirety and insert the following:

"R.S. 19:5(A), relative to expropriation of property; to provide for the time of trial in a suit for expropriation; to provide that such suits shall take preference on the docket of the court; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 13, after "Section 1." delete the remainder of the line and delete lines 14 and 15 in their entirety and insert the following:

"R.S. 19:5(A) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 2, delete lines 1 through 26 and insert in lieu thereof the following:

"§ 5. Time of trial; notice to defendant

A. Upon the institution of a suit for expropriation, the trial court shall issue an order fixing the time of the trial of the suit which shall not be less than sixty days from the filing of the suit **and which shall take preference in the scheduling for trial over any other matters on the court's docket.** "

AMENDMENT NO. 4

On page 3, delete lines 1 through 24 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 through 25 in their entirety

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Jones, C
Boissiere	Gautreaux	Marionneaux
Cain	Hines	McPherson
Campbell	Irons	Tarver
Fields, C	Johnson	
Total—14		

NAYS

Mr. President	Heitmeier	Michot
Barham	Hollis	Mount
Bean	Hoyt	Schedler
Chaisson	Jones, B	Smith
Dardenne	Lambert	Theunissen
Dean	Lentini	Thomas
Ellington	Malone	Ullo
Total—21		

ABSENT

Cravins	Fontenot
Dupre	Romero
Total—4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Reengrossed House Bill No. 349 by Representative McMains

AMENDMENT NO. 1

On page 1, line 4, change "the parish" to "any local governing authority"

AMENDMENT NO. 2

On page 1, line 5, delete "of East Baton Rouge and the city of Baton Rouge"

AMENDMENT NO. 3

On page 1, delete lines 9 through 11

AMENDMENT NO. 4

On page 2, line 2, delete "EAST BATON ROUGE" and delete lines 3 and 4 and insert "ANY LOCAL GOVERNING AUTHORITY"

AMENDMENT NO. 5

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On page 2, line 9, after "authority of" delete the remainder of the line and delete line 10 and insert "any parish"

AMENDMENT NO. 6

On page 2, line 17, after "projects" delete the remainder of the line and on line 18, delete "parish of East Baton Rouge" and insert "it"

AMENDMENT NO. 7

On page 3, line 15, delete "city of Baton" and on line 16, delete "Rouge and parish of East Baton Rouge" and insert "governing authority"

AMENDMENT NO. 8

On page 4, line 5, delete "city of Baton Rouge and parish" and on line 6, delete "of East Baton Rouge" and insert "governing authority"

AMENDMENT NO. 9

On page 4, line 13, delete "city of Baton Rouge" and on line 14, delete "and parish of East Baton Rouge" and insert "governing authority"

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Johnson
Boissiere	Fields, W	Jones, C
Cain	Heitmeier	Marionneaux
Chaisson	Hines	McPherson
Cravins	Irons	
Total—14		

NAYS

Mr. President	Gautreaux	Romero
Barham	Hollis	Schedler
Bean	Hoyt	Smith
Campbell	Jones, B	Tarver
Dardenne	Lambert	Theunissen
Dean	Lentini	Thomas
Ellington	Malone	Ullo
Fontenot	Mount	
Total—23		

ABSENT

Dupre	Michot
Total—2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hines	Romero
Barham	Hollis	Schedler
Bean	Hoyt	Smith
Boissiere	Jones, B	Tarver
Dardenne	Lambert	Theunissen
Dean	Lentini	Thomas
Ellington	Malone	Ullo
Heitmeier	Mount	
Total—23		

NAYS

Bajoie	Fields, C	Jones, C
Cain	Fields, W	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Irons	
Cravins	Johnson	
Total—13		

ABSENT

Dupre	Fontenot	Michot
Total—3		

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

HOUSE BILL NO. 434—

BY REPRESENTATIVES MURRAY AND HEATON
AN ACT

To amend and reenact R.S. 14:107.3(D), relative to the crime of criminal blighting of property; to provide that the maximum time that an offender convicted of that crime can be sentenced to occupy blighted property is sixty days; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Ellington	Jones, C	Thomas

Fields, C	Lambert	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Dupre	Marionneaux
Campbell	Fontenot	Michot
Total—6		

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

HOUSE BILL NO. 454—
BY REPRESENTATIVE WELCH
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Fields, W	Malone	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Dupre	Michot
Cravins	Fontenot	
Total—5		

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

HOUSE BILL NO. 518—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 40:1798, relative to firearms; to provide for the disposition of firearms which have been seized by or forfeited to law enforcement agencies, the Louisiana Department of Public Safety and Corrections, office of state police, and the Louisiana Department of Wildlife and Fisheries; to provide for the disposition of surplus firearms owned by these agencies or departments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—32		
	NAYS	
Fields, W		
Total—1		
	ABSENT	
Mr. President	Dupre	Marionneaux
Cravins	Fontenot	Michot
Total—6		

The Chair declared the 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.

HOUSE BILL NO. 538—
BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to city court jurisdiction; to increase the jurisdictional limitation in the city court of Port Allen and the city court of Oakdale; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Fontenot
Dupre	Michot

Total—4

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.

HOUSE BILL NO. 574—

BY REPRESENTATIVES MCDONALD AND WALSWORTH
AN ACT

To enact R.S. 33:1448(I), relative to retired sheriffs and retired sheriffs' deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

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

HOUSE BILL NO. 663—

BY REPRESENTATIVE HILL AND SENATOR HINES
AN ACT

To amend and reenact R.S. 13:621.33, relative to district judges; to provide for an additional judgeship for the Thirty-Third Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Fontenot
Dupre	Michot

Total—4

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

HOUSE BILL NO. 905—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 33:1448(G) and (H), relative to insurance coverage for retired sheriffs and deputy sheriffs in certain parishes; to provide for the age at which certain premiums shall be paid for retired sheriffs and deputy sheriffs in certain parishes; to provide with respect to the Assumption Parish sheriff's office; to provide for group health and life insurance coverage for retired sheriffs and deputies; to exclude their dependents from coverage; to provide for group health and life insurance coverage for presently retired sheriffs, deputies, and their dependents; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo
Ellington	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Dupre	Irons
Fontenot	Michot
Total—4	

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

HOUSE BILL NO. 944—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:108(B)(1)(c), relative to the crime of resisting an officer; to provide that providing certain false information regarding the identity of the arrested party constitutes obstruction of an officer; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fontenot
Dupre	Michot
Total—4	

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

HOUSE BILL NO. 945—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:30(A)(2), relative to first degree murder; to provide that specific intent to kill or to inflict great bodily harm on a fireman, peace officer, or employees of a crime forensic laboratory because of his status is first degree murder; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 945 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 17, after "fireman," insert "or" and after "peace officer" delete the remainder of the line and insert a period "."

On motion of Senator Marionneaux, the amendments were adopted.

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

NAYS

Total—0

ABSENT

Dupre	Fontenot	Michot
Total—3		

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.

HOUSE BILL NO. 982—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 13:5105(E), relative to posting of civil bonds; to provide relative to the posting and payment of bonds, cash deposits, or court costs by the state, state agency, or state employee or the Patients Compensation Fund when demanding a jury trial; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fontenot
Dupre	Michot
Total—4	

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

HOUSE BILL NO. 997—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Article 2412(B) and 2413(A), relative to garnishment under a writ of fieri facias; to provide for service of garnishment petitions; to provide for notice of contradictory hearings when a garnishee fails to answer; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dupre	Fontenot	Michot
Total—3		

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

HOUSE BILL NO. 1018—

BY REPRESENTATIVES GREEN, ANSARDI, AND TOOMY AND SENATOR LENTINI

AN ACT

To enact R.S. 13:2575.1, relative to administrative adjudication; to provide for procedures for Jefferson Parish; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Fontenot
Dupre Michot
Total—4

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

HOUSE BILL NO. 1029—

BY REPRESENTATIVE DAMICO AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 30:2050.7(A) and (E) and to enact R.S. 30:2050.7(F), relative to the approval or rejection of the attorney general of beneficial environmental projects or cash penalties as settlement for civil penalty assessments by the Department of Environmental Quality; to provide procedure and time limits; to provide procedures for specific beneficial environmental projects; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Fontenot
Dupre Michot
Total—4

The Chair declared the 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.

HOUSE BILL NO. 1039—

BY REPRESENTATIVES LEBLANC AND DEWITT
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham Fields, W McPherson
Bean Gautreaux Mount
Boissiere Heitmeier Romero
Cain Hines Schedler
Campbell Hollis Smith
Chaisson Irons Tarver
Cravins Johnson Theunissen
Dardenne Jones, C Thomas
Dean Lambert Ullo
Ellington Lentini
Fields, C Marionneaux
Total—31

NAYS

Malone
Total—1

ABSENT

Mr. President Fontenot Michot
Bajoie Hoyt
Dupre Jones, B
Total—7

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

HOUSE BILL NO. 1112—

BY REPRESENTATIVES SCHNEIDER, CROWE, AND STRAIN
AN ACT

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

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

May 22, 2001

HOUSE BILL NO. 1156—

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Ruston; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre	Michot
Cravins	Fontenot	
Total—5		

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

HOUSE BILL NO. 1526—

BY REPRESENTATIVE MCMAINS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Tarver
Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Ellington	Michot
Cravins	Fontenot	
Dupre	Irons	
Total—7		

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

HOUSE BILL NO. 1785—

BY REPRESENTATIVES GREEN AND MURRAY

AN ACT

To amend and reenact R.S. 13:1347(A)(2) and (D)(1), relative to the commissioners of the Criminal District Court for the parish of Orleans; to provide for the salary of the commissioners; to provide relative to the support personnel including minute clerks and stenographers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre	Irons
Boissiere	Fontenot	Michot
Total—6		

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

HOUSE BILL NO. 1859—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 411(A), 412(A), and 413(B) and to repeal Code of Criminal Procedure Article 413(C), relative to drawing of grand jury venire and impaneling a grand jury; to provide for a statewide procedure for drawing a grand jury venire and impaneling a grand jury; to amend procedures for drawing of grand jury venire in Orleans Parish; to provide procedures for impaneling a grand jury; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre	Irons
Boissiere	Fontenot	Michot
Total—6		

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

HOUSE BILL NO. 1876—

BY REPRESENTATIVES DONELON AND JOHNS

AN ACT

To enact R.S. 40:964, Schedule III(G)(1) and to repeal R.S. 40:964, Schedule II(A)(5), relative to controlled dangerous substances; changes the schedule classification of Synthetic Dronabinol; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fontenot	Irons
Dupre	Gautreaux	Michot
Total—6		

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

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 returned to the Calendar, subject to call.

HOUSE BILL NO. 1897—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 30:2050.1(B) and R.S. 30:2050.4(E) and (G) and to enact R.S. 30:2050.4(J), relative to the secretary of the Department of Environmental Quality; to provide for maintenance and distribution of lists of enforcement actions; to

May 22, 2001

provide for adjudicatory hearings procedures; and to provide for related matters.

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

HOUSE BILL NO. 1927—
BY REPRESENTATIVE NEVERS

AN ACT

To amend and reenact R.S. 15:146(B)(1)(introductory paragraph), relative to the funding of the indigent defender programs; to exempt certain additional mayors' courts from the requirement of collecting court costs to fund the program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	
Total—32		

NAYS

Total—0

ABSENT

Boissiere	Dupre	Michot
Campbell	Fontenot	
Chaisson	Irons	
Total—7		

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

Rules Suspended

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

Messages from the President of the Senate

The following messages from the President of the Senate were received and read as follows:

SENATE
State of Louisiana

May 22, 2001

Honorable Reggie P. Dupre, Jr.
State Senator
P.O. Box 3892
Houma, Louisiana 70361

Dear Senator Dupre:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Local and Municipal Affairs.

Sincerely,
JOHN J. HAINKEL, JR.

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 22, 2001

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 132—
BY SENATOR BOISSIERE AND REPRESENTATIVE SWILLING
A CONCURRENT RESOLUTION

To proclaim May 22, 2001, as New Orleans Day at the legislature, and to join in "Celebrating a Saintsational City".

Reported without amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 32—

BY SENATOR TARVER

A RESOLUTION

To commend and congratulate Virginia Rainey Harris on the occasion of her eightieth birthday celebration.

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

SENATE RESOLUTION NO. 33—

BY SENATORS IRONS, BAJOIE, AND BOISSIERE

A RESOLUTION

To urge and request the governor to issue a proclamation to all state agencies to fully implement and enforce state and federal law prohibiting employment discrimination based on disability.

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

SENATE CONCURRENT RESOLUTION NO. 133—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2001, as Adrenoleukodystrophy Awareness Month.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fontenot	Irons
Dupre	Gautreaux	Michot
Total—6		

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

Appointment of Conference Committee on House Bill No. 1492

The President of the Senate appointed on the Conference Committee on House Bill No. 1492 the following members of the Senate: Senators Schedler, Dardenne and Campbell.

Appointment of Conference Committee on House Bill No. 264

The President of the Senate appointed on the Conference Committee on House Bill No. 264 the following members of the Senate: Senators Ellington, Tarver and Smith.

Appointment of Conference Committee on House Bill No. 533

The President of the Senate appointed on the Conference Committee on House Bill No. 533 the following members of the Senate: Senators Lentini, Ullo and Chaisson.

Appointment of Conference Committee on Senate Concurrent Resolution No. 61

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Concurrent Resolution No. 61: Senators Dardenne, Ullo and Hainkel.

Appointment of Conference Committee on House Bill No. 1272

The President of the Senate appointed on the Conference Committee on House Bill No. 1272 the following members of the Senate: Senators Romero, Malone and Barham.

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

May 22, 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. 82—

BY REPRESENTATIVES CURTIS AND DEWITT
AN ACT

To enact R.S. 13:1899(C)(16), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal cases for the purpose of defraying the expenses of office; and to provide for related matters.

HOUSE BILL NO. 635—

BY REPRESENTATIVE MCVEA
AN ACT

To amend and reenact R.S. 28:771(D), R.S. 36:254(F)(1) and 258(G), and R.S. 46:2661(4), 2662(A), 2663(A) and (C), and 2665(A), relative to the Capital Area Human Services District, to add the parishes of East Feliciana and West Feliciana to the district; to provide for representation of said parishes on the governing board of the district; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 756—

BY REPRESENTATIVES MURRAY AND TUCKER
AN ACT

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

HOUSE BILL NO. 809—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 33:2955(A)(1)(d), relative to the rate of interest paid on funds of political subdivision invested in time certificates of deposit; to provide for the minimum rate of interest; and to provide for related matters.

HOUSE BILL NO. 1028—

BY REPRESENTATIVES DANIEL AND SCHNEIDER AND SENATOR MICHOT
AN ACT

To enact R.S. 11:2178.1 and to repeal R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to creation of the Back-Deferred Retirement Option Plan, including but not limited to criteria used to determine eligibility for Back-DROP benefits, the terms and conditions for receiving such benefits, and the methods available for the payment of such benefits; to repeal the provisions relative to the Deferred Retirement Option Plan; to provide with respect to Deferred Retirement Option Plan participants; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1193—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 23:1221(3)(a) and (d)(iii), relative to supplemental earnings benefits; to provide relative to the calculation thereof; to remove the termination of supplemental earnings benefits when one begins to receive old age insurance benefits; and to provide for related matters.

HOUSE BILL NO. 1355—

BY REPRESENTATIVES DANIEL, MCDONALD, SCHNEIDER, AND TRICHE
AN ACT

To amend and reenact R.S. 11:2175(C)(2), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to repayment of refunds, including but not limited to the interest rate that applies to such repayments, the authorization to repay in separate transactions, and the conditions for restoring service credit following such repayment; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1363—

BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 13:1899(J), relative to additional court costs imposed by city courts in criminal matters; to provide that certain fees collected to maintain and equip a city jail shall be used to defray expenses of housing and maintaining prisoners upon closure of the jail; and to provide for related matters.

HOUSE BILL NO. 1499—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 13:1000(A) and (B), relative to court costs; to provide for legal assistance programs; to increase fees to fund legal assistance programs; and to provide for related matters.

HOUSE BILL NO. 1516—

BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 23:1310.3(F), relative to workers' compensation; to provide for constitutional challenges of workers' compensation provisions; and to provide for related matters.

HOUSE BILL NO. 1522—

BY REPRESENTATIVES DANIEL AND SCHNEIDER
AN ACT

To enact R.S. 11:2174.2, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to transfers of service credit, including but not limited to upgrading the benefit accrual rate and payment of the actuarial cost that applies to such transferred service; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1610—

BY REPRESENTATIVES DANIEL AND SCHNEIDER
AN ACT

To amend and reenact R.S. 11:62(9), 103(C)(2)(b)(iii), and 2178(C)(1) and to enact R.S. 11:105(A)(5), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to retirement eligibility requirements, including but not limited to allowing retirement after thirty years of service without regard to age, increasing the employee and employer contribution rates, and authorizing the board of trustees to maintain the employer contribution rate at an increased rate if the actual required rate is less than the previously required amount; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1614—

BY REPRESENTATIVE WADDELL AND SENATOR MALONE
AN ACT

To enact R.S. 23:1472(12)(H)(XXI), relative to unemployment compensation; to provide with respect to the definition of "employment"; to exclude certain service performed upon the filing of a statement; to provide for the effectiveness of such statement; and to provide for related matters.

HOUSE BILL NO. 46—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

HOUSE BILL NO. 181—

BY REPRESENTATIVE RIDDLE
AN ACT

To enact Part II of Chapter 31 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2321 through 2335, relative to state recognition of Indian tribes; to provide criteria for recognition of Indian tribes; to provide for hearing procedures; to provide for judicial review; to provide for venue; to establish burden of proof; to provide for evidence; to provide for rulemaking; to provide for the assessment of fees; to provide for applicability; to provide for exceptions; to provide for definitions; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

HOUSE BILL NO. 2018—

BY REPRESENTATIVES SNEED, BRUCE, MORRELL, AND ROMERO
AN ACT

To amend and reenact Children's Code Article 1121(C) and to enact R.S. 14:125.2 and Children's Code Article 1122(B)(10), relative to giving false statements concerning paternity; to create the crime of giving false statements concerning paternity; to provide for penalties; to provide for certain recitations in an act of surrender; to provide for recitations in the affidavit of counsel in a private surrender; and to provide for related matters.

HOUSE BILL NO. 2049 (Substitute for House Bill No. 807 by Representative DeWitt) —

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 37:86(A) and to enact Code of Evidence Articles 515 through 517, relative to accountants; to provide for confidential communications between accountants and clients; to protect certain communications from disclosure; to provide for subpoenas; and to provide for related matters.

HOUSE BILL NO. 452—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 46:2583(A)(1) and to enact R.S. 40:1742(C), relative to parking spaces reserved for mobility-impaired persons; to clarify the existing provisions of R.S.

40:1742 and R.S. 46:2583; to provide relative to local authority to regulate such parking; and to provide for related matters.

HOUSE BILL NO. 681—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3572.2(A)(2) and 3572.3(A)(1) and to enact R.S. 9:3558.1, 3578.6(C) and (D), and 3578.9, relative to small loan and deferred presentment transaction lenders; to provide relative to licensure of loan brokers; to provide relative to licensure as consumer lenders; to provide for additional prohibited acts; to provide relative to multiple licenses for certain small loan lenders; and to provide for related matters.

HOUSE BILL NO. 682—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 9:3572.1, 3572.2(A)(4), (B)(introductory paragraph), (1), and (7), 3572.3(A), 3572.4, 3572.5(A)(1)(g) and (h), (2)(g), (h), and (i), and (B)(2)(introductory paragraph), 3572.6, 3572.7(A), 3572.8(A) and (D), 3572.9, 3572.10, 3572.11, and 3572.12(A), (C), and (D), relative to loan brokers; to provide relative to definitions; to provide relative to exemptions and exceptions from licensure; to provide relative to licensing requirements; to provide relative to applications for licensure; to provide for records retention; to provide relative to fee assessments; to provide relative to examinations by the commissioner; to provide for bonding or trust account requirements; to provide relative to rebates; to provide relative to loan brokerage agreements; to provide for violations and penalties; and to provide for related matters.

HOUSE BILL NO. 921—

BY REPRESENTATIVE M. JACKSON
AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2711, relative to consumer protection; to provide for definitions; to provide for a listing of unsafe children's products; to prohibit the use of certain unsafe children's products; to prohibit child care facilities from using or having on the facility premises certain unsafe children's products; to provide for the revocation or refusal to renew certain licenses or certificates of registration; to prescribe penalties for violations; to provide for enforcement actions and other remedies; to provide for the adoption of rules; and to provide for related matters.

HOUSE BILL NO. 1010—

BY REPRESENTATIVES THOMPSON, BAUDOIN, FRITH, PIERRE, JACK SMITH, AND TOWNSEND
AN ACT

To amend and reenact R.S. 30:142(E)(1)(a), relative to in-kind royalty natural gas sales; to provide for sales by the state mineral board to satisfy and meet bona fide human needs; to provide for the price for in-kind royalty natural gas for human needs; and to provide for related matters.

May 22, 2001

HOUSE BILL NO. 1330—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:250.34(B), relative to health insurance coverage; to exempt certain claims from limitations on review or audit of claims by health insurers and health maintenance organizations; and to provide for related matters.

HOUSE BILL NO. 1619—

BY REPRESENTATIVES FUTRELL, HEBERT, KENNEY, PIERRE, SALTER, JACK SMITH, THOMPSON, AND WRIGHT AND SENATOR HOYT
AN ACT

To amend and reenact R.S. 46:153.3(B)(3) and to enact R.S. 46:152 and 153.3(B)(6), relative to the state medical assistance program; to authorize the secretary of the Department of Health and Hospitals to enter into rebate agreements with drug manufacturers and labelers that sell generic drugs reimbursed under the state medical assistance program; to authorize the secretary to suspend from Medicaid participation manufacturers and labelers that do not participate in such rebate program; and to provide for related matters.

HOUSE BILL NO. 1898—

BY REPRESENTATIVE NEVERS
AN ACT

To enact Code of Civil Procedure Article 3601.1, relative to injunctive relief; to prohibit the issuance of temporary restraining orders relative to interscholastic athletic contests; to provide for a hearing on a preliminary injunction relative to interscholastic athletic contests; and to provide for related matters.

HOUSE BILL NO. 1985—

BY REPRESENTATIVE SHAW AND SENATOR MALONE
AN ACT

To amend and reenact R.S. 39:1593.1(A), relative to group purchasing contracts of the Louisiana State University Health Sciences Center; to require certain Louisiana distributors be included in certain group purchasing contracts; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 2047 (Substitute for House Bill 966 by Representative Martiny)—

BY REPRESENTATIVES MARTINY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 15:536(A), 537(A), 541(9)(b) and (16), 542(A) and (B)(1)(b) and (E), 542.1(A), (B), (I)(4) and (J)(1), 574.4(C)(2)(a)(introductory paragraph), (H)(2) and (O)(1), 828(A)(2)(a), 893.1(A)(1), R.S. 44:9(E)(2) and Code of Criminal Procedure Articles 893(D)(1)(b), 894.3(A), and 895(H), to enact R.S. 15:541(14.1), 542(B)(1)(d), and to repeal R.S. 15:542(F), relative to sex offenses; to provide for definitions of "sexual offender" and "sex offense"; to provide with respect to requirements for sentencing, registration and notification requirements, probation, parole, classification and treatment programs, and assignment to work training facilities; and to provide for related matters.

HOUSE BILL NO. 2064 (Substitute for House Bill No. 616 by Representative Fauchaux)—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:102.12, relative to offenses affecting the public sensibility; to provide for the crime of illegal training of dogs; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1 —

BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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. 1 —

BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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

HOUSE BILL NO. 46—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish 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 B.

HOUSE BILL NO. 82—

BY REPRESENTATIVES CURTIS AND DEWITT
AN ACT

To enact R.S. 13:1899(C)(16), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal cases for the purpose of defraying the expenses of office; and to provide for related matters.

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

HOUSE BILL NO. 181—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact Part II of Chapter 31 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2321 through 2335, relative to state recognition of Indian tribes; to provide criteria for recognition of Indian tribes; to provide for hearing procedures; to provide for judicial review; to provide for venue; to establish burden of proof; to provide for evidence; to provide for rulemaking; to provide for the assessment of fees; to provide for applicability; to provide for exceptions; to provide for definitions; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

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

HOUSE BILL NO. 452—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 46:2583(A)(1) and to enact R.S. 40:1742(C), relative to parking spaces reserved for mobility-impaired persons; to clarify the existing provisions of R.S. 40:1742 and R.S. 46:2583; to provide relative to local authority to regulate such parking; 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. 635—

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 28:771(D), R.S. 36:254(F)(1) and 258(G), and R.S. 46:2661(4), 2662(A), 2663(A) and (C), and 2665(A), relative to the Capital Area Human Services District, to add the parishes of East Feliciana and West Feliciana to the district; to provide for representation of said parishes on the governing board of the district; 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 Local and Municipal Affairs.

HOUSE BILL NO. 681—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3572.2(A)(2) and 3572.3(A)(1) and to enact R.S. 9:3558.1, 3578.6(C) and (D), and 3578.9, relative to small loan and deferred presentment transaction lenders; to provide relative to licensure of loan brokers; to provide relative to licensure as consumer lenders; to provide for additional prohibited acts; to provide relative to multiple licenses for certain small loan lenders; 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. 682—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3572.1, 3572.2(A)(4), (B)(introductory paragraph), (1), and (7), 3572.3(A), 3572.4, 3572.5(A)(1)(g) and (h), (2)(g), (h), and (i), and (B)(2)(introductory paragraph), 3572.6, 3572.7(A), 3572.8(A) and (D), 3572.9, 3572.10, 3572.11, and 3572.12(A), (C), and (D), relative to loan brokers; to provide relative to definitions; to provide relative to exemptions and exceptions from licensure; to provide relative to licensing requirements; to provide relative to applications for licensure; to provide for records retention; to provide relative to fee assessments; to provide relative to examinations by the commissioner; to provide for bonding or trust account requirements; to provide relative to rebates; to provide relative to loan brokerage agreements; to provide for violations and penalties; and to provide for related matters.

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

HOUSE BILL NO. 756—

BY REPRESENTATIVES MURRAY AND TUCKER

AN ACT

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

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

HOUSE BILL NO. 809—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 33:2955(A)(1)(d), relative to the rate of interest paid on funds of political subdivision invested in time certificates of deposit; to provide for the minimum rate of interest; 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. 921—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2711, relative to consumer protection; to provide for definitions; to provide for a listing of unsafe children's products; to prohibit the use of certain unsafe children's products; to prohibit child care facilities from using or having on the facility premises certain unsafe children's products; to provide for the revocation or refusal to renew certain licenses or certificates of registration; to prescribe penalties for violations; to provide for enforcement actions and other remedies; to provide for the adoption of rules; and to provide for related matters.

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

HOUSE BILL NO. 1010—

BY REPRESENTATIVES THOMPSON, BAUDOIN, FRITH, PIERRE, JACK SMITH, AND TOWNSEND

AN ACT

To amend and reenact R.S. 30:142(E)(1)(a), relative to in-kind royalty natural gas sales; to provide for sales by the state mineral board to satisfy and meet bona fide human needs; to provide for the price for in-kind royalty natural gas for human needs; and to provide for related matters.

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

HOUSE BILL NO. 1028—

BY REPRESENTATIVES DANIEL AND SCHNEIDER AND SENATOR MICHOT

AN ACT

To enact R.S. 11:2178.1 and to repeal R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to creation of the Back-Deferred Retirement Option Plan, including but not limited to criteria used to determine eligibility for Back-DROP benefits, the terms and conditions for receiving such benefits, and the methods available for the payment of such benefits; to repeal the provisions relative to the Deferred Retirement Option Plan; to provide with respect to Deferred Retirement Option Plan participants; 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. 1193—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1221(3)(a) and (d)(iii), relative to supplemental earnings benefits; to provide relative to the calculation thereof; to remove the termination of supplemental earnings benefits when one begins to receive old age insurance benefits; and to provide for related matters.

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

HOUSE BILL NO. 1330—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:250.34(B), relative to health insurance coverage; to exempt certain claims from limitations on review or audit of claims by health insurers and health maintenance organizations; and to provide for related matters.

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

HOUSE BILL NO. 1355—

BY REPRESENTATIVES DANIEL, MCDONALD, SCHNEIDER, AND TRICHE

AN ACT

To amend and reenact R.S. 11:2175(C)(2), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to repayment of refunds, including but not limited to the interest rate that applies to such repayments, the authorization to repay in separate transactions, and the conditions for restoring service

credit following such repayment; 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. 1363—

BY REPRESENTATIVE KATZ

AN ACT

To enact R.S. 13:1899(J), relative to additional court costs imposed by city courts in criminal matters; to provide that certain fees collected to maintain and equip a city jail shall be used to defray expenses of housing and maintaining prisoners upon closure of the jail; and to provide for related matters.

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

HOUSE BILL NO. 1499—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 13:1000(A) and (B), relative to court costs; to provide for legal assistance programs; to increase fees to fund legal assistance programs; and to provide for related matters.

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

HOUSE BILL NO. 1516—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 23:1310.3(F), relative to workers' compensation; to provide for constitutional challenges of workers' compensation provisions; and to provide for related matters.

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

HOUSE BILL NO. 1522—

BY REPRESENTATIVES DANIEL AND SCHNEIDER

AN ACT

To enact R.S. 11:2174.2, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to transfers of service credit, including but not limited to upgrading the benefit accrual rate and payment of the actuarial cost that applies to such transferred service; 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. 1610—

BY REPRESENTATIVES DANIEL AND SCHNEIDER

AN ACT

To amend and reenact R.S. 11:62(9), 103(C)(2)(b)(iii), and 2178(C)(1) and to enact R.S. 11:105(A)(5), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to retirement eligibility requirements, including but not limited to allowing retirement after thirty years of service without regard to age, increasing the employee and employer contribution rates, and authorizing the board of trustees to maintain the employer

contribution rate at an increased rate if the actual required rate is less than the previously required amount; 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. 1614—

BY REPRESENTATIVE WADDELL AND SENATOR MALONE
AN ACT

To enact R.S. 23:1472(12)(H)(XXI), relative to unemployment compensation; to provide with respect to the definition of "employment"; to exclude certain service performed upon the filing of a statement; to provide for the effectiveness of such statement; and to provide for related matters.

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

HOUSE BILL NO. 1619—

BY REPRESENTATIVES FUTRELL, HEBERT, KENNEY, PIERRE, SALTER, JACK SMITH, THOMPSON, AND WRIGHT AND SENATOR HOYT
AN ACT

To amend and reenact R.S. 46:153.3(B)(3) and to enact R.S. 46:152 and 153.3(B)(6), relative to the state medical assistance program; to authorize the secretary of the Department of Health and Hospitals to enter into rebate agreements with drug manufacturers and labelers that sell generic drugs reimbursed under the state medical assistance program; to authorize the secretary to suspend from Medicaid participation manufacturers and labelers that do not participate in such rebate program; and to provide for related matters.

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

HOUSE BILL NO. 1898—

BY REPRESENTATIVE NEVERS
AN ACT

To enact Code of Civil Procedure Article 3601.1, relative to injunctive relief; to prohibit the issuance of temporary restraining orders relative to interscholastic athletic contests; to provide for a hearing on a preliminary injunction relative to interscholastic athletic contests; 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. 1985—

BY REPRESENTATIVE SHAW AND SENATOR MALONE
AN ACT

To amend and reenact R.S. 39:1593.1(A), relative to group purchasing contracts of the Louisiana State University Health Sciences Center; to require certain Louisiana distributors be included in certain group purchasing contracts; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2018—

BY REPRESENTATIVES SNEED, BRUCE, MORRELL, AND ROMERO
AN ACT

To amend and reenact Children's Code Article 1121(C) and to enact R.S. 14:125.2 and Children's Code Article 1122(B)(10), relative to giving false statements concerning paternity; to create the crime of giving false statements concerning paternity; to provide for penalties; to provide for certain recitations in an act of surrender; to provide for recitations in the affidavit of counsel in a private surrender; 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. 2047 (Substitute for House Bill 966 by Representative Martiny)—

BY REPRESENTATIVES MARTINY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 15:536(A), 537(A), 541(9)(b) and (16), 542(A) and (B)(1)(b) and (E), 542.1(A), (B), (I)(4) and (J)(1), 574.4(C)(2)(a)(introductory paragraph), (H)(2) and (O)(1), 828(A)(2)(a), 893.1(A)(1), R.S. 44:9(E)(2) and Code of Criminal Procedure Articles 893(D)(1)(b), 894.3(A), and 895(H), to enact R.S. 15:541(14.1), 542(B)(1)(d), and to repeal R.S. 15:542(F), relative to sex offenses; to provide for definitions of "sexual offender" and "sex offense"; to provide with respect to requirements for sentencing, registration and notification requirements, probation, parole, classification and treatment programs, and assignment to work training facilities; and to provide for related matters.

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

HOUSE BILL NO. 2049 (Substitute for House Bill No. 807 by Representative DeWitt) —

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 37:86(A) and to enact Code of Evidence Articles 515 through 517, relative to accountants; to provide for confidential communications between accountants and clients; to protect certain communications from disclosure; to provide for subpoenas; 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. 2064 (Substitute for House Bill No. 616 by Representative Fauchaux)—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:102.12, relative to offenses affecting the public sensibility; to provide for the crime of illegal training of dogs; to provide for definitions; to provide for penalties; to provide for exceptions; and to provide for related matters.

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

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**

May 22, 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. 111—
BY REPRESENTATIVES NEVERS, KENNEY, AND THOMPSON
A CONCURRENT RESOLUTION
To encourage the study of the Bible in schools.

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION
To urge and request the United States Congress and the President of the United States to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally.

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION
To memorialize the United States Congress and to urge and request the governor of Louisiana and the Texas Legislature to support the routing of Interstate 69 through west Desoto Parish in Louisiana and Shelby County in Texas.

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE JOHNS AND SENATOR MOUNT
A CONCURRENT RESOLUTION
To commend the 2000-01 Sulphur High School softball team on being the Class 5A state champions.

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVE JOHNS AND SENATOR MOUNT
A CONCURRENT RESOLUTION
To commend the 2000-01 Sulphur High School golf team on being the Class 5A state champions.

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVE M. JACKSON
A CONCURRENT RESOLUTION
To commend and congratulate Gloryland Baptist Church in Baton Rouge upon the occasion of its Golden Jubilee Anniversary celebrating fifty years of faith and service.

HOUSE CONCURRENT RESOLUTION NO. 176—
BY REPRESENTATIVE SWILLING AND SENATOR BOISSIERE
A CONCURRENT RESOLUTION
To join in "Celebrating a Saintsational City", to proclaim May 22, 2001, as New Orleans Day at the legislature, and to provide for suitable observance of this special day.

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION
To urge and request the U.S. Fish and Wildlife Service to establish a cooperative enforcement program with the Louisiana Department of Wildlife and Fisheries.

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

HOUSE CONCURRENT RESOLUTION NO. 111—
BY REPRESENTATIVES NEVERS, KENNEY, AND THOMPSON
A CONCURRENT RESOLUTION
To encourage the study of the Bible in schools.

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

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION
To urge and request the United States Congress and the President of the United States to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally.

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

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION
To memorialize the United States Congress and to urge and request the governor of Louisiana and the Texas Legislature to support the routing of Interstate 69 through west Desoto Parish in Louisiana and Shelby County in Texas.

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

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE JOHNS AND SENATOR MOUNT
A CONCURRENT RESOLUTION
To commend the 2000-01 Sulphur High School softball team on being the Class 5A state champions.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	McPherson
Barham	Heitmeier	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Fields, C	Marionneaux	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Fontenot	Jones, C
Bean	Gautreaux	Michot
Cravins	Hines	Tarver
Dupre	Irons	
Total—11		

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

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE JOHNS AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To commend the 2000-01 Sulphur High School golf team on being the Class 5A state champions.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Gautreaux	Michot
Cravins	Hines	Tarver
Dupre	Irons	
Fontenot	Jones, C	
Total—10		

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

HOUSE CONCURRENT RESOLUTION NO. 173—

BY REPRESENTATIVE M. JACKSON

A CONCURRENT RESOLUTION

To commend and congratulate Gloryland Baptist Church in Baton Rouge upon the occasion of its Golden Jubilee Anniversary celebrating fifty years of faith and service.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Marionneaux
Barham	Fields, W	McPherson
Bean	Heitmeier	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Michot
Cravins	Hines	Tarver
Dupre	Irons	
Fontenot	Jones, C	
Total—10		

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

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE SWILLING AND SENATOR BOISSIERE

A CONCURRENT RESOLUTION

To join in "Celebrating a Saintsational City", to proclaim May 22, 2001, as New Orleans Day at the legislature, and to provide for suitable observance of this special day.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Marionneau
Barham	Fields, W	McPherson
Bean	Heitmeier	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Michot
Cravins	Hines	Tarver
Dupre	Irons	
Fontenot	Jones, C	
Total—10		

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

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the U.S. Fish and Wildlife Service to establish a cooperative enforcement program with the Louisiana Department of Wildlife and Fisheries.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

May 22, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study the effect of the United States Supreme Court case of Troxel v. Granville on Louisiana laws relative to child visitation and to make specific recommendations on or before January 1, 2003, for revisions to state laws to ensure that state laws are not contrary to the fundamental rights of parents to make decisions concerning the care, custody, and control of their children.

Reported favorably.

HOUSE BILL NO. 66—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact Civil Code Article 938 and to enact R.S. 9:2502, relative to successions; to provide for the exercise of a successor's rights in a succession; to provide for the subordination of the successor's rights to the administration of the estate; to provide for the validity of an alienation, lease, or encumbrance of immovable property made prior to the effective date of the Act; to provide for retroactive effect; to provide for a preemptive period; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 191—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Civil Code Articles 870 and 1611, to enact Civil Code Article 1484, and to repeal R.S. 9:2501, relative to successions; to provide relative to the law governing succession rights; to provide relative to the revocation of a legacy or testament; to provide for the legal effect of terms used in a testament; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 262—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 46:236.3(E), relative to income assignment orders; to provide for the termination of income assignment orders; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 316—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend and reenact Children's Code Articles 303(7), 424.7(A), 438(C) and (D), 439(C), 443, 603(8), 619(C), 620(B), 624(C), (D), and (E), 626(B), 629, 630, 672, 672.1(D), 688, 702(C) through (G), 710(A)(introductory paragraph) and (C), 745(C), 776(A), 841(C), 1004(G), 1037.1, 1128, 1131(A), 1137(C), 1144(B), 1146(B) and (C), 1195(C), 1196(D), 1223(B)(4), 1223.1(C)(1)(A), 1243(A) and (C), and 1249 and Code of Civil Procedure Article 10(A)(1); to enact Children's Code Articles 438(E) and 439.1, 624(F), 710(D), and 1196(E); and to repeal Children's Code Articles 617(G) and (H), 618(G) and (H), and 702(H), relative to children; to provide for the continuous

revision of the Children's Code; to provide for further implementation of the Adoption and Safe Families Act of 1999; to provide for children in need of care, court-appointed and court-approved administrative bodies, instant orders, continued custody, informal adjustment agreements, assignment of custody of children, reunification efforts, and permanency hearings and orders; to provide for mediation in the Children's Code, selection and qualification of mediators, and preparation of mediation agreements; to provide for jurisdiction over children and minors; to provide for the effect of informal family services plan agreements, permanency planning reports, informal adjustment agreements, authorizations to file petitions for termination of parental rights, continued contact with biological relatives, notice of opposition to adoptions, fee disclosure, intrafamily adoptions, and service and jurisdiction in adoption proceedings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 318—

BY REPRESENTATIVES ANSARDI, CLARKSON AND MCMAINS
AN ACT

To amend and reenact Children's Code Articles 668, 675(B)(4), 702(E) through (H), 1218, and 1240 and to enact Children's Code Articles 675(B)(5), 702(I), 1042(D), 1146(D), 1208(D), and Chapter 14-A of Title XII of the Children's Code, to be comprised of Articles 1269.1 through 1269.7, relative to adoption; to provide for continuing contact between a child and certain individuals in agency adoptions; to provide for continuing contact agreements and declarations, filings, court approval, effect, agreements confected after final decrees of adoption, enforcement, and modification; to provide for assessments of an adopted child's continuing contact with certain individuals in predisposition reports, case plans, permanency hearings, and reviews by counsel; to provide for hearings and the effect of a final decree of adoption, and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 360—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 361—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To enact Section 8 of Chapter 6 of Title II of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 1617 through 1626, and R.S. 9:2502, relative to successions; to provide for disinheriton of forced heirs; to provide the formalities for disinheriton of forced heirs; to provide the grounds that constitute just cause for disinheriton; to provide

grounds for which both parents and grandparents can disinherit forced heirs; to provide for reconciliation between the testator and the forced heirs; to provide for defenses for disinheriton; to provide for the retroactivity of these rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 441—

BY REPRESENTATIVE POWELL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 474—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limited liability for health care providers in community health care clinics; to provide for the treatment of patients who are not enrolled in public entitlement programs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 632—

BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To enact Chapter 13 of Title III of Book VI of the Louisiana Code of Civil Procedure, to be comprised of Code of Civil Procedure Articles 3396 through 3396.20, and 5251(14), relative to probate procedure; to provide for the independent administration of estates; to provide definitions; to provide the scope of independent administration; to provide for the designation of an independent executor by the testator; to provide for the testator's failure to designate an independent executor; to provide for the independent executor's rights, powers, and duties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 633—

BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 942, 946, 952, 965, 1416, 1575, 1577, 1593, and 1597 and to enact Civil Code Article 1610.1, relative to successions; to authorize persons to bring an action to declare a successor unworthy; to provide for the devolution of succession rights; to provide for probate or amendment of testaments; to provide for accretion upon renunciation in testate successions; to provide liability of universal successors to creditors; to provide for olographic testaments; to provide for loss, extinction, or destruction of property given; to provide for revocation of testamentary dispositions; and to provide for related matters.

May 22, 2001

Reported favorably.

HOUSE BILL NO. 634—
BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 1520 and 1521, relative to successions; to provide for prohibited substitutions; to provide for vulgar substitutions; to provide definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 846—
BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1041—
BY REPRESENTATIVE MCMAINS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1070—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1299.58(A)(introductory paragraph) and (2) and to enact R.S. 40:1299.58(F), relative to consent to medical treatment; to allow the administrator or manager to provide medical consent for certain mentally retarded or developmentally disabled individuals; and to provide for related matters.

Reported favorably.

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

To amend and reenact R.S. 9:2082, 2086, 2087, 2090, 2127, and 2142, to authorize and direct the Louisiana State Law Institute

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

Reported favorably.

HOUSE BILL NO. 1602—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Children's Code Articles 1124(B) and (C), 1137(D), 1138(C) and (E), and 1139(A) and to enact Children's Code Article 1180(C) and R.S. 46:1402.1, relative to adoptions; to provide for service of notice of opposition to adoption; to provide for the presentation of evidence; to provide for the form of certain affidavits; to provide for the jurisdiction for adoption proceedings; to provide relative to conflict of interests; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1662—
BY REPRESENTATIVE LANDRIEU
AN ACT

To amend and reenact R.S. 35:336(A) and 337(B), relative to notaries public and commissioners; to provide for the appointment of one deputy by the custodian of notarial records; to provide for the preservation of records and documents; to provide for the dedication of certain fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1788—
BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact Code of Civil Procedure Article 3061, relative to a judgment of possession; to require the judgment to include the names and addresses of the heirs or legatees and surviving spouse; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1793—
BY REPRESENTATIVE RIDDLE
AN ACT

To enact R.S. 9:2801.1, relative to the partition of community property interests in federal or state statutory pension or retirement plans; to provide for the allocation and assignment of ownership of certain community property; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

May 22, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 259—
BY SENATOR C. FIELDS

AN ACT

To enact R.S. 15:765 and R.S. 39:1756, relative to telecommunication service at correctional facilities; to provide relative to telecommunication services used by inmates at such facilities; to provide relative to negotiation of contracts for such usage; to require that such contracts be awarded to the lowest bidder; to prohibit financial profit to the state or any government entity from such contracts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 63—
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 363—

BY REPRESENTATIVES CROWE, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS CAIN, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HOYT, IRONS, LENTINI, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN, THOMAS, AND ULLO

AN ACT

To enact Code of Criminal Procedure Article 895.1(F), relative to fees paid as a condition of probation; to require the payment of an additional fee; to create a special fund in the treasury for those fees; to provide for the administration and use of those fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 761—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:302(A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills and coins which a video draw poker device accepts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 965—
BY REPRESENTATIVE MARTINY AND SENATOR LENTINI
AN ACT

To enact R.S. 15:574.22 through 574.35 and to repeal R.S. 15:574.14, relative to the supervision of adult offenders; to provide for the Interstate Compact for Adult Offender Supervision; to provide for its purpose; to provide for definitions; to create the Interstate Commission for Adult Offender Supervision and to provide for its membership and duties; to create the State Council and to provide for its membership and duties; to provide for the operation and activities of the Interstate Commission; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 967—
BY REPRESENTATIVE MARTINY
AN ACT

To repeal Code of Criminal Procedure Article 876, relative to post-sentencing investigations.

Reported favorably.

HOUSE BILL NO. 968—
BY REPRESENTATIVE MARTINY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 15:574.8(B), relative to parole; to provide that parolees arrested for violation of parole conditions may be held in state prison; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 969—
BY REPRESENTATIVE MARTINY AND SENATOR LENTINI
AN ACT

To repeal R.S. 15:571.20, relative to the assignment of work units to probation and parole specialists; to repeal the provision of law providing for the assignment of work units to probation and parole specialists.

Reported favorably.

May 22, 2001

HOUSE BILL NO. 970—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 971—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 15:574.4(B), relative to parole; to provide for notification of victim; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 983—

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 15:1171(A) and 1172(A), relative to corrections administrative remedy procedure; to provide that the procedures shall be adopted in accordance with the Administrative Procedure Act; to delete provisions requiring approval of the procedures by a federal court; to delete provisions requiring compliance with the Civil Rights of Institutionalized Persons Act; to provide that any administrative remedy in effect is in compliance with this Act; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1178—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(iv) and to enact R.S. 27:301(B)(16) and (17) and 311(L), relative to Video Draw Poker Devices Control Law; to provide for and require a video draw poker employee permit fee; to provide with respect to diesel and gasoline fuel sales at qualified truck stop facilities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1369—

BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 15:712, relative to correctional facilities; to provide that citizens may request wardens or superintendents to intercept mail from prisoners to those citizens; to provide for a limitation of liability for wardens and superintendents for mail transmitted by prisoners; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1635—

BY REPRESENTATIVE HOPKINS AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 27:304, relative to a video poker gaming device licensee; to authorize advertisements or participation in certain promotions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

May 22, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 254—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2413(A)(8) and to enact R.S. 30:2413(A)(9), relative to solid waste management facility fees; removes the authority of the secretary of the Department of Environmental Quality to adopt certain fees; to provide for fees necessary to administer waste tire activities; to provide for collection and distribution of data and information; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 627—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 38:3087.73(C); to provide for the members of the Board of Commissioners of the Caddo Lake Watershed District to have staggered terms; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 873—

BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 30:2014.4, relative to permits for commercial hazardous waste facilities and landfills; to require disclosure of the transfer of permits; to authorize government bodies to transfer permits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1169—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2158(A)(1) and to repeal R.S. 30:2154(B)(6), 2161(D), and 2301 through 2326, R.S. 33:4169.1(F), and R.S. 36:239(G), and 804(1), relative to the Louisiana Resource and Recovery Development Authority; to provide for its dissolution; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 30:2057(B)(5), to provide authority for municipalities of less than five thousand persons to burn trees, brush, grass, or other vegetable matter within their corporate limits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1318—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2503(A)(2)(a), relative to the Louisiana Environmental Education Commission; to provide relative to membership on the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1482—

BY REPRESENTATIVE DAMICO

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1483—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2194(B), 2195.2(A)(1)(c)(i), (2), and (5), 2195.3(A)(10), 2195.8(B), and 2195.9(A) and to repeal R.S. 30:2195.2(B)(1)(c), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Fund; to provide definitions; to provide for response actions and response action contractors; to provide for expenditure of funds; to provide for remediation, indemnification, and liability; to provide for financial responsibility; to provide for the composition of the advisory board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1556—

BY REPRESENTATIVES KENNARD AND DURAND

AN ACT

To amend and reenact R.S. 30:2373(D)(2) and (E)(2) and 2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; provides additional persons who may be subject to civil penalties for violations; provides applicable penalties; provides for reduction in certain fees; provides an extension date for certain fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1579—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2412(4.1), (5.2), and (6.1), relative to waste tires and the Waste Tire Management Fund; to provide definitions; to provide fees to be levied on the sale of new tires; to provide size classifications of tires; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1925—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2040, R.S. 37:3155, and 3156(A) and to repeal R.S. 37:3151(6), relative to commercial solid waste disposal facilities; to provide that the Department of Environmental Quality shall classify commercial solid waste disposal facilities; to provide that the department shall determine the number of certified operators at such facilities; to prohibit the siting of certain solid or hazardous waste facilities within certain parishes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2046 (Substitute for House Bill 1593 by Representative Damico)—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2195.6 and to enact R.S. 30:2195(F), relative to the Motor Fuels Underground Storage Tank Trust Fund and underground storage tanks; to provide for the funding and uses of the Tank Trust Fund; to provide for the use of the interest; to provide for ownership; to provide for abandoned underground storage tanks; to provide for liens and privileges for costs incurred by the state; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

Rules Suspended

Senator Dardenne 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 Dardenne asked that Senate Bill No. 158 be called from the Calendar at this time.

SENATE BILL NO. 158—
BY SENATORS DARDENNE AND ULLO
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, relative to legislative sessions; to provide for the subject matter and duration of regular legislative sessions; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as it relates thereto; and to specify an election date for submission of the proposition to electors and provide a ballot proposition.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 165 be called from the Calendar at this time.

SENATE BILL NO. 165—
BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

Proposing to amend Article III, Section 13 of the Constitution of Louisiana, relative to legislative process; to provide that a local or special bill shall be defined as established by law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 166 be called from the Calendar at this time.

SENATE BILL NO. 166—
BY SENATOR MARIONNEAUX
A JOINT RESOLUTION

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

to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 218 be called from the Calendar at this time.

SENATE BILL NO. 218—
BY SENATOR MARIONNEAUX
AN ACT

To enact Part IV of Chapter 4 of Title 43 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 43:190, relative to the legislative process; to provide for the advertisement of a local or special bill; and to provide for related matters.

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

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 322 be called from the Calendar at this time.

SENATE BILL NO. 322—
BY SENATOR HEITMEIER
AN ACT

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

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

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 658 be called from the Calendar at this time.

SENATE BILL NO. 658—
BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH
AN ACT

To amend R.S. 47:1580(A)(4), relative to taxes; to provide for the suspension or interruption of prescription upon the filing of certain returns; and to provide for related matters.

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

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 660 be called from the Calendar at this time.

SENATE BILL NO. 660—

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

To amend and reenact R.S. 47:1604 and 1604.2, relative to taxes; to define further false, fraudulent, or grossly incorrect returns; to provide for a civil penalty for paying certain tax due on a return with certain instruments which are worthless; to provide for a presumption of an intention to defraud; and to provide for related matters.

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 874 be called from the Calendar at this time.

SENATE BILL NO. 874—

BY SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 27:308(A), relative to gaming; to prohibit implementation of certain application packages under certain circumstances; to require promulgation under the Administrative Procedure Act; to require legislative committee oversight; and to provide for related matters.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 1103 be called from the Calendar at this time.

SENATE BILL NO. 1103—(Substitute for Senate Bill 646 by Senator Marionneaux)

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 9:3518.2(B) and (C), relative to credit cards; provides for unsolicited mailing or delivery of credit card applications; and to provide for related matters.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 22, 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. 161—

BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To recognize and salute the Louisiana Dental Association and the Donated Dental Service Program of Louisiana for donating dental treatment to disabled and aged citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 162—

BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend Faith Jenkins as she completes her reign as Miss Louisiana 2000.

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVES DIEZ AND QUEZAIRE AND SENATORS HAINKEL AND LAMBERT
A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Mrs. E.J. Ourso.

HOUSE CONCURRENT RESOLUTION NO. 168—

BY REPRESENTATIVES ROMERO AND HEBERT
A CONCURRENT RESOLUTION

To urge and request the U.S. Army Corps of Engineers to increase the water flow rate from the Mississippi River into the Atchafalaya River through the Old River Control structure in Simmesport.

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVES CLARKSON, WINSTON, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, AND WELCH AND SENATORS BAJOEI, IRONS, MOUNT, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO
A CONCURRENT RESOLUTION

To commend Louisiana's own Corrine Claiborne "Lindy" Boggs, upon the occasion of the Eleventh Annual Southern Women in Public Service conference and the presentation of the Lindy Boggs Award to recognize a woman from the South who has demonstrated the ideals of patriotism, courage, integrity, and leadership through public service which so characterized the life and public service career of Lindy Boggs.

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVES DANIEL, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT
A CONCURRENT RESOLUTION

To commend State Fire Marshal V. J. Bella upon being selected as the "Fire Official of the Year 2000" by the National Burglar and Fire Alarm Association.

May 22, 2001

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:

May 22, 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 Bill has been properly enrolled:

SENATE BILL NO. 26—
BY SENATORS B. JONES AND BARHAM AND REPRESENTATIVES R. ALEXANDER AND GALLOT

AN ACT

To amend and reenact R.S. 13:621.3, relative to district court judges; to provide for an additional judge for the Third Judicial District Court; to provide for compensation for the additional judge; to provide for his election and his term of office and those of his successors in office; and to provide for related matters.

SENATE BILL NO. 113—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 17:183.1, 183.2(A) and (B)(1), 183.3 (A), (B)(1), the introductory paragraph of (B)(2), (B)(2)(f), and (C), the introductory paragraph of 183.4 (A)(1), (A)(1)(e), (B)(2)(f) and (4), the introductory paragraph of 183.5(A), (B)(2) and (5), (C), and (E), 183.6 (A), (B), and (C)(7), 183.7(A), (B), (C)(1) and (2)(b), (c) and (d), and (D), 183.8 (A)(1) and (2)(b)(vii), (B)(1), (2)(a), (e), (f), (g) and (h), and 183.9, and to repeal R.S. 17:183.3(B)(2)(g), relative to the high school career option program; to provide for references to the career major field of study; to provide course requirements; to provide relative to options that may be incorporated into school planning to aid in curriculum design; to provide for reporting requirements; and to provide for related matters.

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.

SENATE BILL NO. 229—
BY SENATORS SCHEDLER AND HINES AND REPRESENTATIVES DURAND, KATZ, MCDONALD, SCHWEGMANN, STRAIN AND WELCH

AN ACT

To enact Part VII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.41 through 31.48, and to repeal R.S. 40:31.2, relative to health care; to provide for legislative intent; to provide for definitions; to create the Louisiana Birth Defects Surveillance System; to provide for confidentiality of data in the surveillance system; to provide for annual reporting; to create an advisory board and provide for its duties, membership, terms, vacancies, and officers; to provide for cooperation by other state entities; to provide for promulgation of rules and regulations; to repeal certain provisions of law relative to reporting of congenital anomalies; and to provide for related matters.

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.

SENATE BILL NO. 506—
BY SENATOR SCHEDLER

AN ACT

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

SENATE BILL NO. 561—
BY SENATOR C. FIELDS

AN ACT

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

SENATE BILL NO. 562—
BY SENATOR SCHEDLER

AN ACT

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

SENATE BILL NO. 980—
BY SENATOR BOISSIERE

AN ACT

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

SENATE BILL NO. 1088—(Duplicate of House Bill No. 1882)
BY SENATOR CHAISSON AND REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 23:1174.1(A), relative to workers' compensation insurance; to provide for contracting; to prohibit discrimination; to provide for criteria; to provide for unfair trade practices; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills 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:

May 22, 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. 49—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the office of state lands, and all other state departments and agencies, to identify possible state lands that could be designated for public hunting, birding, hiking or other outdoor recreational uses.

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission and the United States Fish and Wildlife Service to increase the daily bag and possession limit on wood ducks if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To proclaim Wednesday May 23, 2001, as "Hibernia National Bank Day" in the Louisiana Legislature.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Dupre 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, May 23, 2001, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Wednesday, May 23, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk