

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 23, 2001

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

ROLL CALL

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

PRESENT

Mr. President	Fields, C	Lentini
Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators
present and a quorum.

Prayer

The prayer was offered by Rev. Charles Smith, following which
the Senate joined in pledging allegiance to the flag of the United States
of America.

Reading of the Journal

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 23, 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. 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 495 by Representative Schneider

AMENDMENT NO. 1

On page 4, line 6, following "(3)" and before "hereby" delete "is" and insert "and (4) are"

AMENDMENT NO. 2

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001, on line 41, after "prior" and before "the" insert "to"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 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.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 134—

BY SENATORS SMITH, BARHAM, ELLINGTON, GAUTREAUX, HINES, HOYT, MARIONNEAUX, MCPHERSON, ROMERO, THEUNISSEN, THOMAS AND REPRESENTATIVES THOMPSON, DEWITT, KENNEY, AND MORRISH

A CONCURRENT RESOLUTION

To urge and request the president of the United States and to memorialize the Congress of the United States to expand and increase funding for agricultural conservation programs.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**INSURANCE**

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

May 23, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 972—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 6:958(B), R.S. 22:1382(A)(3)(a)(iv), 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406.2(1) and (2), 1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1409(A), (B), (D), (E), and (G)(1), 1412(B), 1417(A) and (B), 1417.1(C), 1422.1, 1423(A), (B), and (E), 1432(1), (2)(introductory paragraph), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1450.3(4) and (5), 1459(A), and 2092.5(C)(2), R.S. 23:1392(A)(1) and (8), R.S. 32:430(M) and 1043(A), R.S. 36:688(B), and 921(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 36:686(F), and to repeal R.S. 22:15(B)(1)(h), 636.2(A)(3), 636.4(E)(2)(a), 1401, 1402, and 1404.2, R.S. 23:1395(A), and R.S. 36:686(C)(1) relative to insurance rate regulation; to abolish the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 461—

BY REPRESENTATIVES DANIEL AND CLARKSON

AN ACT

To enact R.S. 22:215.22, relative to health insurance benefits; to prohibit exclusion by certain health insurance policies, contracts, and plans of coverage of a correctable medical condition otherwise covered by the policy, contract, or plan solely because the condition results in infertility; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 892—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1245(B) and R.S. 40:1424(A), relative to insurance fraud; to provide for the Department of Insurance; to provide for the office of state police; to provide for the Department of Justice; to provide for notification of violations; to provide for referrals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1140—

BY REPRESENTATIVES CLARKSON AND WINSTON AND SENATOR BAJOE

AN ACT

To enact R.S. 22:215.11(A)(5), relative to health insurance coverage; to provide for direct access without any requirement for specialty referral for minimum mammography examinations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1721—

BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 22:250.31(7) and 250.38, relative to health insurance; to regulate the recoupment of health insurance claims payments by health insurance issuers; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1907—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 22:215.18(H) and to enact R.S. 22:215.18(A)(7) and (I), 250.31(7), and 250.34(C), relative to health insurance claims; to provide with respect to payment of claims submitted by rural hospitals; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

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

May 23, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 276—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 4:184(D), relative to racing; to require racing associations to make purses for special accredited Louisiana bred thoroughbred races at least equal to purses for races of comparable quality; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 292—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 4:179.2, relative to horse racing; to provide relative to horsemen's organizations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 680—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1011, 1031, 1032, 1033(A), 1034(introductory paragraph), 1035(1) and (2), 1036(introductory paragraph), 1037(A)(introductory paragraph) and (1), (B), (C), and (G)(1), 1038, 1039, 1040(A) and (B), 1041(B), 1042, 1047(introductory paragraph) and (3), 1048, 1051(A) and (B), 1052(A), and 1053(A)(2) and R.S. 36:108(C) and to enact R.S. 6:1034(3), relative to the sale of checks and money transmission; to provide relative to currency exchange services; to provide for definitions; to provide for licensure requirements and exemptions from licensure; to provide relative to qualifications for licensure and the submission of applications; to provide relative to licensure fees, renewal fees, delinquency charges, and bonding requirements; to provide relative to investigation of applicants; to provide relative to the maintenance of a bond; to provide relative to the liability of licensees; to provide relative to an annual report filed with the commissioner; to provide for trusts imposed on proceeds; to provide relative to suspension or revocation of licenses; to provide relative to accounts opened by licensees; to provide relative to reports made to the commissioner; to provide for the functions of the office of financial institutions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1138—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:376(A), (B), and (C)(2) and to enact R.S. 6:351(C) and (D) and 352.1, relative to share exchanges; to provide for authorization; to provide for procedure; to provide for stockholder rights; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1227—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:415 and 416(B)(1), relative to prohibited loan practices; to delete certain prohibitions; to provide for discretionary penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1233—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:290, 793, and 1310, relative to financial institutions; to provide for annual directors' examinations; to provide for promulgation of rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1237—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:121.8, relative to financial institutions; to make unlawful the submission of false information on certain applications to the commissioner; to provide for certain penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1238—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:2130(A), relative to transfer of fiduciary accounts; to change the filing fee for transfer of fiduciary account agreements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1289—

BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1313—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:243(B)(2) and (4), and (D)(1)(introductory paragraph), 822(3)(d), and 1230(A) and to enact R.S. 6:243(D)(1)(c) relative to financial institutions; to provide for the holding of immovable property by certain financial institutions; to provide for property valuations and appraisals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1436—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1083(6) and (12)(b), 1087(B)(10) and (12), (C)(1)(a), (2)(a) and (d), (D)(3), and (E), 1088(C)(1)(a), (E)(3) and (4) and (F), 1090(B)(1), 1091(A), 1092(C), 1096(B), 1098(A) and (B), and R.S. 9:3560(A)(10), to enact R.S. 6:1087(F), 1088(F)(5), 1089(B)(3), 1090(E), (F), and (G), 1092(G) and (H), 1096(H), and 1099, and to repeal R.S. 6:1083(7.1) and 1087(C)(2)(b), 1088(B), 1093(C), and 1095(A)(2), relative to the Residential Mortgage Lending Act; to provide for definitions; to provide for licensure requirements, exemptions, fees, and renewals; to provide for lending restrictions; to provide for recordkeeping; to provide for refunds of authorized fees to consumers; to provide for disclosure statements; to provide for loan brokerage contracts; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1520—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3565(E), relative to notification fees; to provide for payment of fees and penalties prior to issuance of a new license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1620—

BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1668—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1137(N) and 1163(A)(1), relative to savings banks; to provide for definitions; to provide for articles of incorporation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1673—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:213(A)(2), 215(C), 254(A)(introductory paragraph) and (B)(introductory paragraph), 263, and 365.1(A)(1) and to enact R.S. 6:234(A)(3), 261(C), 365(A)(2)(c), 366(E), and 367, relative to state banks; to provide for articles of incorporation and amendments thereto; to provide for capital stock; to provide for stock-purchase rights; to provide for an increase in capital; to provide for cash dividends; to provide for conversions and mergers of certain institutions; to provide for purchase of assets and liabilities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1750—

BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1924—

BY REPRESENTATIVES PINAC, LAFLEUR, AND MURRAY

AN ACT

To amend and reenact R.S. 6:965(C) and 966(A) and (D) through (M) and to repeal R.S. 6:966(N), relative to the procedure for repossession of motor vehicles under the Louisiana Motor Vehicle Sales Finance Act; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2051 (Substitute Bill for House Bill No. 1486 by Representative Pinac)—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1923(2), (3), and (7), 1924(A), (B), (D)(2)(introductory paragraph) and (a) and (4), and (G), 1925, 1926(D), (F)(1)(introductory paragraph), (2), and (3), (G)(2), and (H), 1927(A), (B), and (C)(introductory paragraph) and (5), 1928(A) and (B)(1) and (2), 1929(introductory paragraph) and (6), 1929.1(A), 1931, 1932(A), and 1934 and to enact R.S. 51:1922.1 and 1923(10), relative to the office of financial institutions; to provide relative to the Louisiana Capital Companies Tax Credit Program; to provide relative to the administration of the program between the Department of Economic Development and the Office of Financial Institutions; to provide for definitions; to provide relative to tax credits; to provide relative to certification and continuance of certification of capital companies; to prohibit certain activities; to provide relative to decertification; to provide for the promulgation of rules and regulations; to provide relative to advisory opinions; to provide for termination of the program; to provide for certain tax exemptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 23, 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:

SENATE RESOLUTION NO. 28—

BY SENATOR BARHAM

A RESOLUTION

To urge and request the Governor's Military Advisory Board to study the feasibility of creating a Louisiana Historical Monuments and Memorials Protection Act.

Reported with amendments.

HOUSE BILL NO. 24—

BY REPRESENTATIVES STRAIN, E. ALEXANDER, BOWLER, BRUCE, BRUNEAU, CLARKSON, CROWE, DANIEL, DIEZ, DOWNER, FARRAR, FLAVIN, FRUGE, FUTRELL, HILL, HUTTER, JOHNS, KENNARD, LANCASTER, LUCAS, MARTINY, NEVERS, ODINET, POWELL, SCHNEIDER, SHAW, JANE SMITH, SNEED, STELLY, SWILLING, THOMPSON, TOOMY, TRICHE, TUCKER, WINSTON, AND WRIGHT AND SENATORS HAINKEL, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, MCPHERSON, MICHOT, MOUNT, SMITH, AND THOMAS

AN ACT

To amend and reenact R.S. 18:1463(A), (C)(2)(introductory paragraph), and (D) and 1472(A) and to enact R.S. 18:1463(C)(4), relative to election offenses; to prohibit a person from misrepresenting that he or any committee or organization under his control speaks for or on behalf of any candidate, political party, or any employee or agent thereof; to prohibit willfully and knowingly participating in or conspiring to participate in a plan for any such misrepresentation; to provide for legal remedy and penalties; to provide for attorney fees for a petitioner who is successful in obtaining injunctive relief; to provide for the inclusion in the informational packet on election offenses for candidates of information pertaining to applicable enforcement procedures; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 548—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 42:1123(28), relative to exceptions to the Code of Governmental Ethics; to provide for an exception to allow a mayor of a municipality with a population not in excess of five thousand persons who is a licensed physician to contract for the provision of health care services with the health insurer of the employees of his municipality; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 555—

BY REPRESENTATIVE L. JACKSON

AN ACT

To enact R.S. 44:4(29), relative to exempting certain information provided to a communications district from the Public Records Law; to provide that certain proprietary information supplied to a communications district by a service provider is exempt from the Public Records Law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 825—

BY REPRESENTATIVES BROOME AND L. JACKSON

AN ACT

To enact R.S. 44:4(29), relative to exemptions from the public records law; to provide that the information in 911 calls and calls

to other public safety agencies is exempt from the public records laws; to provide for those classes of persons to whom such information is not prohibited from being released; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 44:1(A)(2) and to enact R.S. 44:4.1, relative to exceptions, exemptions, and limitations to the public records law; to define "public records"; to provide for the incorporation into Chapter 1 of Title 44 of the Louisiana Revised Statutes of 1950, by citation, various exceptions, exemptions, and limitations to the laws regarding public records; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1209—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 49:992(E) and (F) and to enact R.S. 49:992(G), relative to the failure of a state department, agency, or other entity to conduct adjudications as required by law; to provide for attorney fees in a successful suit; to provide for a civil action to require that a state government entity conduct an adjudication using the division of administrative law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1254—

BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, ODINET, TOOMY, AND TUCKER

AN ACT

To enact R.S. 44:4(29), relative to exemptions from the public records law; to provide that the personal information of toll patrons of the Crescent City Connection and the Greater New Orleans Expressway is exempt from the public records law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1857—

BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 24:513(I)(1)(c)(i)(cc), relative to the audit of a justice of the peace and a constable of a justice of the peace court; to provide for the manner of auditing the financial statements of a justice of the peace and a constable of a justice of the peace court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1886—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 44:4(29), relative to records of the Louisiana Board of Pharmacy; to except certain records from the laws relative to public records; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1491.6(D)(1) and to enact R.S. 18:1491.6(I), relative to reporting pursuant to the Campaign Finance Disclosure Act; to provide with regard to the reports required by the Campaign Finance Disclosure Act; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
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. 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 by the Committee on Judiciary B. The bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

**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. 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 by the Committee on Judiciary B. 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. 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 peremptive period; 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. 66 by Representative Pitre

AMENDMENT NO. 1

On page 1, line 15, delete "~~his interests~~" and insert "his interests"

AMENDMENT NO. 2

On page 1, line 16, delete "~~in~~" and insert "in" and change the comma "," to a period "."

AMENDMENT NO. 3

On page 1, delete lines 17 through 19 in their entirety

AMENDMENT NO. 4

On page 2, line 1, delete "judgment of possession."

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. 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 by the Committee on Judiciary C. 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. 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 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. 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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 254 by Representative Damico

AMENDMENT NO. 1

On page 1, line 15, after "~~any fee~~" delete "~~no fee shall be~~"

On motion of Senator Cain, 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. 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 262 by Representative Green

AMENDMENT NO. 1

On page 2, line 10, after "obligee." and before "The" insert the following: "The affidavit or a true copy thereof must be filed with the court which issued the income assignment order."

AMENDMENT NO. 2

On page 2, line 21, after the period "." delete the remainder of the line and insert the following:

"(v) If the payor receives an objection to the obligor's affidavit for the termination of the assignment from the obligee after the income assignment has been terminated pursuant to this Subsection and within ninety days from the date the affidavit for the termination was executed by the obligor, the income assignment order shall be

reinstated by the payor no later than the first pay period or first singular or periodic payment of income.

(vi) The nonprevailing party shall pay"

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. 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 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. 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 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. 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 by the Committee on Judiciary C. 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. 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 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. 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 disinheritance of forced heirs; to provide the formalities for disinheritance of forced heirs; to provide the grounds that constitute just cause for disinheritance; 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 disinheritance; to provide for the retroactivity of these rules; 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. 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 by the Committee on Judiciary C. 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. 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 by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Judiciary C. 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. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 390 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 16:51(A)(12)," add "(19),"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 16:51(A)(12)," add "(19),"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, add the following:

"(19) In the Nineteenth Judicial District, ~~forty-four~~ forty - seven assistant district attorneys;

* * *

On motion of Senator Lentini, 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. 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 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. 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 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. 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 by the Committee on Environmental Quality. 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. 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 632 by Representative McMains

AMENDMENT NO. 1

On page 10, at the beginning of line 7, delete "publication of notice,"

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. 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.

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. 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 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. 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 by the Committee on Judiciary B. 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. 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 by the Committee on Judiciary C. 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. 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 846 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "R.S. 9:1789" insert "Civil Code Art. 2997(1) and"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "the Louisiana"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, change "Trust Code" to "trusts"

AMENDMENT NO. 4

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

Section 1. Civil Code Art. 2997(1) is hereby amended and reenacted to read as follows:

Art. 2997. Express authority required
Authority also must be given expressly to:

(1) Make an inter vivos donation, either outright or to a new or existing trust or other custodial arrangement, and, when also expressly so provided, to impose such conditions on the donation, including, without limitation, the power to revoke, that are not contrary to the other express terms of the mandate.

* * *

AMENDMENT NO. 5

On page 1, line 12, change "1." to "2."

AMENDMENT NO. 6

On page 6, line 9, change "2." to "3."

AMENDMENT NO. 7

On page 7, line 35, change "3." to "4."

AMENDMENT NO. 8

On page 7, line 37, change "4." to "5."

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. 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 by the Committee on Environmental Quality. 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. 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 by the Committee on Judiciary C. 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. 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 by the Committee on Judiciary B. 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. 967—

BY REPRESENTATIVE MARTINY

AN ACT

To repeal Code of Criminal Procedure Article 876, relative to post-sentencing investigations.

Reported favorably by the Committee on Judiciary B. 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. 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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 968 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "15:574.8(B)" insert "and 574.9(E),"

AMENDMENT NO. 2

On page 1, line 6, after "15:574.8(B)" delete "is" and insert in lieu thereof "and 574.9(E) are"

AMENDMENT NO. 3

On page 2, after line 12, insert the following:

"§574.9. Revocation of parole for violation of condition; board panels; return to custody hearing; duration of reimprisonment and reparole after revocation; credit for time served

* * *

E. When the parole of a parolee has been revoked by the board for the violation of the conditions of parole, the parolee shall be returned to the physical custody of the Department of Public Safety and Corrections, office of corrections services, and serve the remainder of his sentence as of the date of his release on parole, subject to consideration by the board of any commutation of the sentence, and any diminution of sentence earned for good behavior while in the institution. The parolee shall be given credit for time served prior to the revocation hearing whether such time is served in a local detention facility, state institution, or out-of-state institution; ~~except that the~~ The parolee shall not receive credit for such time served prior to the revocation hearing where ~~such hearing does not result in revocation, or~~ the revocation is based on the subsequent conviction of a crime, in which case the parolee will receive credit for time served for the subsequent conviction pursuant to Code of Criminal Procedure Article 880.

* * *

Section 2. The provisions of this Act amending R.S. 15:574.9(E) shall apply to all persons in the custody of the Department of Public Safety and Corrections on the effective date of the Act."

On motion of Senator Cravins, 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. 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 by the Committee on Judiciary B. 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. 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 by the Committee on Judiciary B. 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. 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 by the Committee on Judiciary B. 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. 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 by the Committee on Judiciary B. 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. 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 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. 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 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. 1083—

BY REPRESENTATIVES MCMAINS AND ANSARDI
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 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. 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 by the Committee on Environmental Quality. 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. 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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1178 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 5, before "employee" insert "management"

AMENDMENT NO. 2

On page 2, line 1, after "poker" and before "employee" insert "management"

AMENDMENT NO. 3

On page 2, line 4, after "poker" and before "employee" insert "management"

AMENDMENT NO. 4

On page 2, line 5, after "poker" and before "employee" insert "management"

AMENDMENT NO. 5

On page 3, line 7, after "poker" and before "employee" insert "management"

AMENDMENT NO. 6

On page 3, line 11, after "poker" insert "management"

AMENDMENT NO. 7

On page 3, line 12, after "poker" and before "employee" insert "management"

AMENDMENT NO. 8

On page 3, line 13, after "poker" and before "employees" insert "management"

AMENDMENT NO. 9

On page 3, line 14, after "poker" and before "employee" insert "management"

AMENDMENT NO. 10

On page 3, line 15, after "poker" and before "employee" insert "management"

AMENDMENT NO. 11

On page 3, line 18, after "poker" and before "employee" insert "management"

AMENDMENT NO. 12

On page 3, line 20, after "poker" and before "employee" insert "management"

On motion of Senator Cravins, 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. 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 by the Committee on Environmental Quality. 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. 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 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 by the Committee on Judiciary C. 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. 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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1318 by Representative Damico

AMENDMENT NO. 1

On page 2, after line 7, insert the following:

"(j) secretary of the Department of Culture, Recreation and Tourism or his designee.

* * *

On motion of Senator Cain, 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. 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 by the Committee on Judiciary B. 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. 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 by the Committee on Agriculture. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Environmental Quality. 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. 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 by the Committee on Environmental Quality. 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. 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 by the Committee on Agriculture. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1556 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, after "2374(B)" delete "(1)" and insert "and to enact R.S. 30:2374(B)(5)"

AMENDMENT NO. 2

On page 1, line 9, after "2374(B)" delete "(1)" and on line 10, after "reenacted" insert "and R.S. 30:2374(B)(5) is hereby enacted"

AMENDMENT NO. 3

On page 3, delete line 2, and insert the following:

~~"(2) Any facility required to pay a fee pursuant to this Section and any retail gas station exempt from reporting pursuant to R.S. 30:2370 shall not be required to pay an additional fee to the committee other than the fees already imposed by the local emergency planning committee for the collection of information required by this Chapter. As to each and every fee paid to the state emergency planning authority by any facility subject to this Section, other than retail gas stations exempt from reporting pursuant to R.S. 30:2370, the state emergency planning authority shall remit ten percent of the amount of the total fee collected to the local emergency planning committee in the parish in which the fee was assessed and collected.~~

(3) Each parish governing authority may adopt an ordinance to impose fees or charges on owners or operators whose facilities are located within the parish and who are subject to the reporting requirements of the Superfund Amendments and Reauthorization Act of 1986, Title III, 42 U.S.C. 11022. The amount of the fee or charge imposed pursuant to this Subsection shall provide anticipated proceeds not to exceed the anticipated costs for performing the services required in this Section and the Superfund Amendments and Reauthorization Act of 1986, Title III, 42 U.S.C. 11022.

~~(4)~~ (4) In the case of owners or operators reporting facilities with numbers of hazardous materials referenced above at multiple locations throughout the state, no owner or operator shall be assessed total annual fees, pursuant to this Section, in excess of more than two thousand dollars.

~~(5)~~ (5) The annual per facility for small businesses as defined in this Chapter shall not exceed twenty-five dollars each for the state and any local emergency planning committee provided herein."

On motion of Senator Cain, 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. 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 by the Committee on Environmental Quality. 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. 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 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. 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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1635 by Representative Hopkins

AMENDMENT NO. 1

On page 1, delete lines 15 and 16 and insert the following:

"B. A licensee may provide a promotional item, not to exceed fifty dollars, to a customer contingent, upon the play of a video poker gaming device."

On motion of Senator Cravins, 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. 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 by the Committee on Judiciary C. 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. 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 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. 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 by the Committee on Judiciary C. 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. 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 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. 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 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. 1913—

BY REPRESENTATIVES STRAIN, BAUDOUIN, 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 by the Committee on Agriculture. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1925 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 30:2040, R.S. 37:" and insert "R.S. 37:1731(A)(1) and (E)(1),"

AMENDMENT NO. 2

On page 1, line 7, after "facilities;" delete the remainder of the line and delete lines 8 through 11 in their entirety and insert the following: "to extend the good Samaritan law limitation of liability to a third-party employer; and to provide for related matters."

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2, line 23, after "Section" delete the remainder of the line and delete line 24 and insert the following:

"1. R.S. 37:1731 (A)(1) and (E)(1), 3155 and 3156(A) are hereby amended and reenacted to read as follows:

§1731. Gratuitous service at scene of emergency; emergency care at hospitals; limitation of liability

A(1) A physician, surgeon, or physician assistant licensed under the provisions of Chapter 15 of this Title, his professional medical corporation chartered under the provisions of R.S. 12:901 et seq., or his limited liability company, or a nurse licensed under the provision of Chapter 11 of this Title, or the corporation, partnership, or limited liability company employing said physician, surgeon, physician assistant or nurse who in good faith gratuitously renders emergency care of services at the scene of an emergency, to a person in need thereof shall not be liable for any civil damages as a result of any act or omission in rendering such care or services or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in said emergency, unless the damage or injury was caused by willful or wanton misconduct or gross negligence.

* * *

E(1) No emergency medical technician or the corporation, partnership or limited liability company employing said emergency medical technician who in good faith gratuitously renders emergency care or services at the scene of an emergency to a person or persons in need thereof shall be liable for any civil damages as a result of any act or omission in rendering the care or services or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in the emergency.

* * *

AMENDMENT NO. 5

On page 4, line 4, change "Section 3." to Section 2."

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

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

On motion of Senator Cain the committee amendment was rejected. The bill was read by title and referred to the Legislative Bureau.

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 by the Committee on Judiciary C. 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. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 2038 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 18, after "abused" delete "within seventy-two hours"

On motion of Senator Lentini, 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. 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 by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2046 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 30:2195.6 and to"

AMENDMENT NO. 2

On page 1, line 5, after "Fund;" delete the remainder of the line and insert "to provide for"

AMENDMENT NO. 3

On page 1, delete line 10 and insert "Section 1. R.S."

AMENDMENT NO. 4

On page 3, delete lines 16 through 24

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

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

**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. 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.

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

NAYS

Dardenne	Dean
Total—2	

ABSENT

Mr. President	Schedler
Total—2	

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. 428—

BY REPRESENTATIVE LANCASTER

A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XI, Section 6, to require that all elections be conducted at the regular federal congressional election; to provide for the terms of all elected officials to correspond with their election at the regular federal congressional election; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

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.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 715 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, following "relative" and before "the" insert "to"

AMENDMENT NO. 2

On page 1, line 11, delete the asterisks " * * * "

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Mr. President	Schedler
Jones, B	Thomas
Total—4	

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1004 by Senator Cravins

AMENDMENT NO. 1

On page 4, line 8, after "following" delete "features" and at the beginning of line 9, delete "or"

AMENDMENT NO. 2

On page 4, line 10, after "minimal" and before "training" delete "or no"

AMENDMENT NO. 3

On page 4, delete lines 11 through 23

AMENDMENT NO. 4

On page 4, line 24, change "(7)" to "(2)"

AMENDMENT NO. 5

On page 5, lines 11 and 12 change "except in cases where" to "except in the following cases: (a) Where"

AMENDMENT NO. 6

On page 5, between lines 16 and 17 insert the following:

"(b) When medical personnel instruct patients, or significant others, to perform medical procedures outside a health care facility, using available sharps objects which do not fall under the Federal Occupational Safety and Health Administration standards. Employees shall follow health care facility procedures not to jeopardize their safety throughout the instruction process, until these safety devices become available to the consumer."

On motion of Senator Cravins, the amendments were adopted.

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

**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 Ellington asked that Senate Bill No. 240 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 240—

BY SENATOR ELLINGTON

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to the prohibited use of funds, credit, property or things of value of the state or political subdivisions; to provide exceptions for purposes of economic development and for purposes of investment of a portion of the Medicaid Trust Fund for the Elderly; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 240 by Senator Ellington

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 through 3 proposed by Senator Ellington and adopted by the Senate on May 2, 2001

AMENDMENT NO. 2

On page 1, line 4, after "subdivisions;" delete the remainder of the line and delete line 5 and insert "to provide an exception for purposes of"

AMENDMENT NO. 3

On page 3, line 18, after "fund;" delete the remainder of the line and delete lines 19 and 20 and insert "or (11) the"

AMENDMENT NO. 4

On page 4, line 5, after "To" delete the remainder of the line and delete lines 6 and 7 and insert "authorize the"

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre	Jones, C	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Fontenot	McPherson	Schedler
Total—3		

The Chair declared the amended 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.

Called from the Calendar

Senator W. Fields asked that Senate Bill No. 1075 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1075— BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 9:3541.1(A), (D) and (E), relative to home solicitation sales; to provide for a consumer's right to cancel mail and check solicitation sales; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 1075 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 13, after "service" insert ", or a consumer credit transaction other than a consumer loan,"

AMENDMENT NO. 2

On page 1, line 15, after "sale" insert "or consumer credit transaction other than a consumer loan"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	Marionneaux
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount

Campbell	Hines	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Ullo
Dupre	Jones, C	
Total—35		
	NAYS	

Total—0

ABSENT

Jones, B	Schedler
McPherson	Thomas
Total—4	

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 862 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 862—

BY SENATORS CRAVINS, IRONS AND DEAN
AN ACT

To enact R.S. 23:968, relative to employment; to provide with respect to interference with individual rights; to prohibit discriminatory practices because of actual or perceived sexual orientation; to provide for definitions; to provide for exemptions; 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

Bajoie	Fields, C	Irons
Boissiere	Fields, W	Johnson
Chaisson	Heitmeier	Jones, C
Cravins	Hines	Thomas
Dean	Hollis	
Total—14		

NAYS

Barham	Gautreaux	Mount
Bean	Hoyt	Romero
Cain	Jones, B	Schedler
Dardenne	Lambert	Smith
Dupre	Lentini	Tarver
Ellington	Malone	Theunissen
Fontenot	Michot	Ullo
Total—21		
	ABSENT	

Mr. President Marionneaux
Campbell McPherson
Total—4

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Senator Lambert in the Chair

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 904 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 904—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:1512, relative to the powers and duties of the secretary of the Department of Revenue; to provide for the powers and duties of the secretary; to provide for the rates paid to private counsel hired to collect taxes; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 904 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 10, before "the" insert "(A)"

AMENDMENT NO. 2

On page 2, at the end of line 7, insert the following: "In no event shall any such additional charge be due on any portion of taxes, penalties or interest successfully disputed by the taxpayer when the taxpayer pays the assessed amount under protest prior to delinquency and has fully complied with the provision of R.S. 47:1576."

On motion of Senator Hainkel, the amendments were adopted.

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 Fields, C Lambert

Bajoie
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Total—30

Fields, W
Fontenot
Gautreaux
Heitmeier
Hines
Hollis
Irons
Jones, B
Jones, C

Lentini
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Barham
Ellington
Total—5

Hoyt
Malone
Michot

ABSENT

Campbell
Johnson
Total—4

Marionneaux
McPherson

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.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 904. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Smith asked that Senate Bill No. 1090 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1090—

BY SENATOR SMITH

AN ACT

To enact Chapter 8-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:531 and 532, relative to historical monuments and memorials; to provide for the protection of monuments and memorials; to require the secretary of state to catalogue all monuments and memorials; and to provide for related matters.

Motion

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

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Jones, C
Bean	Fields, C	McPherson
Boissiere	Fields, W	Mount
Chaisson	Gautreaux	Tarver
Cravins	Irons	
Dean	Johnson	
Total—16		

NAYS

Mr. President	Hollis	Schedler
Barham	Hoyt	Smith
Dardenne	Jones, B	Theunissen
Ellington	Malone	Thomas
Fontenot	Michot	Ullo
Hines	Romero	
Total—17		

ABSENT

Cain	Heitmeier	Lentini
Campbell	Lambert	Marionneaux
Total—6		

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator BJones to Engrossed Senate Bill No. 1090 by Senator Smith

AMENDMENT NO. 1

On page 2, line 8, delete "or any political subdivision of the state"

AMENDMENT NO. 2

On page 2, line 13, delete "or any political subdivision of the state"

AMENDMENT NO. 3

On page 2, line 24, delete "or any political subdivision of the state"

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator WFields to Engrossed Senate Bill No. 1090 by Senator Smith

AMENDMENT NO. 1

On page 2, line 7, change "marker, or historic flag" to "or marker"

AMENDMENT NO. 2

On page 2, line 19, change "marker, or historic flag display" to "or marker"

AMENDMENT NO. 3

On page 2, line 23, change "marker, and historic flag display" to "or marker"

Senator W. Fields moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Johnson
Bean	Fields, C	Jones, C
Boissiere	Fields, W	McPherson
Cain	Gautreaux	Mount
Chaisson	Heitmeier	Tarver
Dean	Irons	
Total—17		

NAYS

Mr. President	Hollis	Schedler
Barham	Hoyt	Smith
Cravins	Jones, B	Theunissen
Dardenne	Lentini	Thomas
Ellington	Malone	Ullo
Fontenot	Michot	
Hines	Romero	
Total—19		

ABSENT

Campbell	Lambert	Marionneaux
Total—3		

The Chair declared the amendments were rejected.

Mr. President in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hines	Romero
Barham	Hollis	Schedler
Bean	Hoyt	Smith
Cain	Jones, B	Thomas
Dardenne	Lentini	Ullo
Ellington	Malone	
Fontenot	Michot	
Total—19		

NAYS

Bajoie	Gautreaux	McPherson
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Boissiere	Heitmeier	Mount
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dean	Jones, C	

Total—14

ABSENT

Campbell	Fields, C	Lambert
Dupre	Fields, W	Marionneaux

Total—6

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 739 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 739— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 17:1519.2(B), 1519.4(A)(1), (C)(1) and (2), and (E)(1), to enact R.S. 17:1516(C), and to repeal R.S. 17:1519.4(B)(1), relative to hospitals operated by the Louisiana State University Health Sciences Center; to provide requirements on appropriations schedules; to provide that the Health Care Services Fund be a restricted fund; to authorize the center to retain excess revenues; to delete provisions requiring a memorandum of understanding between the health care services division and the Department of Health and Hospitals; to delete restrictions on Medicaid collections by the division; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 739 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "(E)(1)" delete ", to enact R.S. 17:1516(C),"

AMENDMENT NO. 2

On page 1, at the end of line 11, insert "Except as provided herein, all reporting and regulatory provisions of Act 3 of 1997 shall remain in force and effect."

AMENDMENT NO. 3

On page 1, line 14, after "reenacted" delete the remainder of the line and insert "to"

AMENDMENT NO. 4

On page 1, delete line 16

AMENDMENT NO. 5

On page 2, delete lines 1 through 11 in their entirety

AMENDMENT NO. 6

On page 2, line 21 delete "**The**" and insert in lieu thereof "**For the period July 1, 2001 through June 30, 2005, the**"

AMENDMENT NO. 7

On page 2, line 22, after "**appropriation**" insert "**for the health care services division**"

AMENDMENT NO. 8

On page 2, line 23, after "**schedules**" delete "; all" insert "**and shall exclude state general funds for Medicaid and Medicaid-Uncompensated Care** for that year. **All**"

AMENDMENT NO. 9

On page 3, line 23, after "by the" delete the rest of the line and insert "**legislature, except, however, that for the period July 1, 2001 through June 30, 2005, the budget shall be approved by the board.**"

AMENDMENT NO. 10

On page 3, line 24, delete "year-end reconciliation"

AMENDMENT NO. 11

On page 3, line 25, delete "statement" and insert in lieu thereof "**annual financial statement audited by the legislative auditor**"

AMENDMENT NO. 12

On page 3, line 25, after "surplus" delete the rest of the line

AMENDMENT NO. 13

On page 3, line 26, delete "**or Medicaid uncompensated care**"

AMENDMENT NO. 14

On page 4, line 1, after "carry over" delete the remainder of the line and insert "to the following fiscal year, an amount not to exceed ten percent of the total approved operating budget for the year for which the surplus is reported."

AMENDMENT NO. 15

On page 4, line 3, delete "**into the next state fiscal year**"

AMENDMENT NO. 16

On page 4, at the beginning of line 4, insert the following:

"(3) For the period July 1, 2001 through June 30, 2005, if the division reports in the annual financial statement audited by the legislative auditor a net surplus generated from sources other than Medicaid or Medicaid-Uncompensated Care, the division shall be permitted to carry over such net surplus into the next state fiscal year. The division shall be permitted to carry over and retain"

AMENDMENT NO. 17

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On page 4, line 4, after "Medicaid" insert "or Medicaid-Uncompensated Care"

AMENDMENT NO. 18

On page 4, line 7, after "administration" and before the period "." insert the following:

"until such time as the total payments to the division of administration are equal to the repayment as required in the memorandum of understanding between the division of administration and the Board of Supervisors of the Louisiana State University Agricultural and Mechanical College - Health Care Services Division signed March 3, 1999, or the division of administration determines that its portion is unnecessary; then and in such case that portion shall be transferred to the Department of Health and Hospitals to be dedicated to the Health Trust Fund."

AMENDMENT NO. 19

On page 4, line 8, after "year." and before "The" insert the following:

"Thirty percent of such net surplus from non-Medicaid sources shall be transferred to the Department of Health and Hospitals to assist in full funding of the Rural Hospital Preservation Act of 1997, and to be used for physician and allied health recruitment and retention in medically underserved areas. The division's net surplus from non-Medicaid sources carried over into the following state fiscal year shall be limited to two percent of the division's total operating revenue in the previous year."

AMENDMENT NO. 20

On page 4, line 10, delete "general fund" and insert "Department of Health and Hospitals"

AMENDMENT NO. 21

On page 5, after line 8, add the following:

"Section 3. Except as otherwise provided in this Act, all reporting and regulatory provisions of Act 3 of 1997 shall remain in full force and effect.

Section 4. The provisions of this Act shall become effective July 1, 2001."

On motion of Senator Schedler, the amendments were adopted.

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
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, W	Lentini	Ullo
Total—36		

NAYS

Mr. President

Total—1

ABSENT

Campbell

Total—2

Fields, C

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

Called from the Calendar

Senator Lentini asked that Senate Bill No. 1011 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1011—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:571.35, relative to incarceration; to require the Department of Public Safety and Corrections to establish a pilot program of home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program; to require the promulgation of rules and regulations for the implementation and administration of such program; to require compliance with administrative procedures; to require the inclusion of certain conditions within such rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; 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	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Fields, W	Lentini	
Fontenot	Malone	

Total—34

NAYS

Total—0

ABSENT

Mr. President
CampbellEllington
Fields, C

Schedler

Total—5

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.

Called from the Calendar

Senator Lentini asked that Senate Bill No. 1016 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1016—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:2590.2 and R.S. 42:66(O), relative to public officials; to provide relative to the clerk of court of Jefferson Parish; to provide that the clerk shall also serve as the ex officio clerk of court for a consolidated Justice of the Peace Litter Court of Jefferson Parish; to provide for exemptions from dual office holding; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields, W
Total—37

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

Campbell
Total—2

Fields, C

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.

Called from the Calendar

Senator Lentini asked that Senate Bill No. 1017 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1017—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:2562.25, relative to parish courts; to provide with respect to the First and Second Parish Courts for the parish of Jefferson; to authorize the filing of paper by facsimile transmission in civil actions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields, W
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

Bajoie
Total—3

Campbell

Fields, C

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.

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 1034 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1034—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 47:322.38(B), relative to the disposition of state sales and use tax avails in Orleans Parish; to provide for the disposition of certain funds to the Ernest N. Morial-New Orleans Exhibition Hall Authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1034 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 7, following "R.S." and before "is" change "47:322.38(B)(2)" to "47:322.38(B)"

On motion of Senator Lambert, the amendments were adopted.

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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 367 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 367—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 24:14(G) and to enact R.S. 24:14(K), relative to Senate confirmation; to require certain persons appointed to boards and commissions who require Senate confirmation be reconfirmed at the beginning of each legislative term; 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

Bean	Dupre	Malone
Cain	Fields, W	Marionneaux
Chaisson	Hines	McPherson
Cravins	Hollis	Tarver
Dean	Jones, C	Ullo
Total—15		

NAYS

Mr. President	Heitmeier	Romero
---------------	-----------	--------

Bajoie
Barham
Boissiere
Dardenne
Ellington
Fontenot
Total—19

Hoyt	Schedler
Jones, B	Smith
Lambert	Theunissen
Lentini	Thomas
Michot	
Mount	

ABSENT

Campbell
Fields, C
Total—5

Gautreaux	Johnson
Irons	

The Chair declared the bill failed to pass. Senator Dardenne moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 437 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 437—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students; to provide for the eligibility requirements for Opportunity Awards; to provide for effectiveness; and to provide for related matters.

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	Gautreaux	Mount
Barham	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Jones, B	Theunissen
Dean	Lambert	Thomas
Fontenot	Michot	Ullo
Total—18		

NAYS

Bean	Heitmeier	Lentini
Cain	Hines	Malone
Cravins	Irons	Marionneaux
Dupre	Johnson	McPherson
Fields, W	Jones, C	Romero
Total—15		

ABSENT

Bajoie	Campbell	Fields, C
Boissiere	Ellington	Tarver
Total—6		

The Chair declared the bill failed to pass. Senator Hines moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Called from the Calendar

Senator Michot asked that Senate Bill No. 331 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 331—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 23:1035(A), 1063, and 1163(B); relative to workers' compensation; to limit the exemption of a sole proprietor from the workers' compensation provision under certain circumstances; to provide for indemnification of the principal in certain circumstances; 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	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, C	Ullo
Fields, W	Lentini	
Fontenot	Malone	
Total—31		

NAYS

Dean
Total—1

ABSENT

Mr. President	Fields, C	Tarver
Campbell	Lambert	
Ellington	Michot	
Total—7		

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.

Called from the Calendar

Senator Michot asked that Senate Bill No. 743 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 743—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 46:236.5(C) the introductory paragraph and (1), (4) and (5), relative to public welfare and assistance; to expedite the process for establishment or enforcement of support and other domestic matters brought by the Department of Social Services; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 743 by Senator Michot

AMENDMENT NO. 1

On page 1, lines 2 and 8, following "(C)" and before "and" change "the introductory paragraph" to "(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 2, following "(1)" and before the comma "," insert "and (4)(g)"

AMENDMENT NO. 3

On page 1, line 3, at the beginning of the line change "(4) and (5)" to "and to enact (4)(l) through (5) and (5)(e) through (i)"

AMENDMENT NO. 4

On page 1, line 8, following "(1)" change ", (4) and" to "and 4(g)," and on line 9, delete "(5)"

AMENDMENT NO. 5

On page 1, line 9, following "reenacted" and before "to" insert ", and to enact (4)(1) through (5) and (5)(e) through (i),"

On motion of Senator Lambert, the amendments were adopted.

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. 743 by Senator Michot

AMENDMENT NO. 1

On page 1, line 3, change "(4) and (5)" to "(4)(g), (6), (7), and (8) and to enact R.S. 46:236.5(C)(4)(l), (m), (n), (o), (p), (q), (r), and (s) and (9) and (10)"

AMENDMENT NO. 2

On page 1, lines 8 and 9, change "and (5)" to "(g), (6), (7), and (8)" and on line 9, between "reenacted" and "to" insert "and R.S."

46:236.5(C)(4)(l), (m), (n), (o), (p), (q), (r), and (s) and (9) and (10) are hereby enacted"

AMENDMENT NO. 3

On page 2, delete lines 25 and 26

AMENDMENT NO. 4

On page 3, line 2, change "(e)" to "(6)"

AMENDMENT NO. 5

On page 3, line 5, change "(f)" to "(7)"

AMENDMENT NO. 6

On page 3, line 9, change "(g)" to "(8)"

AMENDMENT NO. 7

On page 3, line 14, change "(h)" to "(9)"

AMENDMENT NO. 8

On page 3, line 17, change "(i)" to "(10)"

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

Mr. President	Gautreaux	Michot
Bean	Hines	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Theunissen
Cravins	Johnson	Ullo
Dean	Jones, B	
Dupre	Lambert	
Total—19		

NAYS

Bajoie	Irons	Marionneaux
Barham	Jones, C	Mount
Dardenne	Lentini	Thomas
Fields, W	Malone	
Total—11		

ABSENT

Boissiere	Fields, C	McPherson
Campbell	Fontenot	Schedler
Ellington	Heitmeier	Tarver
Total—9		

The Chair declared the amended bill failed to pass. Senator Marionneaux moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Called from the Calendar

Senator Chaisson asked that Senate Bill No. 1026 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1026—

BY SENATOR CHAISSON

AN ACT

To enact R.S. 45:841 through 844, relative to railroads; to provide for requirements for railroads crossing public roads; to provide for enforcement and certification by the Louisiana Public Service Commission; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 1026 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, change "841" to "561" and change "844" to "564"

AMENDMENT NO. 2

Onpage 1, line 7, change "841" to "561" and change "844" to "564"

AMENDMENT NO. 3

On page 1, line 8, change "841" to "561"

AMENDMENT NO. 4

On page 2, line 4, change "842" to "562"

AMENDMENT NO. 5

On page 2, line 14, change "843" to "563"

AMENDMENT NO. 6

On page 2, line 21, change "844" to "564"

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended 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
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, C	Thomas

Dupre
Ellington
Fields, W
Total—34

Lambert
Lentini
Malone

Ullo

NAYS

Total—0

ABSENT

Mr. President
Campbell
Total—5

Fields, C
Jones, B

Tarver

The Chair declared the amended 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

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 885 be called from the Calendar at this time for its final passage.

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.

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
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields, W
Total—34

Fontenot
Gautreaux
Heitmeier
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Lambert
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Campbell
Total—5

Fields, C
Jones, C

Tarver

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.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 817 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 817—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3370(G), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to change the percentage of the pension fund portfolio which may be invested in equities; 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
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Fields, W
Total—32

Fontenot
Gautreaux
Heitmeier
Hines
Hollis
Hoyt
Irons
Johnson
Lambert
Lentini
Malone

Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Ellington
Total—1

ABSENT

Mr. President
Campbell
Total—6

Fields, C
Jones, B

Jones, C
Tarver

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

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 818 be called from the Calendar at this time.

SENATE BILL NO. 818—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of retirement benefits for members with twenty or more years of service; and to provide for related matters.

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

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 844 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 844—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11: 3385.2(A) and to enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize deferred retirement option plan with a later initial lump sum benefit; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 844 by Senator Boissiere

AMENDMENT NO. 1

On page 1, at the beginning of line 9, before "11:3385.1(L)" insert "R.S."

On motion of Senator Lambert, 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

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

Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—33

Hollis
Hoyt
Irons
Johnson
Lambert
Lentini

Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Campbell
Total—6

Fields, C
Jones, B

Jones, C
Tarver

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.

Called from the Calendar

Senator Johnson asked that Senate Bill No. 428 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 428 by Senator Johnson

AMENDMENT NO. 1

On page 4, line 8, after "necessary" insert "who shall serve without compensation of state general funds"

AMENDMENT NO. 2

On page 4, delete lines 12 through 18 in their entirety and insert in lieu thereof "compensation for their services."

On motion of Senator Johnson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	McPherson
Boissiere	Heitmeier	Romero
Cain	Irons	Ullo
Chaisson	Johnson	
Cravins	Lambert	
Total—13		

NAYS

Mr. President	Gautreaux	Michot
Barham	Hollis	Mount
Bean	Hoyt	Schedler
Dardenne	Jones, B	Smith
Dean	Lentini	Theunissen
Ellington	Malone	Thomas
Fontenot	Marionneaux	
Total—20		

ABSENT

Campbell	Fields, C	Jones, C
Dupre	Hines	Tarver
Total—6		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 1004 be called from the Calendar at this time for its final passage.

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.

Mr. President in the Chair**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 1004 by Senator Cravins

AMENDMENT NO. 1

On page 6, between lines 18 and 19, insert the following:

"(4) Any additional expenses incurred through the implementation of the services provided for in this Chapter shall be reimbursed to the health care providers providing such services to eligible patients through the Medical Assistance Program in the Department of Health & Hospitals."

Senator McPherson moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Jones, C
Bean	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Hollis	Michot
Cravins	Irons	Smith
Ellington	Johnson	Ullo
Total—18		

NAYS

Mr. President	Fontenot	Lentini
Barham	Gautreaux	Malone
Chaisson	Hoyt	Mount
Dardenne	Jones, B	Theunissen
Dean	Lambert	
Total—14		

ABSENT

Campbell	Romero	Thomas
Dupre	Schedler	
Fields, C	Tarver	
Total—7		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Hines	Marionneaux
Bean	Hollis	McPherson
Boissiere	Hoyt	Michot

Cain	Irons	Mount
Cravins	Johnson	Smith
Fields, W	Jones, C	Theunissen
Gautreaux	Lambert	Ullo
Total—21		

NAYS

Mr. President	Dean	Malone
Barham	Fontenot	Schedler
Chaisson	Jones, B	
Dardenne	Lentini	
Total—10		

ABSENT

Campbell	Fields, C	Tarver
Dupre	Heitmeier	Thomas
Ellington	Romero	
Total—8		

The Chair declared the amended 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.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 1018 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1018—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 29:727(D), (E), and (F)(2) and (6) and to enact R.S. 29:737, relative to emergency assistance and disasters; to provide the powers and duties of the chief executive officer of a municipality within the municipality during an emergency; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1018 by Senator Schedler

AMENDMENT NO. 1

On page 3, lines 5 and 6, change "governmental subdivision" to "government"

AMENDMENT NO. 2

On page 3, lines 10 and 11, change "governmental subdivision" to "government"

AMENDMENT NO. 3

On page 3, between lines 12 and 13, insert the following:

"§730.2. Municipality providing assistance within parish
R.S. 29:730.2 is all proposed new law.

In the event of an emergency or a disaster within the parish, each municipality in the parish shall provide available resources, including manpower, materials, equipment, and services, as determined reasonably necessary by the parish president to cope with the emergency or disaster. Any resources so provided may be withheld or recalled at the discretion of the chief executive authority of the municipality to the extent necessary to provide reasonable protection for the municipality.

* * *

AMENDMENT NO. 4

On page 3, line 22, between "measures" and "to" insert "within the municipality"

AMENDMENT NO. 5

On page 3, at the end of line 24, add the following: "Whenever the chief executive officer of the municipality undertakes immediate emergency response measures because of a disaster or emergency, he shall immediately notify the parish president and advise him of the nature of the disaster or emergency and the emergency response measures being undertaken."

AMENDMENT NO. 6

On page 5, line 1, between "by" and "state" insert "the parish president or"

AMENDMENT NO. 7

On page 5, delete lines 2 through 5

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Tarver
Campbell	Fields, W	
Cravins	Jones, B	

Total—7

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 1042 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1042—

BY SENATOR SCHEDLER

AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 236, relative to mental health; to provide for advance directives for mental health treatment; to provide for definitions; to provide for making of an advance directive and for period of validity; to provide for designation of a representative for decisions relative to mental health treatment; to provide for execution of advance directive and for witnesses thereof; to provide for operation of an advance directive and for physician and providers to act in accordance therewith; to provide for determination of incapacity; to provide for a representative's scope of authority and his powers, duties, and limitation on liability; to provide for prohibition against requiring a person to execute or refrain from executing an advance directive as a criterion for insurance, for receiving treatment, or discharging from a health care facility; to require an advance directive to be part of a person's medical record, for provider compliance, and for withdrawal of the provider; to provide circumstances for disregarding an advance directive; to provide for revocation; to provide for limitations on liability of physicians and other providers; to prohibit certain persons from serving as representatives and from serving as witnesses; to provide for withdrawal of representatives and rescinding the withdrawal; to provide for a form; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1042 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 3, change "persons" to "individuals"

AMENDMENT NO. 2

On page 2, line 20, delete "and/" and after "representative" insert "or both"

AMENDMENT NO. 3

On page 3, lines 3 and 4, delete "convulsive treatment" and insert "electroshock therapy"

AMENDMENT NO. 4

On page 3, after line 10, insert the following: "(6) Physician" means an individual licensed to practice medicine by the Louisiana State Board of Medical Examiners"

AMENDMENT NO. 5

On page 3, line 11, change "(6)" to "(7)" and change "a person" to "an individual"

AMENDMENT NO. 6

On page 3, line 13, change "(7)" to "(8)"

AMENDMENT NO. 7

On page 3, line 14, change "(8)" to "(9)" and change "an" to "a competent"

AMENDMENT NO. 8

On page 3, line 17, change "(9)" to "(10)"

AMENDMENT NO. 9

On page 3, line 19, change "(10)" to "(11)"

AMENDMENT NO. 10

On page 3, line 21, change "Persons" to "Individuals"

AMENDMENT NO. 11

On page 4, line 7, after "been" insert "delivered to the principal's treating physician or other provider and thereby"

AMENDMENT NO. 12

On page 4, line 27, change "must" to "shall"

AMENDMENT NO. 13

On page 5, line 2, change "Persons" to "Individuals"

AMENDMENT NO. 14

On page 5, line 12, delete "The treating physician or provider shall" and insert the following: "Notwithstanding the operative advance directive, the treating physician or provider shall endeavor to communicate with the principal regarding his proposed mental health treatment and even"

AMENDMENT NO. 15

On page 5, line 26, after "is" delete "incapable" and insert "determined to be incapable as provided in R.S. 28:226"

AMENDMENT NO. 16

On page 6, line 5, after "regarding" delete "the proposed" and insert "both proposed and administered"

AMENDMENT NO. 17

On page 6, line 7, after "This" insert "representative's" and after "access" insert "to the principal's mental health treatment information"

AMENDMENT NO. 18

On page 6, line 19, change "person" to "an individual"

AMENDMENT NO. 19

On page 6, line 22, change "A person" to "An individual"

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AMENDMENT NO. 20

On page 6, line 25, delete "health care" and insert "treatment"

AMENDMENT NO. 21

On page 7, line 8, after "with" and before "reasonable" insert "the appropriate standard of care,"

AMENDMENT NO. 22

On page 7, line 13, after "treatment" insert "to the principal." and delete the remainder of the line and delete lines 14 and 15 in their entirety

AMENDMENT NO. 23

On Page 7, line 16, after "B." insert the following: "Such withdrawal shall be consistent with the continuity of the appropriate standard of care by the withdrawing physician or provider ensuring that another physician or provider agrees to treat the principal prior to the effectiveness of his withdrawal."

AMENDMENT NO. 24

On page 7, at the end of line 18, insert the following: "A withdrawal of a physician or provider pursuant to the provisions of this Subsection of this Section shall not be construed to constitute patient abandonment."

AMENDMENT NO. 25

On page 7, between lines 18 and 19, insert the following: "C. For the purposes of this Section, "physician" means the treating physician or any other physician proposing or administering mental health treatment to the principal."

AMENDMENT NO. 26

On page 8, line 23, change "Persons" to Individuals"

AMENDMENT NO. 27

On page 8, line 25, change "persons" to "individuals"

AMENDMENT NO. 28

On page 8, line 27, delete "mental health service"

AMENDMENT NO. 29

On page 9, line 6, change "Persons" to "Individuals"

AMENDMENT NO. 30

On page 9, line 9, change "persons" to "individuals"

AMENDMENT NO. 31

On page 9, line 17, change "A person" to "An individual"

AMENDMENT NO. 32

On page 9, line 26, change "A person" to "An individual"

AMENDMENT NO. 33

On page 9, line 27, change "(A)" to "A"

AMENDMENT NO. 34

On page 10, line 1, change "A person" to "An individual"

AMENDMENT NO. 35

On page 10, line 11, after "physicians" delete "or a court"

AMENDMENT NO. 36

On page 10, line 23, after "in" insert "writing in"

AMENDMENT NO. 37

On page 10, line 24, after "serve" insert "as my representative"

AMENDMENT NO. 38

On page 12, line 12, after "facilities" insert "(in order of my preference)"

AMENDMENT NO. 40

On page 12, line 23, delete "**Electroconvulsive Treatment**" and insert "**Electroshock Therapy**"

AMENDMENT NO. 41

On page 12, line 25, delete "electroconvulsive" and insert "electroshock"

AMENDMENT NO. 42

On page 12, line 27, delete "electroconvulsive" and insert "electroshock"

AMENDMENT NO. 43

On page 13, line 2, delete "electroconvulsive" and insert "electroshock"

AMENDMENT NO. 44

On page 14, line 19, delete "convulsive treatment" and insert "electroshock therapy"

AMENDMENT NO. 45

On page 14, line 21, after "physicians" delete "or a court"

AMENDMENT NO. 46

On page 15, line 16, after "**physicians**" delete "**or**" and on line 17, delete "**a court**"

AMENDMENT NO. 47

On page 16, line 8, after "physicians" delete "or a court"

AMENDMENT NO. 48

On page 16, line 27, after "licensed" insert "to practice medicine"

AMENDMENT NO. 49

On page 17, line 10, after "physicians" delete "or a court"

AMENDMENT NO. 50

On page 17, line 20, change "professional judgment" to "the law"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Lambert
Total—2	

ABSENT

Mr. President	Fields, C	Tarver
Campbell	Fields, W	
Total—5		

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

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 719 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 719 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 9, after "Upon" delete "discovery of error or"

AMENDMENT NO. 2

On page 2, line 12, after "cause," delete the remainder of the line and on line 13, delete "immediately and"

AMENDMENT NO. 3

On page 2, line 22, after "Upon" delete "discovery of error or"

AMENDMENT NO. 4

On page 2, delete line 26, and insert "a penalty may be assessed"

AMENDMENT NO. 5

On page 3, between lines 22 and 23, insert the following:

"(4) An inadvertent error in the payment of benefits which is corrected as soon as practicable after discovery shall not result in the imposition of penalties or attorney fees, pursuant to the provisions of this Subsection."

AMENDMENT NO. 6

On page 3, line 25, change "(4)" to "(5)"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fields, W	Marionneaux
Total—2	

ABSENT

Campbell	Fields, C	Tarver
Total—3		

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

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 871 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 871—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; 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	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	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, W	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Fields, C
Campbell	Tarver
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.

Called from the Calendar

Senator Boissiere asked that Senate Bill No. 872 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 872—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to increase the accrual rate of the retirement benefit for a member who has thirty years of service; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 872 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 14, after "1995" insert "and has reached the age of fifty years"

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

Mr. President	Fields, W	Lentini
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	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Campbell	Fields, C	Tarver
Total—3		

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.

Rules Suspended

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

**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 Boissiere asked that Senate Bill No. 176 be called from the Calendar at this time.

SENATE BILL NO. 176—

BY SENATOR BOISSIERE

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 176 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, between "To" and "repeal" insert "enact R.S. 11:778(D) and to"

AMENDMENT NO. 2

On page 1, at the end of line 2, add "System and the Teacher's Retirement"

AMENDMENT NO. 3

On page 1, line 3, between "to" and "repeal" insert "provide with respect to the conversion of disability benefits to regular retirement benefits upon attaining certain age requirements; to"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 11:778(D) is hereby enacted to read as follows:
§778. Disability retirement

* * *

D. Disability retirees who had at least fifteen years of service prior to being certified as disabled and who have been receiving disability benefits for at least ten years and who have attained at least age fifty shall be eligible to convert from disability benefits to regular retirement benefits, provided that any such retiree's regular retirement benefits shall be based on the number of years actually credited to the member's account."

AMENDMENT NO. 5

On page 1, at the beginning of line 7, delete "Section 1." and insert "Section 2."

AMENDMENT NO. 6

On page 1, at the beginning of line 8, delete "Section 2." and insert "Section 3."

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

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
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, W	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Tarver
Campbell	Malone	
Total—5		

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

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 623 be called from the Calendar at this time.

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.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Powell to Engrossed Senate Bill No. 623 by Senator Hainkel (Duplicate of H.B. No. 323)

AMENDMENT NO. 1

On page 1, line 3, after "to" delete "increase the length of the term served by" and insert "provide relative to the terms of office of the"

AMENDMENT NO. 2

On page 1, line 4, after "commissioners" delete the semicolon ";" and insert "of the district;" and delete the remainder of the line and on line 5, delete "an additional two years;"

AMENDMENT NO. 3

On page 1, line 12, after "D." delete "(1)"

AMENDMENT NO. 4

On page 2, line 3, delete "(2)" and after "each" delete "initial appointee to" and insert "member of"

AMENDMENT NO. 5

On page 2, line 4, delete "and any subsequent appointee"

AMENDMENT NO. 6

On page 2, line 9, after "office on" delete the remainder of the line and delete line 10 in its entirety and insert the following: "the effective date of this Act shall be four years, and each of such members shall continue serving until he has served a four-year term. Thereafter, the successors of such members shall serve four-year terms."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	Fields, C	Tarver
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Boissiere moved to reconsider the vote by which the amendments were rejected 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.

**Appointment of Conference Committee
on Senate Bill No. 254**

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 Bill No. 254: Senators B. Jones, Ellington and Barham.

Messages from the House

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

Message from the House**DISAGREEMENT TO HOUSE BILL**

May 23, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1796 by Representative Fruge, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House**DISAGREEMENT TO HOUSE BILL**

May 23, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 987 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 23, 2010

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. 133—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2001, as Adrenoleukodystrophy Awareness Month.

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. 34—

BY SENATORS BOISSIERE AND IRONS

A RESOLUTION

To commend and congratulate Kenneth White for his invaluable contributions and achievements at Bishop Perry Middle School.

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

SENATE CONCURRENT RESOLUTION NO. 135—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To designate and proclaim the week of May 21 through May 25, 2001 as Emergency Medical Services Week.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Hoyt	Schedler

Cravins
Dardenne
Dean
Dupre
Ellington
Fontenot
Total—28

Irons
Johnson
Jones, C
Lambert
Lentini
Malone

Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Campbell
Chaisson
Total—11

Fields, C
Fields, W
Hollis
Jones, B

Michot
Romero
Tarver

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

SENATE CONCURRENT RESOLUTION NO. 136—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the secretary of the U.S. Department of the Interior, Bureau of Indian Affairs, to take into consideration the will of the people in certain parishes before it authorizes a federally-recognized tribe to conduct Class III gaming activities on lands held in trust pursuant to the Indian Gaming Regulatory Act, Title 25, Section 2701, et seq., of the U.S. Code.

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

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 23, 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. 134—

BY REPRESENTATIVES POWELL, E. ALEXANDER, BAUDOIN, BRUCE, K. CARTER, CLARKSON, DARTEZ, FRITH, FRUGE, HILL, HUDSON, ILES, KATZ, QUEZAIRE, STRAIN, AND WRIGHT

AN ACT

To enact R.S. 11:778(D), relative to the Teachers' Retirement System; to provide with respect to disability benefits and the provisions of law that are applicable to the calculation thereof; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 2066 (Substitute for House Bill No. 755 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU AND PERKINS

AN ACT

To enact R.S. 27:27.1, 27.2, 27.3, and 27.4 and to repeal R.S. 27:60 and 265, relative to compulsive gambling; to provide for a uniform compulsive and problem gambling program; to provide with respect to excluded persons; to provide for the adoption of rules by the Louisiana Gaming Control Board; to provide for the ejection of persons; to provide with respect to print advertising; to provide for criminal penalties for attempting to enter a gaming establishment after exclusion; to provide for the imposition of sanctions on a licensee, permittee, or the casino gaming operator for willful failure to exclude persons placed on the list; to provide for revocation of a gaming license for a pattern of willful failure to exclude individuals placed on the exclusion list; to provide with respect to advertising; to provide for applicability; to provide with respect to liability; and to provide for related matters.

HOUSE BILL NO. 640—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 15:1186(A)(1), relative to proceeding in forma pauperis; to provide for requirements; to exempt prisoners from providing third-party affidavits; and to provide for related matters.

HOUSE BILL NO. 703—

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 13:3715.1(A)(2), relative to medical or hospital records; to clarify the definition of "health care provider" for purposes of obtaining medical records; and to provide for related matters.

HOUSE BILL NO. 933—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1716(A) and 1731 and to enact R.S. 32:1717.1 and 1734(D), relative to towing and recovery of vehicles; to increase the annual fee paid by tow truck owners; to provide relative to the Louisiana Towing and Storage Fund; to require licensing of storage facilities; to require a fee for licensing of storage facilities; to prohibit towing and storage companies from charging certain fees during business hours; to authorize towing and storage companies to charge certain fees after business hours; to set the maximum fee which may be charged; to provide a cause of action for certain violations; and to provide for related matters.

HOUSE BILL NO. 996—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 40:1299.39(I)(2) and (J), relative to court approval of settlement of medical malpractice claims against the state; to eliminate the requirement of court approval of settlements which exceed twenty-five thousand dollars; and to provide for related matters.

HOUSE BILL NO. 1187—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 32:861(A)(1) and (C)(1)(a), (c), and (d) and (2), relative to compulsory motor vehicle liability security; to provide for additional methods of satisfying motor vehicle liability security requirements; and to provide for related matters.

HOUSE BILL NO. 1231—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:641(E), 646(B)(3), 651(C), 653.1(A), and 656(A)(1)(a), to enact R.S. 6:649(A)(3) and 661.1, and to repeal R.S. 6:657, relative to credit unions; to provide for primary insurance; to provide for examination by the commissioner; to provide for supervisory committee examinations; to provide for private mortgage insurance; to provide for branching notification; to provide for teleconference board meetings; to repeal provision on reserve transfers; and to provide for related matters.

HOUSE BILL NO. 1844—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact Code of Civil Procedure Article 152(D), relative to the recusal of judges; to provide for written reasons for recusal in certain circumstances; to provide for delays for submitting written reasons; and to provide for related matters.

HOUSE BILL NO. 1893—

BY REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 47:463.58, relative to the Life Center Full Gospel Baptist Cathedral prestige plate; to provide for the use of funds; and to provide for related matters.

HOUSE BILL NO. 1903—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:863(A)(3)(b) and (c), relative to compulsory motor vehicle liability security; to provide for uses of compulsory insurance reinstatement fees; and to provide for related matters.

HOUSE BILL NO. 1950—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 32:407(A)(1), relative to minors' drivers' licenses; to provide relative to the written approval of parents of a minor's application for a license or permit; and to provide for related matters.

HOUSE BILL NO. 1964—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 32:702(11), relative to the Vehicle Certificate of Title Law; to provide relative to the definition of "total loss"; to provide for an exception for certain damages in the determination of a total loss; and to provide for related matters.

HOUSE BILL NO. 1970—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 38:2212(B) and (E)(2), relative to public contracts; to provide for projects which may be undertaken by a public entity with its own employees; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 2001—

BY REPRESENTATIVE WALSWORTH

AN ACT

To require the Department of Transportation and Development to erect signs indicating golf course locations on the Audubon Golf Trail.

HOUSE BILL NO. 2017—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(vi) and (vii), relative to children; to provide for the surname of children; to provide for the name change of children in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 2026—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 30:2418(M), relative to waste tires; to authorize the secretary of the Department of Environmental Quality to issue permits for the processing of waste tires; to increase the capacity for which licenses may be issued; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

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

HOUSE BILL NO. 134—

BY REPRESENTATIVES POWELL, E. ALEXANDER, BAUDOIN, BRUCE, K. CARTER, CLARKSON, DARTEZ, FRITH, FRUGE, HILL, HUDSON, ILES, KATZ, QUEZAIRE, STRAIN, AND WRIGHT

AN ACT

To enact R.S. 11:778(D), relative to the Teachers' Retirement System; to provide with respect to disability benefits and the provisions of law that are applicable to the calculation thereof; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 640—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 15:1186(A)(1), relative to proceeding in forma pauperis; to provide for requirements; to exempt prisoners from providing third-party affidavits; 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. 703—

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 13:3715.1(A)(2), relative to medical or hospital records; to clarify the definition of "health care provider" for purposes of obtaining medical records; 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. 933—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1716(A) and 1731 and to enact R.S. 32:1717.1 and 1734(D), relative to towing and recovery of vehicles; to increase the annual fee paid by tow truck owners; to provide relative to the Louisiana Towing and Storage Fund; to require licensing of storage facilities; to require a fee for licensing of storage facilities; to prohibit towing and storage companies from charging certain fees during business hours; to authorize towing and storage companies to charge certain fees after business hours; to set the maximum fee which may be charged; to provide a cause of action for certain violations; 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. 996—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 40:1299.39(I)(2) and (J), relative to court approval of settlement of medical malpractice claims against the state; to eliminate the requirement of court approval of settlements which exceed twenty-five thousand dollars; 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. 1187—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 32:861(A)(1) and (C)(1)(a), (c), and (d) and (2), relative to compulsory motor vehicle liability security; to provide for additional methods of satisfying motor vehicle liability security requirements; 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. 1231—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:641(E), 646(B)(3), 651(C), 653.1(A), and 656(A)(1)(a), to enact R.S. 6:649(A)(3) and 661.1, and to repeal R.S. 6:657, relative to credit unions; to provide for primary insurance; to provide for examination by the commissioner; to provide for supervisory committee examinations; to provide for private mortgage insurance; to provide for branching notification; to provide for teleconference board meetings; to repeal provision on reserve transfers; 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. 1844—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact Code of Civil Procedure Article 152(D), relative to the recusal of judges; to provide for written reasons for recusal in certain circumstances; to provide for delays for submitting written reasons; 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. 1893—

BY REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 47:463.58, relative to the Life Center Full Gospel Baptist Cathedral prestige plate; to provide for the use of funds; 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. 1903—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 32:863(A)(3)(b) and (c), relative to compulsory motor vehicle liability security; to provide for uses of compulsory insurance reinstatement fees; 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. 1950—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 32:407(A)(1), relative to minors' drivers' licenses; to provide relative to the written approval of parents of a minor's application for a license or permit; 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. 1964—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 32:702(11), relative to the Vehicle Certificate of Title Law; to provide relative to the definition of "total loss"; to provide for an exception for certain damages in the determination of a total loss; 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. 1970—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 38:2212(B) and (E)(2), relative to public contracts; to provide for projects which may be undertaken by a public entity with its own employees; 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 Transportation, Highways, and Public Works.

HOUSE BILL NO. 2001—

BY REPRESENTATIVE WALSWORTH

AN ACT

To require the Department of Transportation and Development to erect signs indicating golf course locations on the Audubon Golf Trail.

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. 2017—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(vi) and (vii), relative to children; to provide for the surname of children; to provide for the name change of children in certain circumstances; 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. 2026—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 30:2418(M), relative to waste tires; to authorize the secretary of the Department of Environmental Quality to issue permits for the processing of waste tires; to increase the capacity for which licenses may be issued; and to provide for related matters.

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

HOUSE BILL NO. 2066 (Substitute for House Bill No. 755 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU AND PERKINS

AN ACT

To enact R.S. 27:27.1, 27.2, 27.3, and 27.4 and to repeal R.S. 27:60 and 265, relative to compulsive gambling; to provide for a uniform compulsive and problem gambling program; to provide with respect to excluded persons; to provide for the adoption of rules by the Louisiana Gaming Control Board; to provide for the ejection of persons; to provide with respect to print advertising; to provide for criminal penalties for attempting to enter a gaming establishment after exclusion; to provide for the imposition of sanctions on a licensee, permittee, or the casino gaming operator for willful failure to exclude persons placed on the list; to provide for revocation of a gaming license for a pattern of willful failure to exclude individuals placed on the exclusion list; to provide with respect to advertising; to provide for applicability; to provide with respect to liability; 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.

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 23, 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. 64—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To urge and request the House and Senate Labor and Industrial Relations Committees to meet and function as a joint committee to study the wages and benefits of workers in the state of Louisiana and to develop a strategy to bring wages up to levels that will support and sustain Louisiana families.

HOUSE CONCURRENT RESOLUTION NO. 155—

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To urge and request the nominating and appointing authorities of the Southwest Louisiana Convention and Visitors Bureau to cooperate to the extent necessary to assure that at all times not less than two members of the board of directors of the bureau are African-Americans.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To urge and request the House and Senate Labor and Industrial Relations Committees to meet and function as a joint committee to study the wages and benefits of workers in the state of Louisiana and to develop a strategy to bring wages up to levels that will support and sustain Louisiana families.

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

HOUSE CONCURRENT RESOLUTION NO. 155—

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To urge and request the nominating and appointing authorities of the Southwest Louisiana Convention and Visitors Bureau to cooperate to the extent necessary to assure that at all times not less than two members of the board of directors of the bureau are African-Americans.

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

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 321 from the Committee on Judiciary A to the Committee on Finance.

Rules Suspended

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 540 from the Committee on Judiciary C.

HOUSE BILL NO. 540—

BY REPRESENTATIVE ERDEY

AN ACT

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

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Fontenot to Engrossed House Bill No. 540 by Representative Erdey. (Duplicate of Senate Bill No. 1050)

AMENDMENT NO. 1

On page 2, line 12, change "House Bill No. 395" to "Senate Bill No. 163"

On motion of Senator Fontenot, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 1050, was read by title and referred to the Legislative Bureau.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**HEALTH AND WELFARE**

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

May 23, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 128—

BY SENATOR SCHEDLER AND REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To create a task force to study the current healthcare facility licensure process and criteria for licensure to determine if the public is being well served within the context of available financial resources.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 113—

BY REPRESENTATIVE ILES

A CONCURRENT RESOLUTION

To urge and request the office of public health in the Department of Health and Hospitals to promote breastfeeding in its public health clinics and to the public in general.

Reported Favorably.

HOUSE BILL NO. 377—

BY REPRESENTATIVES ILES, PERKINS, AND SCHWEGMANN

AN ACT

To enact R.S. 51:2247.1, relative to breastfeeding; to prohibit discrimination against mothers who breastfeed their babies; to provide for the right to breastfeed; to provide that breastfeeding is not a violation of law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 868—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 37:2706(A)(2), 2707(A)(2), and 2708(A)(2), relative to social workers; to provide for licensure and certification; to provide for graduates of nonaccredited schools with five years of work experience to qualify for certification and licensure; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 889—

BY REPRESENTATIVES WINSTON, ILES, STRAIN, ALARIO, BAUDOIN, BROOME, BRUCE, CLARKSON, DANIEL, DARTEZ, DURAND, ERDEY, FAUCHEUX, FRITH, GUILLORY, HEBERT, HILL, HOLDEN, HUNTER, HUTTER, KATZ, LANCASTER, MARTINY, MCMAINS, MORRISH, NEVERS, PIERRE, PITRE, POWELL, PRATT, QUEZAIRE, ROMERO, SCHWEGMANN, JANE SMITH, SNEED, WADDELL, WELCH, AND WOOTON

AN ACT

To enact R.S. 46:447.3, relative to adopted children; to require the state to provide in-hospital mental health treatment; to require the state to specify this requirement in the contract of adoption; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 919—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the practice of occupational therapy; to provide that such therapy may be based on a referral or order from an advanced practice registered nurse; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 980—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 9:315.40(4), (5), and (8), 315.41, 315.42(B), 315.43, 315.44(A)(introductory paragraph) and (3), 315.45, and 315.47, to enact R.S. 9:315.40(9), and to repeal R.S. 9:315.48, relative to administrative suspension of licenses for nonpayment of child support; to extend the authority of the Department of Social Services, Support Enforcement Services Program, office of family support, to suspend motor vehicle operator licenses and professional, occupational, business, or industrial licenses; and to repeal certain provisions relative to rulemaking; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 999—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 46:450.2(A) and (B), relative to nonemergency, nonambulance transportation for Medicaid recipients; to provide for items included in an annual inspection; to provide for vehicle inspection; to provide for rulemaking by the department; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1001—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To repeal R.S. 36:254.1, relative to the powers and duties of the secretary of the Department of Health and Hospitals; to remove the requirement that the secretary appoint administrators to each of nine administrative regions and to delete the regions.

Reported favorably.

HOUSE BILL NO. 1002—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1004—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:6(C) and to enact R.S. 40:6(D) and (E), relative to violations of the state Sanitary Code; to provide for the addition of the state health officer and the secretary of the Department of Health and Hospitals to those who may seek an injunction against violators of the state Sanitary Code; to provide for the secretary of the Department of Health and Hospitals to assess civil fines or other sanctions against violators of the state Sanitary Code; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1006—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:1235.2(E)(3) and 1236.2(E)(4), relative to ambulance and air ambulance providers; to delete annual inspection requirements as a condition of license renewal; to require annual review of documents; to provide for inspections and verifications for license renewal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1008—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C) and 2116.32(F)(2), relative to the licensure of health care facilities; to extend the moratorium on licensure of mental health clinics and mental health centers; to extend the moratorium on Medicaid enrollment of long-term care hospital facilities and beds; to extend the moratorium on licensure of home health agencies; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1216—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 40:1300.143(3)(a)(iv) and (v), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of rural hospital; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1250—

BY REPRESENTATIVES DEVILLIER, MCMAINS, AND QUEZAIRE AND SENATOR GAUTREAUX

AN ACT

To enact R.S. 40:1300.143(3)(a)(iv), relative to the Rural Hospital Preservation Act; to add certain hospital facilities to the definition of rural hospital; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1517—

BY REPRESENTATIVE CLARKSON

AN ACT

To enact Chapter 28-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2151, relative to dating violence; to provide that victims of dating partners are entitled to the same benefits as family and household members under the Protection from Family Violence Act; to provide for the definition of a "dating partner"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1589—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and (B)(2), and to enact R.S. 40:1235(A)(2)(d), and to repeal R.S. 40:1231(18) and 1235(B)(1), (D)(1)(b) and (d), and (E), relative to qualifications and standards for ambulances; to delete references to invalid coaches; to prohibit transportation of someone on a stretcher unless in an ambulance; to delete exemptions for certain ambulances owned and operated by licensed hospitals; to delete the authority of parishes and municipalities to elect not to comply; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1719—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 39:198(D)(introductory paragraph), (3), and (9) and 1514(A)(1)(b), and to enact R.S. 39:1514(A)(1)(e), relative to multiyear contracts; to authorize the Department of Health and Hospitals to enter into ten-year contracts for fiscal intermediary services; to authorize such department to enter into five-year contracts for the administration of the Medicaid early periodic screening diagnosis and treatment program (EPSDT), primary care case management (PCCM), and home and community-based services waivers; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1749—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 17:436.1(B)(1)(a) and (c) and (4) and (H) and to enact R.S. 17:436.1(I), relative to advanced practice registered nurses; to provide for authorization to order school nurses to administer medication to students; to include advanced practice registered nurses in the definition of authorized prescriber; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1776—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3200(3), relative to licensed radiologic technologists; to include advanced practice registered nurses in the definition of "licensed practitioner"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1843—

BY REPRESENTATIVES DARTEZ AND KATZ

AN ACT

To amend and reenact R.S. 37:1102 and 1103 and to enact R.S. 37:1105(G) and 1116 through 1124, relative to marriage and family therapy; to provide for legislative findings and purpose; to provide for definitions; to create and provide for the Marriage and Family Therapy Advisory Committee and its powers and duties; to provide for licensure of marriage and family therapists and exemptions from licensure; to provide for prohibited acts and penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2000—

BY REPRESENTATIVE CLARKSON

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. 40:1300.172.1 through 1300.172.3, relative to mammograms; to provide for screening mammograms; to authorize the performance of mammograms without a prescription from a licensed practitioner; to provide for notification of the results; to provide limited immunity from civil liability; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TOM SCHEDLER
Chairman

Motion to Recommit

Senator Ellington asked for and obtained a suspension of the rules and recommitted House Bill No. 338 from the Committee on Judiciary A to the Committee on Natural Resources.

Motion to Recommit

Senator Ellington asked for and obtained a suspension of the rules and recommitted House Bill No. 1024 from the Committee on Judiciary A to the Committee on Commerce and Consumer Protection.

Motion to Recommit

Senator Ellington asked for and obtained a suspension of the rules and recommitted House Bill No. 624 from the Committee on Judiciary A to the Committee on Natural Resources.

**Appointment of Conference Committee
on Senate Concurrent Resolution No. 52**

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. 52: Senators McPherson, Romero and Campbell.

Message to the Governor**SIGNED SENATE BILLS**

May 23, 2001

To the Honorable Governor of the State of Louisiana:

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

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.

and they are hereby presented for executive approval.

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

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

ENROLLMENTS

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

May 23, 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 Bills have been properly enrolled:

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.

SENATE BILL NO. 523—

BY SENATOR SCHEDLER AND REPRESENTATIVES DOERGE, DURAND, GUILLORY, ILES, KATZ, MCDONALD, SCHWEGMANN, STRAIN AND WELCH

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), and to repeal R.S. 36:259(I)(1), 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.

SENATE BILL NO. 579—

BY SENATOR ULLO

AN ACT

To enact R.S. 56:578.13, relative to food and drugs; to provide for the proper labeling of shellfish sold under the name "crawfish"; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 668—

BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND REPRESENTATIVES LANCASTER, MONTGOMERY, GARY SMITH, FAUCHEUX AND HUNTER

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.

SENATE BILL NO. 669—

BY SENATORS B. JONES, DARDENNE, GAUTREAUX AND DUPRE AND REPRESENTATIVES HAMMETT, LANCASTER, MONTGOMERY, GARY SMITH, FAUCHEUX AND HUNTER

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.

SENATE BILL NO. 675—

BY SENATORS B. JONES, DARDENNE, GAUTREAUX AND DUPRE AND REPRESENTATIVES LANCASTER, MONTGOMERY, ALARIO AND FAUCHEUX

AN ACT

To amend and reenact R.S. 47:116(A) and 118(A) and the introductory paragraph of (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.

SENATE BILL NO. 763—

BY SENATORS ELLINGTON, HAINKEL AND SCHEDLER

AN ACT

To amend and reenact R.S. 13:3715.3(A)(2), and to enact R.S. 13:3715.3(G)(4)(e), relative to the production of evidence; to provide for the use of certain medical documents; to provide for the disclosure of medical documents; 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 23, 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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 132—

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

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolution was 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 23, 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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 17—

BY SENATOR HAINKEL

A RESOLUTION

To adopt Senate Rule 13.4(5)(j) of the Rules of Order of the Senate, relative to subject matter jurisdiction of the Senate Committee on Finance; to add court costs or fees imposed by courts to the subject matter jurisdiction of the Senate Committee on Finance.

SENATE RESOLUTION NO. 31—

BY SENATORS HAINKEL AND W. FIELDS

A RESOLUTION

To commend and congratulate the African Children's Choir for their collective talent and for their humanitarian endeavors and spreading of good will through exchange of culture and song.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message to the Secretary of State**SIGNED****SENATE CONCURRENT RESOLUTIONS**

May 23, 2001

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 12—

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

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to take the necessary steps to name the clinical sciences research building, located at the Louisiana State University Health Sciences Center at New Orleans, the Dr. Mervin L. Trail Clinical Sciences Research Building.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATORS SMITH, CRAVINS AND SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and parish and municipal governments to remove dead animals from roads, highways, and rights of way in an expeditious manner.

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATORS LAMBERT (BY REQUEST) AND HOYT AND REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to use the powers at its disposal to encourage the United States Department of Energy to establish a national energy policy which will remove barriers to and provide incentives for the immediate exploration and production of natural gas.

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to make available a subject index of pending legislation on their Internet web page.

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to redesignate the Pointe au Chien Wildlife Management Area to the Pointe-aux-Chenes Wildlife Management Area.

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATORS MCPHERSON AND THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request that the Louisiana Wildlife and Fisheries Commission authorize senior citizens to use two recreational hoop nets.

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to establish a recreational hunting season and daily bag and possession limits for bobcats if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATORS MCPHERSON AND MALONE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to establish a recreational hunting season on nutria if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATORS ROMERO, SMITH, THEUNISSEN AND THOMAS AND REPRESENTATIVES BAUDOIN, BRUCE, R. CARTER, CAZAYOUX, DEVILLIER, DURAND, FRITH, FRUGE, HILL, ILES, KENNEY, LAFLEUR, MORRISH, NEVERS, J. SMITH AND STRAIN

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To create and provide for a joint legislative committee to study and make recommendations with respect to the prevention of childhood death and injury through accidental access to handguns stored in the home or personal vehicle.

May 23, 2001

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR SCHEDLER AND REPRESENTATIVES KATZ AND WELCH
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to apply for a federal grant to study the feasibility of establishing and implementing an optional categorically needy Medicaid eligibility group for working individuals with disabilities, commonly referred to as the "Medicaid Buy-In Program".

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR C. JONES AND REPRESENTATIVE POWELL
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mrs. Nancy T. Johnson.

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR C. FIELDS
A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

SENATE CONCURRENT RESOLUTION NO. 125—

BY SENATOR W. FIELDS
A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

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

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, May 24, 2001, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Thursday, May 24, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk