

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

THIRTY-FOURTH 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 30, 2001

The Senate was called to order at 3:00 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 Senator Schedler, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

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

Morning Hour

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 143—

BY SENATOR CRAVINS

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Louisiana Home Builders Association to study the feasibility of adopting a statewide residential energy code and to create an advisory committee to assist the department in formulating a statewide residential energy code.

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

Messages from the House

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

**Senate Resolutions
on Second Reading, Subject to Call**

The following Senate Resolutions, subject to call were read and acted upon as follows:

Called from the Calendar

Senator Hainkel asked that Senate Resolution No. 8 be called from the Calendar at this time.

SENATE RESOLUTION NO. 8—

BY SENATOR HAINKEL

A RESOLUTION

To commend Alex Boniewski on his display of true honesty, integrity, and compassion after finding a wedding ring during a Mardi Gras parade and returning it to its rightful owner.

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

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 30, 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. 141—

BY SENATOR BAJOLE

A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority, Inc. for its achievements and designate May 30, 2001, as Delta Sigma Theta Sorority Legislative "Red and White" Day at the Louisiana Legislature.

Reported without amendments.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 254 by Senator B. Jones:

Representatives McCallum, McMains and Pinac.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 366 by Senator McPherson:

Representatives LaFleur, Cazayoux and Jack Smith.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 987 by Representative Hammett:

Representatives Hammett, Alario and Townsend.

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

Message from the House

HOUSE CONFEREES APPOINTED

May 30, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1358 by Representative Schneider:

Representatives Schneider, Salter and Doerge.

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

**Privilege Report of the
Legislative Bureau**

May 30, 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 House bills.

HOUSE BILL NO. 42—

BY REPRESENTATIVES DOWNER AND CLARKSON
AN ACT

To amend and reenact R.S. 9:3261(B) and to enact R.S. 9:3261(A)(5), relative to leases; to provide for the rights of military personnel when terminating a residential lease in certain circumstances; to provide for submission of certain documents to the lessor; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 45—

BY REPRESENTATIVES MONTGOMERY AND JANE SMITH
AN ACT

To amend and reenact R.S. 33:106.1(A)(introductory paragraph), relative to planning commissions in Bossier Parish; to provide relative to a commission's jurisdiction over certain subdivided parcels of land outside of municipalities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 57—

BY REPRESENTATIVES ANSARDI AND BOWLER
AN ACT

To repeal R.S. 13:4751(C)(2)(d), relative to the petition for name change of a minor; to remove the requirement of service of process when a parent has failed to communicate without just cause for ten years.

Reported without amendments.

HOUSE BILL NO. 81—

BY REPRESENTATIVES BRUCE, BAYLOR, DOERGE, GLOVER, L. JACKSON, MONTGOMERY, STELLY, AND WADDELL AND SENATORS HINES AND SMITH
AN ACT

To enact R.S. 32:199, relative to traffic regulations; to prohibit certain persons from allowing certain children to operate or ride on a bicycle without a helmet; to provide for definitions; to prohibit certain persons from allowing certain children to ride on a bicycle without being seated in a restraining seat; to provide civil penalties for noncompliance; to require persons in the business of selling or renting bicycles to post notice; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 98—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 8:655(A)(1), relative to the right of disposal of human remains; to provide for preference of a surviving spouse subject to certain conditions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 101—

BY REPRESENTATIVE HILL
AN ACT

To amend and reenact Civil Code Article 2347 and to enact R.S. 3:4278.2(F), relative to community property; to require the concurrence of both spouses for the alienation, encumbrance, lease, or harvest of community timber; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 102—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:691(A) and to enact R.S. 13:691(B)(6), relative to district court judges; to provide for an additional salary for each of the chief judges of a district court; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 163—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 38:1766(A)(3), relative to Gravity Drainage District No. 1 of Rapides Parish; to provide for the salary of the secretary-treasurer of the board of commissioners of such district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 234—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 9:237, relative to matrimonial regime laws; to provide for the license-issuing officer to deliver to each prospective spouse a summary of the covenant marriage law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 255—

BY REPRESENTATIVE DIEZ
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 328—

BY REPRESENTATIVE KENNARD
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 339—

BY REPRESENTATIVE DANIEL
AN ACT

To enact Code of Civil Procedure Article 376, relative to expert witnesses; to provide relative to the immunity of court-

May 30, 2001

appointed expert witnesses; to provide a limitation of immunity for certain actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 348—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 40:1356(E), relative to the reporting of impaired applicants for driver's licenses; to provide for the limitation of civil and criminal liability of persons reporting impaired applicants; to provide procedures for reporting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 365—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:253(A) and (E) and 255(D)(2) and (3) and (F)(2) and to repeal R.S. 48:253(D), relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide relative to certain bonds and other guarantees relative to such contracts; to provide relative to companies which may write such bonds; to provide relative to issuance of work orders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 389—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 17:3048.1(S)(5), relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to provide for the administration of the Tuition Opportunity Program for Students, including provisions to prohibit restrictions or delays relative to the date that Tuition Opportunity Program for Students awards may be first used by students who graduate from high school in less than four years; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 405—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 33:4067.1, relative to parish water and sewerage commissions; to authorize water and sewerage commissions in St. Bernard Parish to retain unclaimed or abandoned water deposits to their credit; to provide with respect to reports and notices regarding such unclaimed or abandoned deposits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 410—

BY REPRESENTATIVES K. CARTER, BOWLER, BRUNEAU, DANIEL, FUTRELL, HUNTER, L. JACKSON, LANDRIEU, MURRAY, PINAC, QUEZAIRE, RICHMOND, NEVERS, AND PRATT

AN ACT

To enact R.S. 17:3048.1(V), relative to the Tuition Opportunity Program for Students; to provide eligibility for program awards for certain students receiving high school equivalency diplomas; to provide conditions and limitations; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 419—

BY REPRESENTATIVE ERDEY

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 423—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide for the transfer or lease of certain state property in St. John the Baptist Parish to the descendants of and buyers from the original owner from the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 478—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 38:1794(A)(2)(a), (B), (F), and (G), relative to the compensation of members of the boards of commissioners of certain drainage districts; to provide for an increase in the maximum per diem of such members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 554—

BY REPRESENTATIVE QUEZAIRE

AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 554 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, following "To" and before "enact" insert "amend and reenact R.S. 25:736 (introductory paragraph) and to"

AMENDMENT NO. 2

On page 1, line 9, following "Section 1." and before "R.S. 25:736(6)" insert "R.S. 25:736 (introductory paragraph) is hereby amended and reenacted and"

HOUSE BILL NO. 562—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 16:2(B) and R.S. 42:261(G), relative to the governing authority of the parish of Calcasieu; to authorize the parish governing authority to employ or retain its own attorney; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 567—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 46:1053(N) and to enact R.S. 46:1053(C)(2)(c), relative to the North Caddo Hospital Service District; to provide relative to increasing the membership of the board of commissioners; to provide relative to the terms of office and per diem of the members of the board of commissioners; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 569—

BY REPRESENTATIVE MCCALLUM

AN ACT

To enact R.S. 56:647.1, relative to hunting and fishing licenses; to provide for the definition of a member of the outdoor press; to establish the special outdoor press license; to provide for fees; to provide for the authority to promulgate rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 692—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:9058.3 and 9101.1, relative to certain revenues of certain parishwide districts in DeSoto Parish; to prohibit diversion of such revenues; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 720—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Articles 1263, 1314, 1701(B), 1702(A), 1913, 2004, 3612, 4905, and 4922, relative to the continuous revision of the Code of Civil Procedure; to provide for service of process on a partnership in commendam; to provide for service of pleadings by the sheriff; to provide for notice of judgments; to provide for the award of attorney fees in certain cases; to provide for the furnishing of a bond in certain appeals; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 721—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Article 2166(D) and to enact Code of Civil Procedure Article 2166(E), relative to the filing of applications of writs of certiorari to the supreme court; to allow any other party to apply for certiorari within certain delays after the filing of the initial application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 722—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND WALSWORTH

AN ACT

To amend and reenact Code of Civil Procedure Articles 2332 and 2336, relative to the appraisal and sale of seized property; to provide for the sale of collateral through a writ of fieri facias without appraisal in an ordinary proceeding under certain circumstances; to provide exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 731—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:2576(H)(2)(h), relative to administrative adjudication of certain violations; to provide for the seizure and sale of certain property for the failure to pay fines; to provide authority of the New Orleans Redevelopment Authority to purchase seized property; to provide for the purchase price of the property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 737—

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

AN ACT

To enact R.S. 33:2740.51, to create an economic development district in East Baton Rouge Parish; to provide for governance and administration of the district; to provide for the powers and duties of the governing authority, including the authority to levy taxes and issue bonds subject to voter approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 757—

BY REPRESENTATIVE PERKINS

AN ACT

To enact Children's Code Article 736.1, relative to runaway juveniles; to provide for immunity from liability for law enforcement officers providing assistance to runaways; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 808—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1310.5(F), relative to workers' compensation; to require publication of opinions from circuit courts of appeal workers' compensation hearings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 930—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 33:2214(D), relative to police; to provide that certain benefits are applicable to employees of the Baton Rouge Metropolitan Airport Police/Aircraft Rescue Fire Fighting unit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 934—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1735, relative to towing and storage of vehicles; to provide relative to tow companies which participate in law enforcement agency rotation lists; to provide relative to removal of tow companies from a law enforcement agency's rotation list; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 935—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:408(A)(4)(a), relative to drivers' licenses; to authorize certain third parties to administer skills tests for Class "A", "B", or "C" commercial drivers' licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 936—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 937—

BY REPRESENTATIVE DIEZ

AN ACT

To repeal R.S. 40:1321(I)(3) and (4), relative to special identification cards; to remove the late fee for renewal of an expired special identification card by mail or by electronic commerce; and to remove provisions for the disposition of that fee.

Reported without amendments.

HOUSE BILL NO. 938—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412(D)(3), relative to driver's license renewals; to remove the prohibition of renewal by mail or electronic commerce of Class "D" or "E" operators' licenses for persons with certain traffic violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 943—

BY REPRESENTATIVE DIEZ

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 953—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:1628, relative to unemployment compensation; to change all references to "tribunal" to "referee" and to provide that the secretary of the Department of Labor shall appoint unemployment compensation appeals referees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 959

BY REPRESENTATIVE GUILLORY

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 963—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:408(A)(10) and to repeal R.S. 32:408(A)(11), relative to driver's license examinations; to authorize the office of motor vehicles to use mobile units for driver skill and knowledge testing examinations when applicant applies for a driver's license; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1023—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:299(A) and (C), relative to off-road vehicles; to delete certain off-road vehicle permits; to delete certain permit fees; to delete requirement for promulgation of rules; to authorize off-road vehicles to travel along certain highways without permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1075—

BY REPRESENTATIVES DEWITT AND FARRAR

AN ACT

To enact R.S. 47:301(10)(t) and (18)(h), relative to local sales and use taxes; to define retail sale and use to exclude the acquisition and distribution of telephone directories distributed free of charge by advertising companies not affiliated with telephone service providers; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1121—

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1221(3)(g), relative to workers' compensation; to terminate benefits for an injured employee's failure to comply with employer's substance abuse policy; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1142—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414(G) and (N) and 430(K), relative to drivers' licenses; to provide for the commencement of the suspension or revocation period for a driver's license for various violations; to provide relative to the commencement of the period of suspension of driving and motor vehicle registration privileges for payment of taxes or fees with a dishonored check; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1150—

BY REPRESENTATIVE WINSTON

AN ACT

To authorize the St. Tammany Parish School Board to name the stadium facility at Covington High School "Jack Salter Stadium"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1153—

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Longstreet; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and

for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter into a cooperative endeavor for law enforcement services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1197—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:861(A)(3), 863(A)(3)(a), (B)(2)(a), and (C)(2) and (4), and 863.2(E)(2) and to repeal R.S. 32:863(C)(3) and (D) as amended by Act. Nos. 553 and 616 of the 1987 Regular Session of the Legislature, relative to motor vehicle liability security; to provide relative to notification of cancellation of liability security; to provide relative to notification of nonuse of a motor vehicle; to provide relative to revocation of motor vehicle registration; to provide relative to sanctions for violations of required motor vehicle liability security; to provide relative to legitimate reasons for cancellation of liability security; to provide relative to special operator's permits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1308—

BY REPRESENTATIVES ALARIO, K. CARTER, DANIEL, AND TUCKER

AN ACT

To enact Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.11 through 9039.37, relative to the creation of the "Community Development District Act"; to provide for definitions; to provide for the establishment of a community development district; to provide for a board of supervisors; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments; to provide for fees and charges; to provide for termination of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1384—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 23:1021(10)(f), relative to workers' compensation; to determine wages when considering income taxes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1385—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 23:1203(D), relative to workers' compensation; to provide payment for vocational rehabilitation expenses; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1385 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 14, following "medicines" and before "prosthetic" insert "and"; and, at the end of line 14, delete ", and"

AMENDMENT NO. 2

On page 1, delete line 15, and on line 16 delete "the direction of the employer"

AMENDMENT NO. 3

On page 1, line 17, following "Section" and before the period "." insert ", and for the vocational rehabilitation-related mileage traveled by the employee at the direction of the employer"

HOUSE BILL NO. 1502—

BY REPRESENTATIVE WADDELL

AN ACT

To enact R.S. 32:1521(E)(11) and (12), relative to the transportation of hazardous materials; to provide additional routes on which certain carriers may transport hazardous materials within Caddo and Bossier parishes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1527—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 43:111(A)(7), relative to authorization for advertising within the Department of Culture, Recreation and Tourism; to authorize the executive office of the secretary, the office of cultural development, the office of film and video, the office of the state library, and the office of state museums to advertise when funds have been appropriated for that purpose; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1532—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact Act No. 487 of the 1954 Regular Session of the Legislature, as amended and reenacted by Act No. 655 of the 1997 Regular Session of the Legislature, relative to the civil service system for the employees of the city of Alexandria; to provide for the governance and the administration of the system; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1613—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:1291(C)(3) and to repeal R.S. 23:1291(C)(6), relative to the Department of Labor; to consolidate sections within the department; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1656—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:334.12, relative to the Vinton Harbor and Terminal District; to provide for the per diem received by commissioners of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1674—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:863(C)(1) and 863.1(C)(1)(a), relative to compliance with the compulsory liability insurance law; to authorize mailing of notices of noncompliance by first class mail; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1686—

BY REPRESENTATIVE BROOME

AN ACT

To repeal R.S. 56:1692.1(B) and R.S. 56:1693.2(B), relative to fee exemptions at state parks; to delete provisions authorizing certain complete fee exemptions during the winter camping season; and to provide for related matters.

Reported without amendments.

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 without amendments.

HOUSE BILL NO. 1727—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1713(introductory paragraph) and (3), 1719, 1720, 1723, 1727(B), 1728(A) and (D), 1728.2(A), (C), (D)(introductory paragraph), (4), and (5), (E)(introductory paragraph) and (F), 1728.3 and 1729, to enact R.S. 32:1728.4, and to repeal R.S. 32:1728(B), (C), and (E), 1728.1, and 1728.2(B) and (D)(3), relative to the Louisiana Towing and Storage Act; to provide relative to certain definitions; to provide relative to information a storage or parking facility owner reports to the department; to provide relative to the information the department provides to the storage or parking facility owner; to provide relative to the civil or criminal liability of a tow truck owner or operator; to provide relative to certain deadlines for notification; to provide relative to the content of notice to a stored vehicle owner; to provide relative to administrative hearings; to provide relative to the maintenance of certain records; to provide relative to the disposal of certain motor vehicles; to provide relative to the procedure for disposal of certain motor vehicles; to provide relative to permits to sell or permits to dismantle certain vehicles; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1800—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 17:3048.1(V), relative to the Tuition Opportunity Program for Students; to provide eligibility for certain program awards for students graduating from high schools or completing home study programs outside of the United States and its territories; to provide conditions and limitations; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

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

BY REPRESENTATIVE PINAC AND SENATOR FONTENOT

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1858—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 41:1610, relative to conservation of archaeological resources on state lands; to provide relative to the unlawful removal or sale, purchases, exchanges, transport, or receipt of archaeological resources from such lands; to provide relative to penalties for violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1864—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(b), relative to public contracts; to provide relative to the waiving of requirements of the Public Bid Law for certain contracts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1895—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:2480(I), 2483(D), and 2484 and to enact R.S. 30:2480.1 and 2480.2, relative to the oil spill coordinator's office; to provide for public hearings for natural resource damage assessments; to create the Regional Restoration Planning Program; to provide for the Oil Spill Contingency Fund; to provide for the establishment of the Natural Resource Restoration Trust Fund; to provide for the uses of funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1899—

BY REPRESENTATIVE M. JACKSON

AN ACT

To amend and reenact Code of Evidence Article 1001(5) and 1003 and R.S. 13:3733(A), (B), and (D)(introductory paragraph) and to enact Code of Evidence Article 1001(6), relative to evidence; to provide for definitions; to provide for certain business records; to provide for the admissibility of certain electronically imaged records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1901—

BY REPRESENTATIVE MCDONALD

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii) and (4)(a)(iii), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), and (Q)(1)(a) and (b), relative to the Tuition Opportunity Program for Students; to provide for initial and continuing program eligibility, including revising certain residency requirements, providing relative to test dates, and reducing the time period in which a student can regain program eligibility when lost due to academic performance; to provide conditions and limitations; to provide relative to a student who initially qualifies for more than one program award; to refer to court-ordered custodians rather than legal guardians; to provide for program administration; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1901 by Representative McDonald

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Education and adopted by the Senate on May 29, 2001, following line 31 insert asterisks " * * * "

HOUSE BILL NO. 2012—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 17:3048.3 and 3048.4, relative to the Tuition Opportunity Program for Students; to provide for the establishment and implementation of a uniform information reporting system; to provide for applicability; to provide relative to compliance with reporting system requirements by colleges and universities, including requiring compliance as a condition of eligibility to receive certain payments by the state; to require that the reporting system include certain components; to provide for certain notifications to parents and others about program availability; and to provide for related matters.

Reported without amendments.

May 30, 2001

HOUSE BILL NO. 2040 (Substitute for House Bill No. 1200 by Representative Jack Smith)—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 34:334.37, relative to public bids for port, harbor, and terminal districts; provides relative to work to be let by contract by the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2053 (Substitute for House Bill 1009 by Representative Pinac)—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 32:385.1, relative to motor vehicles; to provide relative to width limitations for certain recreational vehicles; to provide for certain exemptions from such width limitations; 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.

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 30, 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. 1696—

BY REPRESENTATIVES PIERRE, FRITH, AND MCDONALD
AN ACT

To amend and reenact R.S. 41:1701, 1702(C), (D)(intro. para.) and (1), (F), (G)(1) and (2), (H), and (I), 1703(B), 1706, 1707(A) and (B), 1708, 1709, 1711(A), 1712(C) and (D), 1713(A), and 1714(C) and to enact R.S. 41:1701.1, relative to the State Land Office; to designate the agency which has the responsibility for administration and management of the state's water bottoms; and to provide for related matters.

HOUSE BILL NO. 1940—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 13:1894 and 2493(C), R.S. 14:143, and Code of Criminal Procedure Article 843 and to repeal R.S. 14:34.2(C), 67(D), 67.10(C), 69(D), 71(H), 82(F), and 285(E), relative to the enactment, enforcement, and prosecution of certain municipal or parochial ordinances; to provide that governing authorities of political subdivisions may adopt ordinances which define certain conduct as a criminal offense; to provide limitations on and requirements for those ordinances; and to repeal provisions which allow the adoption of municipal ordinances defining certain crimes; to provide for the enforcement of certain ordinances; to provide for the applicable procedure in court; and to provide for related matters.

HOUSE BILL NO. 2033—

BY REPRESENTATIVES HUNTER AND CURTIS
AN ACT

To amend and reenact Code of Criminal Procedure Article 738, relative to the number of witnesses a defendant is allowed to subpoena in felony cases; to increase the number to twenty; and to provide for related matters.

HOUSE BILL NO. 2070 (Substitute for House Bill No. 621 by Representative Faucheux)—

BY REPRESENTATIVE FAUCHEUX
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 237, 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 criteria 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 for circumstances for disregarding an advance directive; to provide for revocation; to provide for limitations on liability of physicians and other providers; to prohibit certain individuals 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.

HOUSE BILL NO. 2072 (Substitute for House Bill 1709 by Representative Diez)—

BY REPRESENTATIVE DIEZ
AN ACT

To enact Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2061 through 2073, relative to the Department of Transportation and Development; to create and provide relative to the Louisiana Transportation Authority;

to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction and duties of the authority; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; and to provide for related matters.

HOUSE BILL NO. 458—

BY REPRESENTATIVES CRANE AND DOWNER
AN ACT

To amend and reenact R.S. 17:154.1(A)(1) and (B) and 154.3(A), relative to the length of the school year; to increase the minimum number of instructional days per school year in public elementary and secondary schools; and to provide for related matters.

HOUSE BILL NO. 781—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact Code of Criminal Procedure Article 271, relative to bail in extradition cases; to provide that a person named in a governor's warrant for extradition shall not be eligible for release on bail; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 1081—

BY REPRESENTATIVE MARTINY
AN ACT

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

HOUSE BILL NO. 2071 (Substitute for House Bill No. 1298 by Representative McMains)—

BY REPRESENTATIVE MCMAINS
AN ACT

To enact Chapter 24 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1501 and 1502, relative to business organizations; to provide for filing of actions against persons who control business organizations; to provide for prescription; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 2073 (Substitute for House Bill No. 1932 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 9:1131.12(B) and (F), 1131.16(C) through (H), 1131.20(J)(7), and R.S. 37:1437.1(E) and (F), to enact R.S. 9:1131.10(A)(6), 1131.12(H), 1131.16(I) through (L), and 1131.20(J)(8) and (L), and to repeal R.S. 9:1131.4(D), relative to the Louisiana Timesharing Act; to provide requirements for public offering statements; to provide for advertising materials; to provide for acquisition agents; to provide for escrow accounts; to provide for deposit and release of escrowed funds; to provide for duties of timeshare property managers; to provide for misappropriation of funds; to provide for registration of

timeshare sales persons; to repeal certain surety bond requirements; and to provide for related matters.

HOUSE BILL NO. 2069 (Substitute for House Bill No. 565 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

HOUSE BILL NO. 231—

BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to judicial sales; to increase the fees fixed by the sheriff for the appraisal of property; and to provide for related matters.

HOUSE BILL NO. 510—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2221(A), relative to the Municipal Police Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the age and service criteria used for determining eligibility for participation; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 774—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 23:893, relative to employment of volunteer firefighters; to prohibit employers from terminating or denying leave to a certified volunteer firefighter; and to provide for related matters.

HOUSE BILL NO. 790—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:1821(C), relative to the Municipal Employees' Retirement System; to provide with respect to the board of trustees, including the length of the terms of office of certain board members; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1215—

BY REPRESENTATIVE ERDEY
AN ACT

To enact R.S. 11:441(G), relative to the Louisiana State Employees' Retirement System, but limited in application to employees of the Department of Economic Development and the office of film and video of the Department of Culture, Recreation and Tourism; to provide with respect to eligibility for retirement and benefits payable upon retirement, including but not limited to allowing employees to retire with twenty years of service regardless of age and to provide for the benefits payable pursuant to such retirement; to provide an effective date; and to provide for related matters.

May 30, 2001

HOUSE BILL NO. 1408—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:2269(B)(1), relative to the Firefighters' Retirement System; to provide with respect to military service credit, including but not limited to changing the dates during which certain military service must have occurred in order to purchase credit for such service; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 96—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 43:202(B) and to enact R.S. 43:202(C), relative to the publication of judicial advertisements and legal notices in the parish of Orleans; to provide for additional advertisements for the sale of immovable property; to provide for certain exceptions; to provide for validity of the sale; and to provide for related matters.

HOUSE BILL NO. 1069—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:1801(1), 1802, 1804(1), and 1805(A), relative to the Municipal Employees' Retirement System; to provide with respect to the eligibility for Plan B normal retirement benefits; to provide with respect to the computation of Plan B normal and disability retirement benefits; to provide with respect to the computation of and eligibility for Plan B survivor benefits; to provide an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 96—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 43:202(B) and to enact R.S. 43:202(C), relative to the publication of judicial advertisements and legal notices in the parish of Orleans; to provide for additional advertisements for the sale of immovable property; to provide for certain exceptions; to provide for validity of the sale; 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. 231—

BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to judicial sales; to increase the fees fixed by the sheriff for the appraisal of property; and to provide for related matters.

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

HOUSE BILL NO. 458—

BY REPRESENTATIVES CRANE AND DOWNER
AN ACT

To amend and reenact R.S. 17:154.1(A)(1) and (B) and 154.3(A), relative to the length of the school year; to increase the minimum number of instructional days per school year in public elementary and secondary schools; and to provide for related matters.

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

HOUSE BILL NO. 510—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2221(A), relative to the Municipal Police Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the age and service criteria used for determining eligibility for participation; 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. 774—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 23:893, relative to employment of volunteer firefighters; to prohibit employers from terminating or denying leave to a certified volunteer firefighter; and to provide for related matters.

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

HOUSE BILL NO. 781—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact Code of Criminal Procedure Article 271, relative to bail in extradition cases; to provide that a person named in a governor's warrant for extradition shall not be eligible for release on bail; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 790—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:1821(C), relative to the Municipal Employees' Retirement System; to provide with respect to the board of trustees, including the length of the terms of office of certain board members; 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. 1069—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1801(1), 1802, 1804(1), and 1805(A), relative to the Municipal Employees' Retirement System; to provide with respect to the eligibility for Plan B normal retirement benefits; to provide with respect to the computation of Plan B normal and disability retirement benefits; to provide with respect to the computation of and eligibility for Plan B survivor benefits; 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. 1081—

BY REPRESENTATIVE MARTINY

AN ACT

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

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

HOUSE BILL NO. 1215—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 11:441(G), relative to the Louisiana State Employees' Retirement System, but limited in application to employees of the Department of Economic Development and the office of film and video of the Department of Culture, Recreation and Tourism; to provide with respect to eligibility for retirement and benefits payable upon retirement, including but not limited to allowing employees to retire with twenty years of service regardless of age and to provide for the benefits payable pursuant to such retirement; 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. 1408—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:2269(B)(1), relative to the Firefighters' Retirement System; to provide with respect to military service credit, including but not limited to changing the dates during which certain military service must have occurred in order to purchase credit for such service; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1696—

BY REPRESENTATIVES PIERRE, FRITH, AND MCDONALD

AN ACT

To amend and reenact R.S. 41:1701, 1702(C), (D)(intro. para.) and (1), (F), (G)(1) and (2), (H), and (I), 1703(B), 1706, 1707(A) and (B), 1708, 1709, 1711(A), 1712(C) and (D), 1713(A), and 1714(C) and to enact R.S. 41:1701.1, relative to the State Land Office; to designate the agency which has the responsibility for administration and management of the state's water bottoms; and to provide for related matters.

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

HOUSE BILL NO. 1940—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 13:1894 and 2493(C), R.S. 14:143, and Code of Criminal Procedure Article 843 and to repeal R.S. 14:34.2(C), 67(D), 67.10(C), 69(D), 71(H), 82(F), and 285(E), relative to the enactment, enforcement, and prosecution of certain municipal or parochial ordinances; to provide that governing authorities of political subdivisions may adopt ordinances which define certain conduct as a criminal offense; to provide limitations on and requirements for those ordinances; and to repeal provisions which allow the adoption of municipal ordinances defining certain crimes; to provide for the enforcement of certain ordinances; to provide for the applicable procedure in court; and to provide for related matters.

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

HOUSE BILL NO. 2033—

BY REPRESENTATIVES HUNTER AND CURTIS

AN ACT

To amend and reenact Code of Criminal Procedure Article 738, relative to the number of witnesses a defendant is allowed to subpoena in felony cases; to increase the number to twenty; and to provide for related matters.

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

HOUSE BILL NO. 2069 (Substitute for House Bill No. 565 by Representative Hammett)—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

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

HOUSE BILL NO. 2070 (Substitute for House Bill No. 621 by Representative Faucheux)—
BY REPRESENTATIVE FAUCHEUX

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 237, 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 criteria 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 for circumstances for disregarding an advance directive; to provide for revocation; to provide for limitations on liability of physicians and other providers; to prohibit certain individuals 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.

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

HOUSE BILL NO. 2071 (Substitute for House Bill No. 1298 by Representative McMains)—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact Chapter 24 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1501 and 1502, relative to business organizations; to provide for filing of actions against persons who control business organizations; to provide for prescription; to provide for applicability; 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. 2072 (Substitute for House Bill 1709 by Representative Diez)—

BY REPRESENTATIVE DIEZ

AN ACT

To enact Chapter 29 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2061 through 2073, relative to the Department of Transportation and Development; to create and provide relative to the Louisiana Transportation Authority; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction and duties of the authority; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; 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. 2073 (Substitute for House Bill No. 1932 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:1131.12(B) and (F), 1131.16(C) through (H), 1131.20(J)(7), and R.S. 37:1437.1(E) and (F), to enact R.S. 9:1131.10(A)(6), 1131.12(H), 1131.16(I) through (L), and 1131.20(J)(8) and (L), and to repeal R.S. 9:1131.4(D), relative to the Louisiana Timesharing Act; to provide requirements for public offering statements; to provide for advertising materials; to provide for acquisition agents; to provide for escrow accounts; to provide for deposit and release of escrowed funds; to provide for duties of timeshare property managers; to provide for misappropriation of funds; to provide for registration of timeshare sales persons; to repeal certain surety bond requirements; and to provide for related matters.

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

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 30, 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. 183—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To designate September as Aneurysm Awareness Month in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Barbe High School baseball team of Lake Charles for winning the 2001 Class 5A state high school championship and to congratulate the Barbe Buccaneers for their outstanding performance during the season.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVES TOOMY, KATZ, AND GARY SMITH AND SENATOR HOLLIS

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support House Resolution 527 making changes to Section 527 of the Internal Revenue Code, relative to reports by state and local political committees.

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. 183—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To designate September as Aneurysm Awareness Month in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Fields, W
Dupre	Jones, B
Total—4	

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

Senator Lambert in the Chair

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Barbe High School baseball team of Lake Charles for winning the 2001 Class 5A state high school championship and to congratulate the Barbe Buccaneers for their outstanding performance during the season.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dupre
Boissiere	Jones, B
Total—4	

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

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVES TOOMY, KATZ, AND GARY SMITH AND SENATOR HOLLIS

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support House Resolution 527 making changes to Section 527 of the Internal Revenue Code, relative to reports by state and local political committees.

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

**House Bills and Joint Resolutions
on Second Reading to be Referred**

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

May 30, 2001

HOUSE BILL NO. 1822—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 47:322.38(D), relative to the expenditure of state funds; to provide for the disposition of certain monies appropriated from the New Orleans Area Tourism and Economic Development Fund; to provide for the retention of certain unexpended and unencumbered monies at the end of the fiscal year; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

May 30, 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 BILL NO. 880—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 37:1226.1, relative to prescription drugs; to prohibit prescription drugs from being accepted for return, exchange, or re-dispensing after removal from a pharmacy premises unless certain requirements are met; to authorize certain drugs to be transferred from a facility licensed by the Department of Health and Hospitals to a provisional, permitted pharmacy under certain procedures; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, through its secretary, to seek waivers to implement the Medicaid-funded adult residential assisted living pilot project.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide Medicaid reimbursement for previously owned durable medical equipment.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE DURAND AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Commission on Child Abuse Multidisciplinary Teams created during the 2000 Regular Session pursuant to Senate Concurrent Resolution No. 5.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To re-create the Louisiana Child Day Care Task Force to continue its study of the current law and regulations governing child day care facilities and workers in Louisiana, comparing our state to other states and any federal or national day care standards; to devise a plan for implementation of the recommendations in the report the task force submitted to the legislature; and to continue to make recommendations for changes in the laws, rules, and regulations governing child day care facilities and workers in Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVES WINSTON, R. ALEXANDER, CLARKSON, DARTEZ, DOERGE, DURAND, GLOVER, ILES, L. JACKSON, M. JACKSON, KATZ, MCDONALD, SCHWEGMANN, SHAW, WELCH

A CONCURRENT RESOLUTION

To urge and request the Departments of Education, Health and Hospitals, and Social Services to maximize available federal resources to expand child care assistance.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVES WINSTON, R. ALEXANDER, DOERGE, DURAND, GLOVER, ILES, L. JACKSON, M. JACKSON, KATZ, MCDONALD, SCHWEGMANN, SHAW, AND WELCH AND SENATOR BAJOIE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to participate fully in any federal grant program that would be beneficial to women with breast cancer, including but not limited to a program which would enhance the state's ability to provide Medicaid coverage to women with breast cancer.

Reported favorably.

HOUSE BILL NO. 103—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 37:3051, 3061, 3062(B), 3063(B), (D), and (E), 3071(E), 3073(B)(1) and (2), and 3077(C)(3)(a), to enact R.S. 37:3063(C)(3), and to repeal R.S. 37:3071(F)(2), relative to the practice of electrology; to provide definitions; to provide for membership of the State Board of Electrolysis Examiners; to change requirements related to the number of meetings and examinations provided per year; to prohibit payments in apprenticeship programs; to provide for renewals of licenses of electrolysis technicians; to delete authorization of a waiver of educational requirements for out-of-state electrologists; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 331—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 40:5.5(C)(6), relative to sanitary inspections; to phase out the exception from having to obtain a food safety certificate for certain food service establishments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 357—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 37:2105, 2107, and 2108 and to enact R.S. 37:2109.1, relative to sanitarians; to provide for continuing education requirements; to provide for licensure and licensure renewal fees; to provide for miscellaneous fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 601—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 46:2605(B)(33) through (35), relative to the Children's Cabinet Advisory Board; to add members to the board; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 704—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 40:2811(A)(1) and (2) and to enact R.S. 40:2811(C), relative to property abandoned to hospitals; to decrease the time period within which property must be held; to provide for the disposition of soiled clothing; to provide for notification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 743—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to increase fees charged for the production of medical records; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 819—

BY REPRESENTATIVES MCMAINS, DIEZ, AND SHAW

AN ACT

To amend and reenact R.S. 37:1357 and 1358, relative to the practice of acupuncture; to provide additional means of eligibility for the certification of a physician as an acupuncturist; to provide additional means of eligibility for certification as an acupuncturist's assistant; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 921—

BY REPRESENTATIVE M. JACKSON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1349—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 46:2611, 2612, and 2613(A), (C), (D), and (E), relative to the Louisiana Council on Obesity; to provide for its continuation; to provide for its powers, functions, and duties; to provide relative to its members, meetings, and report; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1468—

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

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1514—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 46:2132(4), relative to domestic abuse; to include certain persons in the definition of "household members"; to provide for protective orders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1583—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 37:760(A)(14), relative to the powers and duties of the Louisiana State Board of Dentistry; to authorize the board to apply for warrants authorizing the seizure of dental health records or controlled dangerous substance records in certain circumstances; to provide for the courts where such warrants may be applied for; to provide for court findings for a warrant; to provide for process of the warrant; to provide for copying dental records received; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1584—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 46:811, 812(A), (C), and (D), 813(A)(1) and (5) and (C), to enact R.S. 36:109(J) and R.S. 46:813(D), and to repeal R.S. 36:259(D) and R.S. 46:814, relative to the Biomedical Research and Development Park; to provide for the transfer of the commission to the Department of Economic Development; to provide for its composition and meetings; to provide for the governance of the commission; to provide for the commission's duties, functions, and powers; to repeal the provisions relative to the termination of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1728—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 37:795(B)(2)(a), (l), (m), and (n), and (3)(h) and (i); and to enact R.S. 37:795(B)(1)(i), (j), and (k), (2)(o) and (p), and (3)(j), (k), and (l); to revise the fee schedule of the Louisiana State Board of Dentistry; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1734—

BY REPRESENTATIVE ANSARDI

AN ACT

To enact Part VI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2175, relative to comfort care for children; to provide for the establishment of a children's comfort care center pilot program; to require the Department of Health and Hospitals to develop standards for the pilot program; to provide a termination date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1767—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 28:750(A)(introductory paragraph) and (1) and (B)(introductory paragraph), 751(1), (2), (4), (5), and (6), 752(5) and (6), and 753(A) and R.S. 36:259(L) and to enact R.S. 28:751(7) and (8) and 752(17), relative to the Louisiana State Planning Council on Developmental Disabilities; to change the name of the council to the Louisiana Developmental Disabilities Council; to provide for definitions; to provide for responsibilities of the council; to provide for an increase in membership of the council; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1771—

BY REPRESENTATIVES PRATT AND WELCH

AN ACT

To enact R.S. 46:261, relative to the parental and child relationships; to establish the Fatherhood Initiative to promote stronger father-child relationships and to enhance men's parenting skills; to create the Fatherhood Council and to provide for the members thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1985—

BY REPRESENTATIVE SHAW AND SENATOR MALONE

AN ACT

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

Reported with amendments.

Respectfully submitted,
TOM SCHEDLER
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 30, 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. 278—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 37:2160(A)(1), 2163(A)(1), (2), (4), and (5) and (B), 2167(A), and 2171 and to enact R.S. 37:2167.1 and 2171.1, relative to contractors; to provide relative to prohibited activities; to provide relative to bid procedures; to provide for inactive licenses; to provide for inspection of certain building permits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 658—

BY REPRESENTATIVES MURRAY, BRUCE, M. JACKSON, AND SCHWEGMANN

AN ACT

To amend and reenact R.S. 37:1881, relative to antique dealers; to provide for violations and penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1299—

BY REPRESENTATIVE CAZAYOUX
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1306—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 12:1345(A)(5), relative to foreign limited liability companies; to provide for address listings in the certificate of authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1314—

BY REPRESENTATIVES PINAC AND CRANE AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 9:4332(B) and to enact 9:4332(C), relative to secured financial transactions; to require notification to property insurers upon transfer of the instrument; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1438—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 51:651, 652(A), 653(A), 654, 655(A), and 656(C)(1)(f) and to enact R.S. 51:652(C), relative to fireworks; to provide conformity with federal classifications of fireworks; to impose penalties for the illegal sale of impermissible fireworks within the state; to prohibit igniting fireworks within one thousand feet of a fireworks retail location; to impose a penalty for the unlawful discharge of a fireworks from a motor vehicle; to require a work permit for anyone under the age of eighteen to work at a firework retail location; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1621—

BY REPRESENTATIVES BAYLOR, BROOME, BRUCE, DEVILLIER, DOERGE, FRITH, LAFLEUR, MORRELL, PINAC, RIDDLE, AND SNEED
AN ACT

To enact Part V-A of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1220 through 1222, relative to utilities; to require the Louisiana Public Service Commission to adopt certain rules; to provide for the implementation of a deferred billing program for certain customers; to prohibit certain activities; to provide for violations, and penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1637—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 12:303(A)(3) and 1306(A)(2) and to enact R.S. 12:23(B)(5), 204(B)(5), and 1306(A)(3)(f), relative to the naming of certain business entities; to prohibit the use of certain phrases in business names; to allow for certain name usages; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1655—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 12:32(A), 35(B)(1)(d), (2), and (3), 102(A)(introductory paragraph), 104(B)(1), 142(B)(2), 149(B), 164(B)(2) and (C)(1)(c), 205.1(A)(introductory paragraph), 236(C)(3), 238(A), 239.1(B)(1) and (3), 247.1(B)(2) and (C)(1)(b), 250(C)(2), and 257(B), relative to officers and directors of certain business entities; to provide for powers and duties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1881—

BY REPRESENTATIVE SHAW
AN ACT

To amend and reenact R.S. 37:2841, 2842(introductory paragraph), and 2844(h) and to enact R.S. 37:2833(8) and 2844(i) and (j), relative to polygraphists; to provide for definitions; to provide relative to the certification of out-of-state polygraphists; to provide relative to qualifications; to provide relative to fees; and to provide for related matters.

Reported favorably.

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 30, 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:

HOUSE BILL NO. 181—

BY REPRESENTATIVE RIDDLE
AN ACT

To enact Part II of Chapter 31 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2321 through 2335, relative to state recognition of Indian tribes; to provide criteria for recognition of Indian tribes; to provide for hearing

procedures; to provide for judicial review; to provide for venue; to establish burden of proof; to provide for evidence; to provide for rulemaking; to provide for the assessment of fees; to provide for applicability; to provide for exceptions; to provide for definitions; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1849—

BY REPRESENTATIVES STRAIN AND BRUNEAU
AN ACT

To enact R.S. 18:1461(A)(23), relative to election offenses; to prohibit the release or broadcast to the general public of exit polling data or conclusions based thereon prior to the polls closing on election day; 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. 460—

BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 46:1906, relative to public welfare and assistance; to provide with respect to the Division of Youth Services; to permit rather than require local governing authorities to pay detention centers excess costs for juveniles committed to the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 460 by Senator Smith

AMENDMENT NO. 1

On page 2, line 15, delete "The" and insert "Subject to appropriation, the"

AMENDMENT NO. 2

On page 2, line 26, delete "The department shall pay" and insert "Subject to appropriation, the department shall pay"

AMENDMENT NO. 3

On page 3, line 7, delete "Each" and insert "Subject to appropriation, each"

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

SENATE BILL NO. 684—

BY SENATORS CRAVINS AND HAINKEL
AN ACT

To enact R.S. 46:450.5, relative to public welfare and assistance; to provide with respect to families; to provide for the implementation of a pilot program for parental responsibility training for the parents, guardians or legal custodians of certain juveniles; to require the Secretary of Social Services in cooperation with the Department of Public Safety and Corrections to establish standards and guidelines for the implementation of the program; to provide for certain components of such guidelines; to provide for funding of the program; to provide for a specific date for implementation of the program; to provide for a report on the success of and recommendation for the future of the program by both departments; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 684 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 4, after "program" and before "for parental" insert the following: "in the parishes of Caddo, Calcasieu, East Baton Rouge, Lafayette, New Orleans, Ouachita, Rapides, and Saint Landry"

AMENDMENT NO. 2

On page 2, line 23, after "training in" and before "parishes" delete "one or more" and insert in lieu thereof "the"

AMENDMENT NO. 3

On page 2, line 24, at the beginning of the line delete "the state" and insert in lieu thereof the following: "Caddo, Calcasieu, East Baton Rouge, Lafayette, New Orleans, Ouachita, Rapides, and Saint Landry"

AMENDMENT NO. 4

On page 2, line 24, after "parishes" and before "selected" insert "hereby"

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

SENATE BILL NO. 1045—

BY SENATOR BOISSIERE
AN ACT

To enact R.S. 11:553(17) and 559(3), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership of certain employees of the traffic courts for the parish of Orleans; to authorize credit in the judicial retirement plan of the Louisiana State Employees' Retirement System for

service as a judicial administrator for the traffic courts for the parish of Orleans; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 1045 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 7, after "parish of Orleans" insert "and each deputy of the administrator"

AMENDMENT NO. 2

On page 2, line 3, after "parish of Orleans" insert "and each deputy of the administrator"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 107—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 15:911, relative to juveniles; to provide for the administration of medication to children in detention facilities; to provide for definitions; to provide for the establishment of guidelines for the administration of medication; to provide for rights and responsibilities of employees assigned to detention facilities relative to the administration of medication; 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. 107 by Representative Salter

AMENDMENT NO. 1

On page 1, after line 16 insert the following:

"(3) "Administer" or "Administration" means the giving of either an oral, pre-measured dose inhalant or topical ointment medication to a patient."

AMENDMENT NO. 2

On page 3, after line 26 insert the following:

"F. Notwithstanding any provision of law to the contrary, nothing shall prohibit the application of an injectable medication in a life threatening situation by an employee of a juvenile detention

facility who is trained in the administration of injectable medication."

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. 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.

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

HOUSE BILL NO. 312—

BY REPRESENTATIVE PITRE

AN ACT

To enact Section 4(J) of Act No. 113 of the 1950 Regular Session of the Louisiana Legislature, relative to the Bayou Lafourche Freshwater District; to provide for powers of the board of commissioners; to authorize the board to develop and implement measures to prevent the intrusion of salt water into the flow of fresh water; 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. 382—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:571.3(A)(2) and (3), relative to good time earned by prisoners in parish prisons and multiparish facilities; to provide for determinations by and regulations of the sheriff of the parish in which the conviction was had; to provide for an effective date; to provide for retroactive application; 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. 532—

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

AN ACT

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

regulatory approvals related thereto; to provide limitations on the number of slot machines operated at an eligible facility in Orleans Parish; and to provide for related matters.

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. 602—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 40:1154, relative to individual sewer systems; to change provisions relative to effluent of sewage treatment systems; to require such systems to have a means of or device for disinfecting such effluent; 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. 762—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:311(J), relative to the Video Draw Poker Devices Control Law; to provide for the issuance of a conditional video draw poker license within ninety days of submission of a completed application absent a showing of unsuitability; 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. 762 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 13, after "J." and before "Within" insert "(1)"

AMENDMENT NO. 2

On page 1, line 13, change "ninety" to "one hundred"

AMENDMENT NO. 3

On page 1, line 15, after "license" and before "or" insert "for types 1, 2, and 3."

AMENDMENT NO. 4

On page 2, after line 5, insert the following:

"(2) If a conditional license is issued, the conditional licensee shall relinquish the license upon notification by the division that administrative action will be initiated to deny the original application."

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. 766—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 47:332.4(B) and to enact R.S. 47:332.4(D), relative to the disposition of certain collections in St. John the Baptist Parish; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Finance Committee to Engrossed House Bill No. 766 by Representative Faucheux

AMENDMENT NO. 1

On page 2, line 4, after "D." insert "(1)"

AMENDMENT NO. 2

On page 2, line 7, after "Museum" delete "and", insert a period "." and insert the following:

"The allocation provided in this Paragraph shall become effective on the date the secretary of state certifies that the museum becomes operational. The allocation for the fiscal year in which the museum opens shall be prorated based upon the number of months it is operational.
(2) Out of the St. John the Baptist Convention Facility Fund,"

AMENDMENT NO. 3

On page 2, line 9, after the period "." and before "The" insert the following:

"The allocation provided in this Paragraph shall become effective on the date the secretary of state certifies that the museum becomes operational. The allocation for the fiscal year in which the museum opens shall be prorated based upon the number of months it is operational.
(3)"

AMENDMENT NO. 4

On page 2, line 11, change "(1)" to "(a)"

AMENDMENT NO. 5

On page 2, line 13, change "(2)" to "(b)"

AMENDMENT NO. 6

On page 2, line 14, change "(3)" to "(c)"

On motion of Senator Dardenne, 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. 776—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:96(A), relative to riverboat gaming; to provide that elected public officials can do business with riverboat gaming licensees as a performing musician; 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. 777—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 11:175, relative to all Louisiana public retirement systems; to provide with respect to membership, salary, contributions, and participating employers; to provide regarding the release of information upon request; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 778—

BY REPRESENTATIVES TRICHE, DANIEL, AND JOHNS

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for the early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

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

HOUSE BILL NO. 855—

BY REPRESENTATIVE MARTINY

AN ACT

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

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. 855 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 15, before "suitability" insert "personal"

AMENDMENT NO. 2

On page 2, line 2, after "licensee" insert a "." and delete the remainder of the line and delete line 3

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. 914—

BY REPRESENTATIVE DANIEL

AN ACT

To enact Subpart C of Part VIII of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:942.1 through 942.9, relative to the Teachers' Retirement System; to provide with respect to an alternative contribution plan, including but not limited to the creation of the plan, eligibility for participation, investments, and the criteria used for selecting vendors of investment products, contributions, service credit, and benefits; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 914 by Representative Daniel

AMENDMENT NO. 1

On page 5, line 15, after "exceed" delete "thirty" and insert "twenty-five"

AMENDMENT NO. 2

On page 5, line 19, after "twenty" delete "-"

AMENDMENT NO. 3

On page 5, line 20, at the beginning of the line, delete "four"

AMENDMENT NO. 4

On page 5, line 21, after "or" delete "forty-five" and insert "thirty-seven and one-half"

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

HOUSE BILL NO. 974—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 15:1234(A)(9), relative to the Committee on Law Enforcement Services for the Elderly; to add a representative of the Louisiana Association of District Attorneys to the committee; 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. 1005—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:5.8(6)(introductory paragraph) and 2822(20)(introductory paragraph), relative to drinking water; to define public water system; 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. 1028—

BY REPRESENTATIVES DANIEL AND SCHNEIDER AND SENATOR MICHOT

AN ACT

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

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

HOUSE BILL NO. 1030—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:1702(A)(2), relative to state procurement; to authorize public procurements based on federal General Services Administration supply schedules under certain circumstances; to authorize the central purchasing agency to issue rules and regulations related to such procurements; and to provide for related matters.

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

HOUSE BILL NO. 1031—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:1484(A)(18), relative to professional services procurement; to expand the definition of professional services to include services performed by actuaries; to provide for inclusion of certified advanced practice nurses instead of certified registered nurse anesthetists in such definition; and to provide for related matters.

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

HOUSE BILL NO. 1034—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:1527(1), relative to the state risk management program; to provide that housing authorities are not state agencies for purposes of the risk management program; and to provide for related matters.

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

HOUSE BILL NO. 1131—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 11:3005.1, relative to the City of Alexandria Employees' Retirement System; to provide with respect to the creation of a Deferred Retirement Option Plan, including but not limited to eligibility and duration of participation, membership status, employee and employer contributions, compensation and creditable service, cost-of-living increases, benefits and the method for payment of benefits, and employment after participation; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1175—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 27:307(F), relative to the Video Draw Poker Devices Control Law; to provide that licensees do not have to submit designated representative information to the division; 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. 1186—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 40:1299.44(A)(5)(g) and (B)(1), relative to the Patient's Compensation Fund; to provide for the appropriation of monies from the fund for payment of claims; and to provide for related matters.

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

HOUSE BILL NO. 1258—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 27:306(E)(4), relative to the Video Draw Poker Devices Control Law; to require establishment licensees to notify the video draw poker division of state police of facts which indicate a licensed establishment has changed ownership; to require device owners to give notice to the division of a change in ownership of a licensed establishment if they have received notice of the change in writing; 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. 1261—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:306(E)(1), relative to the Video Draw Poker Devices Control Law; to provide that when the license is transferred for certain licensed establishments operating video draw poker devices, the devices may continue to be operated for a defined period of time; 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. 1276—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:36(A)(4)(b) and (B)(6) and 37, relative to the expenditure of state funds; to provide for the form, content, and submission of the executive budget recommendation; and to provide for related matters.

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

HOUSE BILL NO. 1287—

BY REPRESENTATIVE HOLDEN AND SENATOR ROMERO

AN ACT

To amend and reenact R.S. 40:1487(A)(1) and (2), (B), and (C)(1), (2), and (5), relative to revenue bonds; to authorize the issuance of revenue bonds on behalf of the Department of Public Safety and Corrections; to provide for the issuance of revenue bonds for the relocation, planning, acquisition, construction, and equipping of a Joint Emergency Services Training Center and the state fire marshal's project at Independence Park in East Baton Rouge Parish; to provide for the requirements of issuance including the revenues to be pledged by the department to the repayment of the bonds, notes, certificates, reimbursement obligations, or other evidences of indebtedness; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1331—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:87.2(B) and (C), 87.3(A)(introductory paragraph) and (E), and 87.4(A)(3) and to enact R.S. 24:653(J), relative to performance-based budgeting; to authorize the Joint Legislative Committee on the Budget to establish a subcommittee for the purposes of performance-based budgeting; to provide for duties of the subcommittee; to provide for the categorization of performance data based on inclusion in certain budget documents; to provide for the circumstances under which performance data may be adjusted during the budget year; to provide for planning, evaluation, and reporting of agency capacity to monitor and report performance; and to provide for related matters.

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

HOUSE BILL NO. 1339—

BY REPRESENTATIVES SCHNEIDER AND THOMPSON AND SENATOR BOISSIERE

AN ACT

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

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

HOUSE BILL NO. 1343—

BY REPRESENTATIVE SCHNEIDER

AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1343 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 4, delete "788(C),"

AMENDMENT NO. 2

On page 2, line 15, delete "788(C),"

AMENDMENT NO. 3

On page 15, delete lines 23 through 26

AMENDMENT NO. 4

On page 16, delete lines 1 through 6

On motion of Senator Dardenne, 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. 1355—

BY REPRESENTATIVES DANIEL, MCDONALD, SCHNEIDER, AND TRICHE

AN ACT

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

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1355 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 11 delete "is the actuarial equivalent of" and insert "represents"

AMENDMENT NO. 2

On page 2, at the end of line 13, delete "which is the"

AMENDMENT NO. 3

On page 2, line 14, delete "actuarial equivalent of the amount of" and insert "equal to the portion of service represented by"

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

HOUSE BILL NO. 1393—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:542(C)(5), relative to the Louisiana State Employees' Retirement System; to provide with respect to benefits, including but not limited to certain minimum benefits payable to retirees and beneficiaries and the methods used for calculating such benefits; to provide for source of funding; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1393 by Representative Schneider

AMENDMENT NO. 1

Delete Amendments No. 1, No. 2, and No. 3 of Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001.

On motion of Senator Dardenne, 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. 1442—

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

AN ACT

To enact Subpart E of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:88.1 through 88.4; to establish a collection policy and procedure for use by state agencies to assist in the collection of obligations due to the state; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1489—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 27:317(C), relative to residence and domicile requirements for device owners, distributors, or service entities; to provide an exception for publicly traded corporations; 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. 1522—

BY REPRESENTATIVES DANIEL AND SCHNEIDER

AN ACT

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

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

HOUSE BILL NO. 1563—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 4:702(C)(1), 704(D), 707(C)(4) and (5), (D)(1)(a), (2), (3), and (4), 710(A), 715(B), 720(B), 721(B)(4), 724(B)(2), 726(A)(1) and (D), and 735(B)(7), and to enact R.S.

4:708(A)(9) and 718(H), and to repeal R.S. 4:720(C), 728, 732(F) and (G), and 733(J), relative to charitable gaming; to provide with respect to commercial lessors; to correct internal citations; to provide criteria for the issuance of special licenses; to provide with respect to personnel conducting charitable gaming; to provide for the revocation, suspension, or condition of any charitable gaming license; to provide for the maximum payout on electronic video bingo games; to repeal duplicative language; to repeal provision of law allowing only one parent-teacher association or booster club for each school; to repeal provision of law prohibiting any licensed charitable organization operating more than fifteen electronic pull-tab devices from offering pull-tabs; to repeal provision regarding the use of monies derived from enforcement of bingo regulations in Livingston Parish; to repeal provision requiring mega jackpot progressive bingo and progressive blackout bingo be mutually exclusive; to repeal population limitations for networking or linking progressive mega jackpot bingo games; 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. 1563 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 4, after "and (D)," and before "and 735(B)(7)," insert "733(B)(5)(h),"

AMENDMENT NO. 2

On page 1, line 11, after "games;" and before "to repeal" insert the following: "to provide that electronic pull-tab devices shall be linked to a computer located at the Department of Revenue, office of charitable gaming;"

AMENDMENT NO. 3

On page 2, line 9, after "(D)," and before "735(B)(7)" insert "733(B)(5)(h),"

AMENDMENT NO. 4

On page 10, between lines 18 and 19, insert the following:

"§733. Electronic pull-tab devices
* * *
B. Each device shall:
* * *

(5) Have separate secure areas with locking doors for the game logic board and software, the cash compartment, and the mechanical meters as required by the rules and regulations of the office. These areas must be locking and separated. Access to one from the other must not be allowed at any time.
* * *

(h) The device must shall be linked by telecommunication to a central computer for purposes of polling or reading device activities and for central computer remote shutdown of device operations. Each location licensed under this Chapter for charitable gaming shall have a computer which shall be linked with a computer located at the Department of Revenue, office of charitable gaming. The computer

shall contain a mechanism which shall allow automatic shut-down of devices at a licensed location by the office.
* * *

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. 1610—

BY REPRESENTATIVES DANIEL AND SCHNEIDER
AN ACT

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

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1610 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 5, change "10" to "9.8"

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

HOUSE BILL NO. 1643—

BY REPRESENTATIVES GLOVER AND HOPKINS
AN ACT

To amend and reenact R.S. 47:302.2(C)(1)(e), relative to the Shreveport Riverfront and Convention Center and Independence Stadium Fund; to create a special account in such fund for monies allocated to the Louisiana State Exhibit Museum in Shreveport; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1803—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 15:824(B)(1)(a), relative to persons committed to the Department of Public Safety and Corrections; to increase the amount of the daily payments to sheriffs and local governing authorities for the housing of individuals committed to the department and confined in parish jails; 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. 1833—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 38:2251(C)(6) and R.S. 39:1595(C)(6), relative to the preference for products produced or manufactured in Louisiana in accordance with the Public Bid Law; provides for the definition of manufacturing or converting of paper and paper products; and to provide for related matters.

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

HOUSE BILL NO. 1904—

BY REPRESENTATIVE DARTEZ

AN ACT

To enact R.S. 27:43(C), relative to riverboat gaming; to provide that the Intracoastal Waterway includes all of Bayou Boeuf situated within St. Mary Parish; 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. 1920—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 48:252(L) and to enact R.S. 38:2212.6 and R.S. 39:1594.3, relative to procurement of materials and supplies by public entities; to authorize public entities to reject any bid for materials and supplies manufactured or produced in the People's Republic of China; and to provide for related matters.

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

HOUSE BILL NO. 1981—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 47:302.27(A), relative to the state sales tax on hotel occupancy in St. Martin Parish; to dedicate a portion of the tax to the St. Martin Parish Enterprise Fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2007—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 17:3351(A)(introductory paragraph) and to enact R.S. 17:3351(A)(5)(b)(vi), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to authorize the public postsecondary education management boards to establish and adjust tuition and

mandatory attendance fee amounts applicable to students who are Louisiana residents; to provide limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2020—

BY REPRESENTATIVES MORRELL AND MURRAY

AN ACT

To enact Chapter 8-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1241 through 1250, relative to the establishment and management of regional or local area juvenile justice information sharing policy boards by units of state and local government, in cooperation with private service providers; to authorize general and specific agreements; to provide for the powers and duties of said boards; 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.

**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:

Mr. President in the Chair

Called from the Calendar

Senator Mount asked that Senate Bill No. 1058 be called from the Calendar at this time.

SENATE BILL NO. 1058—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 33:4699.1(A) and (B), relative to certain public property in the city of Lake Charles; to provide relative to the use of certain property; to authorize the use of the property for commercial or profit-oriented projects; to authorize the lease of such property; to authorize the use of certain property for certain gaming activities subject to voter approval; to provide conditions and restrictions; 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 Guillory to Reengrossed Senate Bill No. 1058 by Senator Mount

AMENDMENT NO. 1

Delete House Floor Conforming Amendments Nos. 11, 12, 25, 26, 27, 28, 41, and 42, proposed by Representative Guillory and adopted by the House on May 17, 2001

AMENDMENT NO. 2

On page 14, delete lines 23 through 26, both inclusive, in their entirety and delete pages 15 and 16, in their entirety and insert in lieu thereof the following:

"A tract or parcel of land lying in Section 31, Township 9 South, Range 8 West, in the city of Lake Charles, Calcasieu Parish, Louisiana, and being more particularly described as: Beginning at a point 125.0 feet (Record & Measured) South 6 degrees 10 minutes West (Record) South 6 degrees 1 minute West (Measured) of the centerline of U. S. Highway No. 90, also known as Interstate 10 (said centerline shown on the plans of the Louisiana Department of Highways now the Louisiana Department of Transportation and Development, State Project No. 3-30-07, dated October 25, 1950), and North 80 degrees 35 minutes West (Record & Measured), a distance of 50.0 feet from the prolongation of the West line of the J. A. Bel et al. property (as per agreement boundary between J. A. Bel et al. and the State of Louisiana in accordance with the plat filed in records of the Parish of Calcasieu in Plat Book 6 at Page 57);

Thence South 6 degrees 10 minutes West (Statute) South 6 degrees 1 minute West (Record & Measured) a distance of 352.0 feet (Record & Measured);

Thence South 44 degrees 58 minutes West (Statute) a distance of 680.0 feet more or less (Statute) 731.28 feet (Calculated), to a point 1050.0 feet South of the centerline of said U. S. Highway No. 90;

Thence South 89 degrees 58 minutes West (Statute) following along a line parallel to and 1050 feet South of the centerline of said U. S. Highway No. 90, a distance of 325.71 feet (Calculated);

Thence North 0 degrees 2 minutes West (Calculated) 925.0 feet (Calculated) to a point 125.0 feet South of the centerline of said U. S. Highway No. 90;

Thence North 89 degrees 58 minutes East 63.67 feet along the line that is 125 feet South of the centerline of U. S. Highway No. 90 to the beginning of a spiral curve to the right;

Thence along the spiral curve to the right Chord Bearing South 89 degrees 40 minutes 12 seconds East (Calculated) for a distance of 147.54 feet (Calculated) to the Spiral to Curve; thence along curve to the right, Chord Bearing South 87 degrees 0 minutes 30 seconds East (Calculated) 245.01 feet (Calculated), to the Curve to Spiral; thence along the spiral curve, Chord Bearing South 84 degrees 20 minutes 48 seconds (Calculated) 147.54 feet (Calculated) to the Spiral to Tangent, and Curve Data being Delta 6 degrees 3 minutes (Calculated), Degree of curve 1 degree 33 minutes 3 seconds (Calculated), Length of spiral 147.54 feet (Calculated), Delta of spiral 1 degree 7 minutes 30 seconds (Calculated), Tangent of spiral 270.26 feet (Calculated) and Radius of curve 3694.72 feet (Calculated);

Thence South 83 degrees 59 minutes East (Calculated) along a line parallel to and 125.0 feet South of the centerline of said U. S. Highway No. 90, a distance of 278.76 feet (Calculated) to point of beginning.

LESS AND EXCEPT: Begin at the Northwest corner of the above described tract of land;

Thence North 89 degrees 58 minutes East 63.67 feet along a line that is 125 feet South of the centerline of U. S. Highway No. 90 to the beginning of a spiral curve to the right;

Thence along the spiral curve to the right chord bearing South 89 degrees 40 minutes 12 seconds East (Calculated) for a distance of 147.54 feet (Calculated);

Thence South 0 degrees 2 minutes East 250.0 feet;

Thence Westerly to a point on the West line of the above described tract, said point being South 0 degrees 2 minutes East 250.0 feet from the point of beginning;

Thence North 0 degrees 2 minutes West 250.0 feet to the point of beginning."

AMENDMENT NO. 3

On page 18, at the end of line 7, after "commercial" insert a comma ","

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1058 by Senator Mount

AMENDMENT NO. 1

On page 9, line 24, following "breakwaters," and before "water" insert "and"

AMENDMENT NO. 2

On page 18, line 23, following "state" and before "all" and insert "of"

AMENDMENT NO. 3

In House Floor Amendment No. 16, proposed by Representative Guillory to Reengrossed Senate Bill No. 1058 and adopted by the House on May 17, 2001, on line 19, after "12," and before "after" insert "line13"

AMENDMENT NO. 4

In House Floor Amendment No. 24, proposed by Representative Guillory to Reengrossed Senate Bill No. 1058 and adopted by the House on May 17, 2001, on line 10, after "insert" change "shall:" to ", shall:"

AMENDMENT NO. 5

In House Floor Amendment No. 43, proposed by Representative Guillory to Reengrossed Senate Bill No. 1058 and adopted by the House on May 17, 2001, on line 2, after "18," and before "after" insert "line 21,"

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Guillory to Reengrossed Senate Bill No. 1058 by Senator Mount (Duplicate of H.B. No. 2060)

AMENDMENT NO. 1

On page 2, line 2, after "described" delete "below" and insert "in this Paragraph"

AMENDMENT NO. 2

On page 2, at the beginning of line 3, change "Paragraph," to "Subsection."

AMENDMENT NO. 3

On page 5, line 9, after "Lake Charles" delete the comma "," and delete "and"

AMENDMENT NO. 4

On page 5, line 15, after "Paragraph" delete "(A)" and at the end of the line delete the comma "," after "to"

AMENDMENT NO. 5

On page 5, at the end of line 19, insert a period "." after "city" and delete line 20 in its entirety and insert "The"

AMENDMENT NO. 6

On page 5, at the end of line 25, delete "shall do" and at the beginning of line 26, delete "the following"

AMENDMENT NO. 7

On page 6, line 1, delete the colon ":" after "project" and insert a comma "," and "shall:"

AMENDMENT NO. 8

On page 6, at the end of line 3, change the period "." to a semicolon ";;"

AMENDMENT NO. 9

On page 6, at the end of line 5, change the period "." to a semicolon ";;"

AMENDMENT NO. 10

On page 6, at the end of line 8, delete the period "." and insert a semicolon ";;" and "and"

AMENDMENT NO. 11

On page 6, line 10, delete "term" and insert "general terms"

AMENDMENT NO. 12

On page 6, line 10, after "lease" delete the comma "," and delete the remainder of the line and on line 11, delete "consideration to be paid"

AMENDMENT NO. 13

On page 6, line 20, after "by the" insert "governing authority of the city of" and at the end of the line delete "City" and at the beginning of line 21, delete "Council"

AMENDMENT NO. 14

On page 7, at the end of line 4, delete "now" and delete line 5 in its entirety and insert a period "."

AMENDMENT NO. 15

On page 9, line 26, delete "and/or" and insert "or"

AMENDMENT NO. 16

On page 12, line 13, after "Subparagraph" delete the remainder of the line and insert "(a) of this Paragraph"

AMENDMENT NO. 17

On page 12, line 14, delete the comma "," after "including" and delete the comma after "limited to"

AMENDMENT NO. 18

On page 12, line 16, after "parking" and before the comma "," insert "facilities"

AMENDMENT NO. 19

On page 12, at the beginning of line 17, insert a comma "," after "facilities"

AMENDMENT NO. 20

On page 12, line 18, insert a comma "," after "city" and delete the remainder of the line and on line 19, delete "Act"

AMENDMENT NO. 21

On page 12, line 24, after "Subparagraph" delete "(B)(1)" and change "Subsection" to "Paragraph"

AMENDMENT NO. 22

On page 12, line 26, insert a comma "," after "and" and delete the remainder of the line

AMENDMENT NO. 23

On page 13, at the beginning of line 1, delete "following"

AMENDMENT NO. 24

On page 13, line 2, delete the colon ":" after "project" and insert "shall:"

AMENDMENT NO. 25

On page 13, line 3, delete "area of land" and insert "property"

AMENDMENT NO. 26

On page 13, line 4, delete "development." and insert "purposes:"

AMENDMENT NO. 27

On page 13, delete line 6 in its entirety and insert "project:"

AMENDMENT NO. 28

On page 13, delete lines 7 through 13 in their entirety and insert the following:

"(cc) Describe the general terms regarding the lease or use of the property:

(dd) Identify the initial lessee or operator of the facility: and

(ee) Describe the amount of public funds to be used or expended in the construction or operation of the development project including any revenue to be derived therefrom."

AMENDMENT NO. 29

On page 13, at the beginning of line 23, insert "city of" and after "Lake Charles" delete "City Council"

AMENDMENT NO. 30

On page 14, line 3, insert a comma "," after "contrary" AMENDMENT NO. 31

On page 14, at the beginning of line 4, change "Subsubparagraph" to "Item"

AMENDMENT NO. 32

On page 14, at the end of line 8, change "Subparagraph" to "Item"

AMENDMENT NO. 33

On page 17, line 3, delete the comma "," after "city" and delete the comma "," after "herein"

AMENDMENT NO. 34

On page 17, line 5, delete "itself, or by authorizing others to"

AMENDMENT NO. 35

On page 17, line 6, insert a comma "," after "embellish"

AMENDMENT NO. 36

On page 17, line 7, insert a comma "," after "commercial" and delete "or"

AMENDMENT NO. 37

On page 17, line 9, delete the comma "," after "limited to"

AMENDMENT NO. 38

On page 17, line 12, after "city" delete the remainder of the line and on line 13, delete "Act,"

AMENDMENT NO. 39

On page 18, line 3, delete the comma "," after "improvements"

AMENDMENT NO. 40

On page 18, line 4, after "Subparagraph" delete "(B)"

AMENDMENT NO. 41

On page 18, line 7, delete "use or" and at the end of the line insert a comma "," after "commercial"

AMENDMENT NO. 42

On page 18, line 20, after "use" insert a comma "," and "sell,"

AMENDMENT NO. 43

On page 18, line 21, after "Subparagraph" delete "B(3)" and at the end of the line change "Subsection," to "Paragraph,"

AMENDMENT NO. 44

On page 18, line 26, delete the comma "," after "limited to"

AMENDMENT NO. 45

On page 19, line 1, insert a comma "," after "egress"

AMENDMENT NO. 46

On page 19, line 3, insert a comma "," after "treatment"

AMENDMENT NO. 47

On page 19, line 16, after "under any" delete "other" and change "this Section" to "the constitution"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dean	Jones, B
Boissiere	Dupre	McPherson
Total—6		

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

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

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

SENATE RESOLUTION NO. 15—

BY SENATOR IRONS

A RESOLUTION

To urge and request United States Senator Mary Landrieu to support the repeal of the federal death tax.

Reported favorably by the Committee on Finance.

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

**Senate Resolutions
to be Adopted, Subject to Call**

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

Called from the Calendar

Senator Irons asked that Senate Resolution No. 33 be called from the Calendar at this time.

May 30, 2001

SENATE RESOLUTION NO. 33—
BY SENATORS IRONS, BAJOIE, AND BOISSIERE
A RESOLUTION

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

The resolution was read by title. On motion of Senator Irons, the resolution was adopted.

Senator Lambert in the Chair

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. 98—
BY SENATORS HAINKEL AND SCHEDLER
AN ACT

To amend and reenact R.S. 56:1851(C), relative to the Louisiana Scenic Rivers Act; to provide for criminal penalties for violation of the Act; 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. 98 by Senators Hainkel and Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 56:1851(C)" insert "and 1855(K)"

AMENDMENT NO. 2

On page 1, at the end of line 3, add "to provide for applicability to certain property zoned as suburban agricultural along the Tchefuncte River;"

AMENDMENT NO. 3

On page 1, line 6, change "is" to "and 1855(K) are"

AMENDMENT NO. 4

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

"§1855. Exceptions

* * *

K. Notwithstanding any provisions of law or administrative rule to the contrary, no provision of this Part shall be applicable to those tracts of land located along the banks of the Tchefuncte River between Louisiana Highway No. 22 to Lake Pontchartrain which possess a commercial or suburban agricultural zoning classification granted by the appropriate local government zoning authority, nor shall the provisions of this Part be applicable to tracts of land located along the banks of such sections of the Tchefuncte River and situated between and in the same ownership as tracts of land which possess

a commercial or a suburban agricultural zoning classification granted by the appropriate local government zoning authority."

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

Table with 3 columns listing names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Total—37; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Malone
Total—1

ABSENT

Dupre
Total—1

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

SENATE BILL NO. 1107 (Substitute for Senate Bill No. 972 by Senator Hainkel)—

BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 6:958(B), R.S. 22:1382(A)(3)(a)(iv), 1401, 1402, 1403(D), 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406(A), (B) and (C), 1406.1, 1406.2(1), the introductory paragraph of R.S. 22:1406.2(2), 1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1408(A) and (C), 1409(A), (B), (D), (E), and (G), the introductory paragraph of R.S. 22:1410(A), 1410(A)(1), (B) and (C), 1411, 1412(B), 1413(B), 1414(B), 1415, 1417(A) and (B), 1417.1, 1418, 1419(B), 1420, 1422, 1422.1, 1424, 1431, 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, 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. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1402.1, 1402.2, 1402.3, and

1406(E) and to repeal R.S. 22:15(B)(1)(h), 636.2(A)(3), 636.4(E)(2)(a), 1404.2, 1406(D)(7) and (F), 1423, 1450.4, 1450.5, R.S. 23:1395(A), and R.S. 36:686(C)(1) relative to insurance rate regulation; to limit the authority of 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; to provide for appeals to the Louisiana Insurance Rating Commission; 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. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 13, before "and (8)" change "23:1392(A)(1)" to "23:1392(1)"

AMENDMENT NO. 2

On page 27, at the end of the line 23, following "insurers" change the colon ":" to a semi-colon ";"

AMENDMENT NO. 3

On page 66, line 4, following "R.S." and before "and (8)" change "23:1392(A)(1)" to "23:1392(1)"

AMENDMENT NO. 4

On page 66, at the beginning of line 7, before "As used" delete "A."

On motion of Senator Lambert, the amendments were adopted.

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. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 6:958(B)"

AMENDMENT NO. 2

On page 2, delete lines 15 through 27

AMENDMENT NO. 3

On page 3, delete lines 1 through 4

AMENDMENT NO. 4

On page 3, line 5, change "Section 2." to "Section 1."

AMENDMENT NO. 5

On page 25, line 9, after "(10) and" change "(11)" to "(11)(b)"

AMENDMENT NO. 6

On page 66, line 4, change "Section 3." to "Section 2."

AMENDMENT NO. 7

On page 67, line 8, change "Section 4." to "Section 3."

AMENDMENT NO. 8

On page 68, line 11, after "provided by" insert "the plans shall be approved by"

AMENDMENT NO. 9

On page 68, line 21, change "Section 5." to "Section 4."

AMENDMENT NO. 10

On page 70, line 19, change "Section 6." to "Section 5."

AMENDMENT NO. 11

On page 70, line 22, change "Section 7." to "Section 6."

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Table with 2 columns of names: Heitmeier, Total—2, Marionneaux

May 30, 2001

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

Rules Suspended

Senator 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. 177 be called from the Calendar at this time.

SENATE BILL NO. 177— BY SENATOR BOISSIERE

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Engrossed Senate Bill No. 177 by Senator Boissiere

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "461(A)," and insert "461(A) and 558(A)(3),"

AMENDMENT NO. 2

On page 1, at the end of line 11, delete "and 461(A)" and insert "461(A) and 558(A)(3)"

AMENDMENT NO. 3

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

"§558. Eligibility for retirement Eligibility for retirement under this Part shall be as follows: A.

* * *

(3)(a) Upon attaining a total of at least twelve years of creditable service as a judge or court officer, any such person shall be entitled to retire when he attains the age of fifty-five years.

(b) Creditable service as a judge may be combined with service as a legislator to attain the twelve years that are necessary for eligibility for retirement pursuant to this Paragraph.

* * *

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo. Total—37

NAYS

Total—0

ABSENT

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

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.

Regular Order of the Day Resumed

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 Ullo asked that Senate Bill No. 236 be called from the Calendar at this time.

SENATE BILL NO. 236—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 46:333(A), relative to preference to the blind in the operation of concessions in state buildings; to provide for such preferences in technical colleges; and to provide for related matters.

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

Mr. President in the Chair

Called from the Calendar

Senator Lentini asked that Senate Bill No. 534 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 534—

BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.39(E)(3) and 1299.41(E)(4), relative to medical malpractice; to provide for claims to be resolved in a fair and expeditious manner; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 534 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact R.S. 40:1299.39(E)(3) and 1299.41(E)(4)" to "amend and reenact the introductory paragraph of R.S. 40:1299.39(F) and 1299.39(F)(2), (3), (6), and (7), 1299.42 (B)(1), and 1299.43(D)"

AMENDMENT NO. 2

On page 1, line 3, after the semicolon ";" delete the remainder of the line and insert in lieu thereof "to increase the maximum amount recoverable for malpractice claims"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "expeditious manner"

AMENDMENT NO. 4

On page 1, line 6, after "1." delete the remainder of the line and insert in lieu thereof "The introductory paragraph of R.S. 40:1299.39(F) and 1299.39(F)(2), (3), (6), and (7), 1299.42 (B)(1), and 1299.43(D) are hereby amended and reenacted"

AMENDMENT NO. 5

On page 1, delete lines 10 through 16 and insert in lieu thereof the following:

"F. Notwithstanding any other provision of the law to the contrary, no judgment shall be rendered and no settlement or

compromise shall be entered into for the injury or death of any patient in any action or claim for an alleged act of malpractice in excess of ~~five hundred thousand~~ one million dollars plus interest and costs, exclusive of future medical care and related benefits valued in excess of such ~~five hundred thousand~~ one million dollars. In claims which may include future medical care and related benefits, the following procedures shall apply:

* * *

(2) If the total amount of the value of the judgment or settlement or compromise is for ~~five hundred thousand~~ one million dollars, plus interest and costs, exclusive of the value of future medical care and related benefits, all future medical care and related benefits shall be paid in accordance herewith.

(3) If the total amount of recovery, excluding interest and costs but including the amount of future medical care and related benefits does not exceed ~~five hundred thousand~~ one million dollars, judgment may be rendered for the total amount and paid by the state as provided by Subsection I.

* * *

(6) If the total amount of recovery awarded against the state, excluding interest and costs but including the amount of future medical care and related benefits, exceeds ~~five hundred thousand~~ one million dollars, the claimant may make a claim to the office of risk management for all future medical care and related benefits.

(7) Payments for medical care and related benefits shall be paid by the office of risk management pursuant to Subsection L, without regard to the ~~five hundred thousand~~ one million dollar limitation imposed in this Subsection

* * *

§1299.42. Limitation of recovery

* * *

B.(1) The total amount recoverable for all malpractice claims for injuries to or death of a patient, exclusive of future medical care and related benefits as provided in R.S. 40:1299.43, shall not exceed ~~five hundred thousand~~ one million dollars plus interest and cost.

* * *

§1299.43. Future medical care and related benefits

* * *

D. Payments for medical care and related benefits shall be paid by the patient's compensation fund without regard to the ~~five hundred thousand~~ one million dollar limitation imposed in R.S. 40:1299.42.

* * *

AMENDMENT NO. 6

On page 2, delete lines 1 through 9

Motion

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

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

May 30, 2001

Mr. President	Ellington	Jones, C
Bajoie	Fields, C	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Smith
Campbell	Hoyt	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	
Total—26		

NAYS

Chaisson	Fontenot	Marionneaux
Cravins	Lambert	Ullo
Dean	Lentini	
Fields, W	Malone	
Total—10		

ABSENT

Irons	Schedler	Tarver
Total—3		

The Chair declared the previous question was called on the entire subject matter.

Senator Lentini moved adoption of the amendments.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Fontenot	Lentini
Jones, C	Marionneaux
Total—4	

NAYS

Mr. President	Ellington	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Campbell	Hoyt	Smith
Chaisson	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Lambert	Ullo
Total—27		

ABSENT

Cain	Fields, C	Schedler
Cravins	Fields, W	Tarver
Dupre	Irons	
Total—8		

The Chair declared the amendments were rejected.

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

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.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 3 proposed by Senator B. Jones and adopted by the Senate on May 23, 2001.

Motion

Senator W. 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	Dean	Johnson
Boissiere	Dupre	Jones, B
Campbell	Fields, C	Jones, C
Chaisson	Fields, W	Marionneaux
Cravins	Heitmeier	McPherson
Total—15		

NAYS

Mr. President	Gautreaux	Michot
Barham	Hines	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Dardenne	Lambert	Smith
Ellington	Lentini	Theunissen
Fontenot	Malone	Ullo
Total—21		

ABSENT

Irons Tarver Thomas
Total—3

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

Senator Smith moved adoption of the amendments.

Senator B. Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fontenot Michot
Barham Gautreaux Mount
Cain Hoyt Romero
Chaisson Lentini Smith
Ellington Malone Ullo
Total—15

NAYS

Bajoie Fields, C Jones, C
Bean Fields, W Lambert
Boissiere Heitmeier Marionneaux
Campbell Hines McPherson
Cravins Hollis Schedler
Dardenne Johnson
Dean Jones, B
Total—19

ABSENT

Dupre Tarver Thomas
Irons Theunissen
Total—5

The Chair declared the amendments were rejected.

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, after "plaque," insert "or" and delete "or historic flag"

AMENDMENT NO. 2

On page 2, line 19, after "plaque," insert "or" and delete "or historic flag display"

AMENDMENT NO. 3

On page 2, line 23, after "plaque," insert "and" and delete "and historic flag display"

Senator W. Fields moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Cravins Fields, W
Boissiere Dean Johnson
Campbell Dupre Jones, C
Chaisson Fields, C Marionneaux
Total—12

NAYS

Mr. President Hines Mount
Barham Hollis Romero
Bean Hoyt Schedler
Cain Jones, B Smith
Dardenne Lambert Theunissen
Ellington Lentini Thomas
Fontenot Malone Ullo
Gautreaux McPherson
Heitmeier Michot
Total—25

ABSENT

Irons Tarver
Total—2

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bajoie Chaisson Fields, W
Bean Cravins Heitmeier

May 30, 2001

Boissiere	Dean	Johnson
Campbell	Fields, C	Jones, C
Total—12		

ABSENT

Dupre	Marionneau	Tarver
Irons	Romero	
Total—5		

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

Called from the Calendar

Senator Smith asked that Senate Bill No. 480 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 480—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 37:3111(B) and 3112(B)(6), relative to the Louisiana Auctioneers Licensing Board; to provide for the designation of the chairman by the governor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hoyt	Romero
Boissiere	Johnson	Schedler
Cain	Jones, B	Smith
Cravins	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—24		

NAYS

Bean	Fields, C	Malone
Chaisson	Fields, W	Marionneau
Dardenne	Hines	
Dean	Hollis	
Total—10		

ABSENT

Campbell	Irons	Tarver
Dupre	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith 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. 333 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 333—

BY SENATORS MICHOT, ROMERO AND CRAVINS
AN ACT

To amend and reenact R.S. 22:1404.3, relative to criminal bail bonds; to provide for a maximum premium rate; and to provide for related matters.

Motion

Senator Heitmeier moved to return the bill to the Involuntary Calendar.

Senator Michot objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Johnson
Bean	Fields, C	Jones, C
Boissiere	Fields, W	Lentini
Cain	Gautreaux	Marionneau
Chaisson	Heitmeier	McPherson
Cravins	Hines	Schedler
Dardenne	Hollis	Smith
Dupre	Irons	Thomas
Total—24		

NAYS

Mr. President	Fontenot	Michot
Barham	Hoyt	Mount
Campbell	Jones, B	Romero
Dean	Malone	Theunissen
Total—12		

ABSENT

Lambert	Tarver	Ullo
Total—3		

The Chair declared the bill was returned to the Involuntary Calendar.

Called from the Calendar

Senator Michot asked that Senate Bill No. 453 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 453—

BY SENATOR MICHOT

AN ACT

To amend and reenact Code of Civil Procedure Art. 966(B), relative to summary judgment procedure; to provide that the adverse party shall file opposing affidavits and any memorandum in

support thereof, at least four days prior to the date of the hearing; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 453 by Senator Michot

AMENDMENT NO. 1

On page 1, line 5, after "hearing;" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 2, line 2, after "hearing" insert "unless there are local rules of court to the contrary"

On motion of Senator Michot, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CJones to Engrossed Senate Bill No. 453 by Senator Michot

AMENDMENT NO. 1

On page 1, line 14, after "hearing" insert "For good cause, the court shall give the adverse party additional time to file a response, including opposing affidavits or depositions."

On motion of Senator C. Jones, 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, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Total—34

Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lentini, Malone, Marionneaux, McPherson, Mount, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Irons, Lambert, Total—5, Michot, Romero, Tarver

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

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.

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

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

NAYS

Marionneaux, Total—1

ABSENT

Bajoie, Total—3, Lambert, Michot

May 30, 2001

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.

Personal Privilege

Senator Michot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 743. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 162 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 162—

BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR
A JOINT RESOLUTION

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

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. 162 by Senator Fontenot

AMENDMENT NO. 1

On page 8, line 2, following "Section" and before the end of the line change "3(D)" to "13(D)"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Barham, Bean, Cain, Dardenne, Fontenot, Gautreaux, Hoyt, Johnson, Jones, B, Jones, C, Lentini, Malone, Romero, Smith, Tarver, Theunissen, Thomas, Ullo

Heitmeier
Hollis
Total—22

Michot
Mount

NAYS

Boissiere
Campbell
Chaisson
Cravins
Total—11

Dean
Fields, C
Fields, W
Hines

Irons
Marionneaux
Schedler

ABSENT

Mr. President
Bajoie
Total—6

Dupre
Ellington

Lambert
McPherson

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

Personal Privilege

Senator Ullo 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. 162. 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 Fontenot asked that Senate Bill No. 256 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 256—

BY SENATOR FONTENOT AND REPRESENTATIVE FARRAR
AN ACT

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

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

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 1049 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1049—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 11:2061(C), relative to Registrars of Voters Employees' Retirement System; to allow for transfer of accumulated leave from Livingston Parish to Registrars of Voters Employees' Retirement System; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 1049 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the end of line 16, insert "However, such persons transferring such unused accumulated annual leave or sick leave accrued while employed by a parish or municipality shall be required to pay all actuarial costs for transferring such unused leave."

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Lambert	Lentini
Total—2	

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

Called from the Calendar

Senator Irons asked that Senate Bill No. 887 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 887—

BY SENATOR IRONS AND REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 25:745(A)(1) and to enact R.S. 25:746, relative to historic preservation districts; to provide for the judicial review of historic preservation district or commission decisions; to authorize jurisdiction for appeals of such decisions to the district court; and to provide for related matters.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 887 by Senator Irons

AMENDMENT NO. 1

On page 1, line 3, delete "judicial" and at the end of the line add "certain"

AMENDMENT NO. 2

On page 1, line 5, delete "the" and between "court;" and "and" insert the following: "to provide for actions in the court of appeal and supreme court; to provide rights and obligations of owners, business agents, and lessees of immovable property located within a district; to authorize actions to compel the repair and care of immovable property within a district;"

AMENDMENT NO. 3

On page 2, delete lines 2 through 9, and insert the following:

"§746. Review by governing body or authority and by courts of actions of constitutionally created historic preservation district commissions; right to compel

R.S. 25:746 is all proposed new law.

A. This Section is for the purpose of protecting and promoting the public welfare, protecting and preserving the cultural and historical heritage of the state, and protecting the public trust and enforcing and fulfilling the mandates of the Constitution of Louisiana related to any constitutionally created historic preservation district commission.

B. The following definitions shall apply in this Section:

(1) "Business agent or lessee" means an agent or lessee of an owner of a private or semi-public building, or other private or semi-public immovable property located, in whole or in part, within a historic preservation district, who is operating a business in, or has control of, the building or immovable property, but shall not include a residential lessee who merely resides or is domiciled in the building.

(2) "Commission" means (a) each historic preservation commission authorized, created, established, and/or existing under the Louisiana Constitution of 1921 for which constitutional authority is retained by the Louisiana Constitution of 1974 and (b) each historic

preservation commission which is created or established, now or hereafter, in the Louisiana Constitution of 1974.

(3) "District" means a designated or defined area of a municipality placed under the authority of a commission for purposes of historic preservation.

(4) "Essential assets" means (a) the quaint and distinctive character of a district, (b) the value to the community of the buildings having architectural or historical worth in a district, and (c) the public trust placed in a commission, or in a governing body or authority, by the constitution for the preservation (a) and (b).

(5) "Essential duties" means to (a) preserve a district for the benefit of the people of the district, the municipality, and this state, (b) prevent the quaint and distinctive character of a district from being injuriously affected, (c) protect the value to the community of the buildings having architectural and historical worth from being impaired, and (d) ensure that a reasonable degree of control is being exercised over the architecture of private and semi-public buildings erected on or abutting the public streets of a district.

(6) "Person" means a commission, a governing body or authority of a district, an applicant for a permit from a commission, any incorporated or unincorporated neighborhood or residential group or association which has members residing or domiciled in the district, any landowner association which has members owning, leasing or using immovable property in the district, or any business association which has members operating businesses in the district, and any incorporated or unincorporated historical preservation association having members domiciled in this state.

(7) "Quaint and distinctive character of a historic preservation district" includes, but is not limited to, the historic or traditional ambiance of the district, the antiquity of the district, the historic "tout ensemble" of the district, the old fashion or traditional neighborhood quality of the district, and the lighting and traditional architectural styles and details of the district.

C. (1) Any person aggrieved by a decision, recommendation, act, failure to act, or proceeding of a commission or an agency of the governing body or authority which has permitting, regulatory or enforcement authority within a district, which decision, recommendation, act, failure to act, or proceeding is inconsistent with the public trust placed in, or the essential duties or purpose of, the commission, or the governing body or authority, by the constitution for the preservation of essential assets of the district, may apply in writing to the governing body or authority for a reversal or modification of the decision, recommendation, act, or proceeding, or for an order to take action or a specific action, in order to comply with the purpose and essential duties of the commission or the governing body or authority. Such person may also have a stay or stop order issued while the application is pending.

(2) An application or appeal under Paragraph (1) of this Subsection, shall be filed within thirty days of the commission, or an agency of the governing body or authority, notifying the applicant in writing or, if not notified in writing, within thirty days of the applicant's actual knowledge of, but no later than one hundred eighty days of, the decision, recommendation, proceeding, act, or failure to act.

(3) The governing body or authority shall consider the application or appeal filed under Paragraph (1) of this Subsection within forty-five days of its filing and shall thereafter render a written decision setting forth its reasons within a reasonable period of time. In reaching its decision, the governing body or authority shall consider

paramount the purpose and essential duties of the commission, or the governing body or authority.

(4) In a matter filed under Paragraph (1) of this Subsection, if it appears from the specific facts alleged in the application and verified by a supporting affidavit that immediate and irreparable injury, loss, damage, or impairment will result to an essential asset of the district, the governing body or authority shall order or grant a stay or stop order. Security shall not be required.

D. (1) Any person aggrieved by an action or a decision of a governing body or authority affecting a district for the reason that an action or decision of the governing body or authority is inconsistent with the public trust placed in, or the essential duties and purpose of, the commission, or the governing body or authority, by the constitution for the preservation of essential assets of the district, may intervene in an action, or file suit within thirty days from the date of the action or decision in a district court in the parish in which the district is located or in the Nineteenth Judicial District Court, to seek reversal or modification of the decision, injunctive relief, writ of mandamus, or any other relief provided by law or equity, in order to seek compliance with the purpose and essential duties of the commission, or the governing body or authority.

(2) A suit filed under Paragraph (1) of this Subsection shall be tried as a summary proceeding. The court shall take proof as in ordinary cases. In actions for injunctive relief, the court shall also take verified pleadings and supporting affidavits.

(3) In an action under Paragraph (1) of this Subsection, the court shall consider paramount the purpose and essential duties of the commission and its governing body or authority under the constitution, and the court shall liberally construe the purpose and essential duties in favor of preserving the quaint and distinctive character of the district.

(4) It is not a defense to an action under Paragraph (1) of this Subsection that other similar non-conforming alterations in violation of historic preservation rules, regulations, laws, or the constitution exist or have been allowed to exist by the commission, or its governing body or authority or one of agencies.

(5) In an action under Paragraph (1) of this Subsection, if it appears from the specific facts alleged by verified petition or by supporting affidavit that immediate and irreparable injury, loss, damage, or impairment will result to an essential asset of the district, the court shall grant a stay, or issue a temporary restraining order or preliminary injunction. Security shall not be required.

(6) In an action under Paragraph (1) of this Subsection, statutory requirements for damages or attorney fees for wrongful issuance of injunctive relief and appeal bonds shall be liberally construed in favor of the person who seek to preserve an essential asset of the district.

E. (1) Notwithstanding Subsection C, while pursuing or attempting to pursue relief under Paragraph (1) of that subsection, any person aggrieved by a decision of or the issuance of a permit by a commission, or an agency of the governing body or authority which has permitting, regulatory or enforcement authority within a district, which decision or permit is inconsistent with the public trust placed in, or the essential duties or purpose of, the commission, or the governing body or authority, by the constitution for the preservation of essential assets of the district, shall have an immediate right to seek injunctive relief in a district court in the parish in which the district is located, or in the Nineteenth Judicial District Court, in

order to prevent immediate and irreparable injury, loss, damage, or impairment to an essential asset of the district.

(2) In an action under Paragraph (1) of this Subsection, the court shall consider paramount the essential purpose and duties of the commission and its governing body or authority under the constitution, and the court shall liberally construe the purpose and duties therein in favor of preserving the quaint and distinctive character of the district.

(3) It is not a defense to an action under Paragraph (1) of this Subsection that other similar non-conforming alterations in violation of historic preservation rules, regulations, laws, or the constitution exist or have been allowed to exist by the commission, or its governing body or authority or one of its agencies.

(4) In an action under Paragraph (1) of this Subsection, if it appears from the specific facts alleged by verified petition or by supporting affidavit that immediate and irreparable injury, loss, damage, or impairment will result to an essential asset of the district, the court shall issue a temporary restraining order or preliminary injunction. Security shall not be required.

(5) In an action under Paragraph (1) of this Subsection, statutory requirements for damages or attorney fees for wrongful issuance of injunctive relief and appeal bonds shall be liberally construed in favor of the person who seek to preserve an essential asset of the district.

F. (1) An owner of a private or semi-public building, or other private or semi-public immovable property, located in whole or in part within a district is bound to keep the building and immovable property in repair so that the building or immovable property do not fall into ruin. A building has fallen into ruin when the building is in danger of falling, part of it falling, or needing to be demolished. The danger need not be imminent.

(2) Any person may compel an owner in violation of Paragraph (1) of this Subsection, or, if justice requires, the owner's business lessee or agent who has control of the building or immovable property, to have the building or immovable property reasonably repaired and properly cared for in reasonable compliance with Paragraph (1) of this Subsection. The reasonable repair and proper care of the building or the immovable property shall be made in compliance with the rules of the commission for the district in which the building or immovable property is located.

G. (1) In all actions under this Section, the supreme court and courts of appeal shall consider paramount the purpose and essential duties of the commission and its governing body or authority under the constitution, and the corresponding duties and limitation of rights that of owner or lessee of an immovable or immovable property located in whole or in part within the district resulting from or because of its designation, the court shall liberally construe the purpose, duties and limitation of rights in favor of preserving the quaint and distinctive character of the district.

(2) In all actions under this Section on appeal or supervisory writ, all statutory requirements for bond, damages for wrongful issuance of injunctive relief, costs, and attorney fees shall be liberally construed in favor of the person who seeks to preserve an essential asset of the district.

H. The rights, actions and rights of action in this Section are in addition and supplemental to any other rights, actions and rights of action provided by the constitution, law, home rule charter, municipal ordinance, rule or regulation.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Lambert	McPherson
Total—3		

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

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

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

**HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION**

To direct the Public Retirement Systems' Actuarial Committee to study the total annual cost to all applicable institutions and the total annual cost attributable to each institution affected by the implementation of the provisions of R.S. 11:707(F) and to furnish a report to the House Retirement Committee and House

May 30, 2001

Education Committee and the Senate Retirement Committee and Senate Education Committee and their staffs on or before the thirty-first day of December of each year that R.S. 11:707(F) is in effect, with each such report covering the period of July first through June thirtieth immediately preceding the reporting date, and to submit a comprehensive report on or before December 31, 2005.

Reported favorably by the Committee on Retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Lambert	McPherson
Total—2	

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

House Concurrent Resolutions on Second Reading, Subject to Call

The following House Concurrent Resolutions, subject to call were read and acted upon as follows:

Called from the Calendar

Senator Ellington asked that House Concurrent Resolution No. 81 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To request the secretary of state to study and make recommendations regarding the issuance of statewide commissions for non-attorney notaries public and to report his findings to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A prior to January 1, 2003.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Lambert	McPherson
Total—2	

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

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. 176

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. 176: Senators Boissiere, Gautreaux and Hoyt.

Appointment of Conference Committee on Senate Bill No. 177

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. 177: Senators Boissiere, Gautreaux and Hoyt.

Appointment of Conference Committee on Senate Bill No. 623

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. 623: Senators Hainkel, Bajoie and Schedler.

Appointment of Conference Committee on Senate Bill No. 665

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. 665: Senators B. Jones, Barham and Lentini.

Appointment of Conference Committee on House Bill No. 626

The President of the Senate appointed on the Conference Committee on House Bill No. 626 the following members of the Senate: Senators Fontenot, Hollis and Marionneaux.

Appointment of Conference Committee on House Bill No. 1358

The President of the Senate appointed on the Conference Committee on House Bill No. 1358 the following members of the Senate: Senators Boissiere, Gautreaux and Hoyt.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 37—
BY SENATOR HEITMEIER

A RESOLUTION

To urge and request that the Senate Committee on Transportation, Highways and Public Works study the value of the state's maritime industry and the role it plays in the state's economy.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	McPherson	Thomas
Lambert	Romero	
Total—5		

The Chair declared the Senate had adopted the Senate Resolution.

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 30, 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. 1839—

BY REPRESENTATIVES KENNARD AND PERKINS AND SENATOR FONTENOT

AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; 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. 1839—
BY REPRESENTATIVES KENNARD AND PERKINS AND SENATOR FONTENOT

AN ACT

To enact R.S. 17:58.2(H), 65, and 65.1, relative to the Central community school system; to provide for the school system, including its establishment and boundaries; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY C

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

May 30, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE LANDRIEU

A CONCURRENT RESOLUTION

To create the Joint Legislative Juvenile Justice Commission and the Ad Hoc Juvenile Justice Advisory Board to study and make recommendations on the feasibility of reforming and restructuring the juvenile justice system as it faces the challenges of the new millennium.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVES SALTER AND PERKINS

A CONCURRENT RESOLUTION

To suspend until the sixtieth day after final adjournment of the 2002 Regular Session of the Legislature of Louisiana certain provisions of R.S. 40:1379.3(P) and Section 1307(D)(4) of Title 55 of the Louisiana Administrative Code, relative to statewide concealed handgun permits; to suspend provisions providing for educational requirements for renewal of the permits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 226—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:80 and to enact R.S. 14:80.1, relative to the crime of carnal knowledge of a juvenile; to provide for felony carnal knowledge of a juvenile; to create the crime of misdemeanor carnal knowledge of a juvenile; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 232—

BY REPRESENTATIVE MCCALLUM

AN ACT

To enact R.S. 13:4521(A)(5), relative to the exemption of political subdivisions from the payment of court costs; to define the entities entitled to the exemption; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 422—

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 14:67.17 and R.S. 32:414(O), relative to theft of property; to create the crime of theft of motor vehicle fuel; to provide for penalties; to require the Department of Public Safety and Corrections to suspend the driver's license of the offender; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 612—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Code of Criminal Procedure Article 266, relative to the governor's warrant of arrest for extradition purposes; to delete the provision mandating the expiration of the governor's arrest warrant within six months; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 622—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 14:102.12 through 102.17, relative to offenses affecting the public sensibility; to provide for the crime of owning dangerous and vicious dogs; to provide definitions; to provide

for a hearing to determine if a dog is dangerous or vicious; to provide for penalties; to provide for the assessment of fees; to provide for posting requirements; to provide for the seizure of dangerous or vicious dogs; to provide that vicious dogs be euthanized; to provide that dangerous dogs be euthanized under certain circumstances; to provide for applicability; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 669—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 14:73.7, relative to computer-related crime; to create the crime of computer tampering; to provide penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 738—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 51:361(5), 362, and 363, relative to crimes; to provide a felony penalty for promoting a pyramid scheme; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 767—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Civil Procedure Article 197 and R.S. 15:706(D), relative to testimony given by inmates who are parties or witnesses in criminal or civil proceedings; to provide for alternative methods of allowing inmate parties or witnesses to participate in judicial proceedings of a criminal or civil nature; to provide for the transportation of prisoners by sheriffs for participation in judicial proceedings; to clarify existing law on the subject; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 860—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 14:28.1(B), relative to the crime of solicitation for murder; to provide for increased penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 881—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Criminal Procedure Article 66(A), relative to criminal subpoenas; to provide for limitations on the issuance of subpoenas by the attorney general or district attorney; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 908—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 49:1002(I), relative to drug testing; to exempt in-house drug testing of certain employees or prospective employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1148—

BY REPRESENTATIVES FAUCHEUX, DARTEZ, DEVILLIER, AND QUEZAIRE

AN ACT

To amend and reenact R.S. 16:514(D), relative to assistant district attorneys in the Twenty-Third Judicial District, including the parishes of Ascension, Assumption, and St. James; to authorize certain additional compensation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1243—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Code of Criminal Procedure Article 571.1, relative to the time within which prosecution may be instituted for certain sex offenses; to add incest and aggravated incest to the list of crimes; to increase the age of the victim when the time limitation begins to run; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1601—

BY REPRESENTATIVE SNEED

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1661—

BY REPRESENTATIVE DONELON

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1725—

BY REPRESENTATIVES SNEED, FRITH, SCHWEGMANN, AND SCHNEIDER

AN ACT

To enact R.S. 14:68.7, relative to offenses against property; to make certain acts relative to retail sales receipts or universal product code labels unlawful; to provide for criminal penalties; to provide for enhanced penalties in certain circumstances; and to provide for related matters.

Reported with amendments.

May 30, 2001

HOUSE BILL NO. 1790—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 13:1381.5(B)(1), relative to court funds; to provide for the Orleans Parish criminal court fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1847—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 40:2531(B)(7), relative to the rights of a law enforcement officer while under investigation; to provide for the length of time within which an investigation of a law enforcement officer must be completed; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1855—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact Part VII-B of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:398.10, relative to motor vehicle traffic citations; to provide that law enforcement agencies record and retain certain information relative to traffic offenses; to require the secretary of the Department of Public Safety and Corrections to collect statistical information relative to traffic citations; to require local law enforcement agencies to report statistical information quarterly; to provide for inapplicability; to provide requirements for an informational video; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1885—

BY REPRESENTATIVES HUNTER, BRUCE, MORRELL, AND ROMERO

AN ACT

To enact R.S. 14:50.2, relative to penalties for certain crimes of violence; to provide for enhanced penalties for certain crimes of violence when the victim is sixty-five years of age or older; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2005—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact Code of Criminal Procedure Article 734, relative to subpoenas in criminal matters; to authorize investigators employed by the district attorney for the Nineteenth Judicial District for East Baton Rouge Parish to serve subpoenas in criminal matters in which the district attorney is involved; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2047

BY REPRESENTATIVES

(Substitute for House Bill 966 by Representative Martiny)—

MARTINY AND FAUCHEUX

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2063

BY REPRESENTATIVE THOMPSON

(Substitute for House Bill No. 1846 by Representative Thompson)—

AN ACT

To amend and reenact R.S. 26:2(8) through (18) and to enact R.S. 26:2(19) and 71(A)(5), relative to the Alcoholic Beverage Control Law; to provide for "liquor retail distribution centers"; to provide for permits and fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 30, 2001

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 363—

BY REPRESENTATIVES CROWE, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOUIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, McMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON,

WOOTON, AND WRIGHT AND SENATORS CAIN, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HOYT, IRONS, LENTINI, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN, THOMAS, AND ULLO

AN ACT

To enact Code of Criminal Procedure Article 895.1(F), relative to fees paid as a condition of probation; to require the payment of an additional fee; to create a special fund in the treasury for those fees; to provide for the administration and use of those fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1391—

BY REPRESENTATIVE DANIEL

AN ACT

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

Reported with amendments.

Respectfully submitted, ROBERT J. BARHAM Chairman

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 30, 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. 118—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:112 and to repeal R.S. 17:8(A)(1)(b), relative to student records; to provide relative to the transfer of student records to certain educational facilities; to require the inclusion of certain information on expulsion of students; to prohibit the withholding of such records; to authorize the inspection of such records by students and parents; to remove authority for public schools to withhold student grades under certain circumstances; and to provide for related matters.

SENATE BILL NO. 148—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 9:111, relative to the authority to make a pronouncement of death; to authorize a coroner to make a medical pronouncement of death based on information received

from certain officials and authorized personnel; to provide relative to the reported time of death; and to provide for related matters.

SENATE BILL NO. 474—

BY SENATOR SMITH AND REPRESENTATIVES ALARIO, BAYLOR, K. CARTER, CURTIS, DANIEL, DARTEZ, DEVILLIER, FAUCHEUX, FRITH, FUTRELL, ILES, KATZ, KENNEY, MCCALLUM, NEVERS, PIERRE, POWELL, PRATT, RIDDLE, SCHNEIDER, SCHWEGMANN, JACK SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, WELCH, WOOTON AND WRIGHT

AN ACT

To enact R.S. 56:104(A)(8) and 302.1(H) and R.S. 56:302.1(I), relative to recreational hunting and fishing license fees; to provide that certain fees charged to nonresident full-time college students be equal to fees charged to residents; to provide relative to an annual black bass fishing tournament license; and to provide for related matters.

SENATE BILL NO. 558—

BY SENATORS THEUNISSEN, ELLINGTON, FONTENOT, GAUTREAUX, HINES, IRONS, MICHOT, MOUNT, ROMERO, SMITH, W. FIELDS, HOYT AND B. JONES AND REPRESENTATIVES BRUCE, CROWE, DARTEZ, FAUCHEUX, FRITH, HAMMETT, HILL, ILES, JOHNS, KENNARD, PINAC, RIDDLE, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, MORRISH, QUEZAIRE, HUDSON, KENNEY AND NEVERS

AN ACT

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

SENATE BILL NO. 651—

BY SENATORS HINES AND C. JONES AND REPRESENTATIVES CLARKSON AND MURRAY

AN ACT

To enact R.S. 23:302(5), (6), (7), and (8) and Part VII of Chapter 3-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:368 and 369, relative to employment; to prohibit discrimination in employment; to provide for genetic information and privacy; and to provide for related matters.

Respectfully submitted, CHRIS ULLO Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 30, 2001

To the Honorable Governor of the State of Louisiana:

May 30, 2001

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

SENATE BILL NO. 29—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 801 and 808, relative to jury trials; to permit written instructions and charges to the jury to go to the jury room under certain conditions; and to provide for related matters.

SENATE BILL NO. 39—

BY SENATOR MCPHERSON AND REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 33:381(C)(21), relative to municipal officers; to provide that the town of Woodworth shall appoint the chief of police; to provide for the duties, qualifications and responsibilities of the chief of police; and to provide for related matters.

SENATE BILL NO. 52—

BY SENATOR THEUNISSEN

AN ACT

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

SENATE BILL NO. 114—

BY SENATOR THEUNISSEN AND REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 17:421.6 (A), (B) and (C), relative to salaries of certain school employees; to provide a salary adjustment for certain public school administrators having certificates issued by the National Board for Professional Teaching Standards; to extend the period of eligibility; and to provide for related matters.

SENATE BILL NO. 115—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:416.15, relative to school crisis management and response; to require a crisis management and response plan in each public school; to provide definitions; to provide for approval by a city, parish, or other local public school board; to provide for annual review of plans; and to provide for related matters.

SENATE BILL NO. 117—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 15:587.1(A), relative to criminal history review of school employees; to provide relative to the availability to school employers and to the state Department of Education of certain criminal history record information of school employees; to provide for confidentiality; and to provide for related matters.

SENATE BILL NO. 132—

BY SENATOR LAMBERT (BY REQUEST) AND REPRESENTATIVES DIEZ AND FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2563.5(B) and 2563.17(C), relative to parish courts; to provide with respect to the salary of the judge of the Parish Court for the Parish of Ascension; and to provide for related matters.

SENATE BILL NO. 220—

BY SENATOR HINES

AN ACT

To enact R.S. 23:1048, relative to workers' compensation; to provide with respect to workers' compensation coverage; to exempt landmen from coverage; and to provide for related matters.

SENATE BILL NO. 293—

BY SENATORS LENTINI AND SCHEDLER

AN ACT

To enact R.S. 13:1381.6 and Code of Criminal Procedure Art. 14.1 and to amend the Code of Civil Procedure Art. 253, relative to filings in criminal pleadings; to authorize facsimile transmission of such filings if permitted by the policy of the clerk of court; to require consequent forwarding of original documents and fees; to require clerks of court to provide necessary equipment and supplies for such filings; to provide relative to the clerk of the Criminal District Court for the parish of Orleans; and to provide for related matters.

SENATE BILL NO. 338—

BY SENATOR DUPRE

AN ACT

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

SENATE BILL NO. 349—

BY SENATOR CHAISSON

AN ACT

To amend and reenact Code of Criminal Procedure Art. 814(A)(7.2) and (7.3), relative to verdicts; to provide relative to responsive verdicts; to add negligent injuring as a responsive verdict to vehicular negligent injuring; to add negligent injuring as a responsive verdict to first degree vehicular negligent injuring; and to provide for related matters.

SENATE BILL NO. 359—

BY SENATOR MCPHERSON

AN ACT

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

SENATE BILL NO. 465—

BY SENATOR SMITH

AN ACT

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

SENATE BILL NO. 490—

BY SENATOR BOISSIERE

AN ACT

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

SENATE BILL NO. 570—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 9:1551 (A), relative to the release of the remains of a decedent; to provide that a body may be released to interested parties for interment under certain circumstances; and to provide for related matters.

SENATE BILL NO. 622—

BY SENATOR HAINKEL

AN ACT

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

SENATE BILL NO. 635—

BY SENATOR HAINKEL

AN ACT

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

SENATE BILL NO. 650—

BY SENATOR DUPRE

AN ACT

To amend and reenact the introductory paragraph of R.S. 56:8(12)(a), R.S. 56:8(69), and (69.1), relative to wildlife and fisheries; to provide relative to definitions of certain types of persons; and to provide for related matters.

SENATE BILL NO. 667—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 33:3887.1, relative to sewerage districts; to authorize an increase in per diem payable to members of the sewerage district board in Rapides Parish; and to provide for related matters.

SENATE BILL NO. 690—

BY SENATOR HOYT AND REPRESENTATIVES DANIEL, FAUCHEUX AND FRITH

AN ACT

To amend and reenact R.S. 17:3091(A), 3092(1), (3), (5), (6), (7), (8) and (9), 3093(D)(1)(f), (g) and (h), 3095(A)(1), (3), (4), and (5) and (C), 3096(A), (B)(1), the introductory paragraph of (B)(2), (C), (D), (E), (F) and (G), 3098(A)(1), the introductory paragraph of (A)(2), (B)(2) and (C), 3099(A), (F) and (H), and 3099.1, and R.S. 47:293(6)(a)(vi), to enact R.S. 17:3092(11) and (12), and to repeal R.S. 17:3097, relative to the Louisiana

Student Tuition Assistance and Revenue Trust Program; to provide for definitions; to provide for administration of the program; to provide for consolidation of accounts into a single account class; to expand participation; to provide relative to calculation and payment of tuition assistance grants; to provide for program incentives; to provide relative to expenditures for qualified higher education expenses; to authorize the Louisiana Tuition Trust Authority to offer education savings accounts with alternative investment options; to clarify state tax laws relating to the taxation of account deposits; and to provide for related matters.

SENATE BILL NO. 928—

BY SENATOR GAUTREAU

AN ACT

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

SENATE BILL NO. 1087—

BY SENATORS THOMAS AND ELLINGTON

AN ACT

To enact R.S. 42:66(O) and to repeal R.S. 42:66(O) as enacted by this Act, relative to dual officeholding; to allow an unclassified state employee to hold an elective office as a member of a city, parish, or other local public school board; to provide for the termination of the provision; to provide an effective date; 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 30, 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. 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.

SENATE RESOLUTION NO. 35—

BY SENATOR ROMERO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Fred John Hayes, police chief of Henderson.

SENATE RESOLUTION NO. 32—

BY SENATOR TARVER

A RESOLUTION

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

SENATE RESOLUTION NO. 34—

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

A RESOLUTION

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

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 30, 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. 49—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the office of state lands, and all other state departments and agencies, to identify possible state lands that could be designated for public hunting, birding, hiking or other outdoor recreational uses.

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission and the United States Fish and Wildlife Service to increase the daily bag and possession limit on wood ducks if recommended by the Department of Wildlife and Fisheries after a biological and feasibility study.

SENATE CONCURRENT RESOLUTION NO. 127—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To proclaim Wednesday May 23, 2001, as "Hibernia National Bank Day" in the Louisiana Legislature.

SENATE CONCURRENT RESOLUTION NO. 132—

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

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 133—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2001, as Adrenoleukodystrophy Awareness Month.

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.

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 30, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR CRAVINS

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 134—

BY SENATORS SMITH, BARHAM, ELLINGTON, GAUTREAUX, HINES, HOYT, MARIONNEAUX, MCPHERSON, ROMERO, THEUNISSEN, AND 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.

SENATE CONCURRENT RESOLUTION NO. 137—

BY SENATOR HINES AND REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Pine Prairie High School Boys Baseball Team upon its excellence during the 2000-2001 season that culminated in its winning the Class B State High School Baseball Championship.

SENATE CONCURRENT RESOLUTION NO. 138—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend the players, coaches, and managerial personnel of the Elizabeth High School boys baseball team upon its excellence during the 2000-2001 season that culminated in its winning the Class C State High School Baseball Championship.

Respectfully submitted,
CHRIS ULLO
Chairman

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

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

May 30, 2001

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate Louisiana Highway 96 within St. Martin Parish as a Blue Star Memorial Highway in honor of the citizens of St. Martin Parish who have served, are now serving, or will serve in the future in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on child support guidelines and family law.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVES ODINET, RICHMOND, AND HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to conduct a study of the replacement project for the Inner Harbor Navigation Canal lock in Orleans Parish to determine projected problems and the most feasible type of bridges or tunnels to be built in connection with the project.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVES ODINET AND HUTTER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to urge the United States Army Corps of Engineers to replace the proposed St. Claude Avenue Bridge and the Claiborne Avenue Bridge in Orleans Parish with tunnels or fixed high-rise bridges in conjunction with a project to replace the Inner Harbor Navigation Canal lock.

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Old Louisiana Highway 54 (Church Street) in Garyville, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to add a third lane on Louisiana Highway 3125 from Louisiana Highway 20 in Gramercy, Louisiana, to King Avenue in Lutcher, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study the effect of the United States Supreme Court case of *Troxel v. Granville* on Louisiana laws relative to child visitation and to make specific recommendations on or before January 1, 2003, for revisions to state laws to ensure that state laws are not contrary to the fundamental rights of parents to make decisions concerning the care, custody, and control of their children.

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVES MCVEA AND THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to promulgate rules and regulations to prohibit the taking of juvenile male turkeys.

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to avail itself of the potential assistance which the Louisiana Wildlife and Fisheries Foundation offers.

HOUSE CONCURRENT RESOLUTION NO. 88—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to perform drainage improvements on a section of U.S. Highway 61 in LaPlace, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVES HUDSON, DURAND, AND DEVILLIER AND SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To authorize the study by the governing body of the Atchafalaya Basin Program of certain proposals for inclusion in the state master plan for the Atchafalaya Basin.

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVE LEBLANC

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 18(6) of the Joint Rules of the Senate and House of Representatives to provide that supplemental appropriation bills shall not count against the five-bill introduction limit after pre-filing.

HOUSE CONCURRENT RESOLUTION NO. 93—

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

A CONCURRENT RESOLUTION

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

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.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE FLAVIN

A CONCURRENT RESOLUTION

To commend Ms. Angel Tartamella of Lake Charles, upon the occasion of her retirement, for her dedicated service to education in Louisiana and to record and recognize her numerous contributions to Louisiana's young people during the twenty-two years she has devoted to improving the knowledge and skills of students as a teacher at Our Lady Queen of Heaven Catholic School.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 30, 2001

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 15—

BY REPRESENTATIVES BRUNEAU AND FARRAR AND SENATOR MCPHERSON

AN ACT

To enact R.S. 42:5(D), relative to public comment at meetings of public bodies; to require public bodies to provide opportunity for public comment at their meetings; and to provide for related matters.

HOUSE BILL NO. 84—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 22:1475, relative to life and health insurance sales quotas; to provide for prohibitions against sales quotas; to provide for insurers; and to provide for related matters.

HOUSE BILL NO. 152—

BY REPRESENTATIVE BROOME AND SENATORS BAJOIE AND DARDENNE

AN ACT

To amend and reenact R.S. 9:4751(2) and R.S. 23:1021(11), relative to occupational therapists; to include "occupational therapist" in certain definitions of "health care provider"; and to provide for related matters.

HOUSE BILL NO. 248—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 22:1193(J), relative to continuing education credits for insurance agents; to provide for qualified graduate-level national designation programs; to provide for tests; and to provide for related matters.

HOUSE BILL NO. 270—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO

AN ACT

To amend and reenact R.S. 42:1132(B)(1)(a) and to repeal R.S. 42:1132(B)(4)(h), relative to the Board of Ethics; to remove certain provisions relative to the nomination and selection of members of the Board of Ethics; and to provide for related matters.

HOUSE BILL NO. 272—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 18:1483(11) and to enact R.S. 18:1483(7)(e), relative to the definition of district office and major office for purposes of the Campaign Finance Disclosure Act; to provide that certain elected judicial seats are included in the definition of "district office"; to provide that certain elected judicial seats are included in the definition of "major office"; and to provide for related matters.

HOUSE BILL NO. 273—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 42:1157(B), relative to when the ethics board staff shall send delinquency notices; to change the number of days following a report due date that the ethics board staff must send a delinquency notice; and to provide for related matters.

HOUSE BILL NO. 306—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 18:1532, relative to the information required on election day expenditure reports; to remove the requirement to include certain persons' social security numbers; and to provide for related matters.

HOUSE BILL NO. 307—

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO
AN ACT

To amend and reenact R.S. 18:1505.2(D)(1), relative to the permissible use of contributions by certain political committees; to provide that an expenditure by a political committee, other than a principal campaign committee or subsidiary committee of a candidate, for the administrative costs and operating expenses of the committee is not a prohibited use; and to provide for related matters.

HOUSE BILL NO. 371—

BY REPRESENTATIVES GREEN, BRUNEAU, LANCASTER, AND PITRE
AN ACT

To enact R.S. 18:1505.2(O), relative to limitations on the expenditure of campaign funds; to prohibit the use of campaign funds to pay fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 404—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 37:2406(A) and to enact R.S. 37:2406(C), relative to the maximum fees to be assessed by the Louisiana Board of Physical Therapy Examiners; to provide for the maximum fee that the board may assess for application, reinstatement, annual license renewal, license verification, duplicate wall license, and duplicate wallet license; and to provide for related matters.

HOUSE BILL NO. 430—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to repeal R.S. 18:1491.9, relative to campaign finance disclosure; to remove certain provisions requiring that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if the committee makes any contribution or expenditure in support of or in opposition to a candidate or proposition in a Louisiana election.

HOUSE BILL NO. 531—

BY REPRESENTATIVES WELCH AND BAYLOR
AN ACT

To amend and reenact R.S. 40:2116(E)(4), relative to the facility need review program; to provide an extension for the completion of certain approved but unbuilt nursing home beds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 546—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

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

HOUSE BILL NO. 560—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 49:968(B)(3)(c), to enact Chapter 29 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1251 through 1255, and R.S. 36:209(R) and 802.17, and to repeal Chapter 28 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:2051 through 2056, relative to the Mississippi River Road Commission; to create the commission as a state agency in the Department of Culture, Recreation and Tourism; to repeal provisions for the Mississippi River Road Commission, a political subdivision, and its board of commissioners; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the powers and duties of the department relative to the commission; to provide for legislative oversight of the commission; to provide that the commission is the successor to the former commission and to provide for references to the former commission and for the transfer of funds and property; to provide for the transfer of commission members to the new commission; and to provide for related matters.

HOUSE BILL NO. 631—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 22:39, relative to domestic insurers; to provide for the keeping of books and records; to provide for securities; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 656—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:175(D), relative to the registrar of voters providing a monthly update of the official list of registered voters to the clerk of court; to require that a monthly update of the official list of registered voters be provided by the registrar of voters to the clerk of court at his request and at no charge or remuneration; and to provide for related matters.

HOUSE BILL NO. 724—

BY REPRESENTATIVE SHAW
AN ACT

To enact R.S. 1:58.1, relative to the remembrance of special days; to designate August 16 as "National Airborne Day" in Louisiana; and to provide for related matters.

HOUSE BILL NO. 804 (Duplicate of Senate Bill No. 457)—

BY REPRESENTATIVE ANSARDI AND SENATOR ELLINGTON
AN ACT

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

HOUSE BILL NO. 880—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 40:2144(H)(3), relative to the Hospital Records and Retention Act; to provide for rules related to verbal orders; to provide that promulgated rules related to orders given verbally or transmitted electronically grant a health care provider up to ten days to sign or countersign an electronically transmitted order; and to provide for related matters.

HOUSE BILL NO. 36—

BY REPRESENTATIVES NEVERS, BRUCE, KATZ, ROMERO, AND THOMPSON
AN ACT

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

HOUSE BILL NO. 168—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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

HOUSE BILL NO. 499—

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

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

HOUSE BILL NO. 604—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 14:41(A) and (B), 42(A)(introductory paragraph), 42.1(A)(introductory paragraph), 43(A)(introductory paragraph), 43.3(A)(introductory paragraph) and (C), and 107.2(A), to enact R.S. 14:41(C), and to repeal R.S. 14:2(13)(n) and (o) and 43.4 and Children's Code Articles 305(B)(2)(i) and 857(A)(7), relative to offenses against the person; to include oral sexual intercourse within the definition of rape; to provide for a definition of oral sexual intercourse; to provide with respect to the crime of oral sexual battery; to redefine the crime of oral sexual battery; to revise the penalty for the crime of oral sexual battery; to repeal aggravated oral sexual battery; to delete references to aggravated oral sexual battery from other provisions of law; and to provide for related matters.

HOUSE BILL NO. 686—

BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact Code of Criminal Procedure Article 734, relative to subpoenas in criminal matters; to authorize investigators employed by the attorney general to serve subpoenas in criminal matters in which the attorney general is involved; to provide relative to the return of the subpoenas; and to provide for related matters.

HOUSE BILL NO. 1360—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND DOERGE
AN ACT

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

HOUSE BILL NO. 1392—

BY REPRESENTATIVE SCHNEIDER
AN ACT

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

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

BY REPRESENTATIVE DEVILLIER
AN ACT

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

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, May 31, 2001, at 1:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:00 o'clock P.M. on Thursday, May 31, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk