

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

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**THIRTY-SEVENTH 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, June 6, 2001

The Senate was called to order at 9:30 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

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

**PRESENT**

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

**ABSENT**

Dardenne	Gautreaux	Marionneaux
Fields, C	Heitmeier	
Total—5		

The President of the Senate announced there were 34 Senators present and a quorum.

**Prayer**

The prayer was offered by Brother Dave Grace, 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 Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**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**

June 6, 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. 154—**

BY REPRESENTATIVE R. CARTER

**AN ACT**

To amend and reenact R.S. 11:1763(F)(2), relative to the Municipal Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide with respect to the beginning date for payment of interest on a member's Deferred Retirement Option Plan account; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1410—**

BY REPRESENTATIVE SCHNEIDER

**AN ACT**

To amend and reenact R.S. 22:1419(A)(3) and (4), relative to assessments levied by the Louisiana Insurance Rating Commission against the gross direct premiums received by all insurers doing business in this state which are applied for use by the Municipal Police Employees Retirement System, the Sheriffs' Pension and Relief Fund, and the Firefighters' Retirement System, including but not limited to provisions for the amount of the assessment that can be used in any one year for mergers of certain retirement systems and the use of such funds for meeting the actuarial required contributions of the systems; and to provide for related matters.

**HOUSE BILL NO. 2029—**

BY REPRESENTATIVE FUTRELL

**AN ACT**

To amend and reenact R.S. 48:381(G) through (I) and 381.2(A) and (F) and to enact R.S. 48:381(J) and 381.2(G), relative to the installation of fiber-optic cable in certain highway rights-of-way; to provide relative to certain fees; to provide relative to applications for and issuance of permits to install fiber-optic cable facilities; to restrict certain actions by persons with permits; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Ellington 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. 154—**

BY REPRESENTATIVE R. CARTER

**AN ACT**

To amend and reenact R.S. 11:1763(F)(2), relative to the Municipal Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide with respect to the beginning date for payment of interest on a member's Deferred Retirement Option Plan account; 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. 1410—**

BY REPRESENTATIVE SCHNEIDER

**AN ACT**

To amend and reenact R.S. 22:1419(A)(3) and (4), relative to assessments levied by the Louisiana Insurance Rating Commission against the gross direct premiums received by all insurers doing business in this state which are applied for use by the Municipal Police Employees Retirement System, the Sheriffs' Pension and Relief Fund, and the Firefighters' Retirement System, including but not limited to provisions for the amount of the assessment that can be used in any one year for mergers of certain retirement systems and the use of such funds for meeting the actuarial required contributions of the systems; and to provide for related matters.

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

**HOUSE BILL NO. 2029—**

BY REPRESENTATIVE FUTRELL

**AN ACT**

To amend and reenact R.S. 48:381(G) through (I) and 381.2(A) and (F) and to enact R.S. 48:381(J) and 381.2(G), relative to the installation of fiber-optic cable in certain highway rights-of-way; to provide relative to certain fees; to provide relative to applications for and issuance of permits to install fiber-optic cable facilities; to restrict certain actions by persons with permits; 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.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****FINANCE**

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

June 6, 2001

To the President and Members of the Senate:

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

**HOUSE BILL NO. 1 —**

BY REPRESENTATIVE LEBLANC

**AN ACT**

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

Reported with amendments.

Respectfully submitted,  
JAY DARDENNE  
Chairman

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

Senator Hollis asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 1 —**

BY REPRESENTATIVE LEBLANC

**AN ACT**

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

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1 by Representative LeBlanc

**AMENDMENT NO. 1**

On Page 4, between lines 21 and 22, insert the following:

"(6) The commissioner of administration, upon approval of the Joint Legislative Committee on the Budget, shall have the authority, by transferring between departments and agencies, exclusive of elected officials and higher education, to increase or decrease, positions and associated funding associated with information technology personnel in conjunction with an overall Information Technology tactical plan, approved by the commissioner of administration."

**AMENDMENT NO. 2**

On Page 5, between lines 4 and 5, insert the following:

"E. Except as otherwise provided for in this Act, any salary increase for an employee in the unclassified service, except for college faculty and medical practitioners, that exceeds ten percent of the salary for that employee in the prior fiscal year shall require prior approval of the Joint Legislative Committee on the Budget."

AMENDMENT NO. 3

On Page 13, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by  
Interagency Transfers from the Department  
of Social Services to the Children's Cabinet  
for faith-based initiatives with the Associated  
Catholic Charities \$3,000,000"

AMENDMENT NO. 4

On Page 16, between lines 39 and 40, insert the following:

"Payable out of the State General Fund by  
Interagency Transfers for the operation and  
maintenance of the state-owned Onyx Building \$87,420"

Payable out of the State General Fund by  
Interagency Transfers for management support  
of the Louisiana Racing Commission \$24,377"

Payable out of the State General Fund by  
Interagency Transfers from the Department  
of Social Services to the Division of  
Administration - Executive Administration  
Program for evaluation and oversight of new  
Temporary Assistance to Needy Families  
Block Grant initiatives, including two (2) positions \$750,000"

AMENDMENT NO. 5

On Page 19, between lines 12 and 13, insert the following:

"Payable out of the State General Fund (Direct)  
to the Military Affairs Program for expenses  
related to non-emergency state active duty \$40,000"

AMENDMENT NO. 6

On Page 21, after line 55, insert the following:

"Payable out of the State General Fund by  
Interagency Transfers from the Department  
of Social Services, Office of Family  
Support, for micro-enterprise development,  
and related technical assistance and training \$1,000,000"

AMENDMENT NO. 7

On Page 25, delete lines 1 through 4

AMENDMENT NO. 8

On Page 26, after line 48, insert the following:

"Payable out of the State General Fund (Direct)  
to the Northeast Louisiana War Veterans Home for  
providing care to disabled and homeless veterans \$20,000"

AMENDMENT NO. 9

On Page 28, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct)  
for Parish Council on Aging formula equalization \$58,000"

Payable out of the State General Fund (Direct)  
for Elderly Affairs Activities \$200,000"

AMENDMENT NO. 10

On Page 32, between lines 40 and 41, insert the following:

"Payable out of the State General Fund (Direct)  
for Eddie G. Robinson Museum \$20,000"

AMENDMENT NO. 11

On Page 32, delete lines 52 through 54, and insert the following:

"Music Museum, including three (3) positions, in the  
event that House Bill No. 842 of the 2001 Regular  
Session of the Legislature is enacted into law \$107,000"

AMENDMENT NO. 12

On Page 32, after line 54, insert the following:

"Payable out of the State General Fund (Direct)  
to the Jimmie Davis Museum \$20,000"

AMENDMENT NO. 13

On Page 33, between lines 8 and 9, insert the following:

"Payable out of the State General Fund  
by Fees and Self-generated Revenues, for the  
restoration of personal services, including one  
(1) position, in the Administrative Program \$32,361"

Payable out of the State General Fund by  
Fees and Self-generated Revenues, one (1)  
position in the Archives and Records Program \$27,039"

Payable out of the State General Fund by  
Fees and Self-generated Revenues for the  
restoration of personal services, including one  
(1) position, in the Commercial Program \$25,237"

AMENDMENT NO. 14

On Page 36, line 20, delete "and Medicaid Fraud"

AMENDMENT NO. 15

On Page 36, after line 26, insert the following:

"Payable out of the State General Fund by  
Fees and Self-generated Revenues for the  
collection of certain debts owed the state  
in the event that SB1104 of the 2001 Regular  
Session of the Legislature is enacted into law \$3,000,000"

AMENDMENT NO. 16

On Page 42, between lines 17 and 18, insert the following:

"Payable out of the State General Fund by  
Fees and Self-generated Revenues for additional  
operational expenses of the Administrative Program \$158,904"

Payable out of the State General Fund by  
by Fees and Self-generated Revenues

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for additional operational expenses \$28,500"

### AMENDMENT NO. 17

On Page 43, between lines 46 and 47, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues to restore four (4) positions \$212,097

Payable out of the State General Fund by Fees and Self-generated Revenues to provide funding in the event that HB 175 of the 2001 Regular Session of the Legislature is enacted into law, including two (2) positions for the Administrative Program relative to Telemarketers and a "DO NOT CALL" list \$85,000"

### AMENDMENT NO. 18

On Page 48, between lines 5 and 6, insert the following:

"Payable out of the State General Fund (Direct) for the Future Farmers of America \$100,000"

### AMENDMENT NO. 19

On Page 48, delete lines 43 and 44, in their entirety

### AMENDMENT NO. 20

On Page 49, between lines 20 and 21, insert the following:

"Additional taxes and penalties assessed as a result of audit (in millions) \$ 1,800,000"

### AMENDMENT NO. 21

On Page 50, at the end of line 13, delete "\$1.8" and insert "\$1.0"

### AMENDMENT NO. 22

On Page 51, after line 44, insert the following:

#### "EXPENDITURES:

Restoration of personal services, including one (1) position, in the Administration/ Fiscal Program \$52,392

TOTAL EXPENDITURES \$52,392

#### MEANS OF FINANCE:

##### State General Fund by:

Fees & Self-generated Revenues \$52,392

TOTAL MEANS OF FINANCING \$52,392

#### EXPENDITURES:

Restoration of personal services, including four (4) positions in the Market Compliance Program \$150,967

TOTAL EXPENDITURES \$150,967

#### MEANS OF FINANCE:

##### State General Fund by:

Fees & Self-generated Revenues \$142,487  
Statutory Dedications:

Administrative Fund \$8,480

TOTAL MEANS OF FINANCING \$150,967"

### AMENDMENT NO. 23

On Page 53, between lines 34 and 35, insert the following: "Provided, however, that of the funds appropriated herein, funds allocated for the Economic Development Award Program must receive Joint Legislative Committee on the Budget approval prior to disbursement."

### AMENDMENT NO. 24

On Page 53, between lines 50 and 51, insert the following:

"Payable out of the State General Fund (Direct) for expenses associated with the reorganization of the Department of Economic Development \$500,000"

### AMENDMENT NO. 25

On Page 54, delete lines 7 through 12, in their entirety

### AMENDMENT NO. 26

On Page 54, line 22, delete "\$300,000" and insert "\$375,000"

### AMENDMENT NO. 27

On Page 54, between lines 34 and 35, insert the following:

"Payable out of the State General Fund (Direct) for expenses associated with the Louisiana Furnishings Industry Association \$50,000"

### AMENDMENT NO. 28

On Page 54, after line 37, insert the following: "Provided, however, that of the funds appropriated above as Statutory Dedications, Louisiana Economic Development Fund, in the event that Senate Bill No. 347 of the 2001 Regular Session of the Legislature, \$84,000 shall be allocated for payment to the Town of Jonesville to pay certain indebtedness associated with the purchase of an industrial building.

Payable out of the State General Fund (Direct) to the Baton Rouge Local Organizing Committee, Inc. for expenses related to the 2001 National Senior Olympic Games \$150,000

Payable out of the State General Fund (Direct) to the Business Services Program to restore funding to the Louisiana Music Commission for marketing and promotion \$20,000"

### AMENDMENT NO. 29

On Page 55, after line 50, insert the following: "Provided, however, that of the funds appropriated in this Schedule for the Office of the Secretary out of Statutory Dedications from the New Orleans Area Tourism and Economic Development Fund, \$100,000 shall be allocated to Southern University-New Orleans for tourism initiatives."

### AMENDMENT NO. 30

On Page 56, at the end of line 31, delete "\$3,975,395" and insert "\$4,075,395"

AMENDMENT NO. 31

On Page 57, at the end of line 4, delete "\$4,126,395" and insert "\$4,226,395"

AMENDMENT NO. 32

On Page 57, at the end of line 8, delete "\$592,187" and insert "\$692,187"

AMENDMENT NO. 33

On Page 57, at the end of line 9, delete "\$4,126,395" and insert "\$4,226,395"

AMENDMENT NO. 34

On Page 57, between lines 27 and 28, insert the following:

"Payable out of the State General Fund (Direct) to the Museum Program for operating expenses for the Edward Douglass White Historical Site, including four (4) positions, in the event that House Bill No. 1943 of the 2001 Regular Session of the Legislature is enacted into law. Performance information related to this appropriation shall be submitted by the Office of State Museum no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget \$162,753"

AMENDMENT NO. 35

On Page 57, at the end of line 30, delete "\$17,251,328" and insert "\$18,243,875"

AMENDMENT NO. 36

On Page 57, after line 43, insert the following:

**Objective:** To ensure that 100% of all new outdoor recreation projects funded with federal Land and Water Conservation Fund (LWCF) monies meet at least one of the top needs identified in the Statewide Comprehensive Outdoor Recreation Plan (SCORP.)

**Performance Indicators:** Percent of projects meeting at least one SCORP identified need 100%

AMENDMENT NO. 37

On Page 58, delete lines 1 through 3, in their entirety

AMENDMENT NO. 38

On Page 58, at the end of line 4, delete "\$17,611,734" and insert "\$18,243,875"

AMENDMENT NO. 39

On Page 58, at the end of line 8, delete "\$360,406" and insert "\$262,648"

AMENDMENT NO. 40

On Page 58, at the end of line 9, delete "\$619,088" and insert "\$1,348,987"

AMENDMENT NO. 41

On Page 58, at the end of line 10, delete "\$17,611,734" and insert "\$18,243,875"

AMENDMENT NO. 42

On Page 59, after line 41, insert the following:

"Payable out of the State General Fund (Direct) for the Arts Program \$100,000

Payable out of the State General Fund (Direct) to make New Orleans a part of the statewide Regional Archaeology Program \$25,000

Payable out of the State General Fund (Direct) for decentralized art program \$100,000"

AMENDMENT NO. 43

On Page 61, line 7, delete "\$100,000" and insert "\$75,000"

AMENDMENT NO. 44

On Page 61, on line 24, delete "(27)" and insert "(30)"

AMENDMENT NO. 45

On Page 61, at the end of line 24, delete "\$1,764,838" and insert "\$1,939,838"

AMENDMENT NO. 46

On Page 61, on line 32, delete "(274)" and insert "(267)"

AMENDMENT NO. 47

On Page 61, at the end of line 48, delete "\$24,301,141" and insert "\$24,476,141"

AMENDMENT NO. 48

On Page 62, at the end of line 8, delete "\$22,378,433" and insert "\$22,553,433"

AMENDMENT NO. 49

On Page 62, at the end of line 9, delete "\$24,301,141" and insert "\$24,476,141"

AMENDMENT NO. 50

On Page 62, at the end of line 12, delete "\$144,443" and insert "\$154,443"

AMENDMENT NO. 51

On Page 62, on line 19, delete "(44)" and insert "(42)"

AMENDMENT NO. 52

On Page 62, at the end of line 19, delete "\$3,410,985" and insert "\$3,660,985"

AMENDMENT NO. 53

On Page 63, on line 5, delete "(13)" and insert "(15)"

AMENDMENT NO. 54

On Page 63, at the end of line 5, delete "\$10,690,912" and insert "\$10,740,912"

AMENDMENT NO. 55

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On Page 63, at the end of line 26, delete "\$16,673,346" and insert "\$16,983,346"

### AMENDMENT NO. 56

On Page 63, at the end of line 31, delete "\$887,794" and insert "\$897,794"

### AMENDMENT NO. 57

On Page 63, at the end of line 34, delete "\$5,612,526" and insert "\$5,912,526"

### AMENDMENT NO. 58

On Page 63, at the end of line 36, delete "\$16,673,346" and insert "\$16,983,346"

### AMENDMENT NO. 59

On Page 64, on line 12, delete "(86)" and insert "(90)"

### AMENDMENT NO. 60

On Page 64, at the end of line 12, delete "\$11,421,025" and insert "\$11,571,025"

### AMENDMENT NO. 61

On Page 64, on line 31, delete "(1,000)" and insert "(1,036)"

### AMENDMENT NO. 62

On Page 64, at the end of line 31, delete "\$72,520,292" and insert "\$74,728,292"

### AMENDMENT NO. 63

On Page 65, on line 28, delete "(3,636)" and insert "(3,600)"

### AMENDMENT NO. 64

On Page 65, at the end of line 28, delete "\$216,163,187" and insert "\$213,320,187"

### AMENDMENT NO. 65

On Page 66, at the end of line 9, delete "\$317,874,948" and insert "\$317,389,948"

### AMENDMENT NO. 66

On Page 66, at the end of line 13, delete "\$44,175,258" and insert "\$44,165,258"

### AMENDMENT NO. 67

On Page 66, at the end of line 17, delete "\$236,612,846" and insert "\$236,137,846"

### AMENDMENT NO. 68

On Page 66, at the end of line 20, delete "\$317,874,948" and insert "\$317,389,948"

### AMENDMENT NO. 69

On Page 66, between lines 24 and 25, insert the following:

"Payable out of the State General Fund  
by Fees and Self-Generated Revenues  
for expenses associated with the operation  
of the Crescent City Connection Division \$3,111,308"

### AMENDMENT NO. 70

On Page 68, delete lines 40 through 45, and insert the following:

"Payable out of the State General Fund by  
Interagency Transfers from the Department  
of Social Services, Office of Family Support,  
to the Office of the Secretary for the Job Skills  
Education Program (\$1,400,000), Project  
Metamorphosis (\$400,000), Project Return  
(\$3,000,000), and Concordia Parish Correctional  
Facility Life Skills/Pre-Release Program (\$200,000) \$5,000,000"

### AMENDMENT NO. 71

On Page 68, after line 45, insert the following:

"Payable out of the State General Fund (Direct)  
for infrastructure funding in support of research,  
evaluation and development services conducted  
by the OSSRD which are of direct interest and  
importance to legislative activities and goals \$247,000"

Payable out of the State General Fund (Direct)  
for 3 administrative support positions within  
the Adult Services Program in the event  
that Senate Bill No. 239 of the 2001 Regular  
Session of the Legislature is enacted into law \$330,764"

Performance information related to this appropriation for the  
Louisiana Risk Review Panel shall be submitted by the Department  
of Public Safety and Corrections, no later than August 15, 2001, for  
approval by the commissioner of administration and the Joint  
Legislative Committee on the Budget."

### AMENDMENT NO. 72

On Page 74, delete lines 45 through 47, in their entirety

### AMENDMENT NO. 73

On Page 75, delete lines 40 through 42, in their entirety

### AMENDMENT NO. 74

On Page 78, at the end of line 4, delete "\$150,600" and insert  
"\$176,816"

### AMENDMENT NO. 75

On Page 78, at the end of line 5, delete "\$643,604" and insert  
"\$617,388"

### AMENDMENT NO. 76

On Page 79, delete lines 31 through 35, in their entirety

### AMENDMENT NO. 77

On Page 81, between lines 6 and 7, insert the following:

"Payable out of the State General Fund (Direct)  
to the Incarceration Program for additional  
slots in the IMPACT Program, in the event  
that House Bill No. 1039 of the Regular  
Session of the Legislature is enacted  
into law, including 16 additional positions \$883,000"

Performance information related to this appropriation shall be submitted by the Department of Public Safety and Corrections, Corrections Services, no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget."

**AMENDMENT NO. 78**

On Page 83, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct)  
for 57 Probation and Parole Officer positions  
within the Field Services Program in the event  
that Senate Bill 239 of the 2001 Regular  
Session of the Legislature is enacted into law. \$2,259,846

Performance information related to this appropriation shall be submitted by the Department of Public Safety and Corrections, Corrections Services, no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget. Performance information cannot be determined at this time.

Payable out of the State General Fund (Direct)  
to the Field Services Program for electronic  
monitoring of certain non-violent first-time offenders,  
including 18 authorized positions, in the event  
that Senate Bill 1011 of the 2001 Regular  
Session of the Legislature is enacted into law. \$667,920

Performance information related to the home incarceration pilot program using electronic monitoring shall be submitted by the Department of Public Safety and Corrections, Corrections Services, no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget."

**AMENDMENT NO. 79**

On Page 84, line 1, delete "\$33,401,414" and insert "\$32,401,414"

**AMENDMENT NO. 80**

On Page 85, line 62, delete "\$117,513,519" and insert "\$116,513,519"

**AMENDMENT NO. 81**

On Page 86, line 1, delete "\$109,379,807" and insert "\$108,379,807"

**AMENDMENT NO. 82**

On Page 86, line 9, delete "\$117,513,519" and insert "\$116,513,519"

**AMENDMENT NO. 83**

On Page 86, between lines 9 and 10, insert the following: "Provided, however, that of the funds appropriated herein for Swanson Correctional Center for Youth - Madison Parish Unit the commissioner of administration shall reduce in the amount of \$1,000,000 in State General Fund (Direct)."

**AMENDMENT NO. 84**

On Page 86, between lines 22 and 23, insert the following:

"Payable out of the State General Fund (Direct)  
through the Contract Services Program to the  
Youth Development Association, Inc. \$250,000"

**AMENDMENT NO. 85**

On Page 86, between lines 30 and 31, insert the following: "Provided, however, that of the funds appropriated herein this schedule, \$251,000 shall be allocated for Southern Development Center"

**AMENDMENT NO. 86**

On Page 87, between lines 27 and 28, insert the following: "The commissioner of administration is hereby directed to reduce the appropriation for Sheriffs' Housing of State Inmates in the amount of \$5,095,460 of State General Fund (Direct) in the event that Senate Bill No. 239 of the 2001 Regular Session of the Legislature is enacted into law.

Performance information related to the impact of the Louisiana Risk Review Panel on Sheriffs' Housing of State Inmates shall be submitted by the Department of Public Safety and Corrections, Corrections Services, no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget."

**AMENDMENT NO. 87**

On Page 87, delete lines 28 through 30, in their entirety

**AMENDMENT NO. 88**

On Page 87, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct)  
for funding for housing of juveniles pending  
secure and non-secure placement in state facilities \$2,000,000

The commissioner of administration is hereby directed to reduce appropriation for Sheriffs' Housing of State Inmates in the amount of \$4,984,909 in the event that Senate Bill No. 1011 of the 2001 Regular Session of the Legislature is enacted into law.

Performance information related to the impact of the home incarceration pilot program using electronic monitoring on Sheriffs' Housing of State Inmates shall be submitted by the Department of Public Safety and Corrections, Corrections Services, no later than August 15, 2001, for approval by the commissioner of administration and the Joint Legislative Committee on the Budget."

**AMENDMENT NO. 89**

On Page 90, on line 1, delete "(171)" and insert "(150)"

**AMENDMENT NO. 90**

On Page 90, at the end of line 1, delete "\$43,889,537" and insert "\$42,982,299"

**AMENDMENT NO. 91**

On Page 91, at the end of line 31, delete "\$128,095,756" and insert "\$127,188,518"

**AMENDMENT NO. 92**

On Page 91, at the end of line 34, delete "\$4,041,061" and insert "\$3,244,309"

**AMENDMENT NO. 93**

On Page 91, at the end of line 35, delete "\$19,168,966" and insert "\$19,073,250"

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### AMENDMENT NO. 94

On Page 91, at the end of line 39, delete "\$53,745,331" and insert "\$54,180,561"

### AMENDMENT NO. 95

On Page 91, on line 50, delete "\$128,095,756" and insert "\$127,188,518"

### AMENDMENT NO. 96

On Page 92, between lines 13 and 14, insert the following: "Provided that prior to the expenditure of funds appropriated for security for the new office buildings in the Capitol Complex, the Office of State Police shall present a plan to the Joint Legislative Committee on the Budget for its review and approval."

### AMENDMENT NO. 97

On Page 91, delete line 48, in its entirety

### AMENDMENT NO. 98

On Page 98, between lines 15 and 16, insert the following: "The Department of Health and Hospitals is authorized to utilize non-appropriated funds necessary to fully implement the Nursing Home Intergovernmental Transfer Program as authorized by R. S. 46:2692 and in accordance with the Cooperative Endeavor Agreements between DHH and the qualifying nursing facilities. The Department shall submit a written report to the Intergovernmental Transfer Subcommittee of the Joint Legislative Committee on the Budget after each quarterly intergovernmental transfer."

### AMENDMENT NO. 99

On Page 102, between lines 6 and 7, insert the following:

"Payable out of Federal Funds for Medical Vendor Administration Eligibility Field Operations, including sixty-one (61) positions	\$2,871,129"
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### AMENDMENT NO. 100

On Page 102, at the end of line 9, delete "\$2,269,874,542" and insert "\$2,269,568,193"

### AMENDMENT NO. 101

On Page 102, at the end of line 40, delete "\$763,231,116" and insert "\$710,135,177"

### AMENDMENT NO. 102

On Page 102, at the end of line 51, delete "\$3,508,802,912" and insert "\$3,455,400,574"

### AMENDMENT NO. 103

On Page 103, at the end of line 5, delete "\$58,402,338" and insert "\$5,000,000"

### AMENDMENT NO. 104

On Page 103, at the end of line 10, delete "\$3,508,802,912" and insert "\$3,455,400,574"

### AMENDMENT NO. 105

On Page 103, delete lines 20 and 21, and insert the following: "which are received from Federally Qualified Health Clinics."

### AMENDMENT NO. 106

On Page 103, delete lines 22 through 26, in their entirety

### AMENDMENT NO. 107

On Page 104, at the end of line 10, delete "\$114,593,108" and insert "\$105,659,337"

### AMENDMENT NO. 108

On Page 104, between lines 10 and 11, insert the following:

"Uncompensated Care Costs payments for anticipated costs	<u>\$8,933,771"</u>
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### AMENDMENT NO. 109

On Page 105, delete lines 8 through 14, and insert the following: "Provided, however, that the rate adjustments for hospitals authorized by this appropriation shall not be implemented until non-state public hospitals (except small rural hospitals as defined in R.S. 40:1300.143) have certified to the Department of Health and Hospitals that they have incurred uncompensated costs that constitute public expenditures eligible for Medicaid disproportionate share payments during State Fiscal Year 2002 that can be used for Medicaid match of not less than \$53,402,338, or the secretary of the Department of Health and Hospitals determines that non-state public hospitals (except small rural hospitals as defined in R.S. 40:1300.143) expenditures that can be certified for federal matching funds are inadequate to make certification of this amount and implementation of hospital rate increases are approved by the Joint Legislative Committee on the Budget. The certification shall be on forms provided by the Department of Health and Hospitals."

### AMENDMENT NO. 110

On Page 105, delete lines 15 through 17, and insert the following:

"Payable out of Federal Funds to qualifying health care providers who certify at least \$14,212,621 in expenditures of public funds that are eligible for Medicaid reimbursement	\$7,036,000"
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### AMENDMENT NO. 111

On Page 105, delete lines 21 through 23, and insert the following: "Provided, further, no payments authorized by this appropriation shall be made until non-state public hospitals (except small rural hospitals as defined in R.S. 40:1300.143) have certified to the Department of Health and Hospitals that they have incurred uncompensated costs that constitute public expenditures eligible for Medicaid disproportionate share payments during State Fiscal Year 2002 that can be used for Medicaid match of not less than \$53,402,338 for use in the Medicaid Program."

### AMENDMENT NO. 112

On Page 105, delete lines 28 and 29, in their entirety

### AMENDMENT NO. 113

On Page 105, at the end of line 30, delete "\$7,036,000" and insert "\$10,000,000"

### AMENDMENT NO. 114

On Page 106, delete line 8, and insert in lieu thereof:



"Uncompensated Care Costs Payments for the Office of Mental Health \$4,487,050"

AMENDMENT NO. 115

On Page 108, delete lines 1 through 14, and insert the following:

## EXPENDITURES:

Payments to Private Providers for a per diem rate increase for nursing homes of \$4.75 \$43,528,629

TOTAL EXPENDITURES \$43,528,629

## MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Medicaid Trust Fund for the Elderly \$12,901,886  
Federal Funds \$30,626,743

TOTAL MEANS OF FINANCING \$43,528,629"

AMENDMENT NO. 116

On Page 108, between lines 14 and 15, insert the following:

"Provided, however, that the Department of Health and Hospitals is authorized to transfer fifty (50) beds currently licensed to state developmental centers to non-state operated community homes for the mentally retarded in accordance with a plan to be developed by the Department.

## EXPENDITURES:

Payments to Private Providers for Emergency Medical Transportation Services \$337,382

TOTAL EXPENDITURES \$337,382

## MEANS OF FINANCE:

State General Fund (Direct) \$100,000  
Federal Funds \$237,382

TOTAL MEANS OF FINANCING \$337,382

Provided, however, that in addition to any amounts allocated or specifically appropriated for the payments of Medicaid claims or Uncompensated Care Costs to the Louisiana State University Health Sciences Center at Shreveport, the secretary of the Department of Health and Hospitals shall allocate an additional \$795,785 for payments to the Louisiana State University Health Sciences Center at Shreveport in the Payments to Public Providers program for the operation of an inpatient psychiatric unit from the total appropriated herein for the Medical Vendor Payments program.

Notwithstanding any law to the contrary, savings realized by the implementation of Senate Bill 502 of the 2001 Regular Session of the Legislature may be used, but not limited to, increasing physician reimbursement rates, adjusting the tiered pharmacy methodology, and supplementing the drug program in the Office of Mental Health. These adjustments shall be implemented in accordance with a plan to be submitted to the Joint Legislative Committee on the Budget no later than January 2002.

## EXPENDITURES:

Uncompensated Care Costs for additional payments to the Louisiana State University Health Sciences Center - Health Care Services Division associated with a merger between a HCSD facility and a non-state owned facility \$1,683,502

TOTAL EXPENDITURES \$1,683,502

## MEANS OF FINANCE:

State General Fund (Direct) \$500,000  
Federal Funds \$1,183,502

TOTAL MEANS OF FINANCING \$1,683,502

Provided, however, that no expenditures appropriated herein shall be made until the Louisiana State University Health Sciences Center Health Care Services Division finalizes the merger of the Washington - St. Tammany Medical Center and the Bogalusa Community Medical Center and receives from the Joint Legislative Committee on the Budget authority to expend these funds.

## EXPENDITURES:

Payments to Private Providers for Elderly and Disabled Waiver slots, Adult Day Health Care Waiver slots, and Personal Care Attendant Waiver slots for the resolution of the Barthelemy law suit and to address Access to Care issues \$25,964,446

TOTAL EXPENDITURES \$25,964,446

## MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Health Trust Fund \$7,630,678  
Federal Funds \$18,333,768

TOTAL MEANS OF FINANCING \$25,964,446

Provided, however, this appropriation shall become effective only in the event that Senate Bill No. 883 of the 2001 Regular Session of the Legislature is enacted into law.

Provided, however, that from the funds appropriated herein for the Medicaid pharmacy program the Estimated Acquisition Costs for drugs shall be adjusted by 1.5% less than the current discount taken on the Average Wholesale Price based on the discount percentage utilized on June 4, 2001.

Payable out of the State General Fund by Statutory Dedications out of the Medicaid Trust Fund for the Elderly into the Health Trust Fund, be it more or less estimated, but not to exceed, \$10,000,000. Provided, however, that this appropriation shall become effective only in the event that Senate Bill No. 883 of the 2001 Regular Session of the Legislature is enacted into law.

## EXPENDITURES:

Uncompensated Care Costs payments for Louisiana State University Health Sciences Center at Shreveport \$2,004,773

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## 37th DAY'S PROCEEDINGS

TOTAL EXPENDITURES	<u>\$2,004,773</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$595,418
Federal Funds	<u>\$1,409,355</u>

TOTAL MEANS OF FINANCING	<u>\$2,004,773</u>
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EXPENDITURES:

Payments to Private Providers for medical coverage for pregnant women with family incomes up to 200% of the federal poverty level and for the parents of LaCHIP and Medicaid eligible children with family incomes up to 100% of the federal poverty level

	<u>\$29,827,103</u>
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TOTAL EXPENDITURES	<u>\$29,827,103</u>
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MEANS OF FINANCE:

State General Fund by:

Fees & Self-generated Revenues	\$8,721,751
Federal Funds	<u>\$21,105,352</u>

TOTAL MEANS OF FINANCING	<u>\$29,827,103</u>
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Provided, however, no funds authorized herein shall be appropriated until Senate Bill No. 781 of the 2001 Regular Session of the Legislature has been enacted into law and approval for an implementation plan to be submitted by the Department of Health and Hospitals has been granted by the Joint Legislative Committee on the Budget and the Joint Committee on Health and Welfare."

### AMENDMENT NO. 117

On Page 109, between lines 38 and 39, insert the following:

"EXPENDITURES:

Additional positions and administrative costs associated with the additional Elderly and Disabled Waiver slots, Adult Day Health Care Waiver slots, and Personal Care Attendant Waiver slots for the resolution of the Barthelemy law suit and to address Access to Care issues including twenty (20) positions

	<u>\$1,001,691</u>
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TOTAL EXPENDITURES	<u>\$1,001,691</u>
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MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:	
Health Trust Fund	\$493,514
Federal Funds	<u>\$508,177</u>

TOTAL MEANS OF FINANCING	<u>\$1,001,691</u>
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Provided, however, this appropriation shall become effective only in the event that Senate Bill No. 883 of the 2001 Regular Session of the Legislature is enacted into law."

### AMENDMENT NO. 118

On Page 112, line 46, delete "(87)" and insert "(62)"

### AMENDMENT NO. 119

On Page 113, line 3, after the word "samples" insert "including 25 positions"

### AMENDMENT NO. 120

On Page 113, between lines 23 and 24, insert the following:

"Payable out of the State General Fund (Direct) for administrative and operational expenses associated with the expansion of the School-Based Health Clinic Program

	\$240,000
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Provided, however, that the assistant secretary of the Office of Public Health shall report to the Joint Legislative Committee on the Budget for approval of the plan to implement the expansion of this program in Iberville, Allen, Grant, and Jackson Parishes."

### AMENDMENT NO. 121

On Page 116, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct) for community mental health services

	\$142,975
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Payable out of the State General Fund by Interagency Transfers from the Office of Mental Health to disburse federal grant award(s)

	\$1,180,867"
--	--------------

### AMENDMENT NO. 122

On Page 118, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct) for inpatient and community mental health services including twenty-five (25) positions

	\$1,460,358
--	-------------

Payable out of the State General Fund by Interagency Transfers from the Office of Mental Health to disburse federal grant award(s)

	\$1,367,736"
--	--------------

### AMENDMENT NO. 123

On Page 118, on line 28, delete "(1165)" and insert "(1140)"

### AMENDMENT NO. 124

On Page 120, at the end of line 4, delete "\$2,989,291" and insert "\$1,385,958"

### AMENDMENT NO. 125

On Page 120, between lines 10 and 11, insert the following:

"Payable out of the State General Fund by Interagency Transfers from the Office of Mental Health to disburse federal grant award(s)

	\$1,300,735"
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### AMENDMENT NO. 126

On Page 122, delete line 42 and insert the following:

"Patient Care Program - Authorized Positions (20) \$399,096"  
Community Support Program - Authorized Positions (2) \$39,524"

AMENDMENT NO. 127

On Page 125, delete line 2 and insert in lieu thereof the following:

"Patient Care Program - Authorized Positions (1) \$ 273,337  
Community Support Program - Authorized Positions (2) \$26,004"

AMENDMENT NO. 128

On Page 126, line 11, delete "(42)" and insert "(37)"

AMENDMENT NO. 129

On Page 126, line 20, delete "(339)" and insert "(344)"

AMENDMENT NO. 130

On Page 134, line 48, delete "sixty-six (66)" and insert "fifty-three (53)"

AMENDMENT NO. 131

On Page 134, line 50, delete "\$23,223,079" and insert "\$22,513,323"

AMENDMENT NO. 132

On Page 135, line 3, delete "(129)" and insert "(131)"

AMENDMENT NO. 133

On Page 135, at the end of line 3, delete "\$29,323,213" and insert "\$39,411,882"

AMENDMENT NO. 134

On Page 135, line 16, delete "(2,843)" and insert "(2,856)"

AMENDMENT NO. 135

On Page 135, at the end of line 16, delete "\$194,734,790" and insert "\$185,355,877"

AMENDMENT NO. 136

On Page 137, delete lines 25 through 28, and insert the following:

"Payable out of Federal Funds from the Temporary Assistance to Needy Families Block Grant for new initiatives to support children and families \$69,950,000"

AMENDMENT NO. 137

On Page 137, delete lines 32 through 43, and insert the following:

"Pre-kindergarten for at-risk four-year-olds, to be transferred to the Department of Education \$15,000,000

Wrap-Around Child Care Program \$10,000,000

Teen Pregnancy Prevention Program \$7,000,000

Pre-GED/Skills Options and other dropout prevention programs, to be transferred to the Department of Education \$14,000,000

Individual Development Accounts \$2,000,000

Micro-enterprise development, to be transferred to the Office of Women's Services \$1,000,000

Transportation Programs and Initiatives \$3,500,000

Up-front Diversion Programs, to be transferred to the Office of Community Services \$2,250,000

Domestic Violence, to be transferred to the Office of Women's Services \$4,000,000

Non-medical substance abuse treatment for women with children and drug testing/assessment costs for Family Independence Temporary Assistance Program recipients, to be transferred to the Department of Health and Hospitals, Office of Addictive Disorders \$2,000,000

Fatherhood Programs and Initiatives \$500,000

Education and training focusing on job skills, job retention, adult basic skills, and adult literacy training, to be transferred to the Workforce Commission Office in the Executive Department \$10,000,000

Criminal justice initiatives, to be transferred to the Department of Corrections \$5,000,000

Housing support services \$3,000,000

Energy assistance \$18,000,000

Program evaluation and oversight, to be transferred to the Division of Administration \$750,000

Truancy and Assessment Centers, to be transferred to the Louisiana Supreme Court in HB 1783 of the 2001 Regular Session of the Legislature \$1,100,000

Court Appointed Special Advocates, to be transferred to the Louisiana Supreme Court in HB 1783 of the 2001 Regular Session of the Legislature \$3,600,000

Drug Courts expansion, to be transferred to the Louisiana Supreme Court in HB 1783 of the 2001 Regular Session of the Legislature \$5,000,000

After-school tutorial programs, to be transferred to the Department of Education \$3,150,000

Faith-based initiatives with Associated Catholic Charities, to be transferred to the Children's Cabinet \$3,000,000

Two (2) positions in the Office of Family Support to administer new and proposed TANF programs \$100,000"

AMENDMENT NO. 138

On Page 138, delete lines 1 through 17, in their entirety

AMENDMENT NO. 139

On Page 138, at the end of line 24, insert the following: "The Department of Social Services shall also furnish to the Joint Legislative Committee on the Budget the Federal reporting form titled ACF-196, which accounts for the Temporary Assistance to Needy

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Families Block Grant, on a quarterly basis when it is produced by the department."

### AMENDMENT NO. 140

On Page 139, line 45, delete "(12)" and insert "(5)"

### AMENDMENT NO. 141

On Page 139, line 45, delete "\$14,087,945" and insert "\$2,484,354"

### AMENDMENT NO. 142

On Page 139, delete lines 55 through 60

### AMENDMENT NO. 143

On Page 140, delete lines 1 through 7

### AMENDMENT NO. 144

On Page 140, at the end of line 20, delete "\$221,073,454" and insert "\$209,469,863"

### AMENDMENT NO. 145

On Page 140, at the end of line 28, delete "\$136,984,220" and insert "\$125,380,629"

### AMENDMENT NO. 146

On Page 140, at the end of line 29, delete "\$221,073,454" and insert "\$209,469,863"

### AMENDMENT NO. 147

On Page 144, line 43, delete "(12)" and insert "(15)"

### AMENDMENT NO. 148

On Page 145, after line 31, insert the following:

"Payable out of the State General Fund  
by Interagency Transfers for additional indirect costs      \$238,491

Payable out of the State General Fund by  
Interagency Transfers from the Office of Mineral  
Resources to create an Accounts Receivable Section,  
including two (2) new positions      \$73,844

The Management and Finance program performance indicator  
"number of repeat audit exceptions" shall be decreased from 1 to 0."

### AMENDMENT NO. 149

On Page 148, after line 44, insert the following:

"Payable out of the State General Fund  
by Fees and Self-Generated Revenues for additional  
Interagency Transfers      \$119,245

Payable out of the State General Fund  
by Fees and Self-generated Revenues for an  
Interagency Transfer to the Office of the  
Secretary to create an Accounts  
Receivable Section      \$73,844"

### AMENDMENT NO. 150

On Page 149, after line 53, insert the following:

"Payable out of the State General Fund by Statutory  
Dedications for additional Interagency Transfers      \$119,246"

### AMENDMENT NO. 151

On Page 151, line 32, delete "\$23,209,173" and insert "\$20,709,173"

### AMENDMENT NO. 152

On Page 151, line 39, delete "\$68,928,296" and insert "\$66,428,296"

### AMENDMENT NO. 153

On Page 151, between lines 39 and 40, insert the following:

"Payable out of the State General Fund by Fees and  
Self-Generated Revenue from prior and current  
year collections for the Tax Reengineering Project      \$3,200,000"

### AMENDMENT NO. 154

On Page 151, after line 54, insert the following:

"Payable out of the State General Fund  
by Fees and Self-generated Revenues  
contingent upon the passage of House Bill 992  
of the 2001 Regular Session of the Legislature  
to enact the Tax Delinquency Amnesty Act      \$180,000

Objectives and performance indicators related to this appropriation  
and adjusted to conform with the enacted budget shall be submitted  
by the Department of Revenue no later than August 15, 2001 for  
approval by the commissioner of administration and the Joint  
Legislative Committee on the Budget.

Payable out of the State General Fund  
by Fees and Self-generated Revenues  
from prior and current year collections      \$234,719

Objectives and performance indicators related to this appropriation  
and adjusted to conform with the enacted budget shall be submitted  
by the Office of Revenue no later than August 15, 2001 for approval  
by the commissioner of administration and the Joint Legislative  
Committee on the Budget.

Payable out of the State General Fund  
by Fees and Self-generated Revenues  
for a Means of Financing substitution  
replacing Statutory Dedications from the  
Refund Offset Fund with Fees and Self-generated  
Revenues in the event that House Bill No. 1565  
of the 2001 Regular Session of the Legislature  
is enacted into law      \$0

Payable out of the State General Fund  
by Fees and Self-generated Revenues from  
prior and current year collections in the  
event that House Bill No. 1565 of the 2001  
Regular Session is enacted into law      \$220,000

Payable out of the State General Fund  
by Fees and Self-generated Revenues from  
prior and current year collections for expense for the  
LaSalle Building      \$666,587

Payable out of the State General Fund  
by Fees and Self-generated Revenues in the  
event that House Bill No. 989 is enacted into law \$85,000"

AMENDMENT NO. 155

On Page 155, line 35, delete "(223)" and insert "(218)"

AMENDMENT NO. 156

On Page 155, at the end of line 35, delete "\$14,274,034" and insert "\$12,261,687"

AMENDMENT NO. 157

On Page 155, at the end of line 54, delete "\$14,274,034" and insert "\$12,261,687"

AMENDMENT NO. 158

On Page 156, at the end of line 2, delete "\$505,243" and insert "\$200,000"

AMENDMENT NO. 159

On Page 156, at the end of line 8, delete "\$4,240,104" and insert "\$2,533,000"

AMENDMENT NO. 160

On Page 156, at the end of line 9, delete "\$14,274,034" and insert "\$12,261,687"

AMENDMENT NO. 161

On Page 161, delete lines 13 through 17, in their entirety

AMENDMENT NO. 162

On Page 162, delete lines 29 and 30, in their entirety

AMENDMENT NO. 163

On Page 167, at the end of line 11, delete "\$3,449,797" and insert "\$3,089,797"

AMENDMENT NO. 164

On Page 168, at the end of line 40, delete "\$6,946,190" and insert "\$6,586,190"

AMENDMENT NO. 165

On Page 168, at the end of line 43, delete "\$6,536,112" and insert "\$6,196,348"

AMENDMENT NO. 166

On Page 168, at the end of line 44, delete "\$410,078" and insert "\$389,842"

AMENDMENT NO. 167

On Page 168, at the end of line 45, delete "\$6,496,190" and insert "\$6,586,190"

AMENDMENT NO. 168

On Page 175, line 3, delete "\$120,252,448" and insert "\$119,467,448"

AMENDMENT NO. 169

On Page 176, line 24, delete "\$120,252,448" and insert "\$119,467,448"

AMENDMENT NO. 170

On Page 176, line 25, delete "\$43,953,008" and insert "\$43,168,008"

AMENDMENT NO. 171

On Page 176, line 38, delete "\$120,252,448" and insert "\$119,467,448"

AMENDMENT NO. 172

On Page 177, line 2, delete "\$20,000,000" and insert "\$17,500,000"

AMENDMENT NO. 173

On Page 177, delete lines 27 through 31, in their entirety

AMENDMENT NO. 174

On Page 178, between lines 14 and 15, insert the following:

"Payable out of the State General Fund (Direct)  
to the Louisiana Center for the Blind at Ruston  
for additional funding for training for instructors  
for the blind \$400,000

Payable out of the State General Fund (Direct)  
for the current operations of public higher education  
Entities to be allocated to the management  
boards for distribution to the institutions of higher  
education in accordance with a plan to be adopted  
by the Board of Regents \$10,123,253

Payable out of the State General Fund (Direct)  
for the current operations of public higher education  
entities to be allocated to the management  
boards for distribution to the institutions of higher  
education in accordance with a plan to be adopted  
by the Board of Regents contingent upon passage  
of SB No. 239 of the 2001 Regular Session \$559,758

Payable out of the State General Fund (Direct)  
for the current operations of public higher education  
entities to be allocated to the management boards  
for distribution to the institutions of higher education  
in accordance with a plan to be adopted by the Board  
of Regents contingent upon passage of SB No. 1011  
of the 2001 Regular Session of the Legislature \$4,316,989

Payable out of the State General Fund (Direct)  
for the Community and Technical College  
Pool for the development of instructional  
capacity within the Community and Technical  
College System, to be distributed according to a plan  
developed by the Louisiana Community and Technical  
College Board of Supervisors and approved  
by the Board of Regents \$1,500,000"

AMENDMENT NO. 175

On Page 179, between lines 7 and 8, insert the following:

"EXPENDITURES:  
Barataria-Terrebonne National Estuary Program \$2,012,347

TOTAL EXPENDITURES \$2,012,347

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## 37th DAY'S PROCEEDINGS

### MEANS OF FINANCE:

State General Fund (Direct)	\$305,243
Federal Funds	<u>\$1,707,104</u>

TOTAL MEANS OF FINANCING	<u>\$2,012,347</u>
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Effective July 1, 2001, the Barataria-Terrebonne National Estuary Program is hereby transferred from the Department of Environmental Quality to the Louisiana Universities Marine Consortium and all financial resources, assets, and personnel associated with those programs are assigned to the Consortium. The commissioner of administration is authorized to determine and provide for the transfer of resources, assets, and personnel from the Department of Environmental Quality to the Louisiana Universities Marine Consortium."

#### AMENDMENT NO. 176

On Page 182, after line 43, insert the following:

"Payable out of the State General Fund (Direct) to assist in the grand opening ceremonies of the Pacific Invasions Exhibit in the National D-Day Museum	\$300,000"
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#### AMENDMENT NO. 177

On Page 183, at the end of line 44, delete "\$850,000" and insert "\$1,009,900"

#### AMENDMENT NO. 178

On Page 183, at the end of line 45, delete "\$850,000" and insert "\$1,009,900"

#### AMENDMENT NO. 179

On Page 183, between lines 49 and 50, insert the following:

"Fees & Self-generated Revenues	\$70,000
Federal Funds	\$89,900"

#### AMENDMENT NO. 180

On Page 183, at the end of line 50, delete "\$850,000" and insert "\$1,009,900"

#### AMENDMENT NO. 181

On Page 183, after line 54, insert the following:

"Provided, however, that of the funds appropriated in this Schedule for allocation to the LSU Health Sciences Center at Shreveport, an amount of \$250,000 shall be utilized for the operation of the David Raines Community Medical Clinic.

Payable out of the State General Fund by Interagency Transfers for additional inpatient psychiatric beds	\$795,785
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Payable out of the State General Fund (Direct) for operational expenses of the River Region Cancer Screening and Early Detection Center	\$275,000
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Payable out of the State General Fund by Interagency Transfers for Uncompensated	
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Care Costs at the Louisiana State University Health Sciences Center at Shreveport	\$2,004,773
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Payable out of the State General Fund by Interagency Transfers for House Officer Stipends at the Louisiana State University Health Sciences Center at Shreveport	\$306,399"
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#### AMENDMENT NO. 182

On Page 200, delete lines 1 through 4, in their entirety

#### AMENDMENT NO. 183

On Page 203, between lines 31 and 32, insert the following:

"Payable out of the State General Fund by Interagency Transfers from the Department of Labor for Incumbent Worker contracts	\$400,000"
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#### AMENDMENT NO. 184

On Page 204, between lines 8 and 9, insert the following:

"Payable out of the State General Fund by Interagency Transfer for Incumbent Worker contracts and education grants at River Parishes Community College	\$250,000
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Payable out of the State General Fund by Fees and Self-Generated Revenues for the collection of student tuition and fees at River Parishes Community College	\$100,000"
--	------------

	State	Total
	General Fund	Financing
Louisiana Delta Community College	\$500,000	\$500,000

Objectives and performance indicators related to this appropriation shall be submitted by Louisiana Delta Community College no later than August 15, 2001 for approval by the commissioner of administration and the Joint Legislative Committee on the Budget

Payable out of the State General Fund by Fees and Self-Generated Revenues for collection of student tuition and fees	\$ 250,000"
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#### AMENDMENT NO. 185

On Page 221, delete line 1, and insert the following:

"Office of Student and School Performance-Authorized Positions (115)	\$31,074,784"
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#### AMENDMENT NO. 186

On Page 222, delete line 1, and insert the following:

"Office of School and Community Support - Authorized Positions (93)	\$8,111,724"
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#### AMENDMENT NO. 187

On Page 223, at the end of line 4, delete "\$86,134,135" and insert "\$85,034,135"

AMENDMENT NO. 188

On Page 223, at the end of line 8, delete "\$12,343,513" and insert "\$11,243,513"

AMENDMENT NO. 189

On Page 223, at the end of line 15, delete "\$86,134,135" and insert "\$85,034,135"

AMENDMENT NO. 190

On Page 223, delete lines 34 and 35, insert the following:

"education in the Office of School and Community Support Program, including two (2) positions \$1,525,000"

AMENDMENT NO. 191

On Page 223, between lines 35 and 36, insert the following:

"Payable out of the State General Fund by Interagency Transfers from the Department of Social Services to the Office of School and Community Support Program for programmatic support of the Pre-GED/Skills Options and other dropout prevention programs \$500,000"

Payable out of the State General Fund by Interagency Transfers from the Department of Social Services for programmatic and fiscal support for pre-kindergarten services for at-risk four-year-olds, including seven (7) positions \$600,000"

Payable out of the State General Fund (Direct) for programmatic and fiscal support for pre-kindergarten services for at-risk four-year-olds, including two (2) positions \$176,000

Payable out of Federal Funds to the Office of School and Community Support Program for programmatic support of the School Renovation grant \$225,000

Payable out of Federal Funds to the Office of Management and Finance Program for fiscal support of the School Renovation grant \$25,000

Payable out of the State General Fund by Interagency Transfers for fiscal support of secondary vocational education in the Office of Management and Finance Program, including four (4) positions \$175,000

Payable out of the State General Fund by Statutory Dedications out of the School and District Accountability Fund to the Office of Student and School Performance Program for the provision of rewards and technical support \$273,000

Payable out of the State General Fund by Statutory Dedications out of the School Leadership Development Fund to the Office of Quality Educators Program for further implementation of the school leadership development plan \$256,000"

AMENDMENT NO. 192

On Page 227, delete line 46, and insert the following:

"in the School and Community Support Program \$13,948,461"

AMENDMENT NO. 193

On Page 228, delete lines 6 through 10, in their entirety

AMENDMENT NO. 194

On Page 228, delete lines 14 through 18, in their entirety

AMENDMENT NO. 195

On Page 228, line 22, delete "\$9,000,000" and insert "\$13,500,000"

AMENDMENT NO. 196

On Page 228, at the end of line 27, delete "\$15,000,000" and insert "\$14,400,000"

AMENDMENT NO. 197

On Page 228, after line 38, insert the following:

"Payable out of the State General Fund (Direct) for St. Mary's Residential Training School in Rapides Parish \$200,000"

Provided, however, that the funds appropriated above for St. Mary's Residential Training School shall not be expended until and unless the Department of Education has certified that both the Rapides Parish School Board and St. Mary's Residential Training School have each provided \$200,000 in matching funds.

Payable out of the State General Fund (Direct) to the Quality Educators Program for continuing education costs for teacher's aides and other paraprofessionals who have completed all of their education course work and require an additional semester of student teaching \$100,000

Payable out of the State General Fund by Statutory Dedications from the Education Excellence Fund to be allocated as a per pupil distribution for instructional enhancement. Provided, however, that Types 1, 3 and 4 Charter Schools shall also be eligible for a per pupil allocation in accordance with R.S. 39:98.3(c)(3) \$637,854

Payable out of the State General Fund by Statutory Dedications from the Education Excellence Fund to the Disadvantaged or Disabled Student Support Program for instructional enhancement \$1,160,000

Payable out of the State General Fund

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by Interagency Transfers from the Department of Social Services to the Department of Education - Subgrantee Assistance Program for after-school tutorial programs \$3,150,000"

### AMENDMENT NO. 198

On Page 229, at the end of line 34, delete "\$2,206,090,500" and insert "\$2,202,796,225"

### AMENDMENT NO. 199

On Page 229, line 39, delete \$96,500,000" and insert "99,794,275"

### AMENDMENT NO. 200

On Page 229, between lines 40 and 41, insert the following:

"Payable out of the State General Fund (Direct) for fully funding the Minimum Foundation Program \$1,685,016"

### AMENDMENT NO. 201

On Page 233, after line 46, insert the following:

"The commissioner of administration is hereby authorized to restructure the appropriation of the Louisiana State University Health Sciences Center - Health Care Services Division to comply with Senate Bill No. 739 of the 2001 Regular Session of the Legislature if enacted into law."

### AMENDMENT NO. 202

On Page 237, at the end of line 54, delete "\$25,892,326" and insert "\$34,892,326"

### AMENDMENT NO. 203

On Page 237, at the end of line 55, delete "\$85,410,970" and insert "\$76,410,970"

### AMENDMENT NO. 204

On Page 240, between lines 16 and 17, and insert the following:

"Payable out of the State General Fund (Direct) for New Orleans Health Care Corporation \$250,000

Payable out of the State General Fund by Interagency Transfers to the LSU Health Sciences Center - Health Care Services Division for HIV/AIDS treatment \$644,497"

### AMENDMENT NO. 205

On Page 250, between lines 7 and 8, insert the following:

Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund for the Washington Parish Library - Thomas Branch Construction Project \$50,000

Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Infrastructure and Park Fund to the Washington Parish Government for the Bogalusa Boat Ramp Repair \$30,000

Payable out of the State General Fund by Statutory Dedications out of the Washington Parish Economic Development and Tourist Fund to the Varnado Museum in Franklinton for constructions and repair \$20,000"

### AMENDMENT NO. 206

On Page 250, between lines 22 and 23, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Transportation Trust Fund - Regular for the Mass Transit Program \$500,000"

### AMENDMENT NO. 207

On Page 253, between lines 11 and 12, insert the following:

"Payable out of the State General Fund (Direct) for restoration of the Louisiana Belle B-24 aircraft at Barksdale Air Force Base \$20,000

Payable out of the State General Fund (Direct) for Monroe Downtown Riverfront Development \$50,000

Payable out of the State General Fund (Direct) to the Louisiana Leadership Institute \$75,000

Payable out of the State General Fund (Direct) to the Lower Algiers Community Center, Inc., for educational activities for children in the Operation 2000 & Beyond Program \$50,000

Payable out of the State General Fund (Direct) to the city of Gretna for the development of a strategic plan for the Center of Environmental Research \$50,000

Payable out of the State General Fund (Direct) for Project Exceed in Jefferson Parish to provide educational and training services \$50,000

Payable out of the State General Fund (Direct) for the Walk of Fame \$50,000

Payable out of the State General Fund (Direct) for the Louisiana Center Against Poverty \$100,000

Payable out of the State General Fund (Direct) for Northeast Louisiana African-American Museum \$25,000

Payable out of the State General Fund (Direct) for the Southside Economic Development District \$75,000

Payable out of the State General Fund (Direct) for Tensas Reunion \$25,000

Payable out of the State General Fund (Direct) for a After-School Tutorial Program in Caddo Parish \$225,000

Payable out of the State General Fund (Direct) for Young Emerging Leaders \$100,000



Payable out of the State General Fund (Direct) for a tutorial program in Lafayette Parish	\$250,000
Payable out of the State General Fund (Direct) for Martin Luther King Homemaker Program	\$125,000
Payable out of the State General Fund (Direct) for the New Orleans Inner City HIV/Aids Awareness Program	\$100,000
Payable out of the State General Fund (Direct) for expenses of the Capital Area Legal Services Corporation	\$100,000
Payable out of the State General Fund (Direct) for the City of Refuge	\$55,000
Payable out of the State General Fund (Direct) for Jefferson Economic Development Foundation	\$100,000
Payable out of the State General Fund (Direct) for Volunteer America Lighthouse Project	\$50,000"

**AMENDMENT NO. 208**

On Page 253, delete lines 29 through 33 and insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Pari-mutuel live Racing Facility Gaming Control Fund from the combined taxable net slot machine proceeds for deposit into the Louisiana Agricultural Finance Authority Fund for meeting the needs of the Boll Weevil Eradication Program in accordance with R.S. 27:392 (B) \$7,055,000"

On motion of Senator Bajoie, 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.

**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. 332—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 23:635, relative to employment; to provide with respect to payment of employees; to provide for assessment of fines against employees; and to provide for related matters.

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

**SENATE BILL NO. 936—**  
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 23:76 (C)(1), (6), and (10) and to enact R.S. 23:2101, relative to Louisiana Workforce Commission; to provide with respect to State Advisory Councils; to provide for the Occupational Forecasting Standing Conference Committee; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 936 by Senator C. Jones

**AMENDMENT NO. 1**

On page 1, line 2, after "(C)(1)," and before "(6)" insert "(2)(e), (3),"

**AMENDMENT NO. 2**

On page 1, delete lines 3 through 5, and insert in lieu thereof the following:

"23:76(C)(11), relative to the Occupational Forecasting Conference; to provide for membership from the Louisiana Workforce Commission; to provide for chairmanship; to provide for responsibility and staffing; and to provide for related"

**AMENDMENT NO. 3**

On page 1, line 8, after "(C)(1)," and before "(6)" insert "(2)(e),(3),"

**AMENDMENT NO. 4**

On page 1, line 9, after "R.S." change "23:2101" to "23:76(11)"

**AMENDMENT NO. 5**

On page 2, between lines 6 and 7, insert the following:

"(2) The principals of the conference shall be as follows:  
\* \* \*

(e) One member appointed by the governor from a list of three nominees submitted by the Louisiana ~~Economic Development Council~~. Workforce Commission, such nominees shall be three of the non-public commissioners serving on the Louisiana Workforce Commission.  
\* \* \*

(3) ~~At the initial meeting of the conference, the principals shall elect a chairman to preside over the meetings of the conference. Thereafter, the responsibility for presiding over sessions of the conference shall rotate annually among the principals. The chairman of the conference shall be the principal appointed by the governor from the Louisiana Workforce Commission nominees.~~

**AMENDMENT NO. 6**

On page 2, line 18, after "Conference and" delete the remainder of the line and delete lines 19 and 20 and insert in lieu of "shall be the official projections for the state of Louisiana."

**AMENDMENT NO. 7**

On page 2, delete lines 21 through 27 and delete page 3 in its entirety and on page 4, delete lines 1 through 16 and insert in lieu of the following:

**"(11) The chairman of the conference shall have the responsibility and authority to oversee and monitor the activities of the Occupational Forecasting Conference. The conference shall be staffed by the staff of the Louisiana Workforce Commission, at the direction of the conference chairman. The chairman of the conference and the staff shall upon the request of the chairman of the Louisiana Workforce Commission prepare quarterly updates of conference activities and progress for review by the office of the governor."**

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

### SENATE BILL NO. 939—

BY SENATOR MICHOT

#### AN ACT

To amend and reenact R.S. 23:1021(10), (12) and (13), 23:1035.1, R.S. 23:1081(1)(c) and (d), 1141, 1221(3)(d)(iii), 1272, and 1310.1(A) and repeal R.S. 23:1144; relative to workers' compensation; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 939 by Senator Michot

#### AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof the following: "R.S. 23:1021(12), 1081(1)(c), 1221(3)(d)(iii), 1272, and 1310.1(A) and to enact R.S. 23:1021(10)(g) and 1035.1(4) and to"

#### AMENDMENT NO. 2

On page 1, line 4, delete "23:1144;" and insert in lieu thereof the following: "23:1021(13), 1081(1)(d), and 1144,"

#### AMENDMENT NO. 3

On page 1, line 4, between "compensation;" and "and to provide" insert the following: "to redefine the date of an accident involving a claim; to authorize certain employees to elect Louisiana workers' compensation as an exclusive state remedy under certain circumstances; to provide for certain supplemental earnings benefits; to provide for certain procedures involving approvals of lump sum or compromise settlements involving claims; to provide for court approval of certain attorney fees involving compensation matters;"

#### AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line and delete line 8 in its entirety and insert in lieu thereof the following: "R.S. 23:1021(12), 1081(1)(c), 1221(3)(d)(iii), 1272, and 1310.1(A) are hereby amended and reenacted and R.S. 23:1021(10)(g) and 1035.1(4) are hereby enacted"

#### AMENDMENT NO. 5

On page 2, line 5, after "date" insert "of" after "last" delete the remainder of the line.

#### AMENDMENT NO. 6

On page 2, line 6, delete "while employed by" and insert in lieu thereof "employment with" and after "claimed" and before the period "." insert the following: "or the date of his last injurious exposure to conditions in his employment, whichever date occurs later"

#### AMENDMENT NO. 7

On page 2, line 19, delete "that:" and insert in lieu thereof "all the following items occur:"

#### AMENDMENT NO. 8

On page 2, line 20, change "this" to "This"

#### AMENDMENT NO. 9

On page 2, line 22, after "Chapter" change the comma "," to a period "." and delete "and"

#### AMENDMENT NO. 10

On page 2, between line 25 and 26, insert the following

"(c) The employee was domiciled in the state of Louisiana at the time of the accident or the injurious exposure to conditions causing an occupational disease."

#### AMENDMENT NO. 11

On page 3, delete line 10 through 19

#### AMENDMENT NO. 12

On page 4, line 5, after "retires" and before the period "." insert the following: "**however, the period during which supplemental earnings benefits may be payable shall not be less than one hundred four weeks**"

#### AMENDMENT NO. 13

On page 4, line 21, after "B." delete the remainder of the line, and delete lines 22 through 26

#### AMENDMENT NO. 14

On page 5, line 3, delete "**that**" and insert "**each one of the following items**"

#### AMENDMENT NO. 15

On page 5, line 4, change "**the**" to "**The**"

#### AMENDMENT NO. 16

On page 5, line 5, after "**him**" change the comma "," to a period "." and delete "and"

#### AMENDMENT NO. 17

On page 5, line 6, change "**that**" to "**That**"

#### AMENDMENT NO. 13

On page 6, line 5, after "**judge.**" insert the following: "**The fees of the attorney representing the employee in the workers' compensation matter shall be approved by the district court judge.**"

AMENDMENT NO. 14

On page 6, line 14, between "positions" and "within" insert "**comprised of at least ten judges**"

AMENDMENT NO. 21

On page 6, line 16, change "1144 is" to "1021(13), 1081(1)(d), and 1144 are"

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

**SENATE BILL NO. 1086—**

BY SENATOR LENTINI

## AN ACT

To amend and reenact R.S. 47:1601(A), relative to the interest rate on unpaid state taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1086 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "114(D)(2) and"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 47:1601(A) is" to "R.S. 47:114(D)(2) and 1610(A) are"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert:

"§114. Returns and payment of tax  
\* \* \*

D. Date for filing returns. (1) The due date for filing the returns required under this Subpart other than those required under Subsection E shall be as follows:

\* \* \*

(2) All funds not timely remitted shall bear interest at the rate of ~~fifteen percent per year~~ **provided for in R.S. 47:1601** from the due date for filing until paid.

\* \* \*

AMENDMENT NO. 4

On page 1, line 9, after "A." insert "**(1)**"

AMENDMENT NO. 5

On page 1, line 11, after "interest" delete the remainder of the line, delete line 12, and on line 13, delete "**Article 2924(B)(1)**"

AMENDMENT NO. 6

On page 1, at the end of line 14, insert: "**The rate of interest shall be as provided for in Paragraph (A)(2) of this Subsection.**"

AMENDMENT NO. 7

On page 2, between lines 7 and 8, insert the following:

**"R.S. 47:1601(A)(2) is all proposed new law.**

(2)(a) Interest shall accrue at the rate of one and one-quarter percent per month on any unpaid tax from the date the tax obligation becomes final and nonappealable until paid.

(b) With respect to tax obligations that have not become final and nonappealable, interest shall be determined as follows:

(i) Prior to January 1, 2006, interest shall accrue at the rate of one and one-quarter percent per month.

(ii) Effective January 1, 2006, interest shall accrue at an annual rate of six percentage points above the rate provided for in Civil Code Article 2924(B)(1).

(iii) Effective January 1, 2007, interest shall accrue at an rate of five percentage points above the rate provided for in Civil Code Article 2924(B)(1).

(iv) Effective January 1, 2008, interest shall accrue at an annual rate of four percentage points above the rate provided for in Civil Code Article 2924(B)(1).

(v) Effective January 1, 2009, interest shall accrue at an annual rate of three percentage points above the rate provided for in Civil Code Article 2924(B)(1).

(c) In no event shall the interest rate provided for in Subparagraph (b) of this Paragraph exceed one and one-quarter percent per month."

On motion of Senator Barham, 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. 3—**

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM

## AN ACT

To enact the Omnibus Bond Authorization Act of 2001, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

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

**HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 96 by Representative Bruneau

**AMENDMENT NO. 1**

On page 2, delete lines 6 through 8 in their entirety and insert the following:

"C. Should either of the notices as provided in Subsections A and/or B hereof, but not both, contain errors or omissions which make it legally deficient to accomplish the requirements of notice as provided by law then in such event the advertisement which is legally sufficient to accomplish notice as provided by law shall be sufficient to fulfill the notice requirements of law notwithstanding that only one such notice was in proper form and published correctly."

**AMENDMENT NO. 2**

On page 2, line 10, after "judicial" insert "sale,"

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

**HOUSE BILL NO. 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.

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

**HOUSE BILL NO. 435—**

BY REPRESENTATIVES NEVERS AND MURRAY

**AN ACT**

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

Reported with amendments by the Committee on Labor and Industrial Relations.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Bill No. 435 by Representative Nevers

**AMENDMENT NO. 1**

On page 1, line 4, between "deaths;" and "and to" insert the following: "to provide for disposition of monies not used for burial expenses;"

**AMENDMENT NO. 2**

On page 1, line 9, before "In" insert "A."

**AMENDMENT NO. 3**

On page 1, below line 12, add the following:

"B. If the reasonable expenses for the burial of an employee are less than seven thousand five hundred dollars, the difference between such reasonable expenses and seven thousand five hundred dollars shall be paid or caused to be paid by the employer to the heirs of the deceased employee and such payment shall be in addition to any other benefits paid by the employer or his insurer on behalf of the deceased employee."

On motion of Senator C. Jones, 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. 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.

Reported favorably by the Committee on Education. 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. 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.

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. 598—**

BY REPRESENTATIVES CROWE AND STRAIN

**AN ACT**

To amend and reenact R.S. 30:2180(D)(1) and R.S. 40:4(A)(2)(b) and to enact R.S. 30:2180(D)(2)(i), to require the Department of Environmental Quality to clean up spills or discharges of infectious wastes; to provide for recovery of the costs of cleanup; to provide for transportation of infectious medical wastes by transporters permitted by the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 598 by Representative Crowe and Strain

#### AMENDMENT NO. 1

On page 2, at the end of line 6, insert the following: "The generator of the infectious medical waste shall be responsible for any costs incurred by the department for any spills or discharges where the transporter was not licensed or permitted by the Department of Health and Hospitals as required by law and the regulations."

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

#### **HOUSE BILL NO. 718—**

BY REPRESENTATIVE MCMAINS AND SENATOR MOUNT  
AN ACT

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

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

#### **HOUSE BILL NO. 740—**

BY REPRESENTATIVE SNEED  
AN ACT

To amend and reenact Children's Code Article 1263, relative to the action to annul a final decree of adoption; to provide for the peremptive period in all cases; and to provide for related matters.

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

#### **HOUSE BILL NO. 758—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 15:574.10, relative to conviction of a felony while on parole; to remove potential liability of the state for lost income due to improper revocation of parole; 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. 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.

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

#### **HOUSE BILL NO. 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.

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. 902—**

BY REPRESENTATIVE MCCALLUM  
AN ACT

To enact Part VI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:251 through 258, relative to expropriation by the town of Bernice; to authorize the governing authority of the town to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

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

#### **HOUSE BILL NO. 990—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:114(B), relative to the individual income tax; to provide for semimonthly electronic filing of withholding tax returns and payments by certain third party companies; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 990 by Representative Hammett

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S." change "47:114(B)" to "23:1592(G)", after "relative to" delete "the" and after "tax" insert "deductions and withholdings"

#### AMENDMENT NO. 2

On page 1 delete lines 3 and 4, and insert the following: "to provide for the deduction and withholding of federal income tax from unemployment compensation benefits payable; to limit deductions and withholdings to an amount equal to the maximum amount allowable under federal law; to provide for an"

AMENDMENT NO. 3

On page 1, line 7, after "R.S." change "47:114(B)" to "23:1592(G)"

AMENDMENT NO. 4

On page 1, delete lines 9 through 17, and on page 2, delete lines 1 through 20, and insert:

"§1592. Weekly benefit amount

\* \* \*

G. Effective for any payment of benefits made on or after January 1, 1997, an individual claimant may elect to deduct and withhold federal income tax from such payable benefits, in accordance with a manner prescribed under federal law and under a program approved by the secretary of the United States Department of Labor. Any such deduction and withholding shall be applied by an amount equal to ~~fifteen percent of such benefit payments~~ the amount allowable under federal law."

On motion of Senator Barham, 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. 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.

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. 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.

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

**HOUSE BILL NO. 1245—**

BY REPRESENTATIVE DONELON

**AN ACT**

To amend and reenact R.S. 9:2781 and Code of Civil Procedure Article 1702.1(A), relative to suits on open accounts; to provide

for the method of notifying debtors of claims against them; to provide for attorney fees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1245 by Representative Donelon

AMENDMENT NO. 1

On page 2, line 8, change "may" to "shall

AMENDMENT NO. 2

On page 2, line 9, delete "If delivery of written"

AMENDMENT NO. 3

On page 2, line 10, delete "demand on the debtor is attempted, but not accomplished."

AMENDMENT NO. 4

On page 2, line 12, delete "the envelope containing the written demand"

AMENDMENT NO. 5

On page 2, line 15, delete "may be"

AMENDMENT NO. 6

On page 2, line 16, delete "introduced as evidence of written demand on the debtor."

AMENDMENT NO. 7

On page 2, line 22, delete "without court costs and"

AMENDMENT NO. 8

On page 2, line 24, change "thirty" to "ten" and after "service" insert "of the petition in city courts and fifteen days after service of the petition in all other courts "

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

**HOUSE BILL NO. 1267—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To enact Chapter 1-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2262.1 through 2262.4, relative to trusts; to provide for foreign trusts; to provide for the law applicable to trusts; to provide for the transfer of property held in trust under the law of a foreign jurisdiction; to provide for the authority of certain trustees; and to provide for related matters.

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

**HOUSE BILL NO. 1398—**

BY REPRESENTATIVES CLARKSON, DEVILLIER, MCMAINS, PRATT AND  
SCHWEGMANN AND SENATORS ELLINGTON AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 9:311, 312, Subpart A of Part I-A of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950 formerly consisting of R.S. 9:315 through 315.15, to be comprised of R.S. 9:315 through 315.20, 315.22(C), and 374(A) and (B) and Civil Code Article 142 and to repeal R.S. 9:337, relative to child support; to provide for guidelines for determining the amount of child support and economic data and principles upon which the guidelines are based; to provide for definitions; to provide for the addition of health insurance premiums, extraordinary medical expenses, and other extraordinary expenses to the basic obligation; to provide for deductions for income of the child; to provide for the calculation of total child support obligation; to provide worksheets; to provide the effect of joint and shared custodial arrangement; to provide for the effect of split custodial arrangement; to provide for a voluntarily unemployed or underemployed party; to provide for second jobs and overtime; to provide for amounts not set forth in or exceeding schedule; to provide a mandatory minimum child support award; to provide a review of guidelines; to provide for a standard of appellate review; to provide a schedule of child support; to provide for the termination of child support upon majority or emancipation; to provide for possession and use of the family residence; to provide for the modification or termination of child support award; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1398 by Representative Clarkson

**AMENDMENT NO. 1**

On page 24, delete lines 4 through 52 in their entirety and insert the following:

"7800.00	940	1462	1831	2059	2243	2406
7850.00	944	1467	1838	2066	2246	2409
7900.00	947	1473	1845	2069	2249	2412
7950.00	950	1478	1852	2072	2252	2415
8000.00	954	1484	1859	2075	2255	2418
8050.00	957	1490	1866	2078	2258	2421
8100.00	960	1493	1871	2081	2261	2424
8150.00	962	1497	1875	2084	2264	2427
8200.00	965	1501	1880	2087	2267	2430
8250.00	967	1505	1882	2090	2270	2433
8300.00	970	1509	1884	2093	2273	2436
8350.00	972	1512	1886	2096	2276	2439
8400.00	975	1516	1888	2099	2279	2442
8450.00	977	1520	1890	2102	2282	2445
8500.00	980	1523	1892	2105	2285	2448
8550.00	982	1526	1894	2108	2288	2451
8600.00	985	1529	1896	2111	2291	2454
8650.00	987	1532	1898	2114	2294	2457
8700.00	990	1535	1900	2117	2297	2460
8750.00	992	1538	1902	2120	2300	2463

8800.00	995	1541	1904	2123	2303	2466
8850.00	997	1544	1906	2126	2306	2469
8900.00	1000	1547	1908	2129	2309	2472
8950.00	1003	1550	1910	2132	2312	2475
9000.00	1005	1553	1912	2135	2315	2478
9050.00	1008	1556	1914	2138	2318	2481
9100.00	1011	1559	1916	2141	2321	2484
9150.00	1013	1562	1918	2144	2324	2487
9200.00	1016	1565	1920	2147	2327	2490
9250.00	1019	1568	1922	2150	2330	2493
9300.00	1022	1571	1924	2153	2333	2496
9350.00	1024	1574	1926	2156	2336	2499
9400.00	1028	1577	1928	2159	2339	2502
9450.00	1033	1580	1930	2162	2342	2505
9500.00	1038	1583	1932	2165	2345	2508
9550.00	1043	1586	1934	2168	2348	2511
9600.00	1048	1589	1936	2171	2351	2514
9650.00	1053	1592	1938	2174	2354	2517
9700.00	1058	1595	1940	2177	2357	2520
9750.00	1063	1598	1942	2180	2360	2523
9800.00	1068	1601	1944	2183	2363	2526
9850.00	1073	1604	1946	2186	2366	2529
9900.00	1078	1607	1948	2189	2369	2532
9950.00	1083	1610	1950	2192	2372	2535
10000.00	1088	1613	1952	2195	2375	2538
10050.00	1095	1615	1954	2197	2377	2540
10100.00	1102	1617	1956	2199	2379	2542
10150.00	1109	1619	1958	2201	2381	2544
10200.00	1115	1621	1960	2203	2383	2546
10250.00	1119	1623	1962	2205	2385	2548
10300.00	1123	1625	1964	2207	2387	2550
10350.00	1127	1630	1966	2209	2389	2552
10400.00	1131	1636	1968	2211	2391	2554
10450.00	1135	1642	1970	2213	2393	2556
10500.00	1138	1647	1972	2215	2395	2558
10550.00	1142	1653	1974	2217	2397	2560
10600.00	1146	1659	1976	2219	2399	2562
10650.00	1150	1665	1978	2221	2400	2564
10700.00	1154	1670	1982	2223	2402	2566
10750.00	1158	1676	1984	2225	2404	2568
10800.00	1162	1682	1986	2227	2406	2570
10850.00	1166	1687	1988	2229	2408	2572
10900.00	1170	1693	1994	2231	2410	2574
10950.00	1174	1698	2001	2233	2412	2576
11000.00	1178	1704	2008	2235	2414	2578
11050.00	1182	1710	2014	2237	2416	2582
11100.00	1186	1715	2021	2239	2421	2590
11150.00	1190	1721	2027	2241	2429	2599"

**AMENDMENT NO. 2**

On page 25, delete lines 1 through 19 in their entirety

**AMENDMENT NO. 3**

On page 16, line 25, change "(3)" to "(2)"

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

**HOUSE BILL NO. 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.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1408 by Representative Schneider

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact R.S." change "11:2269(B)(1)," to "11:2260(A)(2)(f) and 2269(B)(1), 22:1419(A)(3) and (4), and to enact R.S. 33:2489.1"

**AMENDMENT NO. 2**

On page 1, line 6, after "service;" insert "to provide for selection of the retiree member to the board of trustees; to provide relative to assessments levied by the Louisiana Insurance Rating Commission against the gross direct premiums received by all insurers doing business in this state which are applied for use by the Municipal Police Employees Retirement System, the Sheriffs' Pension and Relief Fund, the Firefighters' Retirement System, and the State Police Pension and Retirement System, including but not limited to provisions for the amount of the assessment that can be used in any one year for mergers of certain retirement systems and the use of such funds for meeting the actuarial required contributions of the systems; to provide with respect to the transfers between departments;"

**AMENDMENT NO. 3**

On page 1, between lines 10 and 11, insert the following:

"Section 1. R.S. 11:2260(A)(2)(f) is hereby amended and reenacted to read as follows:

§2260. Administration

A. Board of trustees:

\* \* \*

(2) The board shall consist of eight trustees as follows:

\* \* \*

(f)(i) A retiree of the system, who shall be elected by a majority vote of the members of the board from at least three nominees submitted by the retired members of the system, for a term of five years, commencing on January 1, 1989. The term of office of the retiree who on July 1, 2001, is serving pursuant to this Subsubparagraph (i) shall expire on December 31, 2003. If a vacancy in this office occurs at any time during the period from July 1, 2001, and extending through December 31, 2003, then the vacancy shall be filled for the remainder of the unexpired term by the election of a retiree of the system, who shall be elected by a majority vote of the retired members of the system. In any event, the provisions of this Subsubparagraph (i) shall be null and without effect of law on and after January 1, 2004, and thereafter all elections for this office shall be conducted pursuant to Subsubparagraph (ii) of this Subparagraph.

(ii) A retiree of the system, who shall be elected by a majority vote of the retired members of the system, for a five-year term of office. The first term of office of any retiree member elected pursuant to this Item shall commence on January 1, 2004.

\* \* \*

**AMENDMENT NO. 4**

On page 1, line 11, change "Section 1." to "Section 2."

**AMENDMENT NO. 5**

On page 2, between lines 5 and 6, insert:

"Section 3. R.S. 22:1419(A)(3) and (4) are hereby amended and reenacted to read as follows:

§1419. Assessments against insurers; dedications

A.

\* \* \*

(3) Regardless of the percentage assessed by the commission, an amount equal to seven-tenths of one percent of the gross direct premiums received in this state, in the preceding year, by insurers doing business in this state and subject to this Part, less returned premiums shall be deposited by the commission with the state treasurer ~~to the account on behalf of the Municipal Police Employees' Retirement System, the Sheriffs' Pension and Relief Fund, and the Firefighters' Retirement System for the exclusive use of these retirement systems or funds, and allocated as follows:~~

(a) First, five percent of the assessment shall be used for funding the annual actuarial cost incurred by the State Police Pension and Retirement System with regard to implementation of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature.

(b) Second, the assessment shall be used for funding of mergers of local retirement systems with these statewide retirement systems, such mergers to be funded over a period of thirty years, unless the Public Retirement Systems' Actuarial Committee deems a shorter period appropriate. Such shorter period shall not use more than five percent of the total assessment in any one year, nor shall the aggregate of all mergers being funded in any one year use more than twenty-five percent of the total assessment in any one year.

(c)(i) first, ~~Third, any funds that remain after the allocation provided for in Subparagraph (a) of this Paragraph shall be used as provided for in Item (ii) of this Subparagraph.~~ in meeting the remaining portion of the actuarially required contributions after receipt of the employee contributions at the rate established in R.S. 11:62(3), (6), and (9), after receipt of the employer contributions at the rate established in R.S. 11:103(C), and after receipt of all dedicated funds and taxes referred to in R.S. 11:103(C)(2)(a), in the amounts determined by the Public Retirement Systems' Actuarial Committee. ~~Second, the assessment shall be used for funding of mergers of local retirement systems or funds with these statewide systems or funds, such mergers to be funded over a period of thirty years, unless the Public Retirement Systems' Actuarial Committee deems a shorter period appropriate. Such shorter period shall not use more than five percent of the total assessment in any one year, nor shall the aggregate of all mergers being funded in any one year use more than twenty-five percent of the total assessment in any one year.~~

(ii)(aa) Any funds that remain after the allocation provided for in Subparagraphs (3)(a) and (b) of this Paragraph shall be divided into three thirds and, then, a one-third portion shall be allocated



separately to each of the three systems. Except as otherwise provided in this Item, each such system shall not receive a greater portion than one-third.

(bb) It is hereby acknowledged that any one system may not need the entire one-third portion that it receives each year to meet the remaining portion of its actuarially required contributions. In that event, any unused allocated funds shall be reallocated to such other system or systems of the three systems that have a need for additional funds to meet the remaining portion of the actuarially required contributions.

(cc) If one system does not need its total annual allocated portion, but two other systems do use their total annual allocated portions to meet the remaining portion of the actuarially required contributions and need additional funds for that purpose, then the unused allocated portion of the system that did not use its total annual allocated portion shall be divided equally between the two systems that need additional funds to meet the remaining portion of their actuarially required contributions, except that any funds not needed by either such system shall be reallocated to the other such system to meet the remaining portion of the actuarially required contributions.

(dd) Funds that are reallocated to a system pursuant to Subitems (bb) or (cc) of this Item shall be limited to the amount that is necessary to meet the remaining portion of the actuarially required contributions of the receiving system.

(d) The phrase "retirement system" or "system" as used in Paragraphs (3), (4), and (5) of this Subsection shall include the Sheriffs' Pension and Retirement Fund, as applicable, notwithstanding that it is technically a retirement fund and not a retirement system.

(4) After payment of the amounts established by the Public Retirement Systems' Actuarial Committee to the retirement systems as provided for in Paragraph (3) of this Subsection, all remaining funds shall be remitted to the state general fund.

\* \* \*

Section 4. R.S. 33:2489.1 is hereby enacted to read as follows: §2489.1. Transfers between departments

Notwithstanding the provisions of this Chapter, or any other provision of law to the contrary, any employee who is employed as a full-time firefighter in the classified service, who transfers from one fire department to another shall not have his benefits reduced nor lose his seniority status as a result of such department to department transfer. The employee shall retain seniority status in the department to which he transfers, or is transferred. However, for purposes of promotions, no more than four years of service shall be used for seniority purposes. Further, the transferring employee shall receive credit for all years of service in the retirement system."

#### AMENDMENT NO. 6

On page 2, line 6, after "Section" change "2" to "5" and after "provisions of" insert "Section 2 of"

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. 1447—**

BY REPRESENTATIVES CROWE AND HOLDEN

#### **AN ACT**

To repeal R.S. 17:154.3(B), (C), and (D), relative to staff development days; to repeal the provisions requiring teachers to work three additional days for staff development; and to provide for related matters.

Reported favorably by the Committee on Education. 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. 1537—**

BY REPRESENTATIVE PIERRE

#### **AN ACT**

To amend and reenact R.S. 13:1000(A), (B), and (C), relative to legal assistance programs in civil and family matters; to authorize the judges of district and family courts, by rule, to establish certain legal services programs which would qualify for specified funds generated by the clerk of court's office; to provide for an additional fee to the costs of docketing each civil suit; to delete requirements for apportionment of funds collected; to require submission of reports and audits; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

#### **SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1537 by Representative Pierre

#### AMENDMENT NO. 1

On page 1, line 2, after "(C)" and before the comma "," insert "and 2007 and to enact R.S. 13:1911"

#### AMENDMENT NO. 2

On page 1, line 8, after "audits;" and before "and" insert "to provide for fees to fund pro bono projects within the jurisdiction of each of the city courts; and to provide for deposit and disbursement of civil costs in the City Court of Shreveport;"

#### AMENDMENT NO. 3

On page 1, line 11, after "(C)" and before "are" "and 2007"

#### AMENDMENT NO. 4

On page 1, line 12, after "reenacted" and before "to read" insert "and R.S. 13:1911 is hereby enacted"

#### AMENDMENT NO. 5

On page 1, line 19, after "Corporation" insert "and by the state's protection and advocacy system for persons with disabilities"

#### AMENDMENT NO. 6

On page 2, line 6, after "project" delete "or" and insert ",," and after "program" insert "or the state's protection and advocacy system for persons with disabilities"

#### AMENDMENT NO. 7

On page 2, after line 26, insert the following:

"§1911. Legal assistance program; additional filing fee in civil matters\

A. The judges of the city courts, by court rule, may establish a legal assistance program to provide fiscal support for qualified pro bono projects of local bar associations within the jurisdiction of their courts. For purposes of this Section, a qualified pro bono project means a program or project that is designed to provide free legal services for the poor in civil and family matters and that is qualified as a nonprofit organization pursuant to Section 501(c)(3) of the Internal Revenue Code. A court electing to establish a legal assistance program shall provide by rule the means to assure that persons served by a qualified pro bono project are determined to be financially unable to afford the services of legal counsel, either in advance or as costs of such services might accrue.

B. In cities in which the judges of the city court have elected to establish a legal assistance program, the clerk of court shall add to the initial cost of docketing each civil suit the sum of three dollars. The court by rule shall designate an account for the deposit of such funds.

C. The court shall apportion the funds collected pursuant to Subsection B of this Section among the qualified pro bono projects in the jurisdiction of the city court on an annual basis. The apportionment shall be based upon an application process that assures that each qualified pro bono project receives a percentage of the funds approximating the percentage of legal services provided by that project out of the total legal services provided by all qualified pro bono projects within the jurisdiction of the court. The court shall provide by rule for the submission by officials of each recipient pro bono project of such reports and audits as the court deems necessary.

D. The clerk of each court shall retain five percent of all fees collected pursuant to this Section to be used to offset expenses incurred in collection and administration of these funds.

\* \* \*

§2007. Shreveport

A. Fines, forfeitures, costs, and penalties imposed in any criminal prosecution by the city court of Shreveport, and all fees collected in all civil matters, shall be paid into the general fund of the city of Shreveport.

B. After deducting or allocating any amounts due pursuant to R.S. 13:1911, costs of court in civil proceedings as established by the judges of the City Court of Shreveport, sitting en banc, shall be paid into the general fund of the city of Shreveport."

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

**HOUSE BILL NO. 1740—**

BY REPRESENTATIVE SCALISE

**AN ACT**

To amend and reenact R.S. 23:984, relative to contracts; to provide that contracts made in violation of this Subpart are not enforceable; to provide for state policy on labor relations matters and employee freedom of choice; to prohibit any interference with employers' and employees' full exercise of their rights as provided under the federal labor laws; and to provide appropriate remedies for any infringement on those rights; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. 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. 1761—**

BY REPRESENTATIVES POWELL, PITRE, AND BOWLER

**AN ACT**

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

Reported favorably by the Committee on Labor and Industrial Relations. 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. 1807—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To enact R.S. 39:98.6, relative to tobacco settlement proceeds; to provide for the amount of security to be furnished for appeal of certain matters relating to the tobacco settlement proceeds to be received by the state pursuant to the Master Settlement Agreement; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1807 by Representative Triche

**AMENDMENT NO. 1**

On page 2, line 4, change "twenty-five" to "fifty"

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

**HOUSE BILL NO. 1856—**

BY REPRESENTATIVE DEVILLIER

**AN ACT**

To enact Code of Criminal Procedure Article 822(C), relative to amending or modifying sentences; to provide that the amendment or modification of a criminal sentence shall be conducted pursuant to procedures contained in present law; and to provide for related matters.

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

**HOUSE BILL NO. 1905—**

BY REPRESENTATIVES LANDRIEU AND RIDDLE  
AN ACT

To enact R.S. 27:403, relative to elected public officials doing business with certain gaming establishments; to prohibit elected public officials from engaging in any business activity except as a patron or as a performing musician with any owner or operator of a facility which is subject to an Indian gaming compact; to provide for exceptions; to provide for definitions; 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. 1905 by Representative Landrieu

**AMENDMENT NO. 1**

On page 2, line 20, after "week" and before "at the" insert "at a wage comparable to other employees performing the same or similar work"

**AMENDMENT NO. 2**

On page 2, below line 26, insert the following:

"F. The provisions of this Section shall not apply to any business contract or renewal of such contract involving an entity in which a public official has an ownership interest and which was initially executed prior to January 1, 2001, or upon re-election to their current office, whichever occurs first."

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. 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.

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

**HOUSE BILL NO. 2018—**

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

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

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

**HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 2033 by Representative Hunter

**AMENDMENT NO. 1**

On page 1, line 4, after "number to" change "twenty" to "sixteen"

**AMENDMENT NO. 2**

On page 1, line 12, after "~~twelve~~" change "twenty" to "sixteen"

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

**HOUSE BILL NO. 2059 (Substitute for House Bill No. 1915 by Representatives Daniel, Crane, and Hebert)—**

BY REPRESENTATIVES DANIEL, CRANE, AND HEBERT  
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 tuition and mandatory attendance fee amounts at Louisiana public colleges and universities; to authorize the public postsecondary education management boards to establish proportional tuition and mandatory attendance fee amounts applicable to part-time students and to students enrolled for summer and intersession terms; to provide guidelines and limitations; to provide for an effective date; and to provide for related matters.

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

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

BY REPRESENTATIVES LANDRIEU AND PERKINS

**AN ACT**

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

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. 2066 by Representative Landrieu

**AMENDMENT NO. 1**

On page 7, delete lines 3 through 9 in their entirety

**AMENDMENT NO. 2**

On page 7, line 10, change "K." to "I."

**AMENDMENT NO. 3**

On page 7, line 19, change "L." to "K."

**AMENDMENT NO. 4**

On page 7, line 25, change "M." to "L."

**AMENDMENT NO. 5**

On page 8, line 8, change "N." to "M."

**AMENDMENT NO. 6**

On page 8, line 9, after "Section" and before "shall" insert the following: "other than for qualified truck stop facilities."

**AMENDMENT NO. 7**

On page 10, line 14, after "Section" and before "shall" insert the following: "other than for qualified truck stop facilities."

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. 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.

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

**HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 2071 by Representative McMains

**AMENDMENT NO. 1**

On page 3, line 18 after "claims" delete "for which a suit has not been filed;" and insert "to which a vested right has not attached;"

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

**Privilege Report of the  
Legislative Bureau**

June 6, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 1 —**

BY REPRESENTATIVE LEBLANC

**AN ACT**

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

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

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

**Rules Suspended**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 1834 in the Committee on Senate and Governmental Affairs without the required 24 hour notice.

**Motion to Make Special Order**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Thursday, June 7, 2001 immediately following the Morning Hour.

**Recess**

On motion of Senator Lambert, the Senate took a recess until 3:00 o'clock P.M.

**After Recess**

The Senate was called to order at 3:00 o'clock P.M. by the 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.

**Senate Business Resumed****Rules Suspended**

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

**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**

June 6, 2001

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 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.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 149—**

BY SENATORS HAINKEL, BOISSIERE, IRONS AND SCHEDLER AND REPRESENTATIVES TOOMY, RICHMOND AND GREEN

**A CONCURRENT RESOLUTION**

To recognize and commend the Tulane University Green Wave baseball team and the coaching staff on the team's superb play in the best-of-three NCAA Super Regional at Zephyr Field and to extend best wishes on their pursuit of a national championship in Omaha.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

June 6, 2001

To the President and Members of the Senate:

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

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

**HOUSE BILL NO. 94—**

BY REPRESENTATIVE SALTER

AN ACT

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

Reported without amendments.

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

BY REPRESENTATIVE POWELL AND SENATOR HAINKEL

AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 137—**

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 230—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 9:2795.1(A)(3)(a) and (4), (E), (F) and 2796(A), relative to civil liability, to provide for the limitation of liability for Courir de Mardi Gras parades including traditional rural Mardi Gras parades; to provide for the limitation of liability of certain farm animal activities; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 245—**

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 17:440 and R.S. 44:4(29), relative to school employees; to prohibit city, parish, and other local public school boards and the governing authorities of any nonpublic school from using the social security number of a teacher or other school employee as a personal identifier; to provide

relative to requirements for and access to social security numbers of teachers and school employees; to exempt the social security numbers of teachers and school employees from the public records law; to provide exceptions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 263—**

BY REPRESENTATIVE GLOVER

AN ACT

To repeal Section 3 of Act No. 1190 of the 1999 Regular Session of the Legislature, relative to the Shreveport municipal fire and police civil service board; to remove the termination date of provisions for membership of the board and the selection and terms of the members; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 275—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:1184(A) and (B) and 1188 and to enact R.S. 15:1191, relative to lawsuits filed by prisoners; to provide with respect to administrative remedies; to provide that available administrative remedies be exhausted prior to assertion of claim under state law; to provide with respect to dismissal of a prisoner suit; to provide for definitions; to provide for service of a prisoner suit upon a governmental entity; to provide for judicial notice of administrative remedies; to provide for the transfer of suits filed in an improper venue; to provide for withholding of service of process pending an initial review of prisoner lawsuits by the courts; to provide for application of the Louisiana Prison Litigation Reform Act to civil rights claims brought in state courts; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 323—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 33:3813.2(D), relative to the Tangipahoa Water District; to provide relative to the terms of office of the members of the board of commissioners of the district; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 400—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 33:4564(D), relative to Ward Ten Recreation District, Rapides Parish, Louisiana; to provide for the membership of the board of commissioners; to provide for implementation of the Act; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 436—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:9108 and to repeal R.S. 33:9109(F)(3), relative to limitation of liability of communication districts, sheriffs, service providers, and wireless service suppliers while providing emergency telephone services; to limit liability with respect to release of subscriber information; to repeal limitation of liability provisions applying only to districts and wireless service suppliers; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 452—**

BY REPRESENTATIVE WALSWORTH

AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 456—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 33:5062(B), relative to removal of weeds and growths in municipalities with a population of less than four hundred thousand; to provide relative to the notification period during which the owner of the property or of the abutting property where weeds or growths are to be removed may do the work himself; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 595—**

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend and reenact Civil Code Article 395 and to repeal the provisions of Section 2 of Act No. 25 of the First Extraordinary Session of 2000 which amend and reenact Civil Code Article 1492 only, relative to incapacity of interdicts; to provide for capacity to make juridical acts; to retain existing provisions on proof of incapacity to donate; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 595 by Representative Ansardi

**AMENDMENT NO. 1**

On page 1, line 2, following "To" and before "Civil" change "amend and reenact" to "enact"

**AMENDMENT NO. 2**

On page 1, line 3, before "Act No. 25" delete "Section 2 of"; and, at the end of the line, after "2000" insert ", effective July 1, 2001,"

**AMENDMENT NO. 3**

On page 1, line 4, following "Article" and before "only" change "1492" to "1482 and enact Civil Code Article 395"

**AMENDMENT NO. 4**

On page 1, line 9, following "hereby" and before "to" change "amended and reenacted" to "enacted"

**AMENDMENT NO. 5**

On page 2, line 2, following "provisions of" and before "Act No. 25" delete "Section 2 of"

**AMENDMENT NO. 6**

On page 2, line 4, following "1482" and before "only" insert "and enact Civil Code Article 395"

**AMENDMENT NO. 7**

On page 2, lines 5 and 7, change "June" to "July"

**HOUSE BILL NO. 609—**

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 47:505(B) and (H), relative to registration of motor vehicles; to authorize the transfer of number plates on motor vehicles under certain circumstances; to require removal of the number plate at the time a vehicle is replaced; to require the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 640—**

BY REPRESENTATIVE GARY SMITH

AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 670—**

BY REPRESENTATIVE LUCAS

AN ACT

To amend and reenact R.S. 47:463.4(F), relative to vehicle parking privileges for mobility-impaired persons; to increase the time a mobility-impaired person may remain parked in a time-restricted parking place; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 734—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 9:154.1 and R.S. 19:111.1, relative to expropriation; to provide for the ownership of certain funds paid by the town of Berwick; to provide for the abandonment of the funds; to provide for the return of the funds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 759—**

BY REPRESENTATIVE MCMAINS

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To enact Chapter 5-H of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.51 through 380.56, and R.S. 36:744(R) and 801.12, to create the Louisiana Delta Music Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations and fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 844—**

BY REPRESENTATIVE JOHNS

**AN ACT**

To enact Paragraph 21(j) of Article XIV, Section 15.1 of the Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana Constitution of 1974, and R.S. 33:2491.2, relative to municipal fire and police civil service; to provide with respect to the establishment and maintenance of promotional employment lists by the municipal fire and police civil service board of the city of Sulphur; to provide an exception to Article XIV, Section 15.1, Paragraph 21 of the Louisiana Constitution of 1921, made statutory by the provisions of Article X, Section 18 of the Louisiana Constitution of 1974; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 904—**

BY REPRESENTATIVE HOPKINS

**AN ACT**

To enact R.S. 33:381(C)(21), relative to the town of Greenwood; to provide for the appointment of the chief of police of the town of Greenwood, including provisions relative to the qualifications, selection, employment contract, compensation, and duties of said appointed chief of police; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 933—**

BY REPRESENTATIVE DIEZ

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 960—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 13:843.1, relative to court costs in civil suits; to shorten the time period for the clerk of a district court to refund unused advance deposits or issue a demand payment for accrued costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 996—**

BY REPRESENTATIVE MCMAINS

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1016—**

BY REPRESENTATIVE QUEZAIRE

**AN ACT**

To amend and reenact R.S. 30:2531.3(F)(1) and to enact R.S. 30:2531.3(C)(3), relative to commercial littering; to require industrial, commercial, mining, or agricultural operations within the city of Donaldsonville to construct and maintain fences or walls to contain litter; to provide penalties for violations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1056—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To amend and reenact R.S. 39:98.3(C)(5), relative to the Education Excellence Fund; to provide for distribution of monies appropriated from the fund; and to provide for related matters.

Reported without amendments.



**HOUSE BILL NO. 1187—**

BY REPRESENTATIVE ALARIO

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1196—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 37:2163(A)(1) and R.S. 48:252, relative to bidding requirements of the Department of Transportation and Development; to authorize digital signatures on electronic bid proposals by certain parties; to provide relative to contracts with certain aggregate estimated costs; to authorize use of an electronic bid system; to provide relative to electronic bid advertisements; to provide relative to delivery of bids through an electronic bid system; to provide additional means for issuance of addenda for certain contracts; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1229—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:668(A)(1), relative to drivers' licenses; to provide relative to certain suspensions of driving privileges; to provide relative to the scope of hearing following suspension of driver's license for certain offenses; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1247—**

BY REPRESENTATIVES LEBLANC AND DEWITT

**AN ACT**

To amend and reenact R.S. 17:3995(E), relative to charter school funding; to require charter schools that fail to open or that close for any reason to refund all cash on hand to the state or local school district as appropriate; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1255—**

BY REPRESENTATIVES LEBLANC AND DEWITT

**AN ACT**

To amend and reenact R.S. 17:3995(A)(2), relative to charter school funding; to authorize the State Board of Elementary and Secondary Education to provide for a second pupil membership count for purposes of adjusting allocations made to Type 2 charter schools resulting from changes in enrollment; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1302—**

BY REPRESENTATIVE PITRE

**AN ACT**

To enact R.S. 33:221.2, relative to taxation by local governmental subdivisions; to authorize taxation by parochial subdivisions within territory annexed by such subdivisions under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1350—**

BY REPRESENTATIVE MCVEA AND SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 17:58.2(G) and 64(F), relative to the Zachary community school system; to provide for the time that the school board is to begin its initial year of actual operation providing for the education of students within its jurisdiction; to provide for the reapportionment of the East Baton Rouge Parish School Board for the election of its members from the reapportioned election districts, including provisions that board members holding office on the date the Zachary Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system shall serve the remainder of the terms of office for which elected; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1386—**

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON

**AN ACT**

To enact Part I-A of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4511 through 4513, relative to liens and privileges; to provide for privileges for the storage and repair of aircraft; to provide relative to rights and remedies; to provide for notice of privilege; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1439—**

BY REPRESENTATIVE WINSTON

**AN ACT**

To enact R.S. 9:374(E), relative to community property; to provide for the allocation of assets; to provide for a summary proceeding; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1524—**

BY REPRESENTATIVES MCMAINS AND LANDRIEU

**AN ACT**

To amend and reenact Code of Civil Procedure Article 2124(B)(1), (C), and (D) and to enact Code of Civil Procedure Article 2124(E), relative to security to be furnished for an appeal; to permit a trial court to exercise its discretion in determining the amount of security for a suspensive appeal; to provide for the application of supervisory writs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1561—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:1714(2) and (6), relative to the towing and storage of vehicles; to remove certain exemptions from state police's rules for towing of vehicles; to provide relative to the schedule of maximum fees allowed for the storage of certain vehicles; to provide relative to the regulation of stored vehicles; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1638—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 46:1403.1, relative to children; to provide for the completion of educational courses or other programs offered by the residential home; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1825—**

BY REPRESENTATIVE LANCASTER

**AN ACT**

To amend and reenact R.S. 9:203(C), relative to persons who are authorized to perform marriages; to provide for the authority of retired justices of the peace to perform marriages; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1840—**

BY REPRESENTATIVES WOOTON AND MARTINY

**AN ACT**

To amend and reenact R.S. 49:191(13) and to repeal R.S. 49:191(11)(j), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections 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. 1844—**

BY REPRESENTATIVE TOWNSEND

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1848—**

BY REPRESENTATIVES SALTER, THOMPSON, AND WRIGHT

**AN ACT**

To amend and reenact R.S. 17:3219, relative to postsecondary education management boards; to require each board to designate the physical location of its domicile and an agent for service of

process; to require the filing of such information; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1851—**

BY REPRESENTATIVE QUEZAIRE

**AN ACT**

To enact R.S. 17:85, relative to naming a high school football stadium; to authorize the parish school board in certain parishes to name a high school football stadium in honor of a former principal and coach; to provide limitations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1875—**BY REPRESENTATIVES ANSARDI, PITRE, AND MARTINY AND  
SENATOR LENTINI**AN ACT**

To enact R.S. 33:2740.51, to create and establish a political subdivision and special taxing district to be known as the Kenner Assistance District; to provide for the purposes and governance of the district; to provide for the rights, powers, and duties of the district including the right to levy ad valorem taxes; to provide for cooperative endeavor agreements between the district and the city of Kenner; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1878—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

To enact Subpart B-4 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.71 through 130.74, relative to the creation of an economic development board in certain parishes to promote, encourage, and participate in economic development activities in the parish; to provide for the composition, powers, and functions of the board; to provide for the creation of an advisory board to each economic development board; to provide for the composition of the advisory board and the terms of office of its members; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1892—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.569, relative to the Louisiana Delta Authority; to authorize and provide for the creation of the Louisiana Delta Authority; to provide for a board of commissioners of the authority; to provide for the powers and functions of the authority and of the board; to provide for the levy of taxes and the issuance of bonds and other evidences of indebtedness; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1898—**

BY REPRESENTATIVE NEVERS

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1917—**

BY REPRESENTATIVES QUEZAIRE AND DANIEL

**AN ACT**

To amend and reenact R.S. 9:2795(A)(1) and (3), and (E)(2)(a) through (c), relative to civil liability; to provide for limitation of liability of certain public parks; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1929—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 38:2223 and to enact R.S. 40:1749.26, relative to public contracts involving underground utilities or facilities; to require any public entity or its agent, prior to preparation of plans and specifications on any public work project, to contact the regional notification center and the owners of underground utilities or facilities that are not members of such center; to require the public entity to furnish a diagram or plat to prospective bidders in the plans and specifications; to require negotiations between all participating parties relative to the temporary or permanent relocation of underground utilities or facilities; to require the public entity to inform all owners of such underground utilities or facilities regarding to whom the contract for the public work was awarded; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1943—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To amend and reenact R.S. 25:380.10, 380.11, 380.13, and 380.14(A) and R.S. 36:801.8, to enact R.S. 36:209(V), and to repeal R.S. 25:380.12 and R.S. 36:744(M), relative to the Edward Douglass White Historic Site; to transfer the Edward Douglass White Historic Site from the Department of State to the Department of Culture, Recreation and Tourism; to provide that the Board of Directors of the Louisiana State Museum shall be the governing board of the historic site; to provide for the powers, duties, and functions of the board and the department; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1950—**

BY REPRESENTATIVE HUTTER

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1955—**

BY REPRESENTATIVES ALARIO, KENNEY, POWELL, AND SALTER

**AN ACT**

To enact R.S. 17:158.7 and R.S. 42:1123(28), relative to the lease of school buses; to authorize city, parish, and other local public school boards to lease school buses from school bus operators under certain circumstances; to provide an exception to the Code of Governmental Ethics for such leases; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1960—**

BY REPRESENTATIVE FUTRELL

**AN ACT**

To amend and reenact R.S. 32:388(A)(3)(b) and 389(D), relative to weights and standards stationary scale police; to provide relative to administrative review of citations issued by weights and standards stationary scale police officers; to require promulgation of rules and regulations; to provide with respect to fines for certain vehicles which fail to stop at stationary weight scales; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1964—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 1966—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To repeal R.S. 33:4574.1-A(A)(6)(g), relative to the authority of tourist commissions to levy a hotel occupancy tax on overnight camping facilities; to repeal the provision prohibiting the levy of the tax on such facilities under certain conditions; to provide an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1967—**

BY REPRESENTATIVE ANSARDI

**AN ACT**

To amend and reenact R.S. 33:4766(D) and 5062(C), relative to certain municipalities; to provide that the designee of the mayor may sign documents relative to demolition, removal, repair, or maintenance of dangerous structures and grass cutting, destruction, or removal of noxious weeds on private property; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1970—**

BY REPRESENTATIVE QUEZAIRE

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 2000—**

BY REPRESENTATIVE CLARKSON

**AN ACT**

To enact Part LVII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.172.1 through 1300.172.3, relative to mammograms; to provide for screening mammograms; to authorize the performance of mammograms without a prescription from a licensed practitioner; to provide for notification of the results; to provide limited immunity from civil liability; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2001—**

BY REPRESENTATIVE WALSWORTH

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 2017—**

BY REPRESENTATIVE TOWNSEND

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 2025—**

BY REPRESENTATIVE LANDRIEU

**AN ACT**

To amend and reenact R.S. 33:4720.29, 4720.30(C), and 4720.31(A), relative to the donation of abandoned or blighted property; to provide for the donation to nonprofit organizations of such property free and clear of or at a reduced level of taxes, paving

and other assessments, interest, and penalties; and to provide for related matters.

Reported without amendments.

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

BY REPRESENTATIVE DEWITT

**AN ACT**

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

Reported without amendments.

**HOUSE BILL NO. 2055 (Substitute for House Bill No. 380 by Representative Martiny)—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact Code of Criminal Procedure Article 228.2, relative to the unclaimed property of prisoners; to provide for the disposal of unclaimed property of prisoners by sheriffs; to provide for a definition of "unclaimed property"; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

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

**Messages from the House**

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

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

June 6, 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. 920—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To enact R.S. 6:332 and 333(F)(15), relative to disclosure of financial records; to provide for attorney fiduciary accounts; to provide for overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for cost of production; to provide for a limitation of liability; 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. 920—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To enact R.S. 6:332 and 333(F)(15), relative to disclosure of financial records; to provide for attorney fiduciary accounts; to provide for overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for cost of production; to provide for a limitation of liability; and to provide for related matters.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**INSURANCE**

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

June 6, 2001

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 140—**

BY SENATOR IRONS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to mandate insurance coverage for loss, damage, or diminution in value to property caused by drought.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 135—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To amend the severability provisions of certain regulations adopted by the Department of Insurance.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE ANSARDI

**A CONCURRENT RESOLUTION**

To authorize and direct the Department of Insurance and the State Board of Embalmers and Funeral Directors to jointly study and make recommendations regarding funeral service insurance policies and the regulation thereof and to create the Funeral Insurance Advisory Task Force.

Reported favorably.

**HOUSE BILL NO. 437—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 22:1117(A), relative to prohibitions of insurers, agents, and brokers; to provide for distribution of profits; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 801—**

BY REPRESENTATIVE DONELON

**AN ACT**

To amend and reenact R.S. 22:636(A)(1)(a) and 636.4(A) and (C)(2)(a) and to enact R.S. 22:636(G) and (H), relative to insurance policies; to provide for notices; to provide for nonrenewal; to provide for cancellation; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1194—**

BY REPRESENTATIVE LAFLEUR

**AN ACT**

To enact R.S. 22:622.2, relative to motor vehicle liability policies; to provide for coverage; to provide for exclusions and limitations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1330—**

BY REPRESENTATIVE MORRISH

**AN ACT**

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

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

## CONFERENCE COMMITTEE REPORT

Senate Concurrent Resolution No. 61 by Senator Dardenne

May 30, 2001

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Concurrent Resolution 61 by Senator Dardenne recommend the following concerning the engrossed concurrent resolution:

1. That Amendments No. 1, 2, 4, 5, and 6 proposed by the House Committee on Judiciary on May 10, 2001, to the engrossed concurrent resolution and adopted by the House of Representatives on May 14, 2001, be adopted.
2. That Amendment No. 3 proposed by the House Committee on Judiciary to the engrossed concurrent resolution on May 10, 2001, and adopted by the House of Representatives on May 14, 2001, be rejected.
3. That Floor Amendment No. 1 to the engrossed concurrent resolution adopted by the House of Representatives on May 17, 2001, be rejected.
4. That the following amendment to the engrossed concurrent resolution be adopted:

### AMENDMENT NO. 1

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

Respectfully submitted,

Senators:  
Jay Dardenne  
Chris Ullo  
John Hainkel

Representatives:  
Joseph F. Toomy  
Donald Cazayoux  
T. Taylor Townsend

## Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Dardenne, a vote was taken on the adoption of the report.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President  
Barham  
Bean

Fields, W  
Fontenot  
Gautreaux

Malone  
Marionneaux  
Michot

Boissiere  
Cain  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields, C

Total—33

Hines  
Hollis  
Hoyt  
Irons  
Jones, B  
Jones, C  
Lambert  
Lentini

NAYS

Total—0

ABSENT

Bajoie  
Campbell  
Total—6

Cravins  
Heitmeier

Johnson  
McPherson

The Chair declared the Conference Committee Report was adopted. Senator Dardenne moved to reconsider the vote by which the report was adopted and laid the motion on the table.

## CONFERENCE COMMITTEE REPORT

Senate Bill No. 4 by Senator Hines and Dardenne

May 22, 2001

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 4 by Senator Hines and Dardenne recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments No. 1 through 19 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on April 26, 2001 be adopted.
2. That House Floor Amendments No. 1 through 4 proposed by Representative Bruneau and adopted by the House of Representatives on May 9, 2001 be adopted.
3. That House Floor Amendment No. 1 proposed by Representative Futrell and adopted by the House of Representatives on May 9, 2001 be rejected.

Respectfully submitted,

Senators:  
Donald E. Hines  
John L. "Jay" Dardenne

Representatives:  
Emile "Peppi" Bruneau  
Charles D. Lancaster, Jr.  
Charlie DeWitt

## Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hines, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Fields, W	Marionneaux
Boissiere	Fontenot	McPherson
Cain	Gautreaux	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fields, C	Malone	
Total—32		

**NAYS**

Bean	Johnson	Ullo
Total—3		

**ABSENT**

Mr. President	Heitmeier
Bajoie	Jones, B
Total—4	

The Chair declared the Conference Committee Report was adopted. Senator Hines moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Senator Lambert in the Chair****CONFERENCE COMMITTEE REPORT**

Senate Bill No. 623 by Senator Hainkel

June 5, 2001

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 623 by Senator Hainkel recommend the following concerning the engrossed bill:

1. That House Floor Amendments No. 1, 2, 3, 4, and 5 proposed by Representative Powell and adopted by the House of Representatives on May 14, 2001 be adopted.
2. That House Floor Amendment No. 6 proposed by Representative Powell and adopted by the House of Representatives on May 14, 2001 be rejected.
3. That the following amendments to the engrossed bill be adopted:

**AMENDMENT NO. 1**

On page 2, line 10, after "years" delete the remainder of the line and insert in lieu thereof the following: "from the date the member was

appointed to serve, such that the member will have served a four-year term. Thereafter, the successors of such members shall serve four-year terms.

Section 3. 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."

Respectfully submitted,

Senators:

John Hainkel  
Tom Schedler

Representatives:

Henry "Tank" Powell  
John C. "Juba" Diez  
Diane G. Winston

**Rules Suspended**

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hainkel, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Jones, B	Lentini
Total—3		

The Chair declared the Conference Committee Report was adopted. Senator Hainkel moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 627 by Senator Michot

May 23, 2001

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 627 by Senator Michot recommend the following concerning the Engrossed bill:

1. That all House Floor Amendments proposed by Representative Pinac and adopted by the House of Representatives on April 23, 2001 be rejected.

Respectfully submitted,

Senators:  
Michael J. Michot  
Wilson E. Fields  
Ken Hollis

Representatives:  
Gillis J. Pinac  
Jean M. Doerge  
Gary L. Smith

### Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Michot, a vote was taken on the adoption of the report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B
Bajoie	Tarver
Total—4	

The Chair declared the Conference Committee Report was adopted. Senator Michot moved to reconsider the vote by which the report was adopted and laid the motion on the table.

### Mr. President in the Chair

### Special Order of the Day

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

#### 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.

Senator Heitmeier asked for a ruling from the Chair as to whether House Bill No. 81 would require a two-thirds vote if it contains civil penalties.

The Chair ruled that House Bill No. 81 does contain civil penalties and would require a two-thirds vote to pass.

### Senator Barham in the Chair

### Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 81 by Representative Bruce

#### AMENDMENT NO. 1

On page 1, line 6, after "seat;" delete the remainder of the line and insert "to"

#### AMENDMENT NO. 2

On page 3, delete lines 4 through 20

#### AMENDMENT NO. 3

On page 3, line 21, change "D." to "C."

#### AMENDMENT NO. 4

On page 4, line 8, change "E." to "D."

#### AMENDMENT NO. 5

On page 4, line 13, change "F." to "E."

Senator Hines moved adoption of the amendments.

Senator Marionneaux objected.



**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dupre	Lambert
Barham	Ellington	McPherson
Bean	Fields, W	Mount
Boissiere	Gautreaux	Romero
Cain	Hines	Schedler
Campbell	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, C	
Total—29		

**NAYS**

Mr. President	Lentini	Ullo
Fontenot	Malone	
Heitmeier	Marionneaux	
Total—7		

**ABSENT**

Fields, C	Jones, B	Michot
Total—3		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Lambert
Barham	Fields, W	McPherson
Bean	Gautreaux	Mount
Boissiere	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Thomas
Dupre	Jones, C	
Total—23		

**NAYS**

Mr. President	Hoyt	Tarver
Dean	Lentini	Theunissen
Fontenot	Malone	Ullo
Heitmeier	Marionneaux	
Total—11		

**ABSENT**

Cain	Fields, C	Michot
Cravins	Jones, B	
Total—5		

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

**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 House Bill No. 81. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**Senate Concurrent Resolutions  
Returned from the House of Representatives  
with Amendments**

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

**SENATE CONCURRENT RESOLUTION NO. 17—**

BY SENATOR C. FIELDS

**A CONCURRENT RESOLUTION**

To urge and request the Department of Civil Service to modify the civil service rules and regulations so as to accept any college credit or degrees from schools which are a part of the Louisiana Community and Technical College System and which have been accredited by the Council of Occupational Education.

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

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 17 by Senator C. Fields

**AMENDMENT NO. 1**

On page 1, line 2, change "Civil Service" to "State Civil Service"

**AMENDMENT NO. 2**

On page 1, line 2, delete "modify" and" insert "study modifying"

**AMENDMENT NO. 3**

On page 1, line 3, delete "any college credit" and insert "certain college credits"

**AMENDMENT NO. 4**

On page 1, line 5, after "College" delete the remainder of the line and delete line 6 in its entirety and insert "System."

**AMENDMENT NO. 5**

On page 1, line 11, change "Civil Service" to "State Civil Service"

**AMENDMENT NO. 6**

On page 1, line 13, change "Civil Service" to "State Civil Service"

**AMENDMENT NO. 7**

On page 1, line 13, delete "and" and insert "to"

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## 37th DAY'S PROCEEDINGS

### AMENDMENT NO. 8

On page 1, line 15, delete "modify their" and insert "to review the"

### AMENDMENT NO. 9

On page 1, line 16, delete "as necessary so as to acknowledge and recognize" and insert " of the State Civil Service Commission with regard to accepting certain"

### AMENDMENT NO. 10

On page 2, line 4, change "Civil Service" to "State Civil Service"

Senator C. Fields moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B
Hollis	Michot
Total—4	

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

### **SENATE CONCURRENT RESOLUTION NO. 67—**

BY SENATORS IRONS, BAJOIE, B. JONES, MOUNT AND SCHEDLER

#### A CONCURRENT RESOLUTION

To create a special legislative committee to provide oversight over the use of federal TANF funds.

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

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 67 by Senator Irons

### AMENDMENT NO. 1

On page 3, line 21, delete "study" and insert "Resolution"

### AMENDMENT NO. 2

On page 4, line 1, delete "findings" and insert "activities"

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B
Gautreaux	Michot
Total—4	

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

### **SENATE CONCURRENT RESOLUTION NO. 102—**

BY SENATOR C. JONES

#### A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, relative to legislative instruments which establish a minimum or maximum mandatory prison sentence; to require that a copy of a fiscal note be attached to the instrument prior to its consideration by any committee of either house of the legislature unless the committee otherwise decides.

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

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 102 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "adopt Joint Rule No. 20" and insert "amend and readopt Joint Rule No. 4(A)(2)"

AMENDMENT NO. 2

On page 1, line 8, after "RESOLVED" delete the remainder of the line and delete lines 9 and 10 and insert: "by the Legislature of Louisiana that Joint Rule No. 4(A)(2) of the Joint Rules of the Senate and House of Representatives is hereby amended and readopted to read as follows:"

AMENDMENT NO. 3

On page 1, line 9 delete "20" and insert "4(A)(2)"

AMENDMENT NO. 4

On page 1, delete lines 11 through 16, in their entirety, and delete page 2, in its entirety, and insert the following:

"Joint Rule No. 4. Fiscal Notes

A.

\* \* \*

(2) Every bill and joint resolution which:

(a) Will affect the receipt, expenditure, allocation, or dedication, in an estimated amount, as determined by the legislative fiscal officer, of one hundred thousand dollars or more in any one fiscal year of either state funds or of the funds of any statewide political subdivision of the state whose boundaries are coterminous with the state;

(b) Will authorize the issuance of general obligation bonds or other general obligations of the state or such political subdivision;

(c) Concerns any program wholly or partially funded by federal monies and involves an expenditure in an amount of one hundred thousand dollars or more in any one fiscal year of state funds or funds of any such political subdivision; ~~or~~

(d) Provides a minimum or maximum mandatory prison sentence; or

~~(d)(e)~~ (e) Will affect the receipt, allocation, or dedication of the funds of any political subdivision of the state whose boundaries are not coterminous with the state, shall have attached to it prior to its consideration by any committee of either house, unless the committee otherwise decides, and prior to its consideration on final passage in either house, if requested pursuant to Paragraph B, a fiscal note prepared by the Legislative Fiscal Office which shall include a reliable estimate of the fiscal effect of such measure. When the fiscal note is prepared on a measure covered by Item (A)(2)(c), it shall reflect the immediate and long-range fiscal effect on the state or the political subdivision of any such program and include the length of time federal funds are to be provided and the probable amount of state funds or funds of such political subdivision required to continue the program.

\* \* \*

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

## ROLL CALL

The roll was called with the following result:

## YEAS

Bajoie	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
Fields, C	Lentini	
Fields, W	Malone	
Total—37		

## NAYS

Barham  
Total—1

## ABSENT

Mr. President  
Total—1

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

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

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

**SENATE BILL NO. 20—**  
BY SENATOR ROMERO

## AN ACT

To amend and reenact R.S. 32:774(B)(3)(b)(i), relative to motor vehicles; to exempt previously licensed used motor vehicle dealers from certain educational requirements; and to provide for related matters.

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

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 20 by Senator Romero

AMENDMENT NO. 1

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## 37th DAY'S PROCEEDINGS

On page 1, line 2, after "R.S. 32:774(B)(3)(b)(i)" delete the comma "," and insert the following: "and to enact R.S. 32: 776(E),"

### AMENDMENT NO. 2

On page 1, line 4, after "educational requirements;" insert the following: " to require licensed used motor vehicle dealers to attend an educational seminar under certain circumstances; to provide for a time period for completion of said educational seminar;"

### AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert the following: " and R.S. 32:776(E) is hereby enacted"

### AMENDMENT NO. 4

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

### AMENDMENT NO. 5

On page 2, after line 17, add the following:

\* \* \*  
\* \* \*

776. Denial, suspension, revocation of license; violations; procedure

E. When a licensee is found in violation of any provision of R.S. 32:751 through 780, relative to the Louisiana Used Motor Vehicle and Parts Commission, the licensee shall attend a four-hour educational seminar. The licensee who is found in violation of any provision of R. S. 32:751 through 780 shall complete the four-hour educational seminar within three months of the date the hearing decision becomes final."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Engrossed Senate Bill No. 20 by Senator Romero

### AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:774(B)(3)(b)(i)" to "R.S. 32:762 and 774(B)(3)(b)(i), and to repeal R.S. 32:763"

### AMENDMENT NO. 2

On page 1, line 4, after "requirements;" insert "to provide with respect to salvage pools and certain salvage dealers;"

### AMENDMENT NO. 3

On page 1, line 6, change "R.S. 32:774(B)(3)(b)(i) is" to "R.S. 32:762 and 774(B)(3)(b)(i) are"

### AMENDMENT NO. 4

On page 1, between lines 7 and 8 insert:

#### §762. Salvage pools

A. Sales of motor vehicles at a salvage pool, salvage disposal sale, or through an insurance company shall be ~~opened made~~ only to persons possessing a ~~Louisiana buyer's identification card to buy such motor vehicles as provided in this Section~~ license as a used motor vehicle dealer or automotive dismantler or parts recycler and to persons authorized in another state to purchase salvage vehicles. Visitors are authorized to attend such sales; however, visitors may not bid or make purchases at such sales.

~~B.(1) Buyer's identification cards to bid or buy motor vehicles at salvage pools, salvage disposal sales, or through insurance companies shall be available to any person, business, or corporation, or licensed employee thereof, possessing a valid used motor vehicle dealer license, or a valid automotive dismantlers and recyclers license. Buyer's identification cards to bid or buy salvage shall be issued by the commission on a form prescribed by it and shall contain as a minimum the name, address, driver's license number, any one of the aforementioned dealers' license numbers, physical description, and signature of the applicant and the name and address of the employer of the applicant. Each motor vehicle dealer operating a salvage pool shall record each sales transaction and assess a recordation charge of five dollars per transaction with the total amount collected in a single year from a Louisiana buyer not to exceed twenty-five dollars and the total amount collected in a single year from an out-of-state buyer not to exceed two hundred dollars. However, a buyer possessing a current buyer's identification card that was issued prior to July 1, 2001, shall not be assessed the recordation charge prior to January 1, 2002.~~

(2) The commission may exact a fee not to exceed twenty-five dollars for the issuing of the buyer's identification card to a resident of Louisiana and a fee not to exceed two hundred dollars for the issuing of a buyer's identification card to an out-of-state resident. Each used motor vehicle dealer operating a salvage pool shall submit transaction reports and recordation charges on a monthly basis, to be provided to the commission not later than the fifth day of each month.

(3) The buyer's identification card shall be renewable each year for a fee of twenty-five dollars for a resident of Louisiana and for a fee not to exceed two hundred dollars for an out-of-state resident.

~~C. It shall be the duty of the owner, manager, or person in charge of any salvage pool or salvage disposal sale, to prohibit the bidding by any person who does not display a buyer's identification card, to refuse to sell to any person any wrecked or repairable motor vehicle if such person does not display a valid buyer's identification card and to prohibit any person without a buyer's identification card to be present at the bidding site during a sale. Each buyer's identification card holder may be accompanied by a mechanic or other technical expert of his choice.~~

~~D. The permit may be refused, cancelled, or revoked for the same reasons a license under this Chapter may be refused, cancelled, or revoked. Any person whose permit is refused, cancelled, or revoked shall enjoy the same review and appeal procedures as a person whose license is refused, cancelled, or revoked.~~

E. C.(1) The owner, manager, or person in charge of a salvage pool or salvage disposal sale shall keep a register of all sales of motor vehicles for three years from the date of sale, showing the make, model, year, body style, vehicle identification number, odometer reading, and the name and address of the seller and buyer. In addition the sale transaction register shall contain the buyer's identification card number issued by the commission.

(2) The register shall be made available for inspection by identified law enforcement officers of the state, parish, or municipality or agents of the commission at the salvage pool or salvage disposal sale business location during regular business hours on business days.

### AMENDMENT NO. 5

On page 2, after line 18, add the following:

"Section 2. R.S. 32:763 is hereby repealed in its entirety.  
Section 3. The provisions of this Act shall become effective on July 1, 2001."

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Lambert
Total—2	

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

### SENATE BILL NO. 197—

BY SENATOR ULLO

#### AN ACT

To amend and reenact R.S. 8:1(6), 62, 75, 451, 454, 457(A) (introductory paragraph), 459.1(B) and (D), 465(C)(2), and 662, and to enact R.S. 8:454.1, relative to operation of perpetual or endowed care cemeteries; to provide for the make up of the cemetery board; to increase fines for violations of board rules and regulations; to provide relative to trust funds and the administration thereof; and to provide for related matters.

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

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 197 by Senator Ullo

#### AMENDMENT NO. 1

On page 1, line 3, after "and 662," insert "and R.S. 33:2740.1,"

#### AMENDMENT NO. 2

On page 1, line 4, after "relative to" insert "cemeteries; to provide for the"

#### AMENDMENT NO. 3

On page 1, line 7, after "thereof," insert "to provide for the definition of "ward" with regard to the maintenance of public cemeteries;"

#### AMENDMENT NO. 4

On page 10, after line 25, add the following:

"Section 2. R.S. 33:2740.1 is hereby amended and reenacted to read as follows:

§2740.1. Public cemetery maintenance; ad valorem tax

Any parish in this state or any ward in any parish ~~may~~, subject to the approval of a majority of the property taxpayers both in number and assessed valuation, may levy an ad valorem tax of not to exceed one mill on the dollar for a period of not to exceed ten years, to be used for the maintenance and upkeep of public cemeteries located therein. As used in this Section, the word "ward" includes any district from which any member of any parish governing authority is elected."

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B	Lambert
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 249—

BY SENATOR DUPRE

### AN ACT

To enact Part VI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:251 through 258, relative to expropriation by Terrebonne Parish Consolidated Government; to authorize the governing authority of the consolidated government to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

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

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 249 by Senator Dupre

#### AMENDMENT NO. 1

On page 3, at the end of line 3, after "property" and before the period "." insert a comma "," and insert "but shall not include any property, utility plant, or facilities owned by any private waterworks or sewerage system"

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Mr. President	Fields, W	Lambert
Dean	Jones, B	
Total—5		

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

## SENATE BILL NO. 251—

BY SENATOR DUPRE

### AN ACT

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

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

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 251 by Senator Dupre

#### AMENDMENT NO. 1

On page 3, at the end of line 11, after "property" and before the period "." insert a comma "," and insert "but shall not include any property, utility plant, or facilities owned by any private waterworks or sewerage system"

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Marionneaux  
Total—1

#### ABSENT

Mr. President	Fields, W	Jones, B
---------------	-----------	----------

Total—3

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

#### SENATE BILL NO. 704—

BY SENATOR FONTENOT AND REPRESENTATIVES DANIEL AND PINAC  
AN ACT

To amend and reenact R.S. 51:911.21, 911.22, 911.23, 911.24(A)(1), (2), (3), (5), (6), the introductory paragraph of R.S. 51:911.24(B), 911.24(B)(5), (C), the introductory paragraph of R.S. 51:911.24(D), (D)(3), E, the introductory paragraph of R.S. 51:911.24(F), (F)(3), (G), and (H), 911.24.1, 911.25(A) and (B), the introductory paragraph of R.S. 51:911.28(A), (A)(3), (4), (8), (B), (C), 911.29, 911.30, 911.32(A), (B), (D), and (E), 911.33, 911.34(A) and (C), 911.35, 911.36, 911.38, 911.39(A), 911.42, 911.43, 911.44, 911.46, 912.21, the introductory paragraph of R.S. 51:912.22, 912.22(2), (3), (5), 912.23(1)(a) and (h), the introductory paragraph of R.S. 51:912.24, 912.24(2)(g), (4)(b) and (e), the introductory paragraph of R.S. 51:912.25, 912.26, 912.27, 912.28(A), and 912.29 and the Title to Part XIV-B of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, and to enact R.S. 51:911.26 and 912.30, and to repeal R.S. 51:911.27 and 911.37, all relative to manufactured homes and mobile homes; to provide for definitions; to create the Louisiana Manufactured Housing Commission and provide for its powers and duties; to provide for standards and codes applicable to manufactured housing; to provide for standards for installation of manufactured housing; to provide for enforcement of standards and codes; to provide for warranties; and to provide for related matters.

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

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 704 by Senator Fontenot et al.

##### AMENDMENT NO. 1

On page 1, line 14, after "enact" and before "R.S." insert "R.S. 36:4.1(D)(16) and"

##### AMENDMENT NO. 2

On page 1, line 16, after "homes;" and before "to" insert the following: "to provide for the placement of the Louisiana Manufactured Housing Commission in the office of the governor;"

##### AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

Section 1. R.S. 36:4.1(D)(16) is hereby enacted to read as follows:

§4.1. Agencies transferred from the Department of Economic Development to the office of the governor; agencies placed within the office of the governor  
\* \* \*

D. The following agencies, as defined in R.S. 36:3, are hereby transferred to and shall be placed within the office of the governor and shall perform and exercise its powers, duties, functions, and responsibilities as provided in R.S. 36:803:

\* \* \*

##### R.S. 36:4.1(D)(16) is proposed new law.

(16) The Louisiana Manufactured Housing Commission (R.S. 51:911.26 et seq.).

\* \* \*

##### AMENDMENT NO. 4

On page 2, at the beginning of line 8, change "Section 1." to "Section 2."

##### AMENDMENT NO. 5

On page 16, line 14, after "the" and before the period "." change "Department of Economic Development" to "office of the governor"

##### AMENDMENT NO. 6

On page 20, line 23, after "the" and before the period "." change "Department of Economic Development" to "office of the governor"

##### AMENDMENT NO. 7

On page 38, at the beginning of line 3, change "Section 3." to "Section 4."

#### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 704 by Senator Fontenot

##### AMENDMENT NO. 1

On page 37, line 25, at the beginning of the line, change "Section 2." to "Section 3."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 704 by Senator Fontenot

##### AMENDMENT NO. 1

On page 16, line 19, after "(2)" change "Five" to "Two"

##### AMENDMENT NO. 2

On page 16, line 24, after "remaining" change "two" to "five"

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

#### ROLL CALL

The roll was called with the following result:

##### YEAS

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

Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President Jones, B  
Total—2

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

## SENATE BILL NO. 738—

BY SENATORS MOUNT AND SCHEDLER  
AN ACT

To amend and reenact R.S. 15:440.4(A)(5), R.S. 23:1021(11), R.S. 24:932(4), R.S. 37:3372(9)(b), R.S. 40:1299.39(A)(1)(a)(ii) and 1299.41, Children's Code Art. 326(A)(7), 1172, 1173(A)(2), 1272(D), and Code of Evidence Art. 510(A)(4)(c), relative to licensed professional counselors; to revise definitions; to provide for the authority of licensed professional counselors; 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 COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 738 by Senators Mount and Schedler

### AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "R.S. 37:3372(9)(b)"

### AMENDMENT NO. 2

On page 3, delete lines 6 through 16

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

## ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson

Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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 BILL NO. 1102— (Substitute for Senate Bill 543 by Senator Cain)

BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 51:912.22 (4), relative to manufactured or mobile homes; to provide additional requirements for the installation of manufactured or mobile homes; and to provide for related matters.

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

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 1102 by Senator C. Fields

### AMENDMENT NO. 1

On page 1, between lines 9 and 10, insert the following: "All manufactured homes and mobile homes built after 1976 shall be installed to meet the following standards, unless otherwise specified in this Part:"

### AMENDMENT NO. 2

On page 2, line 10, after "foundation" and before "have" change "product" to "products"

Senator C. Fields moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

YEAS



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

NAYS

Total—0

ABSENT

Mr. President	Cravins
Total—2	

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

### Rules Suspended

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

### Reports of Committees

The following reports of committees were received and read:

#### CONFERENCE COMMITTEE REPORT

Senate Bill No. 254 by B. JONES

June 4, 2001

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 254 by B. JONES recommend the following concerning the Engrossed bill:

1. That House Floor Amendment Nos. 1 through 3 proposed by Representative McCallum and adopted by the House of Representatives on May 7, 2001, be rejected.
2. That all Legislative Bureau Amendments proposed by the Legislative Bureau and adopted by the House of Representatives on May 9, 2001, be rejected.

3. That House Floor Amendment Nos.1 and 2 proposed by Representative McCallum and adopted by the House of Representatives on May 15, 2001, be rejected.

4. That the following amendments to the engrossed bill be adopted:

#### AMENDMENT NO. 1

On page 1, line 3, change "bank" to "financial institution" and between "exercise" and "fiduciary" insert "trust or"

#### AMENDMENT NO. 2

On page 1 delete line 9 in its entirety and insert the following:

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

\* \* \*

#### AMENDMENT NO. 3

On page 1, line 11, after "States," delete the remainder of the line and delete lines 12 through 15 in their entirety and insert in lieu thereof the following: "or a financial institution or trust company authorized to exercise trust or fiduciary powers under the laws of Louisiana or of the United States."

Respectfully submitted,

Senators:

Bill Jones  
Robert J. Barham  
Noble Ellington

Representatives:

Jay McCallum  
F. Charles McMains, Jr.  
Gillis J. Pinac

### Rules Suspended

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator B. Jones a vote was taken on the adoption of the report.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

NAYS

Total—0

ABSENT

Mr. President

Cravins

Total—2

The Chair declared the Conference Committee Report was adopted. Senator B. Jones moved to reconsider the vote by which the report was adopted and laid the motion on the table.

### Regular Order of the Day Resumed

### Senate and Concurrent Resolutions on Second Reading Reported by Committees

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

#### SENATE CONCURRENT RESOLUTION NO. 144—

BY SENATOR C. JONES

#### A CONCURRENT RESOLUTION

To establish a special committee to study the costs and economic impact of Louisiana's mandatory minimum sentencing laws and the feasibility of the requirements that these sentencing laws place upon the state to fund the costs of incarceration, and to make recommendations with respect to less costly alternative sentencing options and programs.

Reported with amendments by the Committee on Judiciary B.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 144 by Senator C. Jones

#### AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish a special committee" and insert in lieu thereof "urge and request the Senate Committee on Judiciary B"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 2, delete "hereby creates a special committee" and insert in lieu thereof "urges and requests the Senate Committee on Judiciary B"

#### AMENDMENT NO. 3

On page 2, delete lines 8 through 28

#### AMENDMENT NO. 4

On page 3, delete lines 1 through 5

#### AMENDMENT NO. 5

On page 3, delete lines 13 through 18

#### AMENDMENT NO. 6

On page 3, line 19, after "RESOLVED" delete the remainder of the line and lines 20 and 21 and insert in lieu thereof the following:

"that the Senator Committee on Judiciary B shall invite for advice and testimony the following:

(1) A representative of the Louisiana District Attorneys Association.

(2) A representative of the Louisiana Sheriffs' Association.

(3) A representative of the Louisiana Supreme Court.

(4) A representative of Victims and Citizens Against Crime.

(5) A representative of the Louisiana Association of Criminal Defense Lawyers.

(6) A representative of the Louisiana District Judges Association.

(7) A representative of Mothers Against Drunk Driving (MADD).

(8) A representative of Project Return.

(9) A representative of the Louisiana Commission on Law Enforcement and Administrative of Criminal Justice.

(10) A representative of the Louisiana Sentencing Commission.

#### AMENDMENT NO. 7

On page 3, at the end of line 23, delete "member" and insert in lieu thereof "chairman of"

#### AMENDMENT NO. 8

On page 3, at the beginning of line 24 delete "appointed from" and at the end of the line delete "and shall elect its" and delete line 25 in its entirety.

#### AMENDMENT NO. 9

On page 3, at the beginning of line 26, delete "thereafter; that" and insert in lieu thereof a ";"

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

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Total—37

NAYS

Total—0

ABSENT

Mr. President

Cravins

Total—2

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

**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. 64—**

BY REPRESENTATIVE HOLDEN

**A CONCURRENT RESOLUTION**

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

Reported favorably by the Committee on Labor and Industrial Relations.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Dean

Total—1

ABSENT

Mr. President

Fontenot

Total—2

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

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVE K. CARTER

**A CONCURRENT RESOLUTION**

To urge and request the Legislature of Louisiana to recognize the history, economic impact, and social benefits of Louisiana's music industry, to embark upon greater efforts to enshrine, memorialize, and develop historically significant music sites and areas, to urge state government to invest in strong music education and music history projects that will carry Louisiana's music legacy forward for future generations, and to declare parts of New Orleans as "The Birthplace of Jazz, New Orleans Rhythm and Blues, and Rock and Roll."

Reported favorably by the Committee on Education.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Total—0

ABSENT

Mr. President

Total—1

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

**House Concurrent Resolutions on  
Third Reading  
and Final Passage**

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

**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.

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

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

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

**HOUSE BILL NO. 18—**

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, LANCASTER, SCALISE, HOPKINS, PITRE, SNEED, AND WELCH AND SENATORS HOLLIS, DUPRE, AND ELLINGTON

**AN ACT**

To amend and reenact Part I of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:18 through 20, R.S. 18:23(A)(4) and (E)(1), 31, 44(B)(introductory paragraph) and (2), 45(A), 431.1(B), 552(A)(1), 574(A)(3), 1302(3), 1353, 1372, 1392(B), 1400.6(B) and (C), and 1402(C), R.S. 36:741(C), R.S. 42:62(6), and R.S. 44:4(23); to enact R.S. 36:744(R); and to repeal R.S. 36:4(A)(15) and 8(E)(2)(d), Chapter 16 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:661 through 663, R.S. 39:291(C)(4)(c), and R.S. 49:191(11)(i) and 968(B)(7), relative to the commissioner of elections and the Department of Elections and Registration; to provide for the appointment in lieu of election of the commissioner of elections; to provide, pursuant to Article IV, Section 20 of the Constitution of Louisiana, for the merger and consolidation of the Department of Elections and Registration with the Department of State and for the transfer of such department and its powers, duties, functions, and responsibilities to the Department of State; to provide for implementation; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Campbell sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Campbell to Engrossed House Bill No. 18 by Representative Bruneau

**AMENDMENT NO. 1**

On page 4, at the beginning of line 10, after "secretary of state" delete "and" and insert "subject to Senate confirmation. He"

On motion of Senator Campbell, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Gautreaux	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Jones, B	Theunissen
Dean	Lentini	Thomas
Dupre	Malone	Ullo
Fontenot	Michot	
Total—20		

**NAYS**

Bajoie	Fields, W	Jones, C
Bean	Heitmeier	Lambert
Campbell	Hines	Marionneaux
Cravins	Irons	McPherson
Fields, C	Johnson	Smith
Total—15		

**ABSENT**

Mr. President	Ellington
Cain	Tarver
Total—4	

The Chair declared the amended bill failed to pass.

**Notice of Reconsideration**

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

**HOUSE BILL NO. 799—**

BY REPRESENTATIVE DONELON

**AN ACT**

To amend and reenact R.S. 22:1, relative to the Louisiana Insurance Code; to expand the code to encompass all of Title 22 of the Louisiana Revised Statutes of 1950; 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. 1219—**

BY REPRESENTATIVE MARTINY

## AN ACT

To enact R.S. 44:13(D), relative to limitations on the disclosure of certain records of a publicly funded library; to provide that information may be released to appropriate law enforcement officers investigating criminal activity in the library; to provide for the definition of "criminal activity in the library"; to provide for the definition of "information"; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

## YEAS

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

## NAYS

Cain	Hoyt
Total—2	

## ABSENT

Mr. President	Smith
Marionneaux	Tarver
Total—4	

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

**HOUSE BILL NO. 1253—**

BY REPRESENTATIVE BOWLER

## AN ACT

To amend and reenact R.S. 22:2(I), relative to the commissioner of insurance; to provide for confidential documents; 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. 575—**

BY REPRESENTATIVE NEVERS

## AN ACT

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

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

**HOUSE BILL NO. 1136—**

BY REPRESENTATIVE THOMPSON

## AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

## YEAS

Bean	Gautreaux	Malone
Boissiere	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Fields, C	Jones, C	Thomas
Fields, W	Lambert	Ullo
Fontenot	Lentini	
Total—29		

## NAYS

Barham	Ellington
Cain	Irons
Total—4	

## ABSENT

Mr. President	Cravins	McPherson
Bajoie	Marionneaux	Tarver
Total—6		

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

**Mr. President in the Chair**

## HOUSE BILL NO. 1534—

BY REPRESENTATIVE CRANE

### AN ACT

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

### Motion

Senator McPherson moved to table the entire subject matter.

Senator Theunissen objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Fields, W	Lentini
Bean	Fontenot	Malone
Cain	Gautreaux	Marionneaux
Campbell	Hines	McPherson
Chaisson	Irons	Romero
Cravins	Johnson	Thomas
Fields, C	Jones, C	
Total—20		

#### NAYS

Mr. President	Ellington	Michot
Barham	Heitmeier	Mount
Boissiere	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Jones, B	Theunissen
Dupre	Lambert	Ullo
Total—18		

#### ABSENT

Tarver  
Total—1

The Chair declared the entire subject matter was tabled.

## HOUSE BILL NO. 1612—

BY REPRESENTATIVE THOMPSON

### AN ACT

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

office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

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

## HOUSE BILL NO. 1824—

BY REPRESENTATIVE THOMPSON

### AN ACT

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Ellington	Lambert	Tarver
Heitmeier	Malone	Thomas
Total—6		

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

## HOUSE BILL NO. 1836—

BY REPRESENTATIVES QUEZAIRE AND KATZ

### AN ACT

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

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

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Lentini
Barham	Fields, C	Malone
Bean	Fields, W	Marionneaux
Boissiere	Hines	McPherson
Cain	Hollis	Michot
Campbell	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Ullo
Dupre	Lambert	
Total—32		

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier	Thomas
Fontenot	Schedler	
Gautreaux	Tarver	
Total—7		

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

**HOUSE BILL NO. 44—**

BY REPRESENTATIVE DOWNER

**AN ACT**

To amend and reenact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of owners and operators of motor vehicles used for transportation in emergencies; and to provide for related matters.

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

**HOUSE BILL NO. 495—**

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

**AN ACT**

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

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

**HOUSE BILL NO. 496—**

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

**AN ACT**

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

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

**HOUSE BILL NO. 568—**

BY REPRESENTATIVE KENNARD

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Cravins	Tarver
Total—4	

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

## HOUSE BILL NO. 1106—

BY REPRESENTATIVE JACK SMITH

AN ACT

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

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

## ROLL CALL

The roll was called with the following result:

YEAS

Barham	Cravins	Jones, C
Bean	Dupre	Lambert
Boissiere	Fields, C	Romero
Cain	Gautreaux	
Chaisson	Hines	
Total—13		

NAYS

Mr. President	Hollis	Marionneaux
Campbell	Hoyt	Michot
Dardenne	Irons	Mount
Dean	Johnson	Schedler
Ellington	Jones, B	Smith
Fontenot	Lentini	Theunissen
Heitmeier	Malone	Ullo
Total—21		

ABSENT

Bajoie	McPherson	Thomas
Fields, W	Tarver	
Total—5		

The Chair declared the bill failed to pass.

## Notice of Reconsideration

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

## HOUSE BILL NO. 1266—

BY REPRESENTATIVE THOMPSON

AN ACT

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

## Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1266 by Representative Thompson

### AMENDMENT NO. 1

In Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on May 22, 2001, in Amendment No. 4, on page 1, at the end of line 16, insert the following:

"The actuarial cost shall only include the employee contributions that would have been paid to the applicable system, fund, or plan prior to July 20, 1990."

On motion of Senator Boissiere, the amendments were adopted.

## Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1266 by Representative Thompson

### AMENDMENT NO. 1

On page 1, line 2, after "To" insert "enact R.S. 11:143(C)(3), relative to service credit for certain legislative assistants in the Louisiana State Employees Retirement System; to"

### AMENDMENT NO. 2

On page 1, between lines 10 and 11, insert the following:

"Section 1. R.S. 11:143(C)(3) is hereby enacted to read as follows:



"§143. Transfers between systems

\* \* \*

C. Except as provided in Paragraph (5) of this Subsection and notwithstanding the provisions of law to the contrary, the system, fund, or plan from which the person transfers such credit shall transfer to the receiving system, fund, or plan an amount which is the lesser of the following:

\* \* \*

(3)Any legislative assistant who is a member of Louisiana State Employees Retirement System and who has service credit with a local, municipal, state or statewide retirement system shall be authorized to transfer the previous service credit at no cost to the member, provided the actuarial cost of the transfer does not exceed five thousand dollars.

\* \* \*

#### AMENDMENT NO. 3

On page 1, line 11 after "Section" change "1" to "2"

#### AMENDMENT NO. 4

On page 2, line 27 after "Section" change "2" to "3"

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bean	Dupre	Johnson
Boissiere	Fields, C	Jones, C
Cain	Fields, W	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Hines	Romero
Cravins	Irons	Thomas
Total—18		

#### NAYS

Mr. President	Hoyt	Schedler
Barham	Jones, B	Smith
Dardenne	Lambert	Theunissen
Dean	Lentini	Ullo
Ellington	Malone	
Heitmeier	Michot	
Total—16		

#### ABSENT

Bajoie	Hollis	Tarver
Fontenot	Mount	
Total—5		

The Chair declared the amendments were adopted.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1266 by Representative Thompson

#### AMENDMENT NO. 1

On page 2, line 23, delete "Section 6.(A) of Act No. 676, both"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 24, after "Session" delete the comma "," and insert "and Section 6(A) of Act No. 676 of the 1990 Regular Session,"

On motion of Senator Lentini, the amendments were adopted.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Boissiere	Fields, W	Marionneaux
Campbell	Hines	McPherson
Cravins	Johnson	Thomas
Fields, C	Jones, C	Ullo
Total—12		

#### NAYS

Mr. President	Ellington	Malone
Barham	Gautreaux	Michot
Cain	Heitmeier	Mount
Dardenne	Hollis	Schedler
Dean	Hoyt	Smith
Dupre	Lentini	Theunissen
Total—18		

#### ABSENT

Bajoie	Fontenot	Lambert
Bean	Irons	Romero
Chaisson	Jones, B	Tarver
Total—9		

The Chair declared the bill failed to pass.

### Notice of Reconsideration

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

**Personal Privilege**

Senator Bean 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 House Bill No. 1266. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**HOUSE BILL NO. 1658—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

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

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

**HOUSE BILL NO. 63—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 27:306(A)(5)(b) and to repeal R.S. 27:306(A)(5)(d), relative to the Video Draw Poker Devices Control Law; to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bean	Gautreaux	Lambert
Chaisson	Heitmeier	Marionneaux
Cravins	Hines	Romero
Dupre	Johnson	
Ellington	Jones, C	
Total—13		

**NAYS**

Mr. President	Fields, W	Schedler
Barham	Fontenot	Smith
Cain	Hoyt	Theunissen
Campbell	Irons	Thomas
Dardenne	Jones, B	Ullo
Dean	Malone	
Fields, C	Mount	
Total—19		

**ABSENT**

Bajoie	Lentini	Tarver
Boissiere	McPherson	
Hollis	Michot	
Total—7		

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 Lambert asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 63. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**HOUSE BILL NO. 66—**

BY REPRESENTATIVE PITRE

**AN ACT**

To amend and reenact Civil Code Article 938 and to enact R.S. 9:2502, relative to successions; to provide for the exercise of a successor's rights in a succession; to provide for the subordination of the successor's rights to the administration of the estate; to provide for the validity of an alienation, lease, or encumbrance of immovable property made prior to the effective date of the Act; to provide for retroactive effect; to provide for a peremptive period; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Lentini
Jones, B	Tarver
Total—4	

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

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE KENNARD

**AN ACT**

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

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

**HOUSE BILL NO. 191—**

BY REPRESENTATIVE BRUNEAU

**AN ACT**

To amend and reenact Civil Code Articles 870 and 1611, to enact Civil Code Article 1484, and to repeal R.S. 9:2501, relative to successions; to provide relative to the law governing succession rights; to provide relative to the revocation of a legacy or testament; to provide for the legal effect of terms used in a testament; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Engrossed House Bill No. 191 by Representative Bruneau

**AMENDMENT NO. 1**

On page 2, at the end of line 22, change the period "." to a comma "," and insert the following: "however, this Act shall not apply to successions which have been judicially opened prior to the enactment of this Act."

On motion of Senator Ellington, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier	Tarver
Bajoie	Hollis	
Boissiere	Hoyt	
Total—7		

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

**HOUSE BILL NO. 254—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To amend and reenact R.S. 30:2413(A)(8) and to enact R.S. 30:2413(A)(9), relative to solid waste management facility fees; removes the authority of the secretary of the Department of Environmental Quality to adopt certain fees; to provide for fees necessary to administer waste tire activities; to provide for collection and distribution of data and information; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Heitmeier	Jones, B
Bajoie	Hines	Tarver
Total—6		

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

**HOUSE BILL NO. 262—**

BY REPRESENTATIVE GREEN

**AN ACT**

To amend and reenact R.S. 46:236.3(E), relative to income assignment orders; to provide for the termination of income assignment orders; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B
Bajoie	Tarver
Total—4	

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

**HOUSE BILL NO. 316—**

BY REPRESENTATIVES ANSARDI AND MCMAINS

**AN ACT**

To amend and reenact Children's Code Articles 303(7), 424.7(A), 438(C) and (D), 439(C), 443, 603(8), 619(C), 620(B), 624(C), (D), and (E), 626(B), 629, 630, 672, 672.1(D), 688, 702(C) through (G), 710(A)(introductory paragraph) and (C), 745(C), 776(A), 841(C), 1004(G), 1037.1, 1128, 1131(A), 1137(C), 1144(B), 1146(B) and (C), 1195(C), 1196(D), 1223(B)(4), 1223.1(C)(1)(A), 1243(A) and (C), and 1249 and Code of Civil Procedure Article 10(A)(1); to enact Children's Code Articles 438(E) and 439.1, 624(F), 710(D), and 1196(E); and to repeal Children's Code Articles 617(G) and (H), 618(G) and (H), and 702(H), relative to children; to provide for the continuous revision of the Children's Code; to provide for further implementation of the Adoption and Safe Families Act of 1999; to provide for children in need of care, court-appointed and court-approved administrative bodies, instant order,

continued custody, informal adjustment agreements, assignment of custody of children, reunification efforts, and permanency hearings and orders; to provide for mediation in the Children's Code, selection and qualification of mediators, and preparation of mediation agreements; to provide for jurisdiction over children and minors; to provide for the effect of informal family services plan agreements, permanency planning reports, informal adjustment agreements, authorizations to file petitions for termination of parental rights, continued contact with biological relatives, notice of opposition to adoptions, fee disclosure, intrafamily adoptions, and service and jurisdiction in adoption proceedings; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Fontenot
Bajoie	Tarver
Total—4	

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

**HOUSE BILL NO. 318—**

BY REPRESENTATIVES ANSARDI, CLARKSON AND MCMAINS

**AN ACT**

To amend and reenact Children's Code Articles 668, 675(B)(4), 702(E) through (H), 1218, and 1240 and to enact Children's Code Articles 675(B)(5), 702(I), 1042(D), 1146(D), 1208(D), and Chapter 14-A of Title XII of the Children's Code, to be comprised of Articles 1269.1 through 1269.7, relative to adoption; to provide for continuing contact between a child and certain individuals in agency adoptions; to provide for continuing contact agreements and declarations, filings, court

approval, effect, agreements confected after final decrees of adoption, enforcement, and modification; to provide for assessments of an adopted child's continuing contact with certain individuals in predisposition reports, case plans, permanency hearings, and reviews by counsel; to provide for hearings and the effect of a final decree of adoption, and to provide for related matters.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Bajoie	Schedler
Lambert	Tarver
Total—4	

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

### HOUSE BILL NO. 330—

BY REPRESENTATIVE PERKINS

#### AN ACT

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Johnson	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—29		

#### NAYS

Fields, C	Fields, W
Total—2	

#### ABSENT

Mr. President	Campbell	McPherson
Bajoie	Hines	Tarver
Boissiere	Irons	
Total—8		

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

### HOUSE BILL NO. 360—

BY REPRESENTATIVES ANSARDI AND MCMAINS

#### AN ACT

To amend Civil Code Articles 767, 1228, and 1829 and to repeal Civil Code Articles 337, 877, 878, and 879 and R.S. 9:1421, relative to successions; to eliminate references to benefit of inventory; to provide that until a successor accepts a succession confusion as to servitudes does not take place; and to provide for related matters.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

Dean  
Dupre  
Ellington  
Fields, C  
Total—36

Johnson  
Jones, B  
Jones, C  
Lambert  
Smith  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—3

Bajoie

Tarver

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

**HOUSE BILL NO. 361—**

BY REPRESENTATIVES ANSARDI AND MCMAINS  
AN ACT

To enact Section 8 of Chapter 6 of Title II of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 1617 through 1626, and R.S. 9:2502, relative to successions; to provide for disinheriton of forced heirs; to provide the formalities for disinheriton of forced heirs; to provide the grounds that constitute just cause for disinheriton; to provide grounds for which both parents and grandparents can disinherit forced heirs; to provide for reconciliation between the testator and the forced heirs; to provide for defenses for disinheriton; to provide for the retroactivity of these rules; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C  
Lambert  
Lentini  
Malone  
Marionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bajoie  
Total—5

Cravins  
McPherson

Tarver

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

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 6, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 533.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 6, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 626.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 6, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1272.

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

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 6, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1634.

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

**Messages from the House**

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

**Message from the House**

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

June 6, 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. 1485—**

BY REPRESENTATIVES PINAC, BRUNEAU, AND MURRAY  
AN ACT

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 607, and to repeal Chapter 6 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit

certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

**HOUSE BILL NO. 1626—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99 and 99.1, relative to special treasury funds; to create the Municipalities Energy Expense Loan Fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund; to provide for loans from the fund for certain municipalities to assist with the payment of energy expenses; to provide for the administration of the program; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 280—**

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 47:1508(B)(8), relative to exceptions from the general rule of confidentiality of taxpayer records; to limit the authority of the secretary to disclose the name and address of certain taxpayers; and to provide for related matters.

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS  
AN ACT

To amend and reenact R.S. 9:3410(B)(3) and to enact R.S. 12:1308.1, 1308.2, 1350.1, 1353(A)(9) and (E), and 1364(A)(4) and (B)(4), relative to filing of annual reports with the secretary of state; to require annual reports of limited liability companies; to provide for filing fees for limited liability companies and to increase filing fees for registered foreign partnerships; to provide relative to failure to file annual reports, including limitations on doing business with the state and revocation of articles of organization or certificates of authority; to provide for reinstatement of articles of organization; and to provide for related matters.

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

**Senator Lambert in the Chair****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. 280—**

BY REPRESENTATIVE MORRELL

**AN ACT**

To amend and reenact R.S. 47:1508(B)(8), relative to exceptions from the general rule of confidentiality of taxpayer records; to limit the authority of the secretary to disclose the name and address of certain taxpayers; 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. 1485—**

BY REPRESENTATIVES PINAC, BRUNEAU, AND MURRAY

**AN ACT**

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 607, and to repeal Chapter 6 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

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

**HOUSE BILL NO. 1626—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To enact Subpart F of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99 and 99.1, relative to special treasury funds; to create the Municipalities Energy Expense Loan Fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund; to provide for loans from the fund for certain municipalities to assist with the payment of energy expenses; to provide for the administration of the program; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

**AN ACT**

To amend and reenact R.S. 9:3410(B)(3) and to enact R.S. 12:1308.1, 1308.2, 1350.1, 1353(A)(9) and (E), and 1364(A)(4) and (B)(4), relative to filing of annual reports with the secretary of state; to require annual reports of limited liability companies; to provide for filing fees for limited liability companies and to increase filing fees for registered foreign partnerships; to provide relative to failure to file annual reports, including limitations on doing business with the state and revocation of articles of organization or certificates of authority; to provide for reinstatement of articles of organization; 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**

June 6, 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. 209—**

BY REPRESENTATIVE ALARIO

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Revenue to take every possible action within the boundaries of the law to ensure that no additional state tax burden is placed on the citizens of Louisiana as a result of the passage of federal income tax relief and the mailing of tax rebate checks.



**HOUSE CONCURRENT RESOLUTION NO. 210—**BY REPRESENTATIVES PIERRE, BAUDOIN, DURAND, LAFLEUR, AND  
LEBLANC AND SENATOR CRAVINS**A CONCURRENT RESOLUTION**

To commend and congratulate Reverend Alton E. Gatlin upon his becoming international superintendent of the Sunday School Department of the Church of God in Christ and to extend best wishes for success in his new position.

**HOUSE CONCURRENT RESOLUTION NO. 211—**

BY REPRESENTATIVE ANSARDI

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Stanford Loftin Raborn.

**HOUSE CONCURRENT RESOLUTION NO. 212—**

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To recognize October 1, 2001, as World Peace Day in the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 213—**BY REPRESENTATIVES GLOVER, BAYLOR, BRUCE, HOPKINS, LYDIA  
JACKSON, MONTGOMERY, SHAW, JANE SMITH, AND WADDELL**A CONCURRENT RESOLUTION**

To extend the condolences of the Legislature to the family of Hilry Huckaby III.

**HOUSE CONCURRENT RESOLUTION NO. 214—**

BY REPRESENTATIVE GALLOT

**A CONCURRENT RESOLUTION**

To urge and request the Board of Supervisors for the University of Louisiana System to adhere without waiver to board policies and procedures relative to personnel actions to fill chief executive vacancies at institutions under its supervision and management.

**HOUSE CONCURRENT RESOLUTION NO. 215—**BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND WADDELL  
AND SENATOR HAINKEL**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Economic Development to undertake a wet lab business incubator feasibility study that details issues related to establishing three wet lab incubators, one each in Shreveport, Baton Rouge, and New Orleans; to support emerging Louisiana biomedical, biotechnology, chemical and environmental science companies related to the Vision 2020 technology clusters; and to make recommendations to the legislature.

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. 209—**

BY REPRESENTATIVE ALARIO

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Revenue to take every possible action within the boundaries of the law to ensure that no additional state tax burden is placed on the citizens of Louisiana as a result of the passage of federal income tax relief and the mailing of tax rebate checks.

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

**HOUSE CONCURRENT RESOLUTION NO. 210—**BY REPRESENTATIVES PIERRE, BAUDOIN, DURAND, LAFLEUR, AND  
LEBLANC AND SENATOR CRAVINS**A CONCURRENT RESOLUTION**

To commend and congratulate Reverend Alton E. Gatlin upon his becoming international superintendent of the Sunday School Department of the Church of God in Christ and to extend best wishes for success in his new position.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Schedler	Tarver
Total—3		

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

**HOUSE CONCURRENT RESOLUTION NO. 211—**

BY REPRESENTATIVE ANSARDI

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Stanford Loftin Raborn.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Total—0

### ABSENT

Bajoie	Hines
Cravins	Tarver
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. 212—

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

### A CONCURRENT RESOLUTION

To recognize October 1, 2001, as World Peace Day in the state of Louisiana.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

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

Ellington  
Fields, C  
Total—34

Lambert  
Malone

### NAYS

Total—0

### ABSENT

Bajoie	Jones, B	Tarver
Cravins	Lentini	
Total—5		

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

## HOUSE CONCURRENT RESOLUTION NO. 213—

BY REPRESENTATIVES GLOVER, BAYLOR, BRUCE, HOPKINS, LYDIA JACKSON, MONTGOMERY, SHAW, JANE SMITH, AND WADDELL

### A CONCURRENT RESOLUTION

To extend the condolences of the Legislature to the family of Hilry Huckaby III.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Fields, W	Malone	
Total—32		

### NAYS

Total—0

### ABSENT

Bajoie	Dupre	Tarver
Cravins	Jones, B	
Dean	Lentini	
Total—7		

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

**HOUSE CONCURRENT RESOLUTION NO. 214—**

BY REPRESENTATIVE GALLOT

**A CONCURRENT RESOLUTION**

To urge and request the Board of Supervisors for the University of Louisiana System to adhere without waiver to board policies and procedures relative to personnel actions to fill chief executive vacancies at institutions under its supervision and management.

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

**HOUSE CONCURRENT RESOLUTION NO. 215—**

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND WADDELL AND SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Economic Development to undertake a wet lab business incubator feasibility study that details issues related to establishing three wet lab incubators, one each in Shreveport, Baton Rouge, and New Orleans; to support emerging Louisiana biomedical, biotechnology, chemical and environmental science companies related to the Vision 2020 technology clusters; and to make recommendations to the legislature.

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

### Introduction of Senate Concurrent Resolutions

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

**SENATE CONCURRENT RESOLUTION NO. 153—**

BY SENATORS HAINKEL, BOISSIERE, HEITMEIER, IRONS, AND JOHNSON

**A CONCURRENT RESOLUTION**

To commend and express the deepest appreciation on behalf of the citizens of the state of Louisiana to Senator Diana E. Bajoie for twenty-five years of dedicated, unselfish, and exemplary service to the people of her district, the city of New Orleans, and the state of Louisiana as a member of the Legislature of Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero

Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields, C  
Total—35

Hoyt  
Irons  
Johnson  
Jones, B  
Jones, C  
Lambert  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Bajoie  
Cravins  
Total—4

Lentini  
Tarver

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

**Mr. President in the Chair****Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS**

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

June 6, 2001

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 40—**

BY SENATOR SMITH

**A RESOLUTION**

To urge and request the Department of Transportation and Development to grant permits to the Pollock Area Water System, Inc. to locate installation of utilities in state-owned rights of way.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 130—**

BY REPRESENTATIVE THOMPSON

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana state police weights and standards mobile police force and the Louisiana Department of Agriculture to work together to increase the enforcement of weight limits imposed on sugarcane haulers using state roadways.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect a board fence measuring eight feet in height and three hundred fifty feet in length along the western boundary property line of the Department of Transportation and Development's LaPlace maintenance construction facility.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 144—**

BY REPRESENTATIVE HAMMETT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the signage system along Louisiana state highways in rural areas.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 150—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To request the Department of Transportation and Development to undertake a planning study of the River Road between New Orleans and Baton Rouge and adjacent state routes to determine the best way to expand the capacity of roads in the Mississippi River corridor while at the same time maintaining the character of the River Road so as to support the growth of tourism in the region.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE DIEZ

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to adopt legislation authorizing states to opt out of the federal-aid highway program.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 180—**

BY REPRESENTATIVES FUTRELL AND DIEZ

**A CONCURRENT RESOLUTION**

To create and provide for the Task Force on Design-Build Contracts to study and make recommendations concerning the possible use of design-build contracts for construction projects of state and local governments.

Reported with amendments.

**HOUSE BILL NO. 51—**

BY REPRESENTATIVE E. ALEXANDER

**AN ACT**

To enact R.S. 47:463.83, relative to motor vehicles; to provide relative to license plates; to create the Festival International de Louisiane prestige license plate; to provide for the color and design of such plates; to provide for a minimum number of applicants; to provide for fees for such plates; to designate the

use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 52—**

BY REPRESENTATIVES BOWLER AND SCALISE

**AN ACT**

To amend and reenact R.S. 47:463.61, relative to motor vehicles; to provide relative to the "Choose Life" prestige license plate; to provide for the design and color of such plate; to provide relative to the fee for such plate; to provide relative to the use of such fees; to repeal provisions relative to the Choose Life Advisory Council; to repeal provisions relative to the membership, terms, duties, and pay for members of such council; to repeal requirement that qualified organizations submit annual audits; to prohibit qualified organizations from disclosing certain information; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 186—**

BY REPRESENTATIVE STRAIN

**AN ACT**

To amend and reenact R.S. 47:463.18(A) and (C)(1), relative to special prestige license plates for veterans and retired veterans; to provide for issuance of such plates for motorcycles; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 258—**

BY REPRESENTATIVE DURAND

**AN ACT**

To enact R.S. 47:463.83, relative to motor vehicles; to provide relative to license plates; to create the Charity School of Nursing prestige license plate; to provide for the issuance of such plate; to provide for the design and color of such plate; to provide relative to the fees for such plate, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 279—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To enact R.S. 47:463.83 and R.S. 47:463.84, relative to motor vehicle prestige license plates; to create the retired employees of the Department of Transportation and Development prestige license plate; to create the Louisiana Water and Waste Water Operators prestige license plate; to provide for the issuance of designs, colors, and fees for plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 285—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicles prestige license plates; to create the Rotary International prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments..

**HOUSE BILL NO. 358—**

BY REPRESENTATIVES TRICHE AND DOWNER  
AN ACT

To amend and reenact R.S. 32:666(A)(introductory paragraph) and 667(B)(4), relative to traffic accidents; to require chemical tests to be given in certain traffic accidents; to require suspension of a driver's license in certain circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 394—**

BY REPRESENTATIVES DOWNER, CLARKSON, FUTRELL, LANDRIEU, PERKINS, SCALISE, WINSTON, AND POWELL  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to create the U.S. Naval Academy prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the academy's seal and design; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments..

**HOUSE BILL NO. 432—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation of the Most Worshipful Prince Hall Grand Lodge F & AM organization prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 433—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for creation of the Esther Grand Chapter Order of Eastern Star- Prince Hall Affiliation prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to fees for

such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 446—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 47:463.83 and R.S. 56:10(B)(11), relative to motor vehicle prestige license plates; to create the white tail deer prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to create a special account in the Conservation Fund and to provide for remittance of certain fees to the account; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 448—**

BY REPRESENTATIVES JOHN SMITH AND ILES  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for creation of the Kiwanis International prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 559—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 2:803(B), relative to the Airport Construction and Development Priority Program; to decrease the state's proportion of funding for certain airport projects; to provide relative to the placement of projects in the program; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 629—**

BY REPRESENTATIVE M. JACKSON  
AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for creation of the Kappa Alpha Psi Fraternity, Incorporated prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate; to provide for the creation of the "Kappa Kamp" fund within the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 638—**

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to create the Crescent City prestige license plate; to provide for the issuance of such plate; to provide for the design and color of such plate; to provide relative to the fees for such plates; to designate the use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1036—**

BY REPRESENTATIVE DARTEZ

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation of Rotary District 6200 prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1132—**

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation of the Alpha Kappa Alpha Sorority prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1335—**

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 47:463.83 relative to motor vehicle prestige license plates; to provide for the creation of the Laborers' International Union of North America (LIUNA) organization prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate; to provide for the use of such fees; to require a contract relative to the issuance of the plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1603—**

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation of Omega Psi Phi fraternity prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1708—**

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 47:463.23(A), relative to special prestige license plates for active and retired firefighters; to provide for issuance of such plates for motorcycles; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1845—**

BY REPRESENTATIVES PRATT AND K. CARTER AND SENATOR BAJOIE

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation of the Delta Sigma Theta Sorority prestige license plate; to provide for the issuance of such plate; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee for use of the organization's logo; to provide for the use of such fees; to require a contract relative to royalty fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1893—**

BY REPRESENTATIVE CLARKSON

AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 1900—**

BY REPRESENTATIVES KATZ AND DIEZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to applications for prestige license plates; to change the minimum number of applications required for the design and issuance of prestige license plates after January 1, 2002; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1902—**

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 32:1736 and R.S. 45:180.3, relative to the non-consensual towing of motor vehicles; to require certain information on the billing invoice; to provide relative to certain written contracts; to require certain property owners to place certain signage; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices; to provide relative to penalties for noncompliance; to provide relative to a cause of action; to provide relative to recoverable costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1903—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 1942—**

BY REPRESENTATIVES TRICHE AND HEBERT

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle prestige license plates; to provide for the creation the Seniors-Our Heritage prestige license plate; to provide for the issuance of such plates; to provide for the color and design of such plate; to provide relative to the fees for such plate, including a royalty fee; to provide for the use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2027—**

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 32:402(B)(1), relative to drivers' licenses; to provide relative to traffic violations; to provide for penalties; and to provide for related matters.

Reported favorably.

**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.

Reported with amendments.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

**REPORT OF COMMITTEE ON**

**LOCAL AND MUNICIPAL AFFAIRS**

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

June 6, 2001

To the President and Members of the Senate:

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

**HOUSE BILL NO. 635—**

BY REPRESENTATIVE MCVEA

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 701—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact R.S. 33:3819(C), relative to the per diem of commissioners of certain waterworks districts in Rapides Parish; to provide for the per diem to be paid to members of the boards of commissioners of Rapides Parish Waterworks District Number Three and Kolin Ruby Wise Waterworks District 11A in Rapides Parish; to provide for meetings for which per diem may be paid; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 756—**

BY REPRESENTATIVES MURRAY AND TUCKER

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 780—**

BY REPRESENTATIVE DURAND

**AN ACT**

To enact R.S. 33:1236(21)(e) and (30)(d), relative to the authority of the St. Martin Parish governing authority to regulate nuisances; to authorize the parish governing authority to regulate and provide for the removal of grass, weeds, trash, noxious matter, and the like, and of junk, wrecked or used automobiles, and other discarded items, in unincorporated areas in subdivisions or in clearly established residential areas on state highways or parish roads; to provide procedures, including charging the property owners for costs; to provide for enforcement, including provisions for charges to operate as a lien on the property; to provide for the ranking of such liens; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 782—**

BY REPRESENTATIVE DURAND

**AN ACT**

To enact R.S. 33:4681(C), relative to coliseum authority commissions; to provide relative to the membership of the Acadiana Fairgrounds Commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 809—**

BY REPRESENTATIVE FRITH

**AN ACT**

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

Reported with amendments.

**HOUSE BILL NO. 847—**

BY REPRESENTATIVE JACK SMITH

**AN ACT**

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

Reported favorably.

**HOUSE BILL NO. 903—**

BY REPRESENTATIVE R. ALEXANDER

**AN ACT**

To enact R.S. 33:381(C)(21), relative to the village of Sikes; to authorize the governing authority of the village to provide for the filling of the office of chief of police by appointment or in the alternative to abolish the office of police chief; to provide for the method of appointment and for the salary, term, duties, qualifications, supervision, and residency of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1046—**

BY REPRESENTATIVES CLARKSON AND K. CARTER AND SENATOR IRONS

**AN ACT**

To amend and reenact R.S. 9:5625(G), relative to the prescriptive period applicable to actions involving zoning violations in historical preservation and landmark areas; to increase the prescriptive period to ten years; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1144—**

BY REPRESENTATIVE MORRISH

**AN ACT**

To enact R.S. 33:423.12, relative to the town of Iowa; to authorize the chief of police to effect certain disciplinary actions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1151—**

BY REPRESENTATIVE POWELL

**AN ACT**

To enact R.S. 15:255(G), relative to witness fees paid to off-duty law enforcement officers; to authorize the city of Hammond to transfer money in the witness fee fund to the general fund of that city to purchase police equipment; to provide for maintaining certain balances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVE R. ALEXANDER

**AN ACT**

To enact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1211—**

BY REPRESENTATIVES PRATT, LANDRIEU, AND K. CARTER

**AN ACT**

To amend and reenact R.S. 25:745(A)(3) and 767(B), relative to historic preservation districts and landmark commissions in the Garden District area of New Orleans; to provide an exception from certain exemptions to the application of laws relative to such districts and commissions in the Garden District area of New Orleans; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1290—**

BY REPRESENTATIVES SWILLING AND MORRELL

**AN ACT**

To enact R.S. 33:2826, relative to the parish of Orleans and the city of New Orleans; to establish the New Orleans East/Lake Forest Shopping Center Economically Disadvantaged Enterprise Zone;



to specify the boundaries of the zone; to authorize the city of New Orleans to grant tax exemptions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1307—**

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 33:4720.15.1, relative to the sale of adjudicated property; to authorize the governing authority of Calcasieu Parish to sell, without notification to political subdivisions created by the parish, abandoned property that has been adjudicated to the parish; to provide for cancellation of certain tax liens, assessments, or other charges; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1649—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 33:2740.31(C)(1), relative to the Berwick Development District; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1890—**

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 33:1971, relative to fire ground authority; to provide for the fire ground authority at certain emergency scenes; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1959—**

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 33:4574(C)(1)(b)(v), relative to the Baton Rouge Area Convention and Visitors Bureau; to provide relative to the terms of office of the board of commissioners of the bureau; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1982—**

BY REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 33:1992(D), relative to the minimum monthly salary of certain fire department employees; to provide for the minimum monthly salary of a fire alarm operator or dispatcher or any other person doing such work for certain municipal fire departments; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2074 (Substitute for House Bill No. 143 by Representative Flavin)—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 33:130.556(B)(1), relative to the North Lake Charles Economic Development District; to require the approval of the governing authorities of both the city of Lake Charles and the parish of Calcasieu before the board may call an election for general obligation, ad valorem property tax secured bonds; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOE  
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:

June 6, 2001

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 42—**

BY SENATORS DUPRE AND CRAVINS

A RESOLUTION

To urge and request the Louisiana Department of Economic Development to develop strategies, including the establishment of certain incentives, to encourage the merchant power development industry in this state to build new electric generating plants and to upgrade and expand the transmission grid.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 71—**

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Economic Development to study the benefits of a Louisiana indigenous entertainment industry.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 147—**

BY SENATOR HAINKEL AND REPRESENTATIVES L. JACKSON, MONTGOMERY AND WADDELL

A CONCURRENT RESOLUTION

To urge and direct the secretary of the Department of Economic Development to undertake a wet lab business incubator feasibility study that details issues related to establishing three wet lab incubators, one each in Shreveport, Baton Rouge, and

New Orleans; to support emerging Louisiana biomedical, biotechnology, chemical and environmental science companies related to the Vision 2020 technology clusters; and to make recommendations to the legislature.

Reported favorably.

**SENATE BILL NO. 593—**

BY SENATOR CAIN

**AN ACT**

To amend and reenact R.S. 37:5, relative to professions and occupations; and to provide for related matters.

Reported by substitute.

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVES DURAND, BAUDOUIN, CAZAYOUX, DEVILLIER, FAUCHEUX, GUILLORY, JOHNS, MORRISH, PINAC, JACK SMITH, STELLY, BROOME, BRUCE, DOERGE, FRITH, M. JACKSON, LAFLEUR, SCHWEGMANN, GARY SMITH, AND SNEED AND SENATORS GAUTREAUX, MICHOT, AND MOUNT

**A CONCURRENT RESOLUTION**

To urge and request the Public Service Commission to seek answers and explanations as to why energy costs have risen to such astronomical levels.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 155—**

BY REPRESENTATIVE GUILLORY

**A CONCURRENT RESOLUTION**

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

Reported favorably.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVE PINAC

**AN ACT**

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

Reported favorably.

**HOUSE BILL NO. 196—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 37:2165(D) and to repeal R.S. 37:2172, relative to contractors; to provide relative to the membership of the Residential Building Contractors Subcommittee; to provide relative to exemptions; to repeal certain provisions relative to penalties; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 243 —**

BY REPRESENTATIVES SCALISE AND SWILLING

**AN ACT**

To amend and reenact R.S. 51:293, relative to the Louisiana Superdome; to authorize the transfer of the right to designate and use an alternative name and trademarks for the Louisiana Superdome; to require approval of the Joint Legislative Committee on the Budget relative to certain transactions; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the Louisiana Superdome; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 309—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 32:1254(K)(2), relative to motor vehicle dealers; to provide relative to application and licensure procedures for motor vehicle dealers; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 481—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 37:2152(A)(introductory paragraph) and (5)(introductory paragraph), 2153(C), and 2156(C)(2) and to enact R.S. 37:2162(K), relative to contractors; to provide relative to board members; to allow the board to contract for certain services; to provide relative to the collection of funds; to allow the board to bring civil proceedings against certain persons; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 584—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 51:1822(G), relative to business opportunity sellers and agents; clarifies provisions relative to the bonding requirements as they apply to business opportunities; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 653—**

BY REPRESENTATIVE HUDSON

**AN ACT**

To amend and reenact R.S. 6:969.26(D), relative to the Louisiana Motor Vehicle Sales Finance Act; to require sellers or lenders to offer gap insurance coverage; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 690—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact Chapter 13-B of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3098 through 3098.8, relative to the licensing of water well pump installers; to provide for licensing and education of water well pump installers; to change the composition of the advisory committee responsible for certain regulations affecting water well drillers; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 711—**

BY REPRESENTATIVES CLARKSON AND DOWNER

AN ACT

To amend and reenact R.S. 36:109(E)(15) and R.S. 37:3391, 3392(9), 3394(A), (B)(1)(introductory paragraph), and (H), and 3406(B) and (D), relative to the Louisiana Real Estate Appraisers State Board of Certification; to remove the board from under the jurisdiction of the Louisiana Real Estate Commission; to revise the name of the board; to change the membership of the board; to revise the quorum requirements of the board; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 715—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:771(2), 773.1(A)(2)(m) and (n), and 773.2(D) and to enact R.S. 32:773.1(A)(2)(p) and 773.2(F), relative to used motor vehicle dealers; to provide relative to a new marine, motorcycle, or all-terrain vehicle dealer's area of responsibility; to provide for notices and hearings; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 835—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1252(2.2) and (19.3) and 1254(N)(1)(c) and to enact R.S. 32:1254(N)(3)(j), relative to motor vehicle dealers; to provide for definitions; to provide relative to dual licensure of motor vehicle dealers; to provide relative to certain disclosures; to provide for violations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1024—**

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 4 of Code Title IX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3370 and 3371, relative to sale/lease-back commercial transactions; to provide for valid sale/lease-back transactions; to provide for applicability; to provide for definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1122—**

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 6:969.5, relative to the Motor Vehicle Sales Finance Act; to repeal certain provisions allowing parties to choose applicable law.

Reported favorably.

**HOUSE BILL NO. 1128—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(a), (b), (c), and (f)(introductory paragraph) and (iii), relative to motor vehicle dealers; to provide for violations; to provide relative to the sale of certain vehicles; to provide relative to certain conditional sales contracts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1141—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.18(F), and R.S. 9:3512(4), 3514(A), and 3516(13), relative to motor vehicle sales finance; to provide for the disclosure of certain fees and charges; to revise certain terminology regarding motor vehicle credit transactions; to provide for definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1231—**

BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 1232—**

BY REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 37:3392(10), 3396(D) and (E), 3398(B), and 3408(B), relative to real estate appraisers; to provide for definitions; to revise provisions relative to the certification and examination of real estate appraisers; to provide for continuing education; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1533—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 40:1662.3(5), (6), (7), (8)(introductory paragraph), (12), (14), (15), (17), and (19), 1662.4(A)(introductory paragraph), 1662.6(A) and (B)(introductory paragraph) and (5), 1662.7(A), (B), (C), (D)(introductory paragraph), (E), and (F), 1662.8(A) and (B)(introductory paragraph), 1662.9(C) and (E), 1662.11(A), 1662.12(A)(2) and (5), 1662.13(A)(1)(b), 1662.14(A)(2), (3)(introductory paragraph) and (b), and (5), (C)(2), (3), and (5), 1662.15(B)(2), and 1662.16 and to enact R.S. 40:1662.3(20), (21), and (22), 1662.6(B)(10), 1662.7(D)(4), 1662.8(B)(2)(e) and (f), and 1662.9(A)(7) and (8), relative to the licensing of single station fire alarm contractors and their employees; to provide for definitions; to provide for applications for licenses; to provide for the issuance of the license; to provide relative to certain notifications; to provide for requirements for licensure; to provide for prohibited activities; to provide for educational requirements; to provide for the renewal of licenses; to provide for fees; to provide for membership on the Alarm Services Advisory Board; to provide for penalties for violations; to provide relative to effect of law on local regulation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1562—**

BY REPRESENTATIVE DONELON

**AN ACT**

To enact R.S. 9:3576.24, relative to the Collection Agency Regulation Act; to provide for designation of records of a collection agency as "trade secrets"; to make the taking of a collection agency's business records a crime; to provide for a cause of action; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1685—**

BY REPRESENTATIVE DANIEL AND SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 4:421(A)(2) and (4), 424(A)(6), (7), and (8), and 426(C)(1)(a) and (2), relative to athlete agents; to provide for changes in the definitions; to provide for exceptions; to provide relative to an athlete's eligibility; to provide relative to prohibited activities and to change the penalties for certain violations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1703—**

BY REPRESENTATIVE RICHMOND

**AN ACT**

To enact R.S. 21:4, relative to hotels and lodging houses; to authorize municipalities or city or parish governing authorities to prohibit the hourly rental of rooms; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1742—**

BY REPRESENTATIVE CLARKSON

**AN ACT**

To amend and reenact R.S. 37:1437(C)(2)(a) and (5)(a) and 1466(H), relative to the Louisiana Real Estate Commission; to provide with respect to licensure requirements for real estate brokers and salespersons; to provide for certain insurance coverage on certain licensees of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1747—**

BY REPRESENTATIVE PINAC

**AN ACT**

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

Reported favorably.

**HOUSE BILL NO. 1753—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 51:1253(10), 1255(20), and 1262(A)(11) and to repeal R.S. 51:1262(A)(12), relative to the Department of Culture, Recreation and Tourism; to change the definition of "tourist"; to provide for the powers and duties of the office of tourism; to provide for the promulgation of rules; to authorize a welcome center at Butte LaRose; to repeal provisions authorizing welcome centers near Angie and in eastern New Orleans; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1777—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:772(F)(1), (2), (5), and (8), 774(G)(1)(a), and 776(D) and to repeal R.S. 32:774(B)(4)(b) and 774.1, relative to used motor vehicle dealers; to provide for the retention of records; to provide for the regulation of trade shows; to provide for applications; to provide for bonding requirements; to provide relative to immediate revocation of a license; to provide relative to extended warranty contracts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1888—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 32:1254(H), (I)(1), and (M)(3), relative to licensees of the Louisiana Motor Vehicle Commission; to provide for applications for licenses; to provide for the renewal of such licenses; to provide relative to fees assessed for such licenses; to provide relative to bonding requirements; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2054 (Substitute for House Bill No. 1130 by Representative Pinac)—**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1254(N)(6)(o), (r), and (t)(ii), 1254.1, and 1256.1, relative to motor vehicle dealers; to provide relative to violations; to provide relative to warranty work claims; to provide for failure of manufacturers to deliver certain motor vehicles; to provide relative to facilities requirements; to provide relative to audits of dealer records by manufacturers; to provide for venue and choice of law; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2067 (Substitute for House Bill No. 582 by Representative Pinac) —**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3576.3(2)(b)(i), 3576.5(D), 3576.15(A) and (C), and 3576.16 and to enact R.S. 9:3576.3(9) and 3576.21(H)(5), relative to collection agencies; to provide relative to definitions; to provide for examination of records; to provide relative to surety bond or other requirements; to provide relative to powers of the commissioner; to provide for revocation of licenses; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**FINANCE**

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

June 6, 2001

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 148—**  
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish and provide for a special commission to study court costs imposed in civil, traffic, and criminal matters in the state, parish, and city courts of the state and the uses of such court costs and other fees.

Reported favorably.

**HOUSE BILL NO. 2 —**

BY REPRESENTATIVES HAMMETT, LEBLANC, AND THOMPSON AND  
SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**REPORT OF COMMITTEE ON**

**NATURAL RESOURCES**

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

June 6, 2001

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 152—**

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2002 Regular Session of the Legislature the provisions of R.S. 56:499.3 to the extent that, in the body of water known as Grand Pass, located between Atchafalaya Bay and Terrebonne Bay, and extending one thousand feet outside of the points where Grand Pass connects with Lake Mechant and Caillou Lake, it limits the use of butterfly nets and bottom nets to take shrimp only when suspended from a fishing boat or vessel which is motor propelled and underway; prohibits any anchor or weight used to secure in the waterway the net or any object to which it is attached or mounted, including but not limited to any unmanned boat or vessel, floating platform, pontoon, or barge; and prohibits any rope, line, chain, or other device used to connect to the shoreline the net and any object to which it is attached or mounted, including but not limited to any unmanned boat or vessel, floating platform, pontoon, or barge.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 143—**

BY REPRESENTATIVES BAUDOIN, R. CARTER, DURAND, FRITH, HILL, ILES, KENNEY, LAFLEUR, MORRISH, AND STRAIN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot compete.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 198—**

BY REPRESENTATIVE PITRE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River.

Reported favorably.

**HOUSE BILL NO. 338—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 9:1151, relative to mineral leases; to provide for change of ownership of newly created water bottoms affected by mineral leases or interests; to provide for continuation of mineral leases on lands or water bottoms affected by subsidence or erosion; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 624—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 30:103.1, relative to reporting requirements of operators and producers to owners of unleased mineral interests; to provide for quarterly reporting of the amount of and price received for production and occasional costs of operations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1010—**

BY REPRESENTATIVES THOMPSON, BAUDOUIN, FRITH, PIERRE, JACK SMITH, AND TOWNSEND

**AN ACT**

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

Reported favorably.

**HOUSE BILL NO. 1418—**

BY REPRESENTATIVE PIERRE

**AN ACT**

To amend and reenact R.S. 56:14(C), relative to the Saltwater Fishery Enforcement Fund; to provide for revenues which may be deposited to the fund; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
CRAIG F. ROMERO  
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:

June 6, 2001

To the President and Members of the Senate:

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

**SENATE BILL NO. 5—**

BY SENATOR CAMPBELL

**A JOINT RESOLUTION**

Proposing to amend Article III, Section 2(A)(1) of the Constitution of Louisiana, relative to the legislative branch; to limit the number of bills a legislator may introduce for a regular session of the legislature to twelve; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVE LAFLEUR

**A CONCURRENT RESOLUTION**

To declare the City of Melville in St. Landry Parish the "Atchafalaya River Catfish Capital of Louisiana."

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 115—**

BY REPRESENTATIVE R. ALEXANDER

**A CONCURRENT RESOLUTION**

To authorize and request the Louisiana State Law Institute to review certain statutory provision and in all locations it deems appropriate change current references to the Department of Health and Human Resources and to the office of family services to the correct agency or office.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 148—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

**A CONCURRENT RESOLUTION**

To provide that the Louisiana Advisory Commission on Intergovernmental Relations shall conduct a systematic and thorough study of the responsibilities of state and local government to furnish services to citizens and shall recommend those services that government should provide and the respective responsibilities of state and local government to fund such services and to provide them.

Reported favorably.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVES DIEZ AND FARRAR

**AN ACT**

To enact R.S. 44:4(29), relative to applicability of the laws relative to public records; to exempt public school students' names, addresses, and telephone numbers from such law; to provide exceptions; to provide for effectiveness; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 212—**

BY REPRESENTATIVE HUNTER

**AN ACT**

To enact R.S. 24:7, relative to the legislature; to provide relative to committee meetings; to allow certain committee meetings to be conducted by video conference; to allow each house of the legislature to adopt rules to facilitate meetings by video conference; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 429—**

BY REPRESENTATIVE LANCASTER AND SENATOR ULLO

**AN ACT**

To enact R.S. 49:191(12)(j) and to repeal R.S. 49:191(11)(i), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1063—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

**AN ACT**

To amend and reenact R.S. 24:802(B)(1), (2), (3), (8), and (9) and (D), relative to the Louisiana Advisory Commission on Intergovernmental Relations; to provide for the membership and quorum of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1164—**

BY REPRESENTATIVE LUCAS

**AN ACT**

To amend and reenact R.S. 33:4702(2)(introductory paragraph) and to enact R.S. 33:4702(B)(2)(j), relative to the New Orleans Business and Industrial District; to provide relative to the membership of the board of commissioners; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1319—**

BY REPRESENTATIVE BROOME

**AN ACT**

To amend and reenact R.S. 25:123(B), 124(B), and 124.1(C), relative to depositories for public documents; to provide relative to the duties of the recorder of state documents; to provide relative to state agency liaisons; to provide relative to the rules and regulation of state depositories; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1815—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To enact R.S. 24:523, relative to notifications to the legislative auditor and district attorney; to require that agency heads notify the legislative auditor and district attorney of the misappropriation of public funds or assets; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1816—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To amend and reenact R.S. 9:1586, R.S. 11:1472(B), R.S. 13:753, R.S. 17:1755, R.S. 24:513(A)(1)(a), 513.1(A), 513.3(C), 514(I), 516(A)(1), 521(B) and (E), R.S. 33:536, 650, and 1446, R.S. 34:24(B)(2), R.S. 39:408, R.S. 44:4(6), R.S. 47:1966, 1993(B), and 2064, and R.S. 49:208 and 209 and to enact R.S. 24:513(M), relative to the legislative auditor; to provide for the issuance, receiving, and maintaining of reports; to provide for access by the auditor to certain software and hardware in carrying out his duties; to provide relative to the audits of the Department of Education and of local school boards and performance and statistical data provided with financial statements of local school boards; to provide relative to actuarial notes prepared by the legislative auditor; to replace references to predecessor officers of the legislative auditor with references to the legislative auditor or the Louisiana Tax Commission; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1834—**BY REPRESENTATIVES LANCASTER AND WALSWORTH  
AN ACT

To enact R.S. 18:1505.3(D), relative to campaign advertising; to prohibit persons from making or accepting certain payments regarding campaign advertising; to require publishers and broadcasters to file certain reports with the supervisory committee; to provide for penalties; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2056 (Substitute for House Bill No. 443 by Representative Scalise) —**

BY REPRESENTATIVES SCALISE, BRUNEAU, LANCASTER, AND LANDRIEU

AN ACT

To enact R.S. 18:1505.2(I)(3) and 1505.4(D), relative to penalties for violations of the Campaign Finance Disclosure Act; to prohibit the expenditure of campaign funds by a candidate or his principal or subsidiary campaign committee while a campaign finance fine, fee, or penalty remains unpaid; to provide for penalties; to provide relative to the suspension from office of an elected official who has not complied with a final order imposing a campaign finance fine, fee, or penalty; to provide for the manner of compliance with an order imposing a campaign finance, fine, fee, or penalty; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON****HEALTH AND WELFARE**

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

June 6, 2001

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVES LEBLANC AND DEWITT

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to activate boards and committees involved in setting Medicaid drug policies and solicit their input on cost-saving measures.

Reported favorably.

**HOUSE BILL NO. 652—**

BY REPRESENTATIVE HUDSON

AN ACT

To enact R.S. 40:2115(D), relative to smoking in hospitals; to provide penalties for smoking in non-smoking areas; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 865—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 37:1241(A)(17), relative to grounds for pharmacist sanctions by the Louisiana Board of Pharmacy; to limit the grounds for sanction to certain instances for selecting an equivalent drug product if the practitioner instructs otherwise; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1201—**

BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 40:1095(A) and (B), relative to medical treatment; to authorize minors to consent to certain medical treatment under certain circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1478—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 46:2683(B)(introductory paragraph), relative to licensure of community-based service providers; to exempt councils on aging from fees associated with such licenses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1689—**

BY REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 46:460.1, relative to submission of quarterly reports; to require the Department of Social Services to submit copies of federal quarterly reports; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1732—**

BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, R. ALEXANDER, DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, KATZ, MCCALLUM, PERKINS, SCHWEGMANN, SHAW, AND WELCH

AN ACT

To amend and reenact R.S. 46:460.6(A), (B)(1)(a), and (D) and to enact R.S. 46:460.6(B)(3)(d) and (e) and (4), relative to individual development accounts; to allow TANF funds to be used therefor; and to provide for related matters.

Reported favorably.



**HOUSE BILL NO. 1738—**

BY REPRESENTATIVE LANDRIEU

**AN ACT**

To enact R.S. 28:445 to create the Developmental Disabilities Trust Fund; to provide for the deposit of monies into the fund and/or the use of such monies; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1759—**

BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, R. ALEXANDER, DOERGE, DURAND, GUILLORY, ILES, L. JACKSON, KATZ, MCCALLUM, PERKINS, SCHWEGMANN, SHAW, AND WELCH

**AN ACT**

To enact R.S. 46:460.3, relative to work activities under the Temporary Assistance for Needy Families programs; to specify that adult basic education and literacy training shall be considered vocational educational training; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1828—**

BY REPRESENTATIVE TOWNSEND

**AN ACT**

To amend and reenact R.S. 37:1262(1), relative to the practice of medicine, surgery, or midwifery; to exclude, under certain conditions, the selection, delivery, or administration of anesthesia from the definition of "the practice of medicine, surgery, or midwifery"; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE L. JACKSON

**AN ACT**

To amend and reenact R.S. 40:1300.161, 1300.162(B), and 1300.163(A), (B)(introductory paragraph) and (7), and (C) and to enact R.S. 40:1300.163(D) and (E), relative to hepatitis C; to state legislative intent; to provide relative to protocols and guidelines for prevention, detection, diagnosis, and treatment; to provide for a program of training regarding treatment, detection, and prevention of the disease; to provide for voluntary testing; to provide for training for counselors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2006—**

BY REPRESENTATIVE BAYLOR

**AN ACT**

To enact R.S. 40:1300.134(C) and (D), relative to FQHC reimbursement; to provide for payment methodologies; to provide for applicable dates; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
TOM SCHEDLER  
Chairman

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

Senator Schedler asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 5—**

BY SENATOR CAMPBELL

**A JOINT RESOLUTION**

Proposing to amend Article III, Section 2(A)(1) of the Constitution of Louisiana, relative to the legislative branch; to limit the number of bills a legislator may introduce for a regular session of the legislature to twelve; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 5 by Senator Campbell

**AMENDMENT NO. 1**

On page 1, line 5, delete "twelve;" and insert the following: "fifteen; to provide for exceptions;"

**AMENDMENT NO. 2**

On page 2, line 1, delete "~~twelve~~" and insert "fifteen" and after "session" insert ", except that there shall be no limit on the introduction of any local or special law which is required to be and has been advertised in accordance with Section 13 of this Article and which is not prohibited by the provisions of Section 12 of this Article or bills requested by executive branch departments, the judicial branch or bills to repeal law"

**AMENDMENT NO. 3**

On page 2, line 10, delete "congressional primary election to " and delete line 11, and insert "statewide election held on November 5, 2002."

**AMENDMENT NO. 4**

On page 2, line 17, delete "twelve" and insert "fifteen, except for the introduction of any local or special law and bills requested by executive branch departments, the judicial branch or bills to repeal law"

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

**SENATE BILL NO. 593—**

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 37:5, relative to professions and occupations; and to provide for related matters.

Reported by substitute by the Committee on Commerce and Consumer Protection. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (Substitute for Senate Bill No. 593 by Senator Cain)**

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 607, and to repeal Chapter 6 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:4.1(B)(1) is hereby amended and reenacted to read as follows:

§4.1. Agencies transferred from the Department of Economic Development to the office of the governor; agencies placed within the office of the governor

\* \* \*

B. The following agencies, as defined in R.S. 36:3, are hereby transferred to and shall be placed within the office of the governor and shall perform and exercise their powers, duties, functions, and responsibilities as provided in R.S. 36:801:

(1) The Louisiana State Board of Cosmetology (R.S. 37:491 through 556 **561 through 607**).

\* \* \*

Section 2. Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:561 through 607, is hereby enacted to read as follows:

CHAPTER 6-A. LOUISIANA COSMETOLOGY ACT

**Chapter 6-A is all proposed new law.**

PART I. GENERAL PROVISIONS

**Part I is all proposed new law.**

§561. Title

**R.S. 37:561 is all proposed new law.**

This Chapter shall be known and cited as the "Louisiana Cosmetology Act".

§562. Legislative findings; purpose; intent

**R.S. 37:562 is all proposed new law.**

A. The legislature finds that the practice of cosmetology by qualified individuals is necessary to protect the public health, safety, and welfare of the citizens of the state of Louisiana. The legislature further finds it to be a matter of public interest and concern that only qualified persons be permitted to engage in the practice of cosmetology.

B. The legislature hereby declares the purpose of this Chapter is to promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of cosmetology.

C. The licensure of all persons who perform cosmetology, the licensure of all facilities where cosmetology is taught within the state, and the licensure of all facilities where cosmetology services are offered within the state, and the licensure of all persons who supervise individuals performing cosmetology within the state are declared to be necessary to ensure that only qualified persons be permitted to engage in the practice of cosmetology at facilities meeting appropriate standards.

D. This Chapter and the rules and regulations adopted pursuant to authority granted by this Chapter shall be liberally construed to carry out these objectives and purposes.

§563. Definitions

**R.S. 37:563 is all proposed new law.**

As used in this Chapter, the following words shall have the meaning herein ascribed to them, unless the content clearly otherwise indicates:

(1) "Beauty shop" or "salon" means any premises upon or within which cosmetology is practiced for a fee. These terms shall not include the premises wherein any of the persons exempted in R.S. 37:581 practice or do business.

(2) "Board" means the Louisiana State Board of Cosmetology. The board shall constitute a professional association within the meaning of Article VII, Section 9 of the Constitution of Louisiana.

(3) "Cosmetologist" means any person, who is not exempted from the provisions of this Chapter pursuant to R.S. 37:581, who engages in the practice of cosmetology for compensation, directly or indirectly, including tips.

(4) "Cosmetology" means the practice of using one's hands, mechanical or electrical apparatuses, or appliances or using cosmetic preparations, antiseptics, soaps, detergents, tonics, lotions, or creams in any one or any combination of the practices of esthetics, hair dressing, and manicuring for compensation, direct or indirect, including tips.

(5) "Esthetician" means a person who practices esthetics.

(6) "Esthetics" means engaging in any one or a combination of the following practices: massaging the face or neck of a person,

trimming eyebrows, dying eyelashes or eyebrows, or waxing, stimulating, cleansing, or beautifying the face, neck, arms, bust, upper body, legs, or feet of a person by any method with the aid of the hands or of any mechanical or electrical apparatus, including micro-dermabrasion, epidermabrasion, or particle exfoliation using equipment and methodology approved by the board or by the use of a cosmetic preparation. However, esthetics shall not include the diagnosis, treatment, or therapy of any dermatological condition, or the process of removing hair known as "electrolysis".

(7) "Hairdressing" means massaging, cleansing, washing, stimulating, manipulating, exercising, beautifying, or doing similar work upon the scalp of any person, including arranging, singeing, cutting or shaping, curling or waving, cleansing, shampooing, styling, bleaching, coloring, or similar work upon the hair of another person.

(8) "Manicuring" means trimming, filing, decorating, shaping, sculpting, or in any way caring for the nails and skin of another person's hands or feet together with massaging the hands, arms, legs, and feet.

(9) "Manicurist" means a person who practices manicuring.

(10) "Manager" means any person who supervises any person engaged in the practice of cosmetology in a beauty shop or salon.

(11) "Satellite classroom" means a separate classroom location used as supplemental training space located under the same roof of the main school building or on the same campus as the administrative center and at least within three hundred feet of the main school building for the purpose of training an overflow of students who cannot be accommodated at the main school.

(12) "School" means any premises wherein cosmetology is taught.

(13) "Student" means a person registered in a school authorized by the board to teach cosmetology.

(14) "Teacher" or "instructor" means a person who teaches cosmetology for direct or indirect compensation, within a school.

#### PART II. LOUISIANA BOARD OF COSMETOLOGY

#### **Part II is all proposed new law.**

§571. Louisiana Board of Cosmetology; creation; domicile; membership

#### **R.S. 37:571 is all proposed new law.**

A. The Louisiana Board of Cosmetology is hereby created and shall be domiciled in East Baton Rouge Parish.

B. The board shall be composed of eight members appointed by the governor, who shall serve at the pleasure of the governor. At least one member shall be appointed from each congressional district.

C. Each appointment by the governor shall be subject to Senate confirmation.

D. All vacancies on the board shall be filled by the governor within thirty days of receipt of notice of the vacancy.

§572. Qualifications of board members; recusal from certain transactions

#### **R.S. 37:572 is all proposed new law.**

A. Each member of the board shall be a duly qualified registered voter of this state and shall have been domiciled in the state for at least twelve consecutive months prior to appointment.

B. Each member shall be a registered cosmetologist who has been actively engaged, for at least five years prior to his appointment, in the practice of cosmetology or as a teacher or instructor of cosmetology in this state.

C. The board members shall not all be graduates of the same school.

D. No more than two board members shall be connected directly or indirectly with the ownership of a school of cosmetology.

E. Any board member, who in the discharge of a duty or responsibility of his office or position would be required to vote on a matter which would cause him to be in violation of the Code of Governmental Ethics, shall recuse himself from voting.

§573. Compensation and expenses of board members

#### **R.S. 37:573 is all proposed new law.**

A. All board members shall be reimbursed for necessary travel and other incidental expenses incurred in the discharge of their duties within this state, provided that all such expenses shall be evidenced by an itemized statement to which receipts and appropriate vouchers are attached and paid in accordance with state travel regulations.

B. Each board member shall receive compensation for attendance at meetings, hearings, or any other duties of the board in the form of a per diem in the amount established in R.S. 37:599. No board member shall receive a per diem for more than eight days per month; however, the chairman shall appoint an executive committee consisting of no more than three members of the board, who shall receive a per diem for no more than fifteen days per month.

C. In addition, the board may designate and pay the expenses of attendance of three members each year at the conference of the National Interstate Council of State Boards of Cosmetology, Inc. However, all such expenses shall be evidenced by an itemized statement to which receipts and appropriate vouchers are attached and paid in accordance with state travel regulations.

D. The statement of expenses for which reimbursement may be paid shall be transmitted to the board not later than the next official meeting of the board after the expenses have been incurred.

§574. Organization of board; meetings; quorum

#### **R.S. 37:574 is all proposed new law.**

A. The governor shall designate one member of the board to serve as chairman, and the chairman shall designate one member of the board to serve as vice chairman.

B. A majority of the members of the board physically present at a board meeting shall constitute a quorum for the transaction of business. In case of a tie vote, the absent members shall be polled by witnessed telephone communication.

§575. Powers and duties of the board

#### **R.S. 37:575 is all proposed new law.**

A. The board shall be responsible for the control and regulation of the practice of cosmetology and shall do all of the following:

(1) Maintain a permanent testing center to be located in East Baton Rouge Parish. The center shall be equipped to accommodate both practical and theory examinations and shall provide office space for board members and a conference room.

(2) Make necessary rules and regulations to carry out the purposes and enforce the provisions of this Chapter and furnish copies of such rules and regulations upon request.

(3) Hold meetings at least once a month and at other times when necessary for the transaction of business that may legally come before it.

(4) Administer examinations as deemed necessary.

(5) Issue and renew licenses, permits, certificates of registration, and any other designations deemed necessary to engage in the practice of cosmetology.

(6) Establish and enforce compliance with professional standards and rules of conduct of cosmetology.

(7) Determine and issue standards for recognition and approval of educational programs of schools whose graduates shall be eligible for licensure in this state. The board shall also specify and enforce requirements for training in such schools.

(8) Enforce those provisions of this Chapter related to conduct and competence, including but not limited to revocation, summary suspension, suspension, probation, reprimand, warnings, or fines.

(9) Establish minimum specifications for the physical facilities, technical equipment, environment, supplies, personnel, and procedures for salons and schools.

(10) Inspect during hours of operation any licensed, permitted, certified, or registered facility or school, including but not limited to pertinent records, for the purpose of determining if any provisions of law governing the practice of cosmetology are being violated.

(11) Except as otherwise provided in this Chapter, exercise all of its duties, powers, and authority in accordance with the Administrative Procedure Act.

(12) Make, keep, and preserve all books, registers, and records.

(13) Receive and receipt all fees collected.

(14) Make disbursements by check, voucher, or any other reasonable means deemed appropriate by the board and authorized by the chairman.

(15) Adopt rules to enable a person licensed pursuant to this Chapter to practice the art for which he is licensed at the residence or domicile of a customer who is chronically ill or disabled.

(16) Refer any observed violations of the criminal laws of the state to the proper law enforcement officials.

B. The board may do the following:

(1) Issue certificates of temporary registration to out-of-state licensees or registrants in accordance with rules and regulations adopted by the board.

(2) Issue special permits in accordance with rules and regulations adopted by the board.

(3) Join such professional organizations or associations organized to promote the improvement of the standards of the practice of cosmetology, esthetics, or manicuring for the protection of the health, safety, and welfare of the public or whose activities assist and facilitate the board or its staff in carrying out the work of the board.

(4) Receive and expend funds, in addition to its annual or biennial appropriation, from parties other than the state, provided that all of the following conditions are met:

(a) Such funds are awarded for the pursuit of a specific objective which the board is authorized to accomplish by this Chapter or for which the board is qualified to accomplish by reason of its jurisdiction or professional expertise.

(b) Such funds are expended for the pursuit of the objective for which they are awarded.

(c) Activities connected with or occasioned by the expenditures of such funds do not interfere with the performance of the board's duties and responsibilities and do not conflict with the exercise of the board's powers as specified by this Chapter.

(d) Such funds are kept in a separate, special account.

(e) Periodic reports are made concerning the board's receipt and expenditure of such funds.

(5) Conduct any investigation, inquiry, or hearing as is necessary to supervise the regulatory provisions of this Chapter.

(6) Collect professional demographic data.

(7) Employ or contract for inspectors, clerical help, legal assistance, and other personnel necessary for the proper operation of the board office and for any other purpose under this Chapter. No inspector shall own, operate, or be employed by a beauty shop, salon, or school while employed by the board or under contract to perform inspections.

(8) Prepare and distribute a newsletter for distribution to persons subject to regulation by the board.

(9) Perform any other duties as are necessary and proper to carry out the purposes set forth in this Chapter.

§576. Executive director

**R.S. 37:576 is all proposed new law.**

A. The board shall be authorized to employ an executive director, who shall be an unclassified employee of the state and whose duties shall include the following:

(1) The supervision of all inspectors and the examination team.

(2) The employment and supervision of all employees of the board.

(3) The performance of all administrative duties of the board.

(4) The preparation and submission of monthly detailed reports of activities to the board for review.

(5) The maintenance of a record of all proceedings of the board. Records relating to the issuance, refusal, renewal, suspension, and revocation of certificates of registration shall contain the name, place of business, and residence of each cosmetologist and the date and number of his certificate or registration.

(6) The performance of inspections when necessary.

(7) The performance of such other duties as prescribed by the board or as necessary for the proper administration of this Chapter.

B. The annual salary of the executive director shall be set by the board and shall not exceed fifty thousand dollars. The executive director may be reimbursed for necessary expenses incurred in carrying out his duties, with approval of the board and in accordance with state travel regulations.

§577. Information not to be divulged

**R.S. 37:577 is all proposed new law.**

No member of the board nor any officer, agent, or employee thereof shall divulge to any person the contents of any document, paper, or record examined by him in the performance of his duties under this Chapter or any information obtained by him in the course of his investigations except when necessary to carry out the purposes of this Chapter.

§578. Cosmetologists' Board Fund

**R.S. 37:578 is all proposed new law.**

At least monthly, all monies received by the board shall be turned over to the state treasurer. Such monies shall be deposited in a separate account within the state treasury to be known as the "Cosmetologists' Board Fund". The monies in said fund shall be used for no other purpose except to pay the expenses and salaries of the board.

**PART III. CERTIFICATES OF REGISTRATION AND FEES**

**Part III is all proposed new law.**

§581. Unlawful practice; exemptions

**R.S. 37:581 is all proposed new law.**

A. No person shall engage in the practice of cosmetology without obtaining a current certificate of registration for the appropriate area of practice under the provisions of this Chapter.

B. The following persons are exempt from the provisions of this Chapter while in the proper discharge of their professional duties in a facility not licensed by the board:

- (1) Persons authorized by law to practice medicine or surgery.
- (2) Commissioned medical or surgical officers in the armed forces of the United States or within the Veterans Administration.
- (3) Persons licensed by the Louisiana Board of Barber Examiners.
- (4) Employees of hospitals, nursing homes, or other health care facilities engaged in the exercise of their professions in a facility not licensed by the board.
- (5) Persons who perform the practice of cosmetology for any member of their immediate household.

C. Facilities licensed by the Louisiana Board of Barber Examiners shall be exempt from the provisions of this Chapter.

D.(1) Nothing in this Chapter shall prohibit a barber licensed by the Louisiana Board of Barber Examiners from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto, in a beauty shop or salon as long as he is working in the appropriate designated area.

(2) Nothing in this Chapter shall prohibit a certified cosmetologist from working in a facility licensed by the Louisiana Board of Barber Examiners, provided that he is in compliance with the provisions of this Chapter, and any rules and regulations adopted pursuant thereto.

E. Barber apprentices, except those persons enrolled in the barber apprenticeship program prior to June 1, 2001, shall be prohibited from engaging in the practice of barbering in facilities licensed by both the Louisiana Board of Barber Examiners and the Louisiana State Board of Cosmetology or facilities licensed by the Louisiana State Board of Cosmetology.

§582. Qualifications for certificate as a registered cosmetologist, esthetician, or manicurist; out-of-state licensees

**R.S. 37:582 is all proposed new law.**

A. In order to receive a certificate of registration as a registered cosmetologist, esthetician, or manicurist, a person shall, in addition to the requirements set forth in Subsection B of this Section, meet all of the following requirements:

- (1) Be at least sixteen years of age.
- (2) Have, at the time of completion of the required schooling, the equivalent training as would be contemplated in the satisfactory completion of the tenth grade from an approved high school.
- (3) Have satisfactorily passed an examination conducted by the board to determine his fitness to receive a certificate of registration.
- (4) Have paid the appropriate fee set forth in R.S. 37:599.

B. In addition to the requirements set forth in Subsection A of this Section, a person shall also meet the following requirements in order to obtain his certificate of registration as a registered cosmetologist, esthetician, or manicurist:

- (1) To obtain a certificate as a registered cosmetologist, a person shall have completed and passed a course at a registered or licensed school of cosmetology approved by the board.
- (2) To obtain a certificate as a registered esthetician, a person shall have completed and passed an esthetics course at a registered or licensed school of cosmetology approved by the board.
- (3) To obtain a certificate as a registered manicurist, a person shall have completed and passed a manicuring course at a registered or licensed school of cosmetology approved by the board.

C. The board shall issue the appropriate certificate of registration to any person who possesses a license or certificate of registration to practice as a cosmetologist, esthetician, or manicurist from another state or from a foreign country and who also meets the following requirements:

(1) Has completed and passed the appropriate course of study at a school which is licensed in the state or country which issued the license.

(2) Has satisfactorily passed the appropriate examination conducted by the board to determine his fitness to receive the certificate of registration.

(3) Has paid the appropriate fee set forth in R.S. 37:599.

§583. Qualifications for certificate as a registered teacher; continuing education

**R.S. 37:583 is all proposed new law.**

A. No person shall teach cosmetology, esthetics, or manicuring without a certificate of registration issued by the board.

B. In order to receive a certificate of registration as a registered teacher of cosmetology, esthetics, or manicuring, a person shall, in addition to the requirements of Subsection C of this Section, meet all of the following requirements:

(1) Possess a high school diploma or its equivalent as determined by the Board of Elementary and Secondary Education.

(2) Have completed and passed the curriculum for the teacher's training course under the supervision of a licensed teacher for a minimum study of five hundred hours in not less than three months.

C. In addition to the requirements set forth in Subsection B of this Section, a person shall also meet the following requirements in order to obtain a certificate of registration as a registered teacher of cosmetology, esthetics, or manicuring:

(1) To obtain a certificate as a registered teacher of cosmetology, a person shall possess a cosmetology certificate and have successfully passed the examination prescribed by the board for certification as a teacher of cosmetology.

(2) To obtain a certificate as a registered teacher of esthetics, a person shall possess an esthetics or cosmetology certificate and have successfully passed the examination prescribed by the board for certification as a teacher of esthetics.

(3) To obtain a certificate as a registered teacher of manicuring, a person shall possess a manicuring or cosmetology certificate and have successfully passed the examination prescribed by the board for certification as a teacher of manicuring.

D. Any person holding a certificate of registration as a registered teacher shall, every two years, attend a seminar for continuing education, as approved by the board, consisting of at least sixteen hours of training in the discipline for which the person is certified to teach.

E. The provisions of this Section shall not apply to persons teaching in facilities licensed by the Louisiana Board of Barber Examiners.

§584. Certificates of temporary registration; special permits

**R.S. 37:584 is all proposed new law.**

A. The board may adopt rules and regulations for the issuance of certificates of temporary registration to any person licensed or certified in another state, territory, or country which shall permit the person to practice cosmetology within the state of Louisiana for a period not to exceed thirty days.

B. No person shall be issued more than four temporary certificates within one calendar year.

C. The board may adopt rules and regulations for the issuance of special permits to allow limited and specific powers within the practice of cosmetology.

§585. Examination team

**R.S. 37:585 is all proposed new law.**

A. The board shall employ an examination team to conduct the examinations of applicants required under the provisions of this Chapter.

B. The examination team shall be composed of no more than six registered cosmetologists who fulfill the following requirements:

(1) Are registered voters of the state and who have been domiciled in the state for at least twelve consecutive months prior to employment as an examination team member.

(2) Were actively engaged in the practice of cosmetology in the state for a minimum of five consecutive years.

(3) Are not connected either directly or indirectly with ownership of a registered school in the state.

(4) Are not employed by a licensed school in the state.

C. Each examination team member shall receive compensation in the form of a per diem in the amount set forth in R.S. 37:599 and may be reimbursed for necessary expenses incurred in the discharge of his duties, as approved by the board, and paid in accordance with state travel regulations.

D. A board member who has no ownership interest in any school may serve as examination team members. Any board member who serves on an examination team shall be reimbursed the per diem for board members set forth in R.S. 37:599.

§586. Examination of applicants

**R.S. 37:586 is all proposed new law.**

A.(1) The examination team shall conduct examinations of applicants for certificates as registered cosmetologists, estheticians, manicurists, and teachers at such times and places as deemed appropriate by the board.

(2) Practical cosmetologist, Louisiana state theory, and national theory examinations shall be conducted at least twice monthly.

(3) Esthetician, manicurist, and teacher examinations shall be conducted at least four times per calendar year.

(4) Examinations for special permits shall be given at least twice per year.

(5) The date and time of all scheduled examinations shall be fixed by the board annually at a meeting duly called to cover a period of twelve calendar months thereafter.

B. The examinations shall include practical demonstrations and written and oral tests which shall reflect the subjects normally taught in approved schools in the course required for the appropriate certificate of registration.

C. Examinations and results of examinations given by the board shall be confidential and not subject to discovery or disclosure.

D. Each applicant for examination shall submit an application containing proof of his qualifications, which shall be certified by the applicant under oath and shall be accompanied by the required fee set forth in R.S. 37:599.

E. All fees contractually owed by an applicant to a school of cosmetology from which he graduated shall be paid before an applicant may apply for an examination for a certificate of registration required by this Chapter.

§588. Inactive certificate of registration; reactivation of certificate

**R.S. 37:588 is all proposed new law.**

A. A person who holds a residence outside of Louisiana and who wishes to retain a certificate of registration as a cosmetologist, esthetician, manicurist, or teacher in this state may apply to the board for an inactive certificate and pay the appropriate fee set forth in R.S. 37:599 for each year the certificate is inactive. The inactive certificate shall be issued for a period of time not to exceed three years.

B. Persons with an inactive certificate shall not be required to provide evidence of completion of required continuing education courses for any year in which the certificate is inactive.

C. A teacher holding an inactive certificate may activate his certificate by providing evidence of completion of the required continuing education courses for that year.

§589. Certificates of registration for managers

**R.S. 37:589 is all proposed new law.**

A shop owner who is absent from his respective shop more than two working days per week shall employ a manager, who shall be a registered cosmetologist and who shall obtain a certificate of registration as a manager. However, a registered manicurist may manage a manicuring salon, and a registered esthetician may manage an esthetics salon.

§590. Renewal of certificates of registration

**R.S. 37:590 is all proposed new law.**

A.(1) Every beauty shop owner, booth renter, manager of a beauty shop, and school shall, on or before January thirty-first of each calendar year, renew his or its certificate of registration. Every certificate of registration which has not been timely renewed shall expire on the following first day of March, at which time the holder of such certificate of registration may have his certificate renewed only upon fulfilling the requirements provided for by this Chapter and paying the restoration fee provided in R.S. 37:599.

(2) Every registered cosmetologist, esthetician, manicurist, or teacher who continues to actively practice his licensed profession shall renew his certificate of registration on or before such individual's date of birth, and such certificate shall expire thirty days following the date of birth if not renewed.

B. Any holder of a certificate of registration who retires from his authorized practice for more than three years may resume his practice and renew his certificate of registration upon satisfactory proof that he is qualified to resume, which shall be provided by a short form examination conducted by the examination team. Such renewals may be facilitated by attending a "brush up" course conducted by an approved school and paying the appropriate fee set forth in R.S. 37:599.

C. Persons registered in Louisiana who maintain a license or registration to practice outside of the state shall be considered as having maintained an active practice during the term covered by such foreign certificate.

§591. Requirements for certification as a beauty shop or salon

**R.S. 37:591 is all proposed new law.**

A. No person or entity shall operate a beauty shop or salon in the state of Louisiana without a certificate of registration issued by the board.

B. In order to obtain a certificate of registration as a beauty shop or salon, the owner of such business shall do the following:

(1) Certify that all persons employed at such facility are appropriately licensed by their respective licensing board.

(2) Demonstrate that the required physical, sanitary, and administrative facilities have been established.

(3) Submit an initial application for a new shop location along with the appropriate fee specified in R.S. 37:599.

(4) Include the words "beauty shop" or "salon" in any sign or advertisement for cosmetology services.

(5) Designate, by placing a sign containing at least four-inch lettering, areas of his beauty shop or salon as areas where only cosmetology shall be practiced and areas where only barbering shall be practiced.

(6) Require all apprentices working in his beauty shop or salon to possess identification indicating that such persons are apprentices.

C. No person shall accept employment or continue employment in a beauty shop, salon, or other facility unless the facility possesses a certificate of registration issued by the appropriate licensing board.

§592. Employment of cosmetologists; independent contractors  
**R.S. 37:592 is all proposed new law.**

A. No person licensed by the board shall permit any person in his employ or under his supervision or control to practice cosmetology or barbering who does not possess the appropriate certificate or certificates of registration issued by the appropriate licensing board.

B. A registered cosmetologist shall be deemed an employee of a salon, unless the following applies:

(1) A written agreement exists between the cosmetologist and the salon specifying the following:

(a) That the cosmetologist is an independent contractor.

(b) That the salon has no right to control the methodology used by the cosmetologist to produce a given result.

(c) The amount of rent to be paid by the cosmetologist to the salon, whether calculated at a fixed percentage of the cosmetologist's gross receipts or a flat fee.

(2) The cosmetologist possesses a booth rental permit issued by the board.

(3) The cosmetologist has paid a booth rental permit fee to the board.

C. The salon shall maintain complete records of all rental payments to the salon and all distributions to the cosmetologist.

D. No cosmetologist who has been issued a booth rental permit pursuant to R.S. 37:593 shall be recognized as an employee of a salon by the Louisiana Department of Revenue or Department of Labor.

§593. Booth rental permits

**R.S. 37:593 is all proposed new law.**

The board shall issue a booth rental permit to a cosmetologist upon application and compliance with the following:

(1) Submission of a copy of the written agreement required by R.S. 37:592(B).

(2) Payment of the booth rental permit fee set forth in R.S. 37:599.

§594. Application for school certificate of registration; change of location; change of ownership

**R.S. 37:594 is all proposed new law.**

A. No school of cosmetology shall operate within this state without a certificate of registration.

B. Any person desiring to operate a cosmetology school shall:

(1) Notify the board in writing of his intent to open a new school and identify the maximum number of students to be enrolled at any time and the proposed location of the school. The applicant shall provide a description of any proposed improvements to be made to the site, including the approximate square footage.

(2) Pay the fee for the initial school premises inspection set forth in R.S. 37:599.

(3) Receive an inspection report from the board indicating that the floor space is adequate.

(4) Receive approval of the location by the board.

(5) Submit a detailed floor plan drawn to scale, including the arrangement of classrooms, placement of equipment, electrical outlets, ventilation equipment, plumbing and lighting, the locations of all outside entrances and exits, and the square footage for each area.

(6) Submit a copy of the lease, if the space is to be leased.

(7) Submit approval from the local fire safety inspector indicating that fire safety requirements have been met.

(8) Submit a copy of the proposed curriculum and a daily schedule for the course of study.

(9) Submit a notarized statement from each registered teacher to be employed, verifying his agreement to teach if the school receives its certificate of registration.

(10) For all schools which charge tuition, submit proof of financial responsibility to such extent as may be determined by the board or a surety bond executed by a company authorized to do business in Louisiana in the amount of five thousand dollars in favor of the state of Louisiana. Such bond shall be used for the benefit of any students who cannot complete the curriculum due to the closure of the school, to the extent of the amount of the tuition paid. The board may, at any time during the operation of a registered school, require additional data to be submitted in order to satisfy the board of the school's financial responsibility.

(11) Submit a new school application, properly executed, together with the fee set forth in R.S. 37:599.

(12) Submit a final inspection fee as set forth in R.S. 37:599.

C. Any licensed school shall notify the board in writing of the intent to relocate the school and give the proposed location and a description of any proposed improvements to be made to the site, including the approximate square footage. Upon approval of the location, the school shall comply with the requirements set forth in Paragraphs (2) through (7) of Subsection A of this Section and submit a change of address notice fee in accordance with R.S. 37:599.

D. Any licensed school shall notify the board in writing of the intent to transfer ownership by lease or otherwise and shall comply with the requirements set forth in Paragraphs (8) through (10) of Subsection B of this Section and submit a change of ownership notice fee in accordance with R.S. 37:599.

§595. Requirements for schools

**R.S. 37:595 is all proposed new law.**

A. All schools registered by the board shall do the following:

(1) Possess apparatus and equipment sufficient for the ready and full teaching of its entire curriculum.

(2) Have a total floor space of not less than thirty-five hundred square feet with a minimum of four hundred square feet of floor space for each classroom.

(3) Be supervised by a registered teacher of cosmetology in active practice, with at least eighteen months of teaching experience in an accredited school of cosmetology approved by the board.

(4) Employ as instructors persons who are teachers registered by the board, at least one of whom shall have been a registered teacher and in active practice for at least eighteen months.

(5) Maintain a record of the attendance of each student and a record of the progress of each student in achieving the required proficiency.

(6) Establish a grading system and require passage of examinations for issuance of diplomas.

(7) Maintain facilities as required by the board.

B. All registered cosmetology schools shall do the following:

(1) Offer a course of practical training and technical instruction extending over a period of not less than nine consecutive months and including not less than fifteen hundred hours for the basic course of cosmetology. The course of study shall include lectures, discussion, instructions, and mechanical application.

(2) Offer a course of practical training and technical instruction extending over a period of not less than three consecutive months and including not less than seven hundred fifty hours for the basic course of esthetics. This course of study shall include lectures, discussion, instructions, and mechanical application and shall include not less than three hundred hours of practical application and lecture and not less than two hundred hours of library study or research. The remaining hours may be made up of any combination of the above.

(3) Provide for a period of continuing study in esthetics, including a course of not less than six weeks duration and containing not less than two hundred hours of study.

(4) Offer a course of practical training and technical instruction extending over a period of not less than three consecutive months and including not less than five hundred hours for the basic course of manicuring. This course of study shall include lectures, discussion, instructions, and mechanical application and shall include not less than three hundred hours of practical application and lecture and not less than two hundred hours of library study or research.

(5) Provide for a period of continuing study in manicuring, including a course of not less than six weeks duration and containing not less than two hundred hours of study.

C. Any registered cosmetology school may offer a "brush up" course, which shall last not less than six weeks and contain not less than two hundred hours of study.

D. A student who has studied at a school licensed or registered by another state, territory, foreign country, or province, or another registered school within the state of Louisiana may transfer hours carried within the preceding three years, if approved by the enrolling school.

§596. Satellite classrooms; school of cosmetology; guidelines

**R.S. 37:596 is all proposed new law.**

A. Any topic relating to the practice of cosmetology may be taught at the satellite classroom provided that the following conditions exist:

(1) No clinic shall be operated at a satellite classroom.

(2) No beauty service or cosmetology skills learned by a student shall be performed for the public or on paying clients at a satellite classroom.

(3) No student shall attend class at a satellite classroom facility unless a registered instructor is on the premises.

B. The satellite classroom facility shall:

(1) Bear the same name as the main school.

(2) Operate under the same license obtained by the main school.

(3) Not be located within three hundred feet of any other registered school of cosmetology.

(4) Have at least four hundred feet of floor space.

C. Equipment located in the satellite classroom shall be limited to practical or theory instruction only. This instruction shall require a minimum amount of equipment and electrical outlets and an adequate ventilation system as determined by the board.

D. The following information shall be supplied to the board prior to opening a satellite classroom:

(1) A detailed floor plan of the proposed classroom, drawn to scale.

(2) Approval from the local fire safety inspector indicating that fire safety requirements have been met.

§597. Display of certificate of registration

**R.S. 37:597 is all proposed new law.**

Every holder of a certificate of registration issued by the board shall display it in a conspicuous place in his principal place of business or employment. Additionally, any facility licensed by the board shall display any other documents required to be displayed by the board's rules.

§598. Records

**R.S. 37:598 is all proposed new law.**

A. The board may require the licensee to keep the following records:

(1) A record of all cosmetic therapy, beauty culture, hairdressing, and esthetics work performed and the price thereof.

(2) A record of all the expenses incident to the operation of a beauty culture and hair dressing establishment.

(3) A record of the net profits of any such establishment from month to month.

(4) Any other records and information which the board finds necessary for the proper enforcement of this Part.

B. The board may require any owner or operator of any beauty school to keep the following records:

(1) A record of all beauty work performed and the price thereof.

(2) A record of all expenses incident to the operation of any beauty school.

(3) A record of the net profits of any beauty school from month to month.

(4) A record of tuition charged and received by any beauty school.

(5) Any other records and information necessary for the proper enforcement of this Part.

C. The owners or operators of schools covered by the provisions of this Chapter may not approve the transfer of any student or student records of earned hours unless all contractual fees owed by the student to any such school have been paid.

§599. Fees

**R.S. 37:599 is all proposed new law.**

A. The following fees shall be assessed by the board:

(1) For each examination given by the examination team to an applicant:

(a) Theory examination \$25.00

(b) Practical examination \$25.00

(c) Re-take of any examination \$25.00

(2) For each initial certificate of registration and each annual renewal of such certificate:

(a) Cosmetologist - General

(i) Resident \$25.00

(ii) Nonresident \$50.00

(b) Esthetician

(i) Resident \$25.00

(ii) Nonresident \$50.00

(c) Manicurist

(i) Resident \$25.00

(ii) Nonresident \$50.00



- (d) Teacher
- (i) Resident \$25.00
- (ii) Nonresident \$50.00
- (e) Manager \$25.00
- (f) Beauty shop or salon
- (i) Resident \$30.00
- (ii) Nonresident \$65.00
- (iii) Home care \$30.00
- (iv) Initial inspection fee \$25.00
- (g) Booth rental permit \$25.00
- (h) Special permit \$25.00
- (i) Temporary permit \$25.00

(3) If a registrant wishes to restore an expired certificate listed in Paragraph (2) of this Subsection within three years from the date of expiration, he shall be assessed a fee equal to twice the applicable fee for each year the certificate was expired, not to exceed three hundred dollars.

- (4) Student registration including one "in-state" transfer
- (a) Resident \$10.00 upon entering the course
- (b) Nonresident \$10.00 upon entering the course
- (5) Initial certificate of registration for a school
- (a) Resident \$315.00
- (b) Nonresident \$615.00
- (6) Renewal of certificate of registration for a school
- (a) Resident \$165.00
- (b) Nonresident \$465.00
- (c) Failure to timely renew \$150.00

(7) If a registrant wishes to restore an expired certificate listed in Paragraph (5) of this Subsection within three years from the date of expiration, he shall be assessed a fee equal to twice the applicable fee for each year the certificate was expired, not to exceed three hundred dollars.

- (8) Other school fees:
- (a) Initial inspection \$100.00
- (b) Final inspection \$300.00
- (c) Change of ownership notice \$50.00
- (d) Change of address notice \$100.00
- B. The following fees shall be paid by the board:
- (1) Board member per diem \$75.00
- (2) Examination team member per diem \$100.00

#### PART IV. DISCIPLINE

#### **Part IV is all proposed new law.**

§600. Grounds for denial, suspension, summary suspension, or revocation of a certificate of registration

#### **R.S. 37:600 is all proposed new law.**

A. The board may deny the issuance of, suspend, revoke, or refuse to renew any certificate of registration or place on probation any registrant, after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of any of the following:

(1) Obtaining or attempting to obtain a certificate of registration by means of fraud, misrepresentation, or concealment of material facts, including making false statements on an application or other document required by the board.

(2) Selling, bartering, or offering to sell or barter a certificate of registration.

(3) Engaging in unprofessional conduct that is likely to endanger the health, safety, or welfare of the public.

(4) Continued practice by a person knowingly having an infectious or contagious condition or disease or mental illness which interferes with the person's ability to practice as certified by a physician licensed to practice in the state of Louisiana.

(5) False or deceptive advertising in connection with the practice of or instruction of cosmetology.

(6) Advertising, practicing, or attempting to practice under a name other than the name on the certificate.

(7) Habitual drunkenness or habitual addiction to the illegal use of controlled dangerous substances on the premises of any licensed facility.

(8) Conviction of a felony, shown by a certified copy of the records.

(9) Failure to pay any fee set forth in R.S. 37:599.

(10) Failure to furnish the board, its investigators, or representatives with any legally requested information.

(11) Failure to report all business receipts and income to the appropriate state and federal government agencies, including but not limited to the United States Internal Revenue Service, the Louisiana Department of Revenue, and the Louisiana Department of Labor.

(12) Violation of any provision of this Chapter.

B. The board may immediately suspend the certificate of registration whenever the cause upon which a hearing is held involves either or both of the following:

(1) Conviction of a felony, shown by a certified copy of the records.

(2) Continued practice by a person having an infectious or contagious condition or disease or mental illness which interferes with the person's ability to practice, as certified by a physician licensed to practice in the state of Louisiana.

C. In addition to or instead of the administrative actions that may be taken by the board pursuant to Subsection A of this Section, the board may also issue a reprimand or a warning against a registrant for whom there is proof that he engaged in any of the activities provided for in this Section. Such reprimand or warning shall be issued after notice and an opportunity for hearing in accordance with the Administrative Procedure Act.

§601. Fines

#### **R.S. 37:601 is all proposed new law.**

An inspector may issue a citation and collect a fine of twenty-five dollars per violation of any provision of this Chapter, up to a maximum of three hundred dollars per week, from any person, school, or facility, provided that the registrant waives his rights to a hearing in writing. Each day a violation exists shall be considered a separate violation.

§602. Investigation; notice and hearing

#### **R.S. 37:602 is all proposed new law.**

Upon the filing of a written complaint with the board charging any registrant with violation of any of the provisions of this Chapter, the executive director of the board shall fix a time and place for hearing and shall send a copy, by certified mail or hand delivery, of the charges together with a notice of the time and place for hearing to the individual at least twenty calendar days prior to the date set for the hearing. The notice shall be sent to the last known address of the individual, as it appears in the records of the board, or to the address of the facility where the violation is alleged to have occurred.

§603. Subpoenas; witnesses; production of records

#### **R.S. 37:603 is all proposed new law.**

A. The board may compel the attendance and testimony of witnesses and the production of any evidence or documentation that relates to any matter properly under investigation or in question before the board.

B. Each witness who appears before the board pursuant to subpoena shall receive for his attendance the fees and mileage provided for witnesses in civil cases in the courts of this state.

C. No subpoena shall be issued at the request of a party other than the board, unless the fees and mileage provided for in Subsection B of this Section are deposited with the board in advance.

D. In case a person or entity refuses to obey a subpoena or subpoena duces tecum issued by the board, the board may apply to the district court within the jurisdiction where the inquiry is conducted or within the jurisdiction where such person is domiciled, resides, or transacts business, or the Nineteenth Judicial District Court to issue to such person or entity an order requiring him to appear before the board, its members, agent or agency, in order to produce evidence, if ordered, or to give testimony concerning the matter under investigation.

§604. Violations; penalties

**R.S. 37:604 is all proposed new law.**

A. Upon proof of a violation of the provisions of this Chapter, the board may order the payment of up to two hundred dollars per violation, not to exceed a total of five thousand dollars.

B. Each day on which a violation occurs is a separate violation for the purposes of this Chapter.

C. In addition to the disciplinary action or fine assessed by the board, the board may also assess all costs incurred in connection with the proceedings, including but not limited to the costs of an investigator, stenographer, and attorney.

§605. Injunction; penalty; attorney fees; costs

**R.S. 37:605 is all proposed new law.**

A. The board may institute any action in a court of competent jurisdiction necessary to enforce compliance with any provision of this Chapter or with any regulation, subpoena, or order of the board made pursuant to the provisions of this Chapter, including a writ of injunction enjoining any person practicing or assisting in the practice of cosmetology, esthetics, or manicuring until such person obtains the necessary certificate of registration under the provisions of this Chapter. Any injunction issued pursuant to this Chapter shall not be subject to being released upon bond.

B. In the suit for an injunction, the board may demand of the defendant a penalty of not more than five thousand dollars, as well as reasonable attorney fees and court costs. This judgment for penalty, attorney fees, and costs may be rendered in the same judgment as the injunction.

C. Barbers or facilities licensed by the Louisiana Board of Barber Examiners shall not be prohibited from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto.

§606. Unlicensed persons; cease and desist orders; injunctive relief

**R.S. 37:606 is all proposed new law.**

A. The board shall have jurisdiction over all uncertified and unpermitted persons and facilities relative to the enforcement of the provisions of this Chapter.

B. In addition to the administrative penalties provided for in this Chapter, the board acting through its executive director may issue an order to any person or facility engaged in any activity, conduct, or

practice constituting cosmetology directing such person or facility to cease and desist from such activity, conduct, or practice.

C. If the person or entity to whom the board directs a cease and desist order does not cease and desist the prohibited activity, conduct, or practice within two days of receipt of such order by certified mail or hand delivery, the executive director may seek a writ of injunction in any court of competent jurisdiction and proper venue enjoining such person from engaging in the activity, conduct, or practice. The injunction shall not be subject to being released upon bond.

D. In the suit for an injunction, the board may demand of the defendant a penalty of not more than five thousand dollars, as well as reasonable attorney fees and court costs. The judgment for penalty, attorney fees, and costs may be rendered in the same judgment as the injunction.

E. Barbers or facilities licensed by the Louisiana Board of Barber Examiners shall not be prohibited from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto.

§607. Review of board orders

**R.S. 37:607 is all proposed new law.**

A. Any person to whom the board has refused to issue a certificate of registration, permit, or any other designation deemed necessary to engage in the practice of cosmetology, esthetics, manicuring, or teaching, or any person whose registration, permit, or any other designation deemed necessary to engage in the practice of cosmetology, esthetics, manicuring, or teaching has been suspended, revoked, or has been refused to be renewed by the board, may appeal the decision and order of the board to the Nineteenth Judicial District Court.

B. Absent agreement of counsel for all parties, no stay of enforcement of a decision issued by the board during pendency of an appeal, pursuant to the provisions of this Section shall be granted unless the district court finds that the applicant has established that the issuance of the stay does not do either of the following:

(1) Threaten harm to persons for whom the applicant may render services.

(2) Constitute a threat to the health and welfare of the citizens of the state.

C. No stay shall be granted ex parte. The court shall schedule a hearing on the request for a stay order within ten days from filing of the request. The court shall render a decision within five days of the conclusion of the hearing.

Section 3. Chapter 6 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, is hereby repealed in its entirety.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Hollis, the committee substitute bill was adopted and becomes Senate Bill No. 1108 by Senator Cain, substitute for Senate Bill No. 593 by Senator Cain.

**SENATE BILL NO. 1108 (Substitute for Senate Bill No. 593 by Senator Cain)**

BY SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 607, and to repeal Chapter 6 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

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

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

Senator Romero asked for and obtained a suspension of the rules to take up at this time the following Senate Concurrent Resolutions just reported by Committees.

**SENATE CONCURRENT RESOLUTION NO. 152—**

BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2002 Regular Session of the Legislature the provisions of R.S. 56:499.3 to the extent that, in the body of water known as Grand Pass, located between Atchafalaya Bay and Terrebonne Bay, and extending one thousand feet outside of the points where Grand Pass connects with Lake Mechant and Caillou Lake, it limits the use of butterfly nets and bottom nets to take shrimp only when suspended from a fishing boat or vessel which is motor propelled and underway; prohibits any anchor or weight used to secure in the waterway the net or any object to which it is attached or mounted, including but not limited to

any unmanned boat or vessel, floating platform, pontoon, or barge; and prohibits any rope, line, chain, or other device used to connect to the shoreline the net and any object to which it is attached or mounted, including but not limited to any unmanned boat or vessel, floating platform, pontoon, or barge.

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

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

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 2 —**

BY REPRESENTATIVES HAMMETT, LEBLANC, AND THOMPSON AND SENATORS BARHAM AND DARDENNE

**AN ACT**

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; 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 Rereengrossed House Bill No. 2 by Representative Hammett

**AMENDMENT NO. 1**

On page 15, delete lines 48 and 49, and insert the following:

"Fund - Regular	\$139,300,000
Payable from State General Fund (Direct)	<u>\$250,000</u>
Total	<u>\$570,550,000</u>

Provided, however, the \$250,000 State General Fund (Direct) appropriation shall be used to install and enhance lighting along Highway 14 at Delcambre in Iberia and Vermilion Parishes."

**AMENDMENT NO. 2**

On page 17, delete lines 26 through 28

**AMENDMENT NO. 3**

On page 24, delete lines 2 through 4, and insert the following:

"Fund - Federal	\$ 11,000,000
Payable from Transportation Trust	
Fund - Regular	\$ 6,000,000"

**AMENDMENT NO. 4**

On page 24, at the end of line 8, change "\$5,960,000" to "\$17,960,000"

AMENDMENT NO. 5

On page 39, between lines 36 and 37, insert the following:

"( ) Hatcher Hall, Renovation, Planning and Construction  
(East Baton Rouge)  
Payable from Fees and Self  
Generated Revenues \$ 900,000"

AMENDMENT NO. 6

On page 49, after line 51, insert the following:

"( ) Reconstruct Running Track,  
Planning and Construction  
(Calcasieu)  
Payable from Fees and  
Self Generated Revenues \$ 389,865"

AMENDMENT NO. 7

On page 51, between lines 25 and 26, insert the following:

"( ) Turpin Stadium Turf Replacement,  
Planning and Construction  
(Natchitoches)  
Payable from Fees and  
Self Generated Revenues \$ 150,000  
Payable from the balance of State General Fund (Direct)  
previously allocated in Act 28 of 1997 for Southeast LA  
State Hospital for Administration Building Electrical  
Renovation, Planning and Construction (St. Tammany);  
and Act 45 of 1996 for Lafayette Parish for Acadiana  
Recovery Center, Planning and Construction \$175,000  
(Lafayette) \$ 325,000"  
Total

AMENDMENT NO. 8

On page 60, delete line 34

AMENDMENT NO. 9

On page 60, at the end of line 36, change "\$250,000" to "\$250,000"

AMENDMENT NO. 10

On page 60, delete line 37.

AMENDMENT NO. 11

On page 66, after line 46, insert the following:

"( ) Road Improvements  
(Franklin)  
Payable from State General Fund (Direct) \$ 150,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 12

On page 67, between lines 1 and 2, insert the following:

"(893) Expansion Bridge at Tete Bayou and Emil  
Verret, Planning and Construction  
(Non-State In-Kind Match)  
(Iberia)  
Payable from State General Fund (Direct) \$ 180,000"

AMENDMENT NO. 13

On page 68, between lines 1 and 2, insert the following:

"(341) Johnny Jacobs Memorial Park, Parking  
Lot Improvements, Drainage, and Landscaping,  
Planning and Construction  
(Jefferson)  
Payable from the balance of State General  
Fund (Direct) Cash previously allocated to  
Jefferson Parish under the authority of  
Act 29 of 1998 for the Marrero Playground  
Swimming Pool (Jefferson) \$ 100,000"

AMENDMENT NO. 14

On page 68, between lines 8 and 9, insert the following:

"(354) Bridge City - Avondale Waggaman  
Senior Center, Planning and Construction  
(Jefferson)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 15

On page 68, between lines 20 and 21, insert the following:

"Payable from State General Funds (Direct) \$ 200,000"

AMENDMENT NO. 16

On page 68, at the end of line 24, change "\$700,000" to "\$900,000"

AMENDMENT NO. 17

On page 83, between lines 35 and 36, insert the following:

**"50/MG7 LIVINGSTON**

( ) Drinking Water Expansion  
(\$600,000 Federal Match)  
(Livingston)  
Payable from State General Fund (Direct) \$ 250,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 18

On page 86, between lines 9 and 10, insert the following:

"(427) Lower Algiers Community Center,  
Planning, Site Improvements, and Construction  
(\$2,000,000 Local Match)  
(Orleans)  
Payable from the balance of State General  
Fund (Direct) Cash previously allocated to New Orleans  
under the authority of Act 29 of 1998 for  
Algiers Courthouse Stables  
(Orleans) \$ 100,000"

AMENDMENT NO. 19

On page 90, between lines 21 and 22, insert the following:

"(541) Slidell Railroad Depot, Planning,  
Renovations, and Construction  
(Local Match \$200,000)  
(St. Tammany)  
Payable from State General Fund (Direct) \$ 150,000"

AMENDMENT NO. 20

On page 92, between lines 43 and 44, insert the following:

**"50/MW4 ZWOLLE**  
(791) Sewer Improvement System  
Installation  
(Local Match \$129,000)  
(Sabine)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 21

On page 103, delete line 16

AMENDMENT NO. 22

On page 105, between lines 43 and 44, insert the following:

**"50/N BEAUREGARD PARISH COVERED  
ARENA AUTHORITY**

( ) Beauguard Parish Covered Arena Improvements,  
Planning and Construction (Supplement)  
(Beauguard)  
Payable from State General Fund (Direct) \$ 290,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 23

On page 105, between lines 43 and 44, insert the following:

**"50/N THE REVEREND AVERY C. ALEXANDER  
MEMORIAL COMMISSION**

( ) Memorial Statue for Avery C. Alexander  
(Orleans)  
Payable from State General Fund (Direct) \$ 40,000

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R.S. 39:112."

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.

**Motion to Make Special Order**

Senator Barham asked for and obtained a suspension of the rules for the purpose of making House Bill No. 3, which was just advanced

to a third reading and final passage, Special Order of the Day No. 3 on Thursday, June 7, 2001 immediately following the Morning Hour.

**Privilege Report of the  
Legislative Bureau**

June 6, 2001

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 2 —**

BY REPRESENTATIVES HAMMETT, LEBLANC, AND THOMPSON AND  
SENATORS BARHAM AND DARDENNE  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM  
AN ACT

To enact the Omnibus Bond Authorization Act of 2001, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

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

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 6, 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. 136—**

BY REPRESENTATIVES BROOME AND HOLDEN  
AN ACT

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

**HOUSE BILL NO. 220—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

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

**HOUSE BILL NO. 233—**

BY REPRESENTATIVES McDONALD AND FAUCHEUX  
AN ACT

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

**HOUSE BILL NO. 241—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

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

**HOUSE BILL NO. 341—**

BY REPRESENTATIVES DURAND AND CLARKSON AND SENATOR SCHEDLER  
AN ACT

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

**HOUSE BILL NO. 345—**

BY REPRESENTATIVES KENNARD AND DOWNER  
AN ACT

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

**HOUSE BILL NO. 409—**

BY REPRESENTATIVE BROOME  
AN ACT

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

**HOUSE BILL NO. 511—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:3200(12)(f), relative to the Firemen's Pension and Relief Fund for the city of Bossier City; to provide with respect to the Deferred Retirement Option Plan, including but not limited to the interest that is payable on Deferred Retirement Option Plan deposits; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 591—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

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

**HOUSE BILL NO. 606—**

BY REPRESENTATIVE DIEZ  
AN ACT

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

**HOUSE BILL NO. 625—**

BY REPRESENTATIVE FLAVIN  
AN ACT

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

**HOUSE BILL NO. 637—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

**HOUSE BILL NO. 678—**

BY REPRESENTATIVE JACK SMITH

AN ACT

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

**HOUSE BILL NO. 747—**

BY REPRESENTATIVE MCMAINS

AN ACT

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

**HOUSE BILL NO. 763—**

BY REPRESENTATIVES HUNTER, KATZ, MCDONALD, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, ELLINGTON, AND C. D. JONES

AN ACT

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

**HOUSE BILL NO. 772—**

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

AN ACT

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

**HOUSE BILL NO. 931—**

BY REPRESENTATIVE LANDRIEU

AN ACT

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

**HOUSE BILL NO. 951—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

**HOUSE BILL NO. 956—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

**HOUSE BILL NO. 957—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

**HOUSE BILL NO. 962—**

BY REPRESENTATIVE DIEZ

AN ACT

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

**HOUSE BILL NO. 978—**

BY REPRESENTATIVE MURRAY

AN ACT

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

**HOUSE BILL NO. 981—**

BY REPRESENTATIVE MURRAY

AN ACT

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

**HOUSE BILL NO. 1098—**

BY REPRESENTATIVE DIEZ

AN ACT

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

**HOUSE BILL NO. 1108—**

BY REPRESENTATIVE MCMAINS AND SENATOR MICHOT

AN ACT

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

**HOUSE BILL NO. 1177—**

BY REPRESENTATIVE POWELL

AN ACT

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

**HOUSE BILL NO. 1182—**

BY REPRESENTATIVES DURAND AND CLARKSON  
AN ACT

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

**HOUSE BILL NO. 1189—**

BY REPRESENTATIVE ALARIO  
AN ACT

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

**HOUSE BILL NO. 1263—**

BY REPRESENTATIVES CLARKSON AND TUCKER  
AN ACT

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

**HOUSE BILL NO. 1279—**

BY REPRESENTATIVE HEATON  
AN ACT

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

**HOUSE BILL NO. 1304—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

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

**HOUSE BILL NO. 1327—**

BY REPRESENTATIVE DOWNER  
AN ACT

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

**HOUSE BILL NO. 1345—**

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE  
AN ACT

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

**HOUSE BILL NO. 1477—**

BY REPRESENTATIVES PITRE AND DIEZ  
AN ACT

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

**HOUSE BILL NO. 1606—**

BY REPRESENTATIVE DAMICO  
AN ACT

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

**HOUSE BILL NO. 1795—**

BY REPRESENTATIVE DAMICO  
AN ACT

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

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.



**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:

June 6, 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. 502 (Duplicate of House Bill No. 1596)—**

BY SENATOR SCHEDLER AND REPRESENTATIVE LANDRIEU AND COAUTHORED BY SENATOR DARDENNE AND REPRESENTATIVES FAUCHEUX AND THOMPSON

**AN ACT**

To amend and reenact R.S. 46:153.3(B) and (C), relative to the medical assistance drug program; to authorize the Department of Health and Hospitals to implement a drug formulary in the medical assistance drug program; to delete the mandate that the department provide reimbursement for any drug prescribed by a physician which the physician considers appropriate; to provide for utilization of a prior approval process and criteria related thereto; to provide for rulemaking; to create the Medicaid Pharmaceutical and Therapeutics Committee and to provide for its duties and responsibilities; to abolish the Medicaid Drug Program Committee; to extend the date for reporting on a pilot project on weight control therapies and exercise counseling; to require the department to develop peer-based prescribing and dispensing practice patterns and to develop a process to promote such practice patterns; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 853—**

BY SENATORS MCPHERSON, CAIN, ELLINGTON AND HINES, AND REPRESENTATIVES DEWITT, RIDDLE, CURTIS, FARRAR, HILL, KENNEY AND WRIGHT

**AN ACT**

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

Respectfully submitted,  
CHRIS ULLO  
Chairman

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

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

**ENROLLMENTS**

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

June 6, 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. 8—**

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

**A 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.

**SENATE RESOLUTION NO. 15—**

BY SENATORS IRONS, BARHAM, BEAN, B. JONES, LENTINI, ROMERO, SMITH, THEUNISSEN AND THOMAS

**A RESOLUTION**

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

**SENATE RESOLUTION NO. 33—**

BY SENATORS IRONS, BAJOE, 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.

**SENATE RESOLUTION NO. 36—**

BY SENATOR THEUNISSEN

**A RESOLUTION**

To acknowledge the accomplishments of Teach for America and to recognize and commend the president and founder, Wendy Kopp, for her insight and contributions to the success of the teacher corps program.

**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.

**SENATE RESOLUTION NO. 39—**

BY SENATORS THEUNISSEN, MOUNT, BARHAM, BEAN, CAIN, CRAVINS,  
DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HINES,  
HOLLIS, HOYT, B. JONES, C. JONES, LENTINI, MCPHERSON, MICHOT,  
ROMERO, SMITH, AND TARVER

**A RESOLUTION**

To proclaim June 16-24, 2001 as Louisiana High School Rodeo Finals  
Week.

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.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Dardenne	½ Day	C. Fields	½ Day
Gautreaux	½ Day	Heitmeier	½ Day
Marionneaux	½ Day		

**Adjournment**

Senator Lambert moved that the Senate adjourn until Thursday,  
June 7, 2001, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until  
9:00 o'clock A.M. on Thursday, June 7, 2001.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk