

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-NINTH 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

Monday, June 11, 2001

The Senate was called to order at 10:00 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, C	Lambert
Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—33		

ABSENT

Bean	Johnson	Schedler
Cain	Malone	Tarver
Total—6		

The President of the Senate announced there were 33 Senators present and a quorum.

Prayer

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

Reading of the Journal

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

Morning Hour

**Appointment of Conference Committee
on Senate Bill No. 892**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 892: Senators Cravins, Romero and Smith.

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 11, 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:

SENATE BILL NO. 1044—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 47:463.8(B) and (D), relative to special license plates; to eliminate the regular motor vehicle registration license fee for special license plates for antique motor vehicles and motorcycles; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 503—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:913(5), relative to registered nurses; to revise the definition of "authorized prescriber" to allow such prescribers to prescribe medical devices or appliances; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 510—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 44:4(29), relative to public records; to exempt certain records and information in the possession of the Louisiana State Board of Examiners of Psychologists from the provisions of the public records act; to provide for public access to certain records; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 672—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17:179(A), relative to student identification badges; to authorize certain local school boards in certain parishes to issue student identification badges; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 740—

BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 22:36, relative to domestic incorporated insurers; repeals the requirement for temporary bonds to be posted by original incorporators of insurance companies prior to issuance of certificates of authority by the Department of Insurance; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 764—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 17:525(A), relative to school districts; to continue the applicability of provisions concerning promotion of certain school employees to certain school districts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 12—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Criminal Procedure Art. 793, relative to trial by jury; to allow jurors in criminal cases to take notes under certain conditions; to authorize jurors to use such notes during deliberations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 105—

BY SENATOR ULLO

AN ACT

To amend and reenact Code of Criminal Procedure Art. 659, relative to insanity proceedings; to provide with respect to costs; to provide for fixing fees and expenses for mental examinations; to require the trial judge to utilize the fee schedule provided by law when fixing fees and expenses for court ordered mental examinations and reports prior to commitment; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1076—

BY SENATORS HOYT AND SCHEDLER

AN ACT

To enact Civil Code Art. 136.1 and Children's Code Art. 1015(8), relative to visitation rights; to provide that if the child was conceived through the commission of a felony rape, the natural parent who committed the felony rape shall be denied visitation rights; to provide that the commission of a felony rape which resulted in the conception of the child shall be grounds for termination of parental rights; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 104—

BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(E), relative to protective custody; to establish a criminal penalty for executing a statement specifying the need for another person to be taken into protective custody that he knows or should know is false; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 680—

BY SENATOR MCPHERSON

AN ACT

To authorize and empower the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 941—

BY SENATOR HAINKEL

AN ACT

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

Reported without amendments.

SENATE BILL NO. 769—

BY SENATORS GAUTREAUX AND CAIN

AN ACT

To amend and reenact R.S. 33:1236(60), relative to parishes; to continue the authority of sewage districts in certain parishes to have privileges against property for unpaid service charges or sewage disposal services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 954—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:2801, relative to partition of community property; to provide for orders partitioning retirement and other deferred work benefits; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 955—

BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To amend and reenact R.S. 9:2799(A)(1) and (B), relative to limitation of liability for damages from donations; to provide with respect to the donation of vitamins without incurring liability for damages; to provide for limitation of liability for food bank distributors; to provide for definitions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1002—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 37:693(B)(3), relative to land surveyor interns; to provide for the qualifications of land surveyor interns; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 228—

BY SENATORS MOUNT AND THEUNISSEN AND REPRESENTATIVES FLAVIN, GUILLORY, JOHNS AND STELLY

AN ACT

To name Interstate 210 located in the city of Lake Charles as the Doug Fournet Memorial Parkway; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 420—

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To amend and reenact Section 1 of Act No. 1 of the 1989 Regular Session of the Legislature, relative to the Crescent City Connection; to recognize the contributions of Captain Neville Levy; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 234—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 32:1306(C)(3)(d), relative to motor vehicle inspections; to provide for the applicability of certain additional fees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 418—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 12:982.1, relative to dentists; to provide for professional limited liability companies; to authorize formation of a limited liability company by a single dentist; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 379—

BY SENATORS ELLINGTON AND SMITH

AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.155, relative to water conservation; to provide for the creation of the Castor Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction, powers, and functions of the district and the board, including authority for taxation and expropriation; to provide for enforcement of rules and regulations of the board; to provide for violations and penalties; to provide for the powers and duties of certain state departments and agencies; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 494—

BY SENATOR HINES

AN ACT

To enact R.S. 9:391.1, relative to legitimation of illegitimate children; to provide for the legitimate status of a child conceived and born after the death of the husband of the mother; to provide conditions under which such status is achieved; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

June 11, 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. 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 without 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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without 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 without 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 without amendments.

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 without 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 without 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 without 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 without amendments.

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 without 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 without 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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 629 by Representative M. Jackson

AMENDMENT NO. 1

On page 2, line 19, following "Article" and before the end of the line change "VIII" to "VII"

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

HOUSE BILL NO. 1010—

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

AN ACT

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

Reported without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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.

Reported without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

HOUSE BILL NO. 1845—

BY REPRESENTATIVES PRATT AND K. CARTER AND SENATOR BAJOEI

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 without 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 without amendments.

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 without 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 without 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 without 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 without 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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2056 by Representative Scalise

AMENDMENT NO. 1

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 7, 2001, on line 12, change "3" to "4"

AMENDMENT NO. 2

On page 1, line 2, delete "and 1505.4(D)"

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 without amendments.

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 without amendments.

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 without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

June 11, 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 CONCURRENT RESOLUTION NO. 157—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee to function as a joint committee to study certain exceptions to the Code of Governmental Ethics.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 188—

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

A CONCURRENT RESOLUTION

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

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

June 8, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVES ANSARDI AND MURRAY

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to take all actions which are reasonable and necessary to collect all income taxes owed to the state which are attributable to the income of nonresident professional athletes and professional sports franchises.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
ROBERT J. BARHAM

Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

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

June 08, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 426—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 14:91.1, relative to offenses affecting the health and morals of minors; to create the crime of unlawful presence of a sexually violent predator; to prohibit the unlawful presence of a sexually violent predator on or near certain areas; to provide for exceptions; to provide for notification to school officials; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1669—

BY REPRESENTATIVE MORRELL

AN ACT

To enact Code of Criminal Procedure Article 814(A)(59), relative to responsive verdicts; to provide for responsive verdicts for solicitation of crime against nature; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1944—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:40.1(A), relative to the crime of terrorizing; to provide with respect to the definition of that crime; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1987—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 15:121, relative to grand juries; to provide with respect to the authority of grand juries to inspect prisons and hospitals; to authorize the filing of reports; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
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 8, 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. 386—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 39:1305(A), 1306(A), and 1309(A), relative to annual budgets of parish governing authorities; to change the time for completion and adoption of such budgets; to authorize parish governing authorities to adopt their annual budgets within thirty days after the fiscal year begins; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 387—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 39:1305(A), 1306(A), and 1309(A), relative to the annual budgets of the parish governing authorities; to change the time for completion and adoption of such budgets by the Jefferson Davis Parish governing authority; to authorize the Jefferson Davis Parish governing authority to adopt its annual budget within thirty days after the fiscal year begins; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 417—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish by the town of Broussard without the approval of the governing authority of the parish; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 418—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish without approval of the parish governing authority; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE

Chairwoman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 8, 2001

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 156—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To establish the Louisiana Adoption Study Committee to study the adoption proceedings in the state.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 181—

BY REPRESENTATIVES MCMAINS, JOHNS, CLARKSON, SNEED, AND DOWNER

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study adoption procedures and the constitutionality of certain procedures for the termination of parental rights.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVES ERDEY AND MCMAINS

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study disavowal actions by the husband of the mother and related matters and make specific recommendations for revisions of Louisiana laws to the Louisiana Legislature prior to January 1, 2003.

Reported favorably.

HOUSE BILL NO. 744—

BY REPRESENTATIVES DEVILLIER AND CLARKSON

AN ACT

To amend and reenact Civil Code Article 114, relative to periodic support; to provide for modification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1370—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 14:56.3, relative to genetically engineered crops; to create the crime of criminal damage to genetically engineered crops, crop facilities, or crop information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1863—

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 9:4822(M), relative to the Private Works Act; to provide for construction contracts; to provide for the furnishing of bonds in certain circumstances; to provide for payment of costs of the bond; to provide for prospective application; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 8, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to study the feasibility of a consortium of southern states to identify common environmental issues, analyze current state and federal laws and programs addressing such issues, and to work toward regional solutions that benefit those southern states.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVES STRAIN AND KENNEY

A CONCURRENT RESOLUTION

To urge and request the Ground Water Management Commission and the Ground Water Management Advisory Task Force to develop a cooperative aquifer and groundwater stewardship policy with the neighboring states of Mississippi, Arkansas, and Texas.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 203—

BY REPRESENTATIVES DAMICO, PERKINS, GARY SMITH, BAUDOIN, GALLOT, KENNEY, MORRISH, SHAW, JANE SMITH, STRAIN, WADDELL, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the House Committee on Environment and the Senate Committee on Environmental Quality to jointly study the current status, enforcement, and effectiveness of litter laws in the state and to report study findings and recommendations to the House of Representatives and the Senate prior to the convening of the 2002 Regular Session.

Reported favorably.

HOUSE BILL NO. 659—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 30:2281, relative to liens and privileges of the Department of Environmental Quality for cost of remediation; to provide for the filing of a notice of lien; to provide priorities for security interests on remediated property; to provide for the extent of the department's interest; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

June 8, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of implementing the Student Achievement Guarantee in Education (SAGE) program in public schools and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the beginning of the 2002 Regular Session.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVES WALSWORTH, DOWNER, STELLY, AND KATZ

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study certain issues relative to dyslexia and related disorders, including but not limited to current methods for the identification of students with dyslexia or related disorders, the adequacy of educational programs and services provided to such students, the adequacy of funding provided for such programs and services, appropriate training for teachers and other school employees in providing instruction to students identified with dyslexia or related disorders, and the extent to which local school systems in the state are in compliance with current state laws and policies of the State Board of Elementary and Secondary Education relative to these issues, and to report the study

findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education by not later than October 1, 2001.

Reported with amendments.

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.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2003-2004 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and mandatory attendance fees for the ensuing fiscal year applicable to nonresident students, at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVES WADDELL, BAYLOR, BRUCE, GALLOT, GLOVER, HOPKINS, MONTGOMERY, SHAW, JANE SMITH, AND TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study and report in writing to the legislature its findings and recommendations on how the state can best meet the needs in northwest Louisiana of students in general and nontraditional students in particular who seek to obtain a law degree from a Louisiana public university and who find that this curriculum is not offered at any such institution that is located within a reasonable distance to the students needing the services, with such study to include but not limited to meeting these needs by establishing a new public law school or establishing a branch of such an institution.

Reported favorably.

HOUSE BILL NO. 815—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 17:3048.1(V), relative to the Tuition Opportunity Program for Students; to provide for the Associate Award, including provisions for initial and continuing eligibility requirements and amounts; to provide relative to use of the Associate Award by certain students at eligible colleges and universities; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

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

Senator Theunissen 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. 386—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 39:1305(A), 1306(A), and 1309(A), relative to annual budgets of parish governing authorities; to change the time for completion and adoption of such budgets; to authorize parish governing authorities to adopt their annual budgets within thirty days after the fiscal year begins; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal 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. 387—

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 39:1305(A), 1306(A), and 1309(A), relative to the annual budgets of the parish governing authorities; to change the time for completion and adoption of such budgets by the Jefferson Davis Parish governing authority; to authorize the Jefferson Davis Parish governing authority to adopt its annual budget within thirty days after the fiscal year begins; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal 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. 417—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish by the town of Broussard without the approval of the governing authority of the parish; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 417 by Representative Durand

AMENDMENT NO. 1

On page 1, line 18, delete "on July 9, 1999"

AMENDMENT NO. 2

On page 2, line 4, change "July 9, 1999" to "August 15, 2001"

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.

HOUSE BILL NO. 418—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish without approval of the parish governing authority; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 418 by Representative Durand

AMENDMENT NO. 1

On page 1, line 17, delete "on July 9, 1999"

AMENDMENT NO. 2

On page 2, line 3, change "July 9, 1999" to "August 15, 2001"

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.

HOUSE BILL NO. 426—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 14:91.1, relative to offenses affecting the health and morals of minors; to create the crime of unlawful presence of a sexually violent predator; to prohibit the unlawful presence of a sexually violent predator on or near certain areas; to provide for exceptions; to provide for notification to school officials; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 426 by Representative Futrell

AMENDMENT NO. 1

On page 2, delete lines 4 through 6

AMENDMENT NO. 2

On page 2, at the beginning of line 7, change "(2) The" to "if the"

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. 659—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 30:2281, relative to liens and privileges of the Department of Environmental Quality for cost of remediation; to provide for the filing of a notice of lien; to provide priorities for security interests on remediated property; to provide for the extent of the department's interest; 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. 659 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 12, after "lien" insert the following: "but only to the extent of the fair market value that the property had prior to remedial action by the state, and prior recorded security interests shall be subordinate to the state lien for any amount in excess of such pre-remediation fair market value."

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. 744—

BY REPRESENTATIVES DEVILLIER AND CLARKSON

AN ACT

To amend and reenact Civil Code Article 114, relative to periodic support; to provide for modification; 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. 815—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 17:3048.1(V), relative to the Tuition Opportunity Program for Students; to provide for the Associate Award, including provisions for initial and continuing eligibility requirements and amounts; to provide relative to use of the Associate Award by certain students at eligible colleges and universities; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 815 by Representative K. Carter

AMENDMENT NO. 1

On page 2, delete lines 7 through 13 and insert the following:

"(2)(a) A student receiving an Associate Award shall be limited to pursuing an academic undergraduate degree at the associate degree level or a skill or occupational training program, including a vocational or technical education certificate or diploma program, or a nonacademic undergraduate degree with such award."

AMENDMENT NO. 2

On page 2, at the beginning of line 14, insert "(b)"

AMENDMENT NO. 3

On page 2, line 18, delete "or university" and delete "which"

AMENDMENT NO. 4

On page 2, line 19, delete "meets the requirements of this Subsection"

AMENDMENT NO. 5

On page 2, line 21, after "college" delete the remainder of the line and insert a period and the following: "However, except as provided otherwise in Subparagraph (b) of this Paragraph, the award of a student who pursues any such educational program at an eligible college or university that offers academic degrees at the baccalaureate level or higher shall be in an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Subsection for students attending public postsecondary institutions which offer academic undergraduate degrees at the associate degree level but which do not offer academic degrees at the baccalaureate level or higher."

AMENDMENT NO. 6

On page 2, line 23, after "at any" insert "eligible"

AMENDMENT NO. 7

On page 2, line 24, after "state" delete the remainder of the line

AMENDMENT NO. 8

On page 3, line 3, after "colleges" delete the remainder of the line, delete line 4, and on line 5, delete "associate degree level" and insert "that offer academic undergraduate degrees at the associate degree level but which do not offer academic degrees at the baccalaureate level or higher"

AMENDMENT NO. 10

On page 3, line 7, after "public" insert "technical" and after "colleges" delete "and"

AMENDMENT NO. 11

On page 3, line 8, delete "universities meeting the requirements of this Subsection"

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

HOUSE BILL NO. 1370—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 14:56.3, relative to genetically engineered crops; to create the crime of criminal damage to genetically engineered crops, crop facilities, or crop information; 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. 1669—

BY REPRESENTATIVE MORRELL

AN ACT

To enact Code of Criminal Procedure Article 814(A)(59), relative to responsive verdicts; to provide for responsive verdicts for solicitation of crime against nature; 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. 1863—

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 9:4822(M), relative to the Private Works Act; to provide for construction contracts; to provide for the furnishing of bonds in certain circumstances; to provide for payment of costs of the bond; to provide for prospective application; 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. 1944—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:40.1(A), relative to the crime of terrorizing; to provide with respect to the definition of that crime; and to provide for related matters.

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

HOUSE BILL NO. 1987—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 15:121, relative to grand juries; to provide with respect to the authority of grand juries to inspect prisons and hospitals; to authorize the filing of reports; 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.

Reconsideration

On motion of Senator C. Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, June 7, 2001 was reconsidered.

HOUSE BILL NO. 761—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:302(A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills and coins which a video draw poker device accepts; and to provide for related matters.

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

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

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. 36—

BY SENATORS CAIN AND ROMERO

AN ACT

To amend and reenact R.S. 27:323(B)(2), relative to the Louisiana Gaming Control Law; to provide with respect to video draw poker devices; to provide for the Video Draw Poker Device Purse Supplement Fund; to provide for the allocation of funds provided to the Louisiana Quarterhorse Association; and to provide for related matters.

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

SENATE BILL NO. 221—

BY SENATORS HINES AND THEUNISSEN

AN ACT

To enact R.S. 42:1123(28), relative to the Code of Governmental Ethics; to exempt former city or parish school board employees from the prohibition against contracting with, or being employed by such board within a certain period of time; to provide for limitations; 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 House and Governmental Affairs to Engrossed Senate Bill No. 221 by Senator Hines

AMENDMENT NO. 1

On page 1, line 4, delete "contracting with, or"

AMENDMENT NO. 2

On page 1, line 15, delete "contracting with or"

AMENDMENT NO. 3

On page 1, line 16, delete "building" and insert "site"

AMENDMENT NO. 4

On page 2, line 2, delete "less than ten" and insert "a population not in excess of thirty-six"

AMENDMENT NO. 5

On page 2, line 3, delete "students." and insert "people, as determined by the latest federal decennial census."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives R. Carter and Bowler to Engrossed Senate Bill No. 221 by Senator Hines

AMENDMENT NO. 1

Delete Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House on May 24, 2001.

AMENDMENT NO. 2

On page 1, line 16, after "any" delete "school building level" and insert "classroom teacher"

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Heitmeier	Michot
Cravins	Hines	Mount
Dardenne	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Jones, B	Ullo
Fields, C	Jones, C	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bajoie	Lentini	Tarver
Bean	Malone	
Cain	Romero	
Total—10		

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

SENATE BILL NO. 239—

BY SENATORS C. JONES AND CRAVINS
AN ACT

To amend and reenact R.S. 14:52.1(B), 56.2(D), 62.1(B) and (C), 67.15(C), 69.1(B)(2), 70.1(B), 82(D), 91.7(C), 92.2(B), 92.3(C), 95(D) and (E), 106(G)(2)(a), (3), and (4), 106.1(C)(2), 119(D), 119.1(D), 122.1(D), 123(C)(1) and (2), 283(B)(2), (3), and (4), 352, and 402.1(B), R.S. 15:529.1(A)(1)(b)(ii) and (c)(ii), 1303(B), and 1304(B), R.S. 27:262(C), (D), and (E), 309(C), and 375(C), R.S. 40:966(B)(1), (C)(1), (D), (E), and (F), 967(B)(1), (2), (3), and (4)(a) and (b), and (F)(1)(a) and (b), (2), and (3), 979(A), 981, 981.1, 981.2(B) and (C), and 981.3(A)(1) and (E), and Code of Criminal Procedure Art. 893(A), and to enact R.S. 15:574.22 and R.S. 40:966(G), relative to non-violent crimes; to provide relative to mandatory sentences for such crimes; to remove such mandatory sentences; and to provide for related matters.

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

SENATE BILL NO. 372—

BY SENATOR W. FIELDS

AN ACT

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

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. 372 by Senator Fields

AMENDMENT NO. 1

On page 2, line 10, after "property" insert a comma "," and add "to the extent that they are known."

AMENDMENT NO. 2

On page 2, at the end of line 10, after "requested" add "to the owner or owners' last known address"

AMENDMENT NO. 3

On page 2, line 11, change "forty-five" to "thirty"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Jones, C
Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	McPherson

Chaisson

Cravins

Dardenne

Dean

Dupre

Ellington

Total—30

Heitmeier

Hines

Hollis

Hoyt

Irons

Jones, B

NAYS

Total—0

ABSENT

Bajoie

Bean

Cain

Total—9

Johnson

Lentini

Malone

Michot

Mount

Smith

Theunissen

Thomas

Ullo

Romero

Schedler

Tarver

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

SENATE BILL NO. 412—

BY SENATOR ELLINGTON

AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.155, relative to water conservation; to provide for the creation of the Turkey Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction, powers, and functions of the district and the board, including authority for taxation and expropriation; to provide for enforcement of rules and regulations of the board; to provide for violations and penalties; to provide for the powers and duties of certain state departments and agencies; 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 Reengrossed Senate Bill No. 412 by Senator Ellington

AMENDMENT NO. 1

On page 1, at the beginning of line 4, change "3087.155" to "3087.148"

AMENDMENT NO. 2

On page 1, line 6, after "jurisdiction" delete the remainder of the line and delete lines 7 through 10 in their entirety and insert "; and to"

AMENDMENT NO. 3

On page 1, at the end of line 14, change "3087.155" to "3087.148"

AMENDMENT NO. 4

On page 2, line 11, after "Franklin" insert a period "." and delete the remainder of the line and delete lines 12 through 18 in their entirety

AMENDMENT NO. 5

On page 2, at the beginning of line 22, delete "A."

AMENDMENT NO. 6

On page 3, delete lines 1 through 27 in their entirety

AMENDMENT NO. 7

On page 4, at the beginning of line 5, change "seven" to "nine"

AMENDMENT NO. 8

On page 4, line 9, change "seven" to "nine"

AMENDMENT NO. 9

On page 4, line 19, change "Two" to "Four" and "six" to "twelve"

AMENDMENT NO. 10

On page 5, line 22, after "may" delete the colon ":" and delete lines 23 through 27 in their entirety and delete page 6 and on page 7 delete lines 1 through 9 and at the beginning of line 10 delete "(11) Do" and insert "do"

AMENDMENT NO. 11

On page 7, delete lines 20 through 27 in their entirety and delete pages 8 through 11 and on page 12 delete lines 1 through 20

AMENDMENT NO. 12

On page 12, line 21, change "3087.151" to "3087.148"

AMENDMENT NO. 13

On page 12, line 22, change "3087.151" to "3087.148"

AMENDMENT NO. 14

On page 12, delete lines 26 and 27 in their entirety and delete pages 13 and 14

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hollis	Smith
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, C	
Ellington	Lambert	
Total—28		

NAYS

Total—0

ABSENT

Bajoie

Bean

Cain

Fields, W

Total—11

Hines

Johnson

Lentini

Malone

Romero

Schedler

Tarver

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

SENATE BILL NO. 431—

BY SENATOR MICHOT

AN ACT

To amend and reenact Civil Code Art. 2315, relative to liability for acts which cause damage; to provide for the recovery of sales tax paid by the owner of the property damaged; to provide that damages shall include any sales tax paid by the owner on the property damaged; 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. 431 by Senator Michot

AMENDMENT NO. 1

On page 2, delete lines 4 through 6 in their entirety and insert the following: "any sales taxes paid by the owner on the repair or replacement of the property damaged."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Lambert
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Dardenne	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Jones, B	Ullo
Fields, C	Jones, C	
Total—29		

NAYS

Total—0

ABSENT

Bajoie

Bean

Johnson

Lentini

Schedler

Tarver

Cain
Cravins
Total—10

Malone
Romero

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

SENATE BILL NO. 501— BY SENATOR FONTENOT

AN ACT

To enact R.S. 32:418, relative to driver licenses; to authorize certain persons to register with the United States Selective Service when applying for a driver's license or identification card; to require the office of motor vehicles to electronically forward certain information to the Selective Service System; 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 Transportation, Highways and Public Works to Engrossed Senate Bill No. 501 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 13, after "age," and before "be" change "shall" to "may"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Boissiere
Campbell
Chaisson
Dardenne
Dean
Dupre
Ellington
Total—27

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

Lambert
Marionneaux
McPherson
Michot
Mount
Smith
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie
Bean
Cain
Cravins

Hines
Johnson
Jones, C
Lentini

Malone
Romero
Schedler
Tarver

Total—12

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. 511—

BY SENATORS LENTINI AND DUPRE AND REPRESENTATIVE DOWNER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 924 and to enact Code of Criminal Procedure Art. 926.1, Art. 930.3(7), and R.S. 15:151.2(G), relative to post conviction relief; to provide for a procedure for filing post conviction relief to allow DNA testing; to establish a two year period within which an application may be filed; to provide for the burden of proof in such proceeding; to provide for definitions; to provide for the selection of a laboratory; to provide for the protection of evidence during pendency of the application; to require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2003; to provide for a procedure to count the number of applications filed; to create the DNA Testing Post-Conviction Relief for Indigents Fund; to provide relative to legislative appropriations; to provide for the Louisiana Indigent Defender Assistance Board to administer such funds; and to provide for related matters.

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

SENATE BILL NO. 560—

BY SENATOR HINES

AN ACT

To enact R.S. 40:2212(C), relative to basic benefit plans provided under a health care cost control program; to prohibit the basic benefit plan from excluding direct reimbursement to advance practice registered nurses; to require reimbursement for advanced practice registered nurses at a rate equal to that paid other health care providers for performance of the same services; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Engrossed Senate Bill No. 560 by Senator Hines

AMENDMENT NO. 1

On page 1, line 4, delete "advance practice registered nurses" and insert "certain types of nurse practitioners;"

AMENDMENT NO. 2

On page 1, line 5, delete "advanced practice registered nurses" and insert "such nurse practitioners"

AMENDMENT NO. 3

On page 1, line 14, after "provided by" delete the remainder of the line and at the beginning of line 15 delete "registered nurse" and insert "a pediatric or family nurse practitioner who provides"

AMENDMENT NO. 4

On page 2, line 3, delete "an advanced practice registered nurse" and insert "a pediatric or family nurse practitioner"

AMENDMENT NO. 5

On page 2, after line 4, add the following: "(3) Any qualified plan shall incorporate pediatric and family nurse practitioners as primary care providers."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Marionneaux
Barham	Fields, W	McPherson
Boissiere	Fontenot	Michot
Campbell	Gautreaux	Mount
Chaisson	Heitmeier	Smith
Cravins	Hines	Theunissen
Dardenne	Hollis	Thomas
Dean	Hoyt	Ullo
Dupre	Irons	
Ellington	Jones, B	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Jones, C	Romero
Bean	Lambert	Schedler
Cain	Lentini	Tarver
Johnson	Malone	
Total—11		

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

SENATE BILL NO. 564—

BY SENATOR ROMERO

AN ACT

To enact 9:203(D), relative to marriage; to authorize federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

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

SENATE BILL NO. 574—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a), relative to the appointment of members to the Board of Ethics; to require that the appointment of the members to the Board of Ethics be made

within sixty days of their nomination; and to provide for related matters.

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

SENATE BILL NO. 632—

BY SENATOR DARDENNE

AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99.1 through 99.20, relative to tobacco settlement financing; to provide for legislative findings and intent; to provide for definitions; to create the Tobacco Settlement Financing Corporation and to provide for a board; to provide for staffing of the corporation; to provide for tax exemptions; to provide for bond validation actions; to provide for the sale of certain tobacco assets; to provide for the issuance of bonds and for the security for payment of bonds; to provide for ancillary contracts and swaps; and to provide for related matters.

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

SENATE BILL NO. 702—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:154.4, relative to public school schedules; to require the governing authority of any city, parish, or other local public school system to schedule and conduct an additional instructional day under certain circumstances; 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 Education to Engrossed Senate Bill No. 702 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 12, after "closes school" and before "as" insert "for a day"

AMENDMENT NO. 2

On page 1, line 15, after "of school" and before "in" insert "for each day school was closed"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Jones, B
Barham	Fields, W	Lambert
Campbell	Fontenot	Marionneaux

Chaisson	Gautreaux	McPherson
Cravins	Heitmeier	Mount
Dardenne	Hines	Smith
Dean	Hollis	Theunissen
Dupre	Hoyt	Thomas
Ellington	Irons	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Jones, C	Schedler
Bean	Lentini	Tarver
Boissiere	Malone	Ullo
Cain	Michot	
Johnson	Romero	
Total—13		

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

SENATE BILL NO. 703—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 51:423(A), relative to unfair sales practices; to prohibit the sale of information by retail or wholesale grocers concerning customers derived from the issuance to and use of certain cards by customers; and to provide for related matters.

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

SENATE BILL NO. 730—

BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:1031(B) and (C), and 1032, relative to the Joint Administration Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to provide for its membership; to provide for its powers and duties; to provide an effective date; and to provide for related matters.

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

SENATE BILL NO. 750—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:1299.44(C)(9), relative to the patient's compensation fund; to provide for self-insured health care providers; to provide for removal from petition; and to provide for related matters.

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

SENATE BILL NO. 753—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 22:1304(A) and to enact R.S. 22:1304(C), relative to insurers; to provide for examinations and investigations of insurers; to provide for examinations of third party administrators for insurers or self-insurance funds; and to provide for related matters.

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 Insurance to Engrossed Senate Bill No. 753 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 5, at the beginning of the line before "self-insurance" insert "certain"

AMENDMENT NO. 2

On page 1, line 12, after "fund," and before "all" insert "other than a group self-insured fund provided for in R.S. 23:1195 et seq."

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, C	Jones, C
Boissiere	Fields, W	Lambert
Campbell	Fontenot	Marionneaux
Chaisson	Gautreaux	McPherson
Cravins	Heitmeier	Michot
Dardenne	Hines	Mount
Dean	Hollis	Smith
Dupre	Hoyt	Theunissen
Ellington	Jones, B	Thomas
Total—27		

NAYS

Irons
Total—1

ABSENT

Mr. President	Johnson	Schedler
Bajoie	Lentini	Tarver
Bean	Malone	Ullo
Cain	Romero	
Total—11		

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

SENATE BILL NO. 963—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 4231, relative to tutorship; to provide a limited disqualification for certain parents convicted of a felony; and to provide for related matters.

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

SENATE BILL NO. 1025—

BY SENATOR MCPHERSON

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Carter to Engrossed Senate Bill No. 1025 by Senator McPherson

AMENDMENT NO. 1

On page 2, delete line 16 and insert: "remain in place for five years."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Lambert
Barham	Fields, W	Marionneaux
Boissiere	Fontenot	McPherson
Campbell	Gautreaux	Michot
Chaisson	Heitmeier	Mount
Cravins	Hines	Smith
Dardenne	Hollis	Theunissen
Dean	Hoyt	Thomas
Dupre	Irons	
Ellington	Jones, B	
Total—28		

NAYS

Total—0

ABSENT

Bajoie	Jones, C	Schedler
Bean	Lentini	Tarver
Cain	Malone	Ullo
Johnson	Romero	
Total—11		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote

by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1031—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1726(B), relative to motor vehicles; to provide for the maximum charge for storage of certain unclaimed vehicles; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Engrossed Senate Bill No. 1031 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 16, after "R.S. 32:1728" and before the period "." delete "(B)"

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Marionneaux
Boissiere	Fontenot	McPherson
Campbell	Gautreaux	Michot
Chaisson	Heitmeier	Mount
Cravins	Hines	Smith
Dardenne	Hollis	Theunissen
Dean	Hoyt	Thomas
Dupre	Irons	Ullo
Ellington	Jones, B	
Fields, C	Lambert	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Romero
Bajoie	Jones, C	Schedler
Bean	Lentini	Tarver
Cain	Malone	
Total—11		

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

SENATE BILL NO. 1074—

BY SENATOR LAMBERT (BY REQUEST)
AN ACT

To amend and reenact R.S. 45:1194, relative to contests of public service commission actions; to provide for consideration by the public service commission of additional evidence in certain circumstances; to require a remand for such consideration and to provide for the actions which may be taken upon such remand; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Reengrossed Senate Bill No. 1074 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 6, after "reprimand;" and before "and" insert "to provide for effectiveness;"

AMENDMENT NO. 2

On page 2, between lines 18 and 19, insert the following:

"Section 2. The provisions of this Act shall not have retroactive effect and shall only apply to actions brought after the effective date of the Act."

AMENDMENT NO. 3

On page 2, at the beginning of line 19, change "Section 2." to "Section 3."

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Marionneaux
Boissiere	Fontenot	McPherson
Campbell	Gautreaux	Michot
Chaisson	Heitmeier	Mount
Cravins	Hines	Smith
Dardenne	Hollis	Theunissen
Dean	Hoyt	Thomas
Dupre	Irons	Ullo
Ellington	Jones, B	
Fields, C	Lambert	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Romero
Bajoie	Jones, C	Schedler

Bean	Lentini	Tarver
Cain	Malone	
Total—11		

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

Appointment of Conference Committee on House Bill No. 945

The President of the Senate appointed on the Conference Committee on House Bill No. 945 the following members of the Senate: Senators Lentini, Marionneaux and Chaisson.

Appointment of Conference Committee on House Bill No. 987

The President of the Senate appointed on the Conference Committee on House Bill No. 987 the following members of the Senate: Senators B. Jones, Barham and Dardenne.

Appointment of Conference Committee on Senate Bill No. 776

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 776: Senators B. Jones, Theunissen and W. Fields.

Senator Lambert in the Chair

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

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

Called from the Calendar

Senator Ullo asked that Senate Bill No. 574 be called from the Calendar at this time.

SENATE BILL NO. 574—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a), relative to the appointment of members to the Board of Ethics; to require that the appointment of the members to the Board of Ethics be made within sixty days of their nomination; 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 House and Governmental Affairs to Engrossed Senate Bill No. 574 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 3, between "appointment" and "of" insert "or election"

AMENDMENT NO. 2

On page 1, line 4, after "Ethics be" delete the remainder of the line and on line 5 delete "nomination;" and insert the following: "completed not later than sixty days after the receipt of the names of the nominees; to provide for election and appointment of members to the board in the event no one is appointed or elected in the sixty-day period;"

AMENDMENT NO. 3

On page 2, line 13 after "members" delete the remainder of the line and delete line 14 in its entirety and insert "no later than sixty days after the receipt of the names of the nominees."

AMENDMENT NO. 4

On page 2, at the end of line 14, insert the following: "Should the governor fail to make an appointment in the sixty-day period, the nominee listed first on the list of nominees shall be deemed appointed to fill the vacancy. Should the Senate or House of Representatives, whichever is appropriate, fail to elect a member from the list of nominees in the sixty-day period, the nominee listed first on the list of nominees shall be deemed elected to fill the vacancy."

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	Michot
Chaisson	Heitmeier	Mount
Cravins	Hines	Smith
Dardenne	Hollis	Theunissen
Dean	Hoyt	Thomas
Dupre	Irons	Ullo
Ellington	Jones, B	
Fields, C	Jones, C	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Romero
Bajoie	Lentini	Schedler
Bean	Malone	Tarver

Cain
Total—11

McPherson

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.

Called from the Calendar

Senator Hines asked that Senate Bill No. 730 be called from the Calendar at this time.

SENATE BILL NO. 730—

BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:1031(B) and (C), and 1032, relative to the Joint Administration Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to provide for its membership; to provide for its powers and duties; to provide an effective date; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 730 by Senator Hines

AMENDMENT NO. 1

On page 2, at the end of line 11, after "Louisiana" and before "Association" insert "State Nurses"

AMENDMENT NO. 2

On page 2, at the end of line 11, add a period "." and delete line 12 in its entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 730 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "R.S." delete "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 8, following "Section 1." and before "R.S." delete "The introductory paragraph of"

AMENDMENT NO. 3

On page 2, line 22, following "in" and before "urban" change "a" to "an"

AMENDMENT NO. 4

On page 4, line 13, following "by the Louisiana" change "Association of Nurse Practitioners" to "State Nurses Association"

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	Michot
Chaisson	Heitmeier	Mount
Cravins	Hines	Romero
Dardenne	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Jones, B	Ullo
Fields, C	Jones, C	

Total—29

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bajoie	Lentini	Tarver
Bean	Malone	
Cain	McPherson	

Total—10

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

Called from the Calendar

Senator Romero asked that Senate Bill No. 564 be called from the Calendar at this time.

SENATE BILL NO. 564—

BY SENATOR ROMERO

AN ACT

To enact 9:203(D), relative to marriage; to authorize federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 564 by Senator Romero

AMENDMENT NO. 1

On page 1, line 3, after "state;" and before "and" insert "to provide for termination of the authority;"

AMENDMENT NO. 2

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

"Section 3. The provisions of R.S. 9:203(D) as enacted by this Act shall terminate and be null, void, and without effect on July 1, 2001."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lambert
Barham	Fields, W	Marionneaux
Boissiere	Fontenot	Michot
Campbell	Gautreaux	Mount
Chaisson	Heitmeier	Romero
Cravins	Hines	Theunissen
Dardenne	Hollis	Thomas
Dean	Hoyt	Ullo
Dupre	Jones, B	
Ellington	Jones, C	

Total—28

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Lentini	Smith
Cain	Malone	Tarver
Irons	McPherson	

Total—11

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

Called from the Calendar

Senator C. Jones asked that Senate Bill No. 239 be called from the Calendar at this time.

SENATE BILL NO. 239—

BY SENATORS C. JONES AND CRAVINS

AN ACT

To amend and reenact R.S. 14:52.1(B), 56.2(D), 62.1(B) and (C), 67.15(C), 69.1(B)(2), 70.1(B), 82(D), 91.7(C), 92.2(B), 92.3(C), 95(D) and (E), 106(G)(2)(a), (3), and (4), 106.1(C)(2), 119(D), 119.1(D), 122.1(D), 123(C)(1) and (2), 283(B)(2), (3), and (4), 352, and 402.1(B), R.S. 15:529.1(A)(1)(b)(ii) and (c)(ii), 1303(B), and 1304(B), R.S. 27:262(C), (D), and (E), 309(C), and 375(C), R.S. 40:966(B)(1), (C)(1), (D), (E), and (F), 967(B)(1), (2), (3), and (4)(a) and (b), and (F)(1)(a) and (b), (2), and (3), 979(A), 981, 981.1, 981.2(B) and (C), and 981.3(A)(1) and (E), and Code of Criminal Procedure Art. 893(A), and to enact R.S.

15:574.22 and R.S. 40:966(G), relative to non-violent crimes; to provide relative to mandatory sentences for such crimes; to remove such mandatory sentences; and to provide for related matters.

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 Administration of Criminal Justice to Reengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "62.1(B)" delete "R.S. 14:52.1, 56.2(D)," and insert "R.S. 14:56.2(D),"

AMENDMENT NO. 2

On page 1, line 3, after "92.3(C)," and before "95(D)" insert "94(C), (E), and (F),"

AMENDMENT NO. 3

On page 1, at the end of line 7, delete "R.S. 40:966(B)(1)" and insert "R.S. 40:966(B),"

AMENDMENT NO. 4

On page 1, at the beginning of line 9, after "(F)(1)" and before the comma "," delete "(a) and (b)"

AMENDMENT NO. 5

On page 1, line 15, after "Section 1." and before "62.1(B)" delete "R.S. 14:52.1(B), 56.2(D)" and insert "R.S. 14:56.2(D),"

AMENDMENT NO. 6

On page 1, line 16, after "92.3(C)," insert "94(C), (E), and (F),"

AMENDMENT NO. 7

On page 2, delete lines 4 through 12 in their entirety

AMENDMENT NO. 8

On page 7, line 5, after "years," insert "at least five years of which shall be served without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 9

On page 7, line 11 after "life" insert "at least seven years of which shall be served without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 10

On page 7, line 25, after "years" delete the period "." and insert "at least two years of which shall be served without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 11

On page 8, line 2, after "years" insert "at least five years of which shall be served without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 12

On page 13, delete lines 26 and 27 in their entirety and on page 14, delete lines 1 through 5 in their entirety and insert in lieu thereof the following:

"(ii) If the third felony ~~or either of~~ and the two prior felonies ~~is a felony~~ are felonies defined as ~~either~~ a crime of violence under R.S. 14:2(13) or as a violation of the Uniform Controlled Dangerous Substances Law punishable by imprisonment for ~~more than five ten~~ years or more or any other ~~crime crimes~~ crimes punishable by imprisonment for ~~more than~~ twelve years or more, or any combination of such crimes, the person shall be imprisoned for the remainder of his natural life, without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 13

On page 14, delete lines 10 through 12, and insert the following:

"(ii) If the fourth ~~or subsequent~~ or any and two of the prior felonies ~~is a felony~~ are felonies defined as ~~either~~ a crime of violence under R.S. 14:2(13) or as a violation of the Uniform"

AMENDMENT NO. 14

On page 14, line 15, after "for" and before "twelve" delete "more than"

AMENDMENT NO. 15

On page 14, line 15, after "years" and before the comma "," insert "or more, or any combination of such crimes"

AMENDMENT NO. 16

On page 14, line 24, after "risk review panels." delete the remainder of the line and delete line 25 in its entirety

AMENDMENT NO. 17

On page 15, line 2, after "(1)" delete the remainder of the line in its entirety and insert in lieu thereof "One member shall be a board certified psychologist. This member"

AMENDMENT NO. 18

On page 15, between lines 9 and 10, insert the following:

"(4) A retired judge with criminal law expertise, who shall be appointed by the governor.

(5) A probation or parole officer with a minimum of ten years experience, who shall be appointed by the governor."

AMENDMENT NO. 19

On page 15, line 21, after "meet" and before "on" delete "once a month and may meet"

AMENDMENT NO. 20

On page 15, line 26, after "the" and before "information" delete "boards of pardons and parole," and insert "Board of Pardons and the Board of Parole"

AMENDMENT NO. 21

On page 16, line 3, after "the duty" and before "to evaluate" insert a comma "," and insert "in accordance with the rules promulgated pursuant to Subsection H of this Section,"

AMENDMENT NO. 22

On page 16, line 6, after "confinement." delete the remainder of the line and lines 7 and 8 in their entirety"

AMENDMENT NO. 23

On page 17, line 12, after "the" and before "or" delete "pardon board," and insert "Board of Pardons"

AMENDMENT NO. 24

On page 17, at the end of line 13, delete "parole" and at the beginning of line 14 delete "board." and insert "Board of Parole."

AMENDMENT NO. 25

On page 17, at the end of line 15, insert "Any recommendation of the panel shall not be binding on the Board of Pardons or the Board of Parole."

AMENDMENT NO. 26

On page 17, line 16, after "within" and before "days" delete "ninety" and insert "one hundred twenty"

AMENDMENT NO. 27

On page 20, line 4, after "Section 4." delete "R.S. 40:966(B)(1)," and insert "R.S. 40:966(B),"

AMENDMENT NO. 28

On page 20, line 5, after "(F)(1)" and before the comma "," delete "(a) and (b)"

AMENDMENT NO. 29

On page 20, line 16, before "not less than five" insert "imprisonment for"

AMENDMENT NO. 30

On page 20, line 17, change "thirty" to "fifty"

AMENDMENT NO. 31

On page 20, line 17, after "labor" and before "without" insert "at least five years of which shall be served"

AMENDMENT NO. 32

On page 20, delete line 20, in its entirety and insert:

"(2) Any other controlled dangerous substance classified in Schedule I, shall upon conviction be sentenced to a term of imprisonment at hard labor for not less than five years nor more than thirty years, at least five years of which shall be served without benefit of parole, probation, or suspension of sentence, and pay a fine of not more than fifty thousand dollars."

AMENDMENT NO. 33

On page 22, delete line 10 and insert in lieu thereof the following:

"(2) Except as provided in Subsections ~~E and F hereof~~ F or G of this Section, on a second conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

(3) Except as provided in Subsections ~~E and F hereof~~ F or G of this Section, on a third or subsequent conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be sentenced to imprisonment with or without hard labor for not more than twenty years.

(4) A conviction for the violation of any other statute or ordinance with the same elements as R.S. 40:966(C) prohibiting the possession of marijuana, tetrahydrocannabinol or chemical derivatives thereof, shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders."

AMENDMENT NO. 34

On page 22, line 23, change "thirty" to "forty"

AMENDMENT NO. 35

On page 23, line 3, change "fifteen" to "twenty-five"

AMENDMENT NO. 36

On page 23, line 4, change "thirty" to "forty"

AMENDMENT NO. 37

On page 23, at the end of line 10, after "by" change "Subsection E." to "Subsections D or F."

AMENDMENT NO. 38

On page 23, line 23, after "ten years" add a comma "," and add "at least two years of which shall be served without benefit of parole, probation, or suspension of sentence,"

AMENDMENT NO. 39

On page 24, line 3, after "thirty years," add "at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence,"

AMENDMENT NO. 40

On page 24, line 12, after "years" and before "and" insert a comma "," and add "at least ten years of which shall be served without benefit of parole, probation, or suspension of sentence."

AMENDMENT NO. 41

On page 25, delete line 15 and insert the following:

"(c) Any person who knowingly or intentionally possesses four hundred grams or more of cocaine or of a mixture or substance containing a detectable amount of cocaine or of its analogues as provided in Schedule II(A)(4) of R.S. 40:964, shall be sentenced to serve a term of imprisonment at hard labor of not less than ~~thirty fifteen~~ years, nor more than ~~sixty thirty~~ years and to pay a fine of not less than two hundred fifty thousand dollars, nor more than six hundred thousand dollars."

AMENDMENT NO. 42

On page 30, line 13, after "shall" and before "be punished" delete "not"

AMENDMENT NO. 43

On page 31, line 20, after "R.S. 14:81.2" delete the comma "," and insert a period "." and delete the remainder of the line and delete lines

21 and 22 in their entirety and on line 23, delete "40:966(D) and (F) and 967(G)."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

On page 32, after line 1, insert the following:

"Section 7. 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."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

Delete Committee Amendment Nos. 2, 6, 8, 9, 10, and 11 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 29, 2001.

AMENDMENT NO. 2

On page 1, line 3, after "92.3(C)," delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 16, after "92.3(C)," delete the remainder of the line

AMENDMENT NO. 4

On page 6, delete lines 8 through 27 in their entirety

AMENDMENT NO. 5

On page 7, delete lines 1 through 27 in their entirety

AMENDMENT NO. 6

On page 8, delete lines 1 through 4 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Rengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

In House Committee Amendment No. 18 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 24, 2001, on line 1, change "expertise" to "experience"

AMENDMENT NO. 2

On page 1, delete line 13 in its entirety and insert the following:

"remove mandatory sentences for certain offenses; to reduce the length of incarceration in the penalty provisions for certain offenses; to provide that the the sentence for certain offenses can be subject to

parole, probation, or suspension of sentence; to provide minimum sentences of imprisonment for certain offenses; to provide with respect to sentencing for multiple felony convictions; to provide with respect to the suspension of sentences for certain crimes; to provide with respect to sentencing for violations of the Uniform Controlled Dangerous Substances Law; to create the Louisiana Risk Review Panel; to provide for membership of the panel; to provide for the powers and duties of the panel; to provide for the adoption of rules; to clarify penalty provisions with regard to violations involving certain Schedule II controlled dangerous substances; and to provide for related matters."

AMENDMENT NO. 3

On page 23, line 15, after "is" and before "a" insert "an amphetamine or methamphetamine or which is"

AMENDMENT NO. 4

On page 23, line 18, after "R.S. 40:964" delete the comma "," and delete the remainder of the line and insert "shall"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Futrell to Reengrossed Senate Bill No. 239 by Senator C. Jones et al.

AMENDMENT NO. 1

On page 1, line 4, after "(2)(a)" and before "106.1" delete the comma "," and "(3), and (4)," and insert "and (3),"

AMENDMENT NO. 2

On page 2, line 1, after "(2)(a)" and before "106.1" delete the comma "," and "(3), and (4)," and insert "and (3),"

AMENDMENT NO. 3

On page 8, delete lines 19 through 24

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 239 by Senators C. Jones and Cravins

AMENDMENT NO. 1

On page 1, line 5, after "123(C)(1) and (2)," and before "352" delete "283(B)(2), (3), and (4),"

AMENDMENT NO. 2

On page 2, line 2, after "123(C)(1) and (2)," and before "352" delete "283(B)(2), (3), and (4),"

AMENDMENT NO. 3

On page 10, delete lines 24 through 27 in their entirety and on page 11, delete lines 1 through 19 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Rengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

Page 34 SENATE

June 11, 2001

39th DAY'S PROCEEDINGS

In House Committee Amendment No. 12 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 24, 2001, on line 11, after "as" and before "a" delete "either" and on line 12, after "14:2(13)" and before "or" insert a comma "," and add "a sex offense as defined in R.S. 15:540 et seq. when the victim is under the age of eighteen at the time of commission of the offense."

AMENDMENT NO. 2

In House Committee Amendment No. 13 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 24, 2001, on line 21, after "as" and before "a" delete "either" and on line 22, after "14:2(13)" and before "or" insert a comma "," and add "a sex offense as defined in R.S. 15:540 et seq. when the victim is under the age of eighteen at the time of commission of the offense."

AMENDMENT NO. 3

Delete House Committee Amendment No. 22 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 24, 2001

AMENDMENT NO. 4

On page 16, line 6, after "confinement" change the period "." to a semicolon ";" and delete the remainder of the line and delete lines 7 and 8 in their entirety and add the following: "however, the panel shall not evaluate the risk of danger to society presented by any person convicted of a sex offense as defined in R.S. 15:540 et seq. when the victim is under the age of eighteen at the time of commission of the offense, or convicted of a violation of the Uniform Controlled Dangerous Substances Law other than possession as defined in R.S. 40:966(C), 967(C), 968(C), 969(C) and 970(C)."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Devillier to Reengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

On page 16, at the end of line 8, add the following: " Notwithstanding any other provision of law to the contrary, no convicted person sentenced under R.S. 15:529.1 shall be eligible for risk review under the provisions of this Section."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Reengrossed Senate Bill No. 239 by Senators C. Jones and Cravins

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "67:15(C),"

AMENDMENT NO. 2

On page 1, at the end of line 15, delete "67:15(C),"

AMENDMENT NO. 3

On page 3, delete lines 4 through 18 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fruge to Reengrossed Senate Bill No. 239 by Senator C. Jones

AMENDMENT NO. 1

On page 17, delete lines 16 through 20

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Heitmeier	Michot
Cravins	Hines	Mount
Dardenne	Hollis	Romero
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Jones, B	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Lentini	Smith
Cain	Malone	Tarver
Total—9		

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 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.

On motion of Senator Fontenot, the bill 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. 1070—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:1299.58(A)(introductory paragraph) and (2) and to enact R.S. 40:1299.58(F), relative to consent to medical treatment; to allow the administrator or manager to provide medical consent for certain mentally retarded or developmentally disabled individuals; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Ellington	Jones, B	Ullo
Fields, C	Jones, C	

Fields, W
Total—28

Lambert

NAYS

Total—0

ABSENT

Mr. President
Bean
Cain
Cravins
Total—11

Dupre	McPherson
Johnson	Schedler
Lentini	Tarver
Malone	

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. 1083—

BY REPRESENTATIVES MCMAINS AND ANSARDI

(On Recommendation of the Louisiana State Law Institute)

TRUSTS: Provides for a revision of certain provisions governing trustees

AN ACT

To amend and reenact R.S. 9:2082, 2086, 2087, 2090, 2127, and 2142, to authorize and direct the Louisiana State Law Institute to redesignate Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Subpart F and to enact a new Subpart E of Part V of Chapter 1 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 9:2158 through 2163, and to repeal R.S. 9:2116, relative to the Louisiana Trust Code, to provide for a duty of impartiality in the administration of a trust; to provide for self-dealing by a corporate trustee; to provide for delegating performance; to provide for prudent administration; to provide for the standard of care in investing and management; to provide for income and principal; to provide for remedies when a trustee has abused his discretion; to provide for effective dates and transitional provisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Barham	Fields, W	Lambert
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Heitmeier	Mount
Cravins	Hines	Romero
Dardenne	Hollis	Smith
Dean	Hoyt	Theunissen
Dupre	Irons	Thomas
Ellington	Jones, B	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Michot
Bean	Lentini	Schedler
Cain	Malone	Tarver

Total—9

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. 1169—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2158(A)(1) and to repeal R.S. 30:2154(B)(6), 2161(D), and 2301 through 2326, R.S. 33:4169.1(F), and R.S. 36:239(G), and 804(1), relative to the Louisiana Resource and Recovery Development Authority; to provide for its dissolution; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	

Total—31

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Lentini	Tarver
Cain	Malone	

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. 1178—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(iv) and to enact R.S. 27:301(B)(16) and (17) and 311(L), relative to Video Draw Poker Devices Control Law; to provide for and require a video draw poker employee permit fee; to provide with respect to diesel and gasoline fuel sales at qualified truck stop facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1178 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 19, after "business" insert the following: "and consistent with the requirements of Subpart E of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:421 through 427, and the requirements of Chapter 13 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1401 through 1419,"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Jones, C
Bajoie	Gautreaux	Lentini
Boissiere	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Jones, B	Ullo

Total—24

NAYS

Barham	Fields, C	Marionneaux
Dupre	Fontenot	Smith

Total—6

ABSENT

Bean	Johnson	McPherson
Cain	Lambert	Schedler
Ellington	Malone	Tarver

Total—9

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 1179—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 30:2057(B)(5), to provide authority for municipalities of less than five thousand persons to burn trees, brush, grass, or other vegetable matter within their corporate limits; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lambert
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Dardenne	Hollis	Romero
Dean	Hoyt	Smith
Dupre	Irons	Theunissen
Ellington	Jones, B	Thomas
Fields, C	Jones, C	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Malone
Bean	Johnson	Schedler
Cain	Lentini	Tarver
Total—9		

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. 1305—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:402(D) and 514 and R.S. 44:201.1 and 231.1, relative to the offices of recorder of mortgages and register of conveyances for the parish of Orleans; to provide that the elections for the offices of recorder of mortgages and register of conveyances for the parish of Orleans shall be conducted at the regular congressional election; to provide for the beginning and ending of the terms for such offices; to provide for the extension of the current terms for such offices; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Lentini
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—26		

NAYS

Fields, C	Fields, W	Marionneaux
Total—3		

ABSENT

Mr. President	Irons	Schedler
Bean	Johnson	Tarver
Cain	Malone	
Cravins	McPherson	
Total—10		

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. 1318—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2503(A)(2)(a), relative to the Louisiana Environmental Education Commission; to provide relative to membership on the commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lambert
Barham	Fields, W	Lentini
Boissiere	Fontenot	Marionneaux
Cain	Gautreaux	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Theunissen

Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—30		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Heitmeier	McPherson
Bean	Johnson	Schedler
Cravins	Malone	Tarver
Total—9		

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.

Mr. President in the Chair

HOUSE BILL NO. 1369—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 15:712, relative to correctional facilities; to provide that citizens may request wardens or superintendents to intercept mail from prisoners to those citizens; to provide for a limitation of liability for wardens and superintendents for mail transmitted by prisoners; and to provide for related matters.

Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Engrossed House Bill No. 1369 by Representative Frith

AMENDMENT NO. 1

On page 1, line 5, after "prisoners;" insert "to limit warden's authority;"

AMENDMENT NO. 2

On page 2, after line 11, insert the following: "D. Notwithstanding the provisions of this Section, a warden or superintendent described in this Section shall be limited to the review of the name and address shown on the outgoing mail for comparison to the list described in Subsection (A) of this Section, and shall not review, censor, or otherwise modify or tamper with the contents of such outgoing mail."

On motion of Senator Hoyt, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Malone	Tarver
Cain	McPherson	
Total—8		

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

HOUSE BILL NO. 1459—

BY REPRESENTATIVE DONELON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Hines	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Malone
Bean	Heitmeier	Schedler

Cain Johnson Tarver
Total—9

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

HOUSE BILL NO. 1482—

BY REPRESENTATIVE DAMICO

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Schedler
Bean	Johnson	Tarver
Cain	Malone	
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.

Senator Lambert in the Chair**HOUSE BILL NO. 1483—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2194(B), 2195.2(A)(1)(c)(i), (2), and (5), 2195.3(A)(10), 2195.8(B), and 2195.9(A) and to repeal R.S. 30:2195.2(B)(1)(c), relative to underground storage tanks and

the Motor Fuels Underground Storage Tank Fund; to provide definitions; to provide for response actions and response action contractors; to provide for expenditure of funds; to provide for remediation, indemnification, and liability; to provide for financial responsibility; to provide for the composition of the advisory board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Malone	Tarver
Cain	Marionneaux	
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. 1497—

BY REPRESENTATIVES PINAC, FRITH, AND THOMPSON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Lentini
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Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	McPherson
Chaisson	Hines	Michot
Cravins	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Cain	Malone
Bajoie	Heitmeier	Schedler
Bean	Johnson	Tarver
Total—9		

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

HOUSE BILL NO. 1556—

BY REPRESENTATIVES KENNARD AND DURAND
AN ACT

To amend and reenact R.S. 30:2373(D)(2) and (E)(2) and 2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; provides additional persons who may be subject to civil penalties for violations; provides applicable penalties; provides for reduction in certain fees; provides an extension date for certain fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1556 by Representative Kennard

AMENDMENT NO. 1

Delete amendments adopted by the Committee on Environmental Quality on May 22, 2001.

AMENDMENT NO. 2

On page 1, line 2, after "2374(B)" delete "(1)" and insert a comma ",," and insert "to enact R.S. 30:2374(B)(5), and to repeal R.S. 30:2368(D)"

AMENDMENT NO. 4

On page 1, line 9, after "2374(B)" delete "(1)" and on line 10, after "reenacted" insert a comma "," and insert "R.S. 30:2374(B)(5) is hereby enacted and R.S. 30:2368(D) is hereby repealed."

AMENDMENT NO. 5

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

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

(3) Each local emergency planning committee receiving funds pursuant to this Section shall utilize such funds only for performing the services required in this Chapter and the Superfund Amendments and Reauthorization Act of 1986, Title III, 42 U.S.C. 11022.

~~(3)(4)~~ In the case of owners or operators reporting facilities with numbers of hazardous materials referenced above at multiple locations throughout the state, no owner or operator shall be assessed total annual fees, pursuant to this Section, in excess of more than two thousand dollars.

~~(4)(5)~~ The annual per facility for small businesses as defined in this Chapter shall not exceed twenty-five dollars each for the state and any local emergency planning committee provided herein.

Section 2. R.S. 30:2368(D) is hereby repealed in its entirety."

On motion of Senator Fontenot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	McPherson
Boissiere	Fontenot	Michot
Campbell	Gautreaux	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Marionneaux
Bajoie	Hines	Schedler
Bean	Johnson	Tarver

Cain
Total—11

Malone

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

HOUSE BILL NO. 1579—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2412(4.1), (5.2), and (6.1), relative to waste tires and the Waste Tire Management Fund; to provide definitions; to provide fees to be levied on the sale of new tires; to provide size classifications of tires; and to provide for related matters.

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	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields, C	Lambert	
Fields, W	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Cain	Schedler
Bajoie	Johnson	Tarver
Bean	Malone	
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. 1602—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Children's Code Articles 1124(B) and (C), 1137(D), 1138(C) and (E), and 1139(A) and to enact Children's Code Article 1180(C) and R.S. 46:1402.1, relative to adoptions; to provide for service of notice of opposition to adoption; to provide for the presentation of evidence; to provide for the form of certain affidavits; to provide for the jurisdiction for adoption

proceedings; to provide relative to conflict of interests; and to provide for related matters.

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

HOUSE BILL NO. 1635—

BY REPRESENTATIVE HOPKINS AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 27:304, relative to a video poker gaming device licensee; to authorize advertisements or participation in certain promotions; and to provide for related matters.

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

HOUSE BILL NO. 1648—

BY REPRESENTATIVE TOWNSEND

AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1648 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "280(A)(4)" add "and (C) and to enact R.S. 26:80(C)(3)"

AMENDMENT NO. 2

On page 1, line 6, after "280(A)(4)" add "and (C)"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" add "and R.S. 26:80(C)(3) is hereby enacted"

AMENDMENT NO. 4

On page 1, after line 17, add the following:

C. * * *

(3) Notwithstanding any other provisions of law to the contrary, the commissioner may accept from a publicly traded corporation, other than any gaming entity regulated under the provisions of R.S. 27:20, et seq., R.S. 27:41, et seq., or R.S. 27:301, et seq., the necessary documentation of those persons described in Subsection D of this Section and three officers of the corporation in full satisfaction of the requirements of this Section.

* * *

AMENDMENT NO. 5

On page 2, after line 10, add the following:

"C.(1) If the applicant is a corporation or a limited liability company, all officers and directors and all stockholders or members owning in the aggregate more than five percent of the stock or of the membership interest in a limited liability company and the person or persons who shall conduct or manage the business shall possess the qualifications required of an applicant and shall furnish their federal identification number, their Louisiana Department of Revenue business account number, their social security number, and their correct home address. The requirements as to citizenship and residence do not apply to officers, directors, and stockholders of corporations or members of limited liability companies. The corporation or limited liability company shall be either organized under the laws of the state of Louisiana or qualified to do business within the state of Louisiana.

(2) Notwithstanding any other provisions of law to the contrary, the commissioner may accept from a publicly traded corporation, other than any gaming entity regulated under the provisions of R.S. 27:20, et seq., R.S. 27:41, et seq., or R.S. 27:301, et seq., the necessary documentation of those persons described in Subsection D of this Section and three officers of the corporation in full satisfaction of the requirements of this Section.

* * *

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

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1648 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "280(A)(4)," insert "and to enact R.S. 26:911.1, relative to alcohol and beverage control, to provide"

AMENDMENT NO. 2

On page 1, line 3, after "applicants" insert "of permits; to provide for certain cash or short-term credit sales of certain tobacco products"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 26:911.1 is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 10, insert the following:

"§911.1. Cash or short-term credit sales only; timely payment; penalty for violation

A. No wholesale dealer shall sell, offer to sell, or deliver any tobacco product to any retail dealer in this state, and no retail dealer in tobacco products shall buy or accept delivery for any such product, for any consideration other than cash or on terms requiring payment not later than the thirtieth day following that on which actual delivery is made. If any payment is not made punctually when due the vendor shall immediately notify the commissioner thereof and the commissioner shall promptly notify all wholesale dealers in the state of the default and thereafter no person shall sell any tobacco product to the retailer in default on any other terms than cash delivery, until otherwise authorized by the commissioner. Under penalty of suspension of his permit, the retailer who is in default shall pay his obligation in full within ten days from the date it became due.

B. Whoever violates any of the provisions of this Section may have his license suspended for not more than five days for the first offense and not more than thirty days for a subsequent offense. Each failure of a retail dealer to make payment for any default before the expiration of the period of suspension constitutes a subsequent offense. In addition, the retail dealer may be required to make payment in cash for all tobacco products subsequently sold or delivered to him.

C. The commissioner shall make and publish rules and regulations for the enforcement of this Section."

On motion of Senator McPherson, the amendments were adopted.

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

HOUSE BILL NO. 1662—

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 35:336(A) and 337(B), relative to notaries public and commissioners; to provide for the appointment of one deputy by the custodian of notarial records; to provide for the preservation of records and documents; to provide for the dedication of certain fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—32

NAYS

Total—0

ABSENT

Bean	Malone	Tarver
Cain	McPherson	
Johnson	Schedler	
Total—7		

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

HOUSE BILL NO. 1682—

BY REPRESENTATIVE TOWNSEND

AN ACT

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1682 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, before "relative" insert "and 911.1, relative to alcohol and tobacco control, to provide"

AMENDMENT NO. 2

On page 1, line 4, after "permits;" insert "to provide for certain cash or short-term credit sales of certain tobacco products;"

AMENDMENT NO. 3

On page 1, line 7, before "are" insert ", and 911.1"

AMENDMENT NO. 4

On page 2, after line 25, insert the following:

"§911.1. Cash or short-term credit sales only; timely payment; penalty for violation

A. No wholesale dealer shall sell, offer to sell, or deliver any tobacco product to any retail dealer in this state, and no retail dealer in tobacco products shall buy or accept delivery for any such product, for any consideration other than cash or on terms requiring payment not later than the thirtieth day following that on which actual delivery is made. If any payment is not made punctually when due the vendor shall immediately notify the commissioner thereof and the commissioner shall promptly notify all wholesale dealers in the state of the default and thereafter no person shall sell any tobacco product to the retailer in default on any other terms than cash delivery, until otherwise authorized by the commissioner. Under

penalty of suspension of his permit, the retailer who is in default shall pay his obligation in full within ten days from the date it became due.

B. Whoever violates any of the provisions of this Section may have his license suspended for not more than two days for the first offense and not more than ten days for a subsequent offense. Each failure of a retail dealer to make payment for any default before the expiration of the period of suspension constitutes a subsequent offense. In addition, the retail dealer may be required to make payment in cash for all tobacco products subsequently sold or delivered to him.

C. The commissioner shall make and publish rules and regulations for the enforcement of this Section."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lambert
Barham	Fields, W	Lentini
Boissiere	Fontenot	Marionneaux
Campbell	Gautreaux	Michot
Chaisson	Hines	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	McPherson
Bean	Johnson	Schedler
Cain	Malone	Tarver
Total—9		

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

HOUSE BILL NO. 1788—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact Code of Civil Procedure Article 3061, relative to a judgment of possession; to require the judgment to include the names and addresses of the heirs or legatees and surviving spouse; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Malone	Tarver
Cain	McPherson	
Total—8		

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. 1793—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 9:2801.1, relative to the partition of community property interests in federal or state statutory pension or retirement plans; to provide for the allocation and assignment of ownership of certain community property; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lambert
Barham	Fontenot	Lentini
Boissiere	Gautreaux	Marionneaux
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Dardenne	Hollis	Romero
Dean	Hoyt	Smith

Dupre	Irons	Theunissen
Ellington	Jones, B	Thomas
Fields, C	Jones, C	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Cravins	McPherson
Bean	Johnson	Schedler
Cain	Malone	Tarver
Total—9		

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

HOUSE BILL NO. 1913—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Lentini
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Chaisson	Hines	Michot
Cravins	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Fields, W	Lambert	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Tarver
Bean	Johnson	Thomas
Cain	Malone	
Campbell	Schedler	
Total—10		

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

HOUSE BILL NO. 1925—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2040, R.S. 37:3155, and 3156(A) and to repeal R.S. 37:3151(6), relative to commercial solid waste disposal facilities; to provide that the Department of Environmental Quality shall classify commercial solid waste disposal facilities; to provide that the department shall determine the number of certified operators at such facilities; to prohibit the siting of certain solid or hazardous waste facilities within certain parishes; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1925 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 30:2040"

AMENDMENT NO. 2

On page 1, line 7 and 8, delete "to prohibit the siting of certain solid or hazardous waste facilities within certain parishes;"

AMENDMENT NO. 3

On page 1, delete lines 13 and 14.

AMENDMENT NO. 4

On page 2, delete lines 1 through 22.

AMENDMENT NO. 5

On page 2, line 23, change "Section 2." to "Section 1."

AMENDMENT NO. 6

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

On motion of Senator Fontenot, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Barham	Fields, W	Lambert
Boissiere	Fontenot	Lentini
Campbell	Gautreaux	Marionneaux
Chaisson	Heitmeier	Michot

Cravins
Dardenne
Dean
Dupre
Ellington
Total—30

Total—0

Mr. President
Bean
Cain
Total—9

Hines
Hollis
Hoyt
Irons
Jones, B
Mount
Romero
Smith
Theunissen
Ullo

NAYS**ABSENT**

Johnson
Malone
McPherson
Schedler
Tarver
Thomas

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

HOUSE BILL NO. 1971—

BY REPRESENTATIVES GARY SMITH AND PINAC

AN ACT

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

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	Lentini
Barham	Fields, W	Marionneaux
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Jones, B	Tarver
Cain	Malone	
Fontenot	McPherson	
Total—10		

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. 2038—

BY REPRESENTATIVE PERKINS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	Michot
Campbell	Heitmeier	Mount
Chaisson	Hines	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Theunissen
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Schedler
Bean	Malone	Tarver
Cain	McPherson	
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. 2062 (Substitute for House Bill No. 1699 by Representative Schwegmann)—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Michot
Chaisson	Hines	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Smith
Dean	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Fields, C	Lambert	
Total—31		

NAYS

Theunissen
Total—1

ABSENT

Mr. President	Johnson	Tarver
Bean	Malone	
Cain	Schedler	
Total—7		

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

Rules Suspended

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

Appointment of Conference Committee on Senate Bill No. 704

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 704: Senators Fontenot, Hollis and Michot.

Appointment of Conference Committee on Senate Bill No. 501

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 501: Senators Fontenot, Heitmeier and Theunissen.

Appointment of Conference Committee on Senate Bill No. 239

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of

considering the disagreement on Senate Bill No. 239: Senators C. Jones, Cravins and Hainkel.

**Appointment of Conference Committee
on Senate Bill No. 560**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 560: Senators Hines, Schedler and Bean.

**Appointment of Conference Committee
on Senate Bill No. 730**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 730: Senators Hines, Schedler and Chaisson.

**Appointment of Conference Committee
on Senate Bill No. 221**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 221: Senators Hines, Ullo and Theunissen.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 11, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 110—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 11:788(B), relative to the Teachers' Retirement System; to provide with respect to the Deferred Retirement Option Plan and lump sum distributions made from the Deferred Retirement Option Plan Account; to provide with respect to the redeposit of monies into the system's fund; to provide an effective date; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 529—

BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 11:542(C)(4) and 883.1(C)(4), relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System; to provide with respect to the payment of cost-of-living adjustments and the criteria used for determining eligibility therefor; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1205—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:2178(K)(1), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments, the maximum limit applicable to monthly adjustments to increase the minimum monthly adjustment payable; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1821—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 11:1755(E), relative to the Municipal Employees' Retirement System; to provide with respect to service credit, including but not limited to the conversion of certain unused earned annual and sick leave to retirement credit on the basis of an established conversion formula; to provide an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

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

Senator Boissiere 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. 110—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 11:788(B), relative to the Teachers' Retirement System; to provide with respect to the Deferred Retirement Option Plan and lump sum distributions made from the Deferred Retirement Option Plan Account; to provide with respect to the redeposit of monies into the system's fund; 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. 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.

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. 529—

BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 11:542(C)(4) and 883.1(C)(4), relative to the Louisiana State Employees' Retirement System and the Teachers' Retirement System; to provide with respect to the payment of cost-of-living adjustments and the criteria used for determining eligibility therefor; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1205—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:2178(K)(1), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments, the maximum limit applicable to monthly adjustments to increase the minimum monthly adjustment payable; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1821—

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 11:1755(E), relative to the Municipal Employees' Retirement System; to provide with respect to service credit, including but not limited to the conversion of certain unused earned annual and sick leave to retirement credit on the basis of

an established conversion formula; 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. 1821 by Representative Crowe

AMENDMENT NO. 1

On page 3, line 15, delete "annual"

AMENDMENT NO. 2

On page 3, line 16, after "shall be paid" insert "to the board"

AMENDMENT NO. 3

On page 3, line 17, between "member" and "." insert "within thirty days of the date that the member retires"

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.

Rules Suspended

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

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

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

Called from the Calendar

Senator McPherson asked that Senate Bill No. 141 be called from the Calendar at this time.

SENATE BILL NO. 141—

BY SENATOR MCPHERSON

A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to municipal fire and police civil service; to remove certain prohibitions against political activity by members of the municipal fire and police civil service; to authorize political activities by members of municipal fire and police civil service; to prohibit solicitation of contributions for political purposes from any member of the municipal fire and police civil service; to prohibit the punishment or coercion of any member in the classified service of the municipal fire and police civil service to influence his vote or other political activity; to prescribe penalties for violations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Called from the Calendar

Senator Ellington asked that Senate Bill No. 370 be called from the Calendar at this time.

SENATE BILL NO. 370—
BY SENATOR ELLINGTON

AN ACT

To enact Code of Civil Procedure Art. 1563 and Art. 1563.1, relative to exemplary damages; to require the court to order separate trials on the issues of liability and damages; to require a determination of cause in fact relative to the injury, loss or death for compensatory damages; to require a specific determination of facts supporting a finding of wanton and reckless disregard for public safety in the handling, storing, or transporting of certain hazardous or toxic substances; to provide for definitions; to provide for limitations on awards of exemplary damages; to provide for a presumption of unreasonableness of certain awards of exemplary damages; to provide for exemplary damage award procedures; to provide relative to interest and suspensive appeals; to provide relative to civil actions, including class actions; to provide for effectiveness; and to provide for related matters.

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

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 630 be called from the Calendar at this time.

SENATE BILL NO. 630—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:295.1(E), relative to the failure to use safety belts; to provide that the failure to use a safety belt shall be used as evidence to determine comparative negligence, apportionment of fault, or mitigation of damages; and to provide for related matters.

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

Called from the Calendar

Senator B. Jones asked that Senate Bill No. 657 be called from the Calendar at this time.

SENATE BILL NO. 657—
BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND
REPRESENTATIVES LANCASTER, MONTGOMERY AND GARY SMITH
AN ACT

To enact R.S. 47:296.2, relative to taxes; to provide for a rule to cease business activity and suspend certain state-granted authority to do certain businesses for willful failure to pay certain assessments and judgments; and to provide for related matters.

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

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 805 be called from the Calendar at this time.

SENATE BILL NO. 805—
BY SENATOR BAJOIE

AN ACT

To amend and reenact Paragraph (P)(1) of Article XIV, Section 47 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article XIV, Section 16(A)(10) of the 1974 Constitution of Louisiana, relative to the Louisiana Stadium and Exposition District; to provide for the allocation and distribution of certain revenues of the district; and to provide for related matters.

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

Called from the Calendar

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

SENATE BILL NO. 862—
BY SENATORS CRAVINS, IRONS AND DEAN
AN ACT

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

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

Called from the Calendar

Senator Irons asked that Senate Bill No. 1101 be called from the Calendar at this time.

SENATE BILL NO. 1101 (Substitute for Senate Bill 1092 by Senator Irons)—
BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 14:511, relative to loansharking; to provide for determination of the crime of loansharking relative to the imposition of certain fees and charges; to provide penalties for such determinations; to eliminate exemptions from prosecution for loansharking for transactions related to banking and civil law provisions; to provide for defenses to prosecution; and to provide for related matters.

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

Recess

On motion of Senator Lambert, the Senate took a recess until 1:30 o'clock P.M.

After Recess

The Senate was called to order at 1:30 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, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	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		

ABSENT

Bean
Total—1

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

Senate Business Resumed**Senator Lambert in the Chair****Introduction of Senate Resolutions**

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

SENATE RESOLUTION NO. 44—

BY SENATOR MARIONNEAUX

A RESOLUTION

To urge and request that the United States Environmental Protection Agency assist in the investigation of vinyl chloride contamination of the water system at the Myrtle Grove Trailer Park in the city of Plaquemine, parish of Iberville.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**JUDICIARY B**

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 11, 2001

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request that the Department of Public Safety and Corrections recognize, except at Louisiana State Penitentiary at Angola, the certification training and licensing of corrections officers who have received that training at the Louisiana Technical College, Oakdale campus.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE MARTINY AND SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the feasibility of transferring certain geriatric inmates to private nursing homes.

Reported favorably.

HOUSE BILL NO. 1042—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:65(B)(11) and to enact R.S. 27:239.1, relative to the Louisiana Gaming Control Law; to provide that electronic cards can be used for making wagers on riverboats and at the official gaming establishment; to provide with respect to the type of electronic cards which may be used; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

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

Senator Cravins 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. 1042—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 27:65(B)(11) and to enact R.S. 27:239.1, relative to the Louisiana Gaming Control Law; to provide that electronic cards can be used for making wagers on riverboats and at the official gaming establishment; to provide with respect to the type of electronic cards which may be used; 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. 1042 by Representative Wooton

AMENDMENT NO. 1

On page 1, line 2, after "239.1" and before the "," insert "and 361(F)"

AMENDMENT NO. 2

On page 1, line 9, after "27:239.1" delete "is" and insert "and 361(F) are"

AMENDMENT NO. 3

On page 1, at the end of line 17, after "chips," and before "or" insert "vouchers, coupons,"

AMENDMENT NO. 4

On page 2, line 3, delete "but are not limited to those" and insert "which are"

AMENDMENT NO. 5

On page 2, line 9, after "chips," and before "or" insert "vouchers, coupons,"

AMENDMENT NO. 6

On page 2, line 11, delete "that" and at the end of the line delete "include but are not limited"

AMENDMENT NO. 7

On page 2, line 12, delete "to those" and insert "which are"

AMENDMENT NO. 8

On page 2, after line 14, insert the following:

* * *

§361. Conduct of slot machine gaming; temporary conduct

* * *

(F) Wagering at an eligible live racing facility may be made with tokens, chips, vouchers, coupons, or electronic cards issued by the licensed eligible facility or an approved facility manager acting on behalf of the facility. Electronic cards may be used which are affixed with a magnetic storage media, a "smart card" or those containing an integrated circuit chip, but excluding credit cards issued by any other entity or institution.

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.

Rules Suspended

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

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

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

Called from the Calendar

Senator Cain asked that Senate Bill No. 36 be called from the Calendar at this time.

SENATE BILL NO. 36—

BY SENATORS CAIN AND ROMERO

AN ACT

To amend and reenact R.S. 27:323(B)(2), relative to the Louisiana Gaming Control Law; to provide with respect to video draw poker devices; to provide for the Video Draw Poker Device Purse Supplement Fund; to provide for the allocation of funds provided to the Louisiana Quarterhorse Association; 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 Administration of Criminal Justice to Reengrossed Senate Bill No. 36 by Senators Cain and Romero

AMENDMENT NO. 1

On page 1, line 6, after "Association" and before the semicolon "," insert "and the Quarterhorse Racing Association of Louisiana;"

AMENDMENT NO. 2

On page 2, line 6, after "quarterhorses" and before "first" delete "The" and insert "Within fifteen days of receipt of the"

AMENDMENT NO. 3

On page 2, at the end of line 7, delete "shall be" and delete lines 8 through 19 in their entirety and insert the following: "to the Louisiana Quarterhorse Breeders Association shall be disbursed as follows:

(a) Twenty-five thousand dollars shall be paid to the Louisiana Quarterhorse Association to be used for the promotion of youth interest in quarterhorses.

(b) Twenty-five thousand dollars shall be paid to the Quarterhorse Racing Association of Louisiana to be spent at the direction of a majority of the voting members of the board of directors."

Senator Cain 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
Boissiere	Heitmeier	Mount
Cain	Hines	Smith
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dupre	Jones, B	Ullo
Ellington	Lambert	
Fields, W	Lentini	
Total—28		

NAYS

Dean	Malone	Michot
Total—3		

ABSENT

Mr. President	Fields, C	Romero
Bean	Johnson	Schedler
Campbell	Jones, C	
Total—8		

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

Called from the Calendar

Senator Lentini asked that Senate Bill No. 511 be called from the Calendar at this time.

SENATE BILL NO. 511—

BY SENATORS LENTINI AND DUPRE AND REPRESENTATIVE DOWNER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 924 and to enact Code of Criminal Procedure Art. 926.1, Art. 930.3(7), and R.S. 15:151.2(G), relative to post conviction relief; to provide for a procedure for filing post conviction relief to allow DNA testing; to establish a two year period within which an application may be filed; to provide for the burden of proof in such proceeding; to provide for definitions; to provide for the selection of a laboratory; to provide for the protection of evidence during pendency of the application; to require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2003; to provide for

a procedure to count the number of applications filed; to create the DNA Testing Post-Conviction Relief for Indigents Fund; to provide relative to legislative appropriations; to provide for the Louisiana Indigent Defender Assistance Board to administer such funds; and to provide for related matters.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 511 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 5, after "a" and before "year" change "two" to "four"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";," and before "to" insert "to provide for exceptions;"

AMENDMENT NO. 3

On page 1, line 11, after "until" and before the semicolon ";," change "August 31, 2003" to "August 31, 2005"

AMENDMENT NO. 4

On page 2, line 25, after "Until" and before the comma "," change "August 31, 2003" to "August 31, 2005"

AMENDMENT NO. 5

On page 3, line 2, after the period "." and before "On" insert "However, in cases in which the defendant has been sentenced to death prior to the effective date of this Act, the petition may be filed at any time."

AMENDMENT NO. 6

On page 3, line 3, after "after" and before the comma "," change "August 31, 2003" to "August 31, 2005"

AMENDMENT NO. 7

On page 3, line 6, after "on" and before the comma "," change "August 31, 2003" to "August 31, 2005"

AMENDMENT NO. 8

On page 5, line 17, after "(3)" and before "clerks" change "The" to "After service of the application on the district attorney, the"

AMENDMENT NO. 9

On page 5, line 20, after "until" and before the comma "," change "August 31, 2003" to "August 31, 2005" and after "all" delete the remainder of the line and delete line 21 in its entirety and insert in lieu thereof "items of evidence in their possession which are known to contain biological material that can be subjected to DNA testing, in all cases that, as of"

AMENDMENT NO. 10

On page 5, between lines 23 and 24, add the following:

"(4) In all cases in which the defendant has been sentenced to death prior to the effective date of this Act, the clerks of court of each parish and all law enforcement agencies, including but not limited to district attorneys, sheriffs, the office of state police, local

police agencies, and crime laboratories shall preserve, until the execution of sentence is completed, all items of evidence in their possession which are known to contain biological material that can be subjected to DNA testing."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 511 by Senator Lentini, et al.

AMENDMENT NO. 1

On page 4, at the end of line 2, add "In making this finding the court shall evaluate and consider the evidentiary importance of the DNA sample to be tested."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 511 by Senator Lentini

AMENDMENT NO. 1

Delete House Committee Amendment No. 5 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on May 29, 2001.

AMENDMENT NO. 2

On page 2, line 25, after "(1)" and before "August" change "Until" to "Prior to"

AMENDMENT NO. 3

On page 3, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"(2) Notwithstanding the provisions of Paragraph A(1), in cases in which the defendant has been sentenced to death prior to the effective date of this Act, the application for DNA testing under the provisions of this Article may be filed at any time."

AMENDMENT NO. 4

On page 4, line 12, after "F." and before "If" insert the following:
"Once an application has been filed and the court determines the location of the evidence sought to be tested, the court shall serve a copy of the application on the district attorney and the law enforcement agency who has possession of the evidence to be tested, including but not limited to sheriffs, the office of state police, local police agencies, and crime laboratories."

AMENDMENT NO. 5

On page 5, line 5, change "Paragraph" to "Subsection"

AMENDMENT NO. 6

On page 5, line 13, after "attorney" and before the comma "," insert "and the law enforcement agency in possession of the evidence"

AMENDMENT NO. 7

In House Committee Amendment No. 8 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on May 29, 2001, on page 1, line 24, after "attorney" and before the comma "," insert "and the law enforcement agency in possession of the evidence"

AMENDMENT NO. 8

In House Committee Amendment No. 10 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on May 29, 2001, on page 2, after line 13, add the following:

"(5) Notwithstanding the provisions of Paragraphs H(3) and (4), after service of the application on the district attorney and the law enforcement agency in possession of the evidence, the clerks of court of each parish and all law enforcement agencies, including but not limited to district attorneys, sheriffs, the office of state police, local police agencies, and crime laboratories may forward for proper storage and preservation all items of evidence described in Paragraph H(3) to a laboratory accredited in forensic DNA analysis by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB)."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Romero
Bean	Fields, W	Schedler
Campbell	Johnson	
Total—8		

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

Called from the Calendar

Senator Malone asked that Senate Bill No. 703 be called from the Calendar at this time.

SENATE BILL NO. 703—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 51:423(A), relative to unfair sales practices; to prohibit the sale of information by retail or wholesale grocers concerning customers derived from the issuance to and use of certain cards by customers; 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. 703 by Senator Malone

AMENDMENT NO. 1

On page 1, delete lines 14 through 16 and on page 2, delete line 1 through 4 and insert the following:

"(2) Except as provided herein, no retail or wholesale grocery store, with a physical location in this state, that issues membership cards for the purpose of discount pricing, shall sell or otherwise transfer or make available to any unaffiliated person any information other than the name, address, and telephone number obtained or derived from the issuance or use of such cards. However, such information may be shared or transferred under any of the following circumstances:

(a) The grocery store discloses in a clear and conspicuous manner when application for the card is made that information may be shared or transferred to unaffiliated third parties and that the card applicant may choose to opt out of such share or transfer with unaffiliated third parties.

(b) The information is transferred to law enforcement agents for the official law enforcement purposes.

(c) The information is sold or transferred to agents of the seller for purposes directly related to the use of such card."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 703 by Senator Malone

AMENDMENT NO. 1

On page 1, line 7, following "hereby" and before "to" change "enacted" to "amended and reenacted"

AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House on May 23, 2001, on line 18 before "official" delete "the"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 703 by Senator Malone

AMENDMENT NO. 1

Delete Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House on May 24, 2001

AMENDMENT NO. 2

On page 2, line 2, after "purposes" insert "pursuant to a subpoena or court order"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Cain	Heitmeier	Marionneaux
Chaisson	Hines	Michot
Cravins	Hollis	Mount
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, W	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Campbell	McPherson
Bean	Fields, C	Romero
Boissiere	Johnson	Schedler
Total—9		

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

Called from the Calendar

Senator Lentini asked that Senate Bill No. 963 be called from the Calendar at this time.

SENATE BILL NO. 963—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 4231, relative to tutorship; to provide a limited disqualification for certain parents convicted of a felony; 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. 963 by Senator Lentini

AMENDMENT NO. 1

On page 2, at the end of line 7, delete "this"

AMENDMENT NO. 2

On page 2, line 8, after "Paragraph" and before "do" insert "A"

AMENDMENT NO. 3

On page 2, line 11, after "a" and before "parent" insert "natural"

AMENDMENT NO. 4

On page 2, line 11, after "theft" and before "or" insert "of funds"

AMENDMENT NO. 5

On page 2, line 12, after "funds" change the period "." to a comma "," and add "a crime of violence as defined in R.S. 14:2(13), a sex offense as defined in R.S. 15:542 or R.S. 46:1844, or any other crime against an individual under the age of eighteen years."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

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

Senator Lentini 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. 156—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To establish the Louisiana Adoption Study Committee to study the adoption proceedings in the state.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

SENATE CONCURRENT RESOLUTION NO. 157—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee to function as a joint committee to study certain exceptions to the Code of Governmental Ethics.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Campbell	Jones, C	
Total—7		

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

House Concurrent Resolutions on Second Reading Reported by Committees

Senator Theunissen asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just reported by Committees.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of implementing the Student Achievement Guarantee in Education (SAGE) program in public schools and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the beginning of the 2002 Regular Session.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 146 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, line 9, change "; and" to a period ".".

AMENDMENT NO. 2

On page 2, delete lines 10 through 27

AMENDMENT NO. 3

On page 3, delete lines 1 through 19

On motion of Senator Theunissen, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Malone
Total—1

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Campbell	McPherson	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to study the feasibility of a consortium of southern states to identify common environmental issues, analyze current state and federal laws and programs addressing such issues, and to work toward regional solutions that benefit those southern states.

Reported favorably by the Committee on Environmental Quality.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Campbell	McPherson	
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. 181—

BY REPRESENTATIVES MCMAINS, JOHNS, CLARKSON, SNEED, AND DOWNER

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study adoption procedures and the constitutionality of certain procedures for the termination of parental rights.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
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Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 187—

BY REPRESENTATIVES STRAIN AND KENNEY

A CONCURRENT RESOLUTION

To urge and request the Ground Water Management Commission and the Ground Water Management Advisory Task Force to develop a cooperative aquifer and groundwater stewardship policy with the neighboring states of Mississippi, Arkansas, and Texas.

Reported favorably by the Committee on Environmental Quality.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Campbell	McPherson	
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. 188—

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

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVES ERDEY AND MCMAINS

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study disavowal actions by the husband of the mother and related matters and make specific recommendations for revisions of Louisiana laws to the Louisiana Legislature prior to January 1, 2003.

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Hollis	Mount

Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, W	Lentini	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVES WALSWORTH, DOWNER, STELLY, AND KATZ

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study certain issues relative to dyslexia and related disorders, including but not limited to current methods for the identification of students with dyslexia or related disorders, the adequacy of educational programs and services provided to such students, the adequacy of funding provided for such programs and services, appropriate training for teachers and other school employees in providing instruction to students identified with dyslexia or related disorders, and the extent to which local school systems in the state are in compliance with current state laws and policies of the State Board of Elementary and Secondary Education relative to these issues, and to report the study findings and recommendations, in writing, to the House Committee on Education and the Senate Committee on Education by not later than October 1, 2001.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Concurrent Resolution No. 202 by Representative Walsworth

AMENDMENT NO. 1

On page 3, line 18, change "requires" to "require"

AMENDMENT NO. 2

On page 5, line 3, change "also shall" to "is also requested to"

On motion of Senator Theunissen, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 203—

BY REPRESENTATIVES DAMICO, PERKINS, GARY SMITH, BAUDOIN, GALLOT, KENNEY, MORRISH, SHAW, JANE SMITH, STRAIN, WADDELL, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the House Committee on Environment and the Senate Committee on Environmental Quality to jointly study the current status, enforcement, and effectiveness of litter laws in the state and to report study findings and recommendations to the House of Representatives and the Senate prior to the convening of the 2002 Regular Session.

Reported favorably by the Committee on Environmental Quality.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith

Dean
Dupre
Ellington
Fields, W
Total—33

Jones, B
Jones, C
Lambert
Lentini

Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVES ANSARDI AND MURRAY

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to take all actions which are reasonable and necessary to collect all income taxes owed to the state which are attributable to the income of nonresident professional athletes and professional sports franchises.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

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.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

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.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To urge and request the public postsecondary education management boards to use the authority granted each of them by R.S. 17:3351(A)(5)(b)(i) and establish, by not later than the Fall semester of the 2003-2004 academic year, tuition and mandatory attendance fee amounts applicable to nonresident students at institutions under their respective supervision and management that at least equal the average amount of annual tuition and mandatory attendance fees for the ensuing fiscal year applicable to nonresident students, at institutions in states comprising the Southern Regional Education Board, excluding Louisiana, which are in the same category as established by the Southern Regional Education Board.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot

Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, W	Lentini	Ullo
Fontenot	Malone	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Schedler
Bean	Fields, C	
Campbell	Johnson	
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. 222—

BY REPRESENTATIVES WADDELL, BAYLOR, BRUCE, GALLOT, GLOVER, HOPKINS, MONTGOMERY, SHAW, JANE SMITH, AND TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study and report in writing to the legislature its findings and recommendations on how the state can best meet the needs in northwest Louisiana of students in general and nontraditional students in particular who seek to obtain a law degree from a Louisiana public university and who find that this curriculum is not offered at any such institution that is located within a reasonable distance to the students needing the services, with such study to include but not limited to meeting these needs by establishing a new public law school or establishing a branch of such an institution.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Tarver
Dean	Irons	Theunissen
Dupre	Jones, C	Thomas
Fields, W	Lambert	Ullo
Fontenot	Lentini	
Total—26		

NAYS

June 11, 2001

Barham	Jones, B	Smith
Total—3		
	ABSENT	

Mr. President	Ellington	Marionneaux
Bean	Fields, C	Schedler
Campbell	Johnson	
Cravins	Malone	
Total—10		

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

House and Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Chaisson asked that House Concurrent Resolution No. 208 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVES ANSARDI AND MURRAY

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to take all actions which are reasonable and necessary to collect all income taxes owed to the state which are attributable to the income of nonresident professional athletes and professional sports franchises.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Schedler
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Barham	Fields, C
Bean	Johnson
Total—7	

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

Called from the Calendar

Senator Ullo asked that House Concurrent Resolution No. 209 be called from the Calendar at this time.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Irons	
Campbell	Johnson	
Total—7		

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

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

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

HOUSE BILL NO. 24—

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

AN ACT

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

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 24 by Representative Strain

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"(c) A radio or television broadcaster who broadcasts a paid political announcement or advertisement, the content of which the broadcaster had no input in or control over, is not subject to the provisions of this Paragraph.

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith

Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, W	Lentini	Ullo

Total—33

NAYS

Total—0

ABSENT

Mr. President	Campbell	Johnson
Bean	Fields, C	Schedler
Total—6		

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

HOUSE BILL NO. 276—

BY REPRESENTATIVE MONTGOMERY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—34

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Total—5		

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

HOUSE BILL NO. 292—

BY REPRESENTATIVE MONTGOMERY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Schedler
Bean	Johnson	
Total—5		

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

HOUSE BILL NO. 377—

BY REPRESENTATIVES ILES, PERKINS, AND SCHWEGMANN

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux

Boissiere

Cain

Campbell

Chaisson

Cravins

Dardenne

Dean

Dupre

Ellington

Fields, C

Total—35

Gautreaux

Heitmeier

Hines

Hollis

Hoyt

Irons

Jones, B

Jones, C

Lambert

Lentini

NAYS

Total—0

ABSENT

Mr. President

Bean

Total—4

Johnson

Schedler

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

HOUSE BILL NO. 461—

BY REPRESENTATIVES DANIEL AND CLARKSON

AN ACT

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

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 461 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "22:215.22" and before the comma ", " insert "and 215.23"

AMENDMENT NO. 2

On page 1, line 6, after "infertility;" insert the following: "to require certain health insurance policies, contracts, and plans to provide coverage for prescription birth control drugs; to provide relative to copayments or coinsurances; to provide for exclusions;"

AMENDMENT NO. 3

On page 1, line 8, after "22:215.22" delete "is" and insert "and 215.23 are"

AMENDMENT NO. 4

On page 2, after line 15, insert the following:

"§215.23. Requirement for coverage of contraceptives and contraceptive services

A. Every health insurance policy, contract, or plan specified in Subsection D of this Section which is delivered or issued for delivery in this state and which provides coverage for prescription drugs shall provide coverage for any birth control drug that is approved by the United States Food and Drug Administration and that is obtained by prescription as defined in R.S. 37:1164(44).

B. No such health insurance policy, contract, or plan shall impose a different copayment or coinsurance for a medically prescribed birth control drug other than that which is imposed for any other prescribed drug.

C.(1) Any employer which is a religious organization may request, and the issuer of a health insurance policy, plan, or contract shall grant, an exclusion from coverage under such policy, plan, or contract for coverage of birth control drugs as required by Subsection A of this Section if such coverage conflicts with the religious beliefs and practices of the organization.

(2) Every religious employer that invokes the exemption provided under this Section shall provide written notice to all employees and to all prospective employees at the time an offer of employment is made:

(a) Listing the contraceptive health services that the employer refuses to cover for religious reasons; and

(b) Describing how an employee may directly access contraceptive services under this Section.

(3) Health insurers shall allow enrollees in a health plan exempted under this Section to directly purchase coverage for birth control drugs. The cost to the enrollee shall not exceed the enrollee's pro rata share of the price the religious employer would have paid for such coverage had the religious employer not invoked the religious exemption.

(4) Nothing in this Section shall be construed to exclude coverage for prescription contraceptive supplies ordered by a health care provider for reasons other than contraceptive purposes, such as decreasing the risk of ovarian cancer or eliminating symptoms of menopause, or for prescription contraception that is necessary to preserve the life or health of the insured.

(5) A religious employer may not discriminate against an individual who chooses to obtain insurance coverage of or prescriptions for birth control drugs.

(6) Any religious employer that invokes the religious exemption provided under this Section must provide annual, written notice thereof to the commissioner. The commissioner shall maintain a separate file of all such written notices and shall make them available to any member of the public upon his or her request.

(7) For purposes of this Section, a "religious employer" is an entity for which each of the following is true:

(a) The inculcation of religious benefits is the primary purpose of the entity.

(b) The entity primarily employs persons who share the religious beliefs of the entity.

(c) The entity serves primarily persons who share the religious tenets of the entity.

(d) The entity is a nonprofit organization pursuant to the 26 U.S.C.A., §501(c)(3), as amended.

D. As used in this Section, health insurance policy, contract, or plan shall include every hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, health and accident insurance policy, or any other insurance

contract of this type, including a group insurance plan, the State Employees' Group Benefits Program, or any policy of group, family group, blanket, or franchise health and accident insurance, a self-insurance plan, and a contract or agreement with a health maintenance organization or a preferred provider organization.

E. The provisions of this Section shall only apply to birth control drugs and shall not be construed to apply to any antiprogesterin or other abortifacient class drug.

F. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable limited benefit health insurance policies.

G. The provisions of this Section shall be effective on October 1, 2001 and shall apply to every policy, contract, or plan delivered, issued for delivery, or renewed in this state on or after such date."

Senator Irons moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dean	Jones, B
Barham	Ellington	Jones, C
Boissiere	Fields, C	Marionneaux
Cain	Fields, W	Mount
Campbell	Gautreaux	Smith
Chaisson	Heitmeier	Tarver
Cravins	Hines	
Dardenne	Irons	
Total—22		

NAYS

Dupre	Malone	Theunissen
Fontenot	McPherson	Thomas
Hoyt	Michot	Ullo
Lentini	Romero	
Total—11		

ABSENT

Mr. President	Hollis	Lambert
Bean	Johnson	Schedler
Total—6		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Jones, B
Barham	Ellington	Jones, C

Boissiere	Fields, C	Lambert
Cain	Fields, W	Marionneaux
Campbell	Gautreaux	Mount
Chaisson	Heitmeier	Smith
Cravins	Hines	Tarver
Dardenne	Hollis	
Dean	Irons	
Total—25		

NAYS

Mr. President	Malone	Theunissen
Fontenot	McPherson	Thomas
Hoyt	Michot	Ullo
Lentini	Romero	
Total—11		

ABSENT

Bean	Johnson	Schedler
Total—3		

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

HOUSE BILL NO. 548—

BY REPRESENTATIVE R. CARTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons	McPherson
Bean	Johnson	Schedler
Total—6		

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

HOUSE BILL NO. 555—

BY REPRESENTATIVE L. JACKSON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons	Schedler
Bean	Johnson	
Total—5		

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

HOUSE BILL NO. 680—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1011, 1031, 1032, 1033(A), 1034(introductory paragraph), 1035(1) and (2), 1036(introductory paragraph), 1037(A)(introductory paragraph) and (1), (B), (C), and (G)(1), 1038, 1039, 1040(A) and (B), 1041(B), 1042, 1047(introductory paragraph) and (3), 1048, 1051(A) and (B), 1052(A), and 1053(A)(2) and R.S. 36:108(C)

and to enact R.S. 6:1034(3), relative to the sale of checks and money transmission; to provide relative to currency exchange services; to provide for definitions; to provide for licensure requirements and exemptions from licensure; to provide relative to qualifications for licensure and the submission of applications; to provide relative to licensure fees, renewal fees, delinquency charges, and bonding requirements; to provide relative to investigation of applicants; to provide relative to the maintenance of a bond; to provide relative to the liability of licensees; to provide relative to an annual report filed with the commissioner; to provide for trusts imposed on proceeds; to provide relative to suspension or revocation of licenses; to provide relative to accounts opened by licensees; to provide relative to reports made to the commissioner; to provide for the functions of the office of financial institutions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cravins
Total—1

ABSENT

Mr. President	Johnson
Bean	Schedler
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis 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. 825—

BY REPRESENTATIVES BROOME AND L. JACKSON

AN ACT

To enact R.S. 44:4(29), relative to exemptions from the public records law; to provide that the information in 911 calls and calls to other public safety agencies is exempt from the public records laws; to provide for those classes of persons to whom such information is not prohibited from being released; and to provide for related matters.

Motion

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

Senator Dupre objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Michot
Barham	Fontenot	Mount
Boissiere	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dean	Jones, B	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—23		

NAYS

Cain	Gautreaux	Marionneaux
Campbell	Heitmeier	McPherson
Chaisson	Hines	Tarver
Dupre	Malone	
Total—11		

ABSENT

Mr. President	Johnson	Schedler
Bean	Jones, C	
Total—5		

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

HOUSE BILL NO. 868—

BY REPRESENTATIVE GREEN

AN ACT

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

The bill was read by title. Senator Bajoie 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
Boissiere	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Johnson
Bean	Schedler
Total—4	

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

HOUSE BILL NO. 892—

BY REPRESENTATIVE MORRISH

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre
Ellington
Total—35

Jones, C
Lambert
Ullo

NAYS

Total—0

ABSENT

Bean	McPherson
Johnson	Schedler
Total—4	

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

HOUSE BILL NO. 919—

BY REPRESENTATIVE DURAND

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Johnson
Bean	Schedler
Total—4	

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

HOUSE BILL NO. 980—

BY REPRESENTATIVE TRICHE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Malone
Total—3		

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

HOUSE BILL NO. 999—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cravins	McPherson
Bean	Johnson	
Total—5		

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

HOUSE BILL NO. 1001—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, C
Total—35

Lentini
NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Johnson
McPherson

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

HOUSE BILL NO. 1002—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Boissiere	McPherson
Bean	Johnson	
Total—5		

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

HOUSE BILL NO. 1004—

BY REPRESENTATIVE TRICHE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Fontenot	Malone	
Total—31		

NAYS

Mr. President	Ellington
Dean	Smith
Total—4	

ABSENT

Bean	Johnson
Boissiere	McPherson
Total—4	

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. 1006—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Boissiere	Johnson
Bean	Campbell	McPherson
Total—6		

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

HOUSE BILL NO. 1008—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dupre	Jones, B	Theunissen

Fields, C
Fields, W
Total—30

Jones, C
Lambert
Thomas
Ullo

NAYS

Cravins
Total—3

Dean
Malone

ABSENT

Bean	Ellington	Marionneaux
Campbell	Johnson	McPherson
Total—6		

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

HOUSE BILL NO. 1138—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cravins
Bean	Johnson
Total—4	

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

HOUSE BILL NO. 1140—

BY REPRESENTATIVES CLARKSON AND WINSTON AND SENATOR BAJOE

AN ACT

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

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 1140 by Representative Clarkson

AMENDMENT NO. 1

On page 1, line 2, after "22:215.11(A)(5)" insert "and 642.1"

AMENDMENT NO. 2

On page 1, line 7, after "22.215.11(A)(5)" insert "and 642.1" and change "is" to "are"

AMENDMENT NO. 3

On page 1, after line 17, insert the following:

" * * *

§642.1 Assignment of health insurance benefits

A health insurance issuer shall recognize an assignment of any benefits payable under health insurance coverage by an insured, beneficiary, subscriber, or enrollee to any health care provider and shall not include any language or provision prohibiting any such assignment in any form, policy, subscriber agreement, certificate of coverage, or evidence of coverage."

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, C
Total—35

Lentini

NAYS

Ullo
Total—1

ABSENT

Bean
Total—3

Boissiere

Johnson

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

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1140. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE BRUNEAU

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean Hines Johnson
Total—3

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

HOUSE BILL NO. 1209—

BY REPRESENTATIVE LANCASTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Boissiere
Total—1

ABSENT

Mr. President Bean Johnson
Total—3

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

HOUSE BILL NO. 1216—

BY REPRESENTATIVE FRITH

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean Johnson
Total—2

The Chair declared the bill was passed.

Reconsidered

On motion of Senator Hoyt the vote by which the bill was just passed was reconsidered.

HOUSE BILL NO. 1216—

BY REPRESENTATIVE FRITH

AN ACT

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

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. 1216 by Representative Frith

AMENDMENT NO. 1

On page 1, line 14, change "June 30, 2000" to "May 1, 2001"

Senator Campbell moved the adoption of the amendments.

June 11, 2001

Senator Hoyt objected

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere	Fields, C	Malone
Cain	Fields, W	Marionneaux
Campbell	Gautreaux	Smith
Chaisson	Heitmeier	Tarver
Cravins	Irons	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	
Ellington	Lentini	
Total—22		

NAYS

Mr. President	Hollis	Mount
Dardenne	Hoyt	Romero
Fontenot	Jones, C	Ullo
Hines	Michot	
Total—11		

ABSENT

Bajoie	Bean	McPherson
Barham	Johnson	Schedler
Total—6		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Johnson
------	---------

Dardenne
Total—4

McPherson

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

HOUSE BILL NO. 1227—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYSDean
Total—1**ABSENT**

Mr. President	Johnson
Bean	Jones, B
Total—4	

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

HOUSE BILL NO. 1233—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
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

Bean
Total—1

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

HOUSE BILL NO. 1237—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen

Ellington
Fields, W
Total—36

Lambert
Lentini
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3
Bean
Fields, C

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

HOUSE BILL NO. 1238—

BY REPRESENTATIVE PINAC

AN ACT

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

The bill was read by title. Senator Hollis 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
Boissiere	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President
Total—3
Bean
Irons

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

HOUSE BILL NO. 1250—BY REPRESENTATIVES DEVILLIER, MCMAINS, AND QUEZAIRE AND
SENATOR GAUTREAUX**AN ACT**

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

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. 1250 by Representative Devillier

AMENDMENT NO. 1

On page 1, line 16, change "July 1, 1994" to "May 1, 2001"

On motion of Senator Campbell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	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

Total—0

ABSENT

Mr. President	Bean
Total—2	

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

HOUSE BILL NO. 1254—BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, ODINET,
TOOMY, AND TUCKER**AN ACT**

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Fields, C	Jones, C	Thomas
Fields, W	Lentini	Ullo
Fontenot	Malone	
Total—29		

NAYS

Mr. President	Dean	Michot
Barham	Ellington	
Total—5		

ABSENT

Bean	Hollis	McPherson
Dupre	Lambert	
Total—5		

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

Personal Privilege

Senator Cain 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. 1254. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 1289—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Bean	Irons
Total—3		

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

HOUSE BILL NO. 1313—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler

Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields, C	Malone	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Hines
Bean	Irons
Total—4	

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

HOUSE BILL NO. 1436—

BY REPRESENTATIVE PINAC

AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1436 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 6, change "and (H)" to "(H), and (I)"

AMENDMENT NO. 2

On page 2, line 1, change "and (H)" to "(H), and (I)"

AMENDMENT NO. 3

On page 12, between lines 4 and 5, insert the following:

"I. The commissioner may share information about any particular entity which is chartered, licensed, or registered by the commissioner with any state or federal agency having concurrent

jurisdiction over such entity with the Office of Financial Institutions."

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Irons
Total—3		

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

HOUSE BILL NO. 1517—

BY REPRESENTATIVE CLARKSON

AN ACT

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

Motion

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

Without objection, so ordered.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dupre	Hoyt
Fontenot	Malone
Total—4	

ABSENT

Bean
Total—1

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

HOUSE BILL NO. 1520—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, W
Total—35

Malone
NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Cravins
Hoyt

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

HOUSE BILL NO. 1589—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Boissiere
Cain
Campbell
Chaisson
Dardenne
Dean
Dupre
Ellington
Fields, C
Fields, W
Total—34

Fontenot
Gautreaux
Heitmeier
Hines
Hollis
Irons
Johnson
Jones, B
Jones, C
Lambert
Lentini
Malone
Marionneaux
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—5

Cravins
Hoyt

McPherson

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

HOUSE BILL NO. 1620—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	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—34		

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—5

Cravins
Hines

Marionneaux

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

HOUSE BILL NO. 1668—

BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cravins
Bean	Irons
Total—4	

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

HOUSE BILL NO. 1673—

BY REPRESENTATIVE PINAC

AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1673 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, delete “R.S. 6:213(A)(2)” and insert “R.S. 6:103(C), 213(A)(2)”

AMENDMENT NO. 2

On page 1, line 4, delete “R.S. 6:234(A)(3)” and insert “R.S. 6:103(B)(8)(a), 234(A)(3)”

AMENDMENT NO. 3

On page 1, line 9, after “liabilities;” insert “to provide for the records of the office of financial institutions;”

AMENDMENT NO. 4

On page 1, line 12, delete “R.S. 6:213(A)(2)” and insert “R.S. 6:103(C), 213(A)(2)”

AMENDMENT NO. 5

On page 1, line 14, delete “R.S. 6:234(A)(3)” and insert “R.S. 6:103(B)(8)(a), 234(A)(3)”

AMENDMENT NO. 6

On page 1, after line 15, insert the following:

“§103. Records of the office of financial institutions

* * *

B. The commissioner, in his sole discretion, may disclose or cause the employees of the office of financial institutions to disclose:

* * *

(8)(a) Information about a certified public accountant, real estate appraiser, or attorney to their respective boards and associations.

* * *

C. Records made by the office shall be retained by the office for seven years: except those records that pertain to the internal business operations of the office.

* * *

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Mr. President	Boissiere	Irons
Bean	Cravins	
Total—5		

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

HOUSE BILL NO. 1719—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B Jones to Reengrossed House Bill No. 1719 by Representative Alexander

AMENDMENT NO. 1

Delete Senate Committee Amendments 1 through 7, proposed by the Senate Health and Welfare Committee and adopted by the Senate on May 24, 2001

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Mount
Total—2	
	ABSENT

Mr. President	Irons
Bean	Jones, B
Total—4	

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

HOUSE BILL NO. 1749—

BY REPRESENTATIVE DURAND

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	McPherson
Barham	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
Fields, C	Lentini	
Fields, W	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Ellington	Marionneaux
Bean	Jones, B	
Total—5		

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

HOUSE BILL NO. 1750—
BY REPRESENTATIVE PINAC

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Mr. President	Bean	Irons
Total—3		

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

HOUSE BILL NO. 1776—

BY REPRESENTATIVE DURAND

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons
Bean	Jones, B
Total—4	

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

HOUSE BILL NO. 1843—

BY REPRESENTATIVES DARTEZ AND KATZ

AN ACT

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 1843 by Representatives Dartez and Katz

AMENDMENT NO. 1

On page 1, line 2, after "37:1102" change "and" to "," and after "1103" insert "and 1104(A) and (B)"

AMENDMENT NO. 2

On page 1, line 2, change "1124" to "1122"

AMENDMENT NO. 3

On page 1, line 11 after "37:1102" change "and" to "," and after "1103" insert "and 1104(A) and (B)"

AMENDMENT NO. 4

On page 1, line 12, change "1124" to "1122"

Page 82 SENATE

June 11, 2001

39th DAY'S PROCEEDINGS

AMENDMENT NO. 5

On page 5, line 13, after "supervision" insert "for a licensed marriage and family therapist"

AMENDMENT NO. 6

On page 5, line 17, after "institution" insert "for a licensed marriage and family therapist"

AMENDMENT NO. 7

On page 5, between lines 22 and 23, insert the following:

"§1104. Louisiana Licensed Professional Counselors Board of Examiners

A. There is hereby created in the Department of Health and Hospitals the Louisiana Licensed Professional Counselors Board of Examiners, hereafter referred to as the "board", consisting of ~~seven~~ nine members, who shall be residents of the state of Louisiana. Each term shall be for four years. Seven appointments to the board shall be made by the governor from a list of qualified candidates submitted by the executive board of the Louisiana Counseling Association. Two appointments to the board shall be made by the governor from a list of qualified candidates submitted by the Louisiana Association of Marriage and Family Therapy. Each appointment by the governor shall be submitted to the Senate for confirmation.

B.(1) The membership of the board shall consist of three licensed professional counselors, three educators who are licensed professional counselors and whose function is the training of mental health counselors in accredited programs, two licensed marriage and family therapists and one individual from the public at large. The professional membership of the board shall be licensed under this Chapter. The board shall perform such duties and exercise such powers as this Chapter prescribes and confers upon it. No member of the board shall be liable in any civil action for any act performed in good faith in the execution of his duties under this Chapter.

R.S. 37:1104(B)(2) is all proposed new law.

(2)(a) The Licensed Professional Counselor board shall establish a Marriage and Family Therapy Advisory Committee, which shall consist of the two board members appointed by the governor from a list of names submitted by the Louisiana Association of Marriage and Family and one additional non-board member appointed by the governor from a list of names submitted by the Louisiana Association of Marriage and Family Therapy.

(b) The functions of the advisory committee shall be established by rules and regulations developed by the advisory committee, promulgated by the board, and approved jointly by the House & Senate Health and Welfare Committee.

(c) The functions and duties of the advisory board may include but are not limited to the following:

(i) Develop rules and regulations in accordance with the Administrative Procedure Act as it may deem necessary to implement the provisions of this Chapter for promulgation and implementation by the board.

(ii) Examine and qualify all applicants for licensure as marriage and family therapists and recommend to the board each successful applicant for licensure, attesting to his professional qualifications to be a marriage and family therapist.

(iii) Develop for the board application forms for licensure pursuant to this Chapter.

(iv) Maintain complete records of all meetings, proceedings, and hearings conducted by the advisory committee.

(d) The non-board member shall serve a term of three years.

* * *

AMENDMENT NO. 8

On page 6, delete lines 5 through 26 and delete pages 7 and 8 in their entirety

AMENDMENT NO. 9

On page 9, delete lines 1 through 15

AMENDMENT NO. 10

On page 9, line 16, change "1118" to "1116"

AMENDMENT NO. 11

On page 10, line 22, after "institution" insert "as defined in R.S. 37:1103(12)"

AMENDMENT NO. 12

On page 10, line 23, after "institution" insert "as defined in R.S. 37:1103(12)"

AMENDMENT NO. 13

On page 11, line 2, after "supervision" insert "as defined in R.S. 37:1103(11)"

AMENDMENT NO. 14

On page 11, line 5, change "1119" to "1117"

AMENDMENT NO. 15

On page 11, line 21, change "1120" to "1118"

AMENDMENT NO. 16

On page 12, line 10, change "1121" to "1119"

AMENDMENT NO. 17

On page 12, line 19, change "1122" to "1120"

AMENDMENT NO. 18

On page 14, line 4, change "1123" to "1121"

AMENDMENT NO. 19

On page 15, line 4, change "1124" to "1122"

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 1843 by Representative Dartez and Katz

AMENDMENT NO. 1

On page 3, line 12, between "of" and "family" insert "psychotherapeutic and"

AMENDMENT NO. 2

On page 3, line 13, after "families," delete the remainder of the line

AMENDMENT NO. 3

On page 3, delete lines 14 through 17 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Campbell	McPherson
Bean	Marionneaux	
Total—5		

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

HOUSE BILL NO. 1857—

BY REPRESENTATIVE LANCASTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Campbell
Total—3		

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

HOUSE BILL NO. 1886—

BY REPRESENTATIVE JOHNS

AN ACT

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1886 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, delete "To enact R.S. 44:4(29), relative to" and insert the following:

"To amend and reenact R.S. 37:1241(A)(17) and to enact R.S. 37:1226.1 and R.S. 44:4(29), relative to pharmacy; to prohibit prescription drugs from being accepted for return, exchange, or redispensing after removal from a pharmacy premises unless certain requirements are met; to authorize certain drugs to be transferred from a facility licensed by the Department of Health and Hospitals to a provisional, permitted pharmacy under certain procedures; to limit the grounds for sanction to certain instances for selecting an equivalent drug product if the practitioner instructs otherwise; to provide for the"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert the following:

"R.S. 37:1226.1 is hereby enacted to read as follows:

§ 1226.1. Prescription drug returns, exchanges, and redispensing; prohibition; exceptions; transfers to provisional permitted pharmacies

A. Any drugs dispensed on prescription to a patient shall not be accepted for return, exchange, or redispensing by any pharmacist or pharmacy after such drugs have been removed from the pharmacy premises where they were dispensed except:

(1) In a hospital with a permitted hospital pharmacy on site, drugs may be returned to the pharmacy in accordance with good professional practice standards.

(2)(a) In facilities licensed by the Department of Health and Hospitals where United States Pharmacopeia (USP) storage requirements can be assured, legend drugs, except controlled substances, dispensed in unit dose or in individually sealed doses may be transferred to a provisional permitted pharmacy for relabeling and dispensing to the indigent, free of charge, pursuant to a valid prescription order.

(b) The pharmacist-in-charge of the provisional permitted pharmacy shall be responsible to determine the suitability of the product for reuse.

(i) No product where integrity cannot be assured shall be accepted for redispensing by the pharmacist.

(ii) A redispensed prescription medication shall be assigned the expiration date stated on the package.

(iii) No product shall be redispensed more than one time.

B.(1) Pursuant to a voluntary agreement between a facility licensed by the Department of Health and Hospitals and a pharmacy holding a provisional permit from the Louisiana Board of Pharmacy, legend drugs, except controlled substances, may be transferred from the facility to the pharmacy provided the following procedures are satisfied:

(a) The physical transfer shall be accomplished by a person authorized to do so by the provisional permitted pharmacy.

(b) The patient's name, prescription number, and any other identifying marks shall be obliterated from the packaging prior to removal from the facility.

(c) The drug name, strength, and expiration date shall remain on the medication package label.

(d) An inventory list of the drugs shall accompany the drugs being transferred. At a minimum, the list shall contain the medication name, strength, expiration date, and quantity.

(2) Expired drugs shall not be transferred and personnel designated by the facility shall destroy them on-site.

Section 2. R.S. 37:1241(A)(17) is hereby amended and reenacted to read as follows:

§ 1241. Refusal, restriction, suspension, or revocation of license

A. The board may, after due notice and hearing, assess a fine not to exceed the sum of five thousand dollars for each offense, refuse to license, register, certify, or permit any applicant, refuse to renew the license or permit of any person, or may revoke, summarily suspend, place on probation, reprimand, issue a warning against the person who was issued the license, registration, certificate, permit, or any other designation deemed necessary to engage in the practice of pharmacy upon proof that the person:

* * *

(17)(a) Has knowingly selected an equivalent drug product if the practitioner or authorized prescriber instructs otherwise by any means, on the prescription drug order, by either of the following:

(i) On a written prescription drug order, handwriting a mark in a check-off box labeled with "Dispense as Written", or the abbreviation "DAW", or both, and personally handwriting his signature on a printed single-signature line. A written prescription drug order shall indicate the practitioner's or authorized prescriber's name, licensure designation, and practice affiliation, if any.

(ii) On an oral prescription, verbally indicating that a specific brand name drug or product is ordered by the practitioner or authorized prescriber or his agent. The pharmacist shall note such information on the file copy of the prescription.

(b) The patient shall be informed of, and consent to, the equivalent drug product interchange when the practitioner or authorized prescriber permits the equivalent drug product interchange.

(c) In order to comply with 42 CFR 447.332, for prescriptions reimbursable by Medicaid or Medicare, the practitioner or authorized prescriber may only prohibit equivalent drug product interchange by handwriting the words "brand medically necessary" or "brand necessary" directly on the written prescription drug order or on a sheet attached to the prescription. Recipients of Medicaid or Medicare prescription benefits demonstrate implied consent by their participation in the program, provided the practitioner or authorized prescriber has not prohibited equivalent drug product interchange in the manner specified in Subparagraph (a) of this Paragraph.

* * *

Section 3. R.S. 44:4(29) is hereby enacted to read as follows:

AMENDMENT NO. 3

On page 2, at the end of line 3, insert the following:

"Section 4. The provisions of Section 2 of this Act shall become effective on January 1, 2002."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver

Dardenne	Johnson	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Fields, W	Malone	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Jones, B
Bean	McPherson
Total—4	

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

HOUSE BILL NO. 1907—
BY REPRESENTATIVE FRITH

AN ACT

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

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 1907 by Representative Frith

AMENDMENT NO. 1

On page 2, line 7, after "H." add "(1)"

AMENDMENT NO. 2

On page 2, line 11, after "within" delete "one year" and insert "six months"

AMENDMENT NO. 3

On page 2, between lines 12 and 13, insert the following:

"(2) In the event that a rural hospital submits a claim for health care services to a health insurance insurer more than sixty days after the date of service, the provisions of R.S. 22:250.31 through 250.33, 250.35, and 250.37 shall not apply. In this event, a health insurance issuer shall be allowed sixty days from the date of receipt to process and pay an eligible claim."

AMENDMENT NO. 4

On page 3, line 7, after "C." add "(1)"

AMENDMENT NO. 5

On page 3, line 8, after "insurance" delete "insurer" and insert "issuer"

AMENDMENT NO. 6

On page on 3, line 10, after "within" delete "one year" and insert "six months"

AMENDMENT NO. 7

On page 3, between lines 11 and 12, insert the following:

"(2) In the event that a rural hospital submits a claim for health care services to a health insurance insurer more than sixty days after the date of service, the provisions of R.S. 22:250.31 through 250.33, 250.35, and 250.37 of that Part shall not apply. In this event, a health insurance issuer shall be allowed sixty days from the date of receipt to process and pay an eligible claim."

Senator Schedler moved adoption of the amendments.

Senator Hoyt objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Lentini	Schedler
Boissiere	Michot	Tarver
Cravins	Mount	
Jones, C	Romero	
Total—10		

NAYS

Cain	Fontenot	Lambert
Campbell	Gautreaux	Malone
Chaisson	Heitmeier	Marionneaux
Dean	Hines	McPherson
Dupre	Hollis	Smith
Ellington	Hoyt	Theunissen
Fields, C	Johnson	Thomas
Fields, W	Jones, B	Ullo
Total—24		

ABSENT

Mr. President	Bean	Irons
Barham	Dardenne	
Total—5		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson

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

Bean
Total—1

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

HOUSE BILL NO. 1924—

BY REPRESENTATIVES PINAC, LAFLEUR, AND MURRAY
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fields, C	Irons
Fields, W	Marionneaux
Total—4	

ABSENT

Mr. President	Bean	Schedler
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Total—3

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

HOUSE BILL NO. 1935—

BY REPRESENTATIVE LANCASTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	McPherson
Total—3		

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

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

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1923(2), (3), and (7), 1924(A), (B), (D)(2)(introductory paragraph) and (a) and (4), and (G), 1925, 1926(D), (F)(1)(introductory paragraph), (2), and (3), (G)(2), and (H), 1927(A), (B), and (C)(introductory paragraph) and (5), 1928(A) and (B)(1) and (2), 1929(introductory paragraph) and (6), 1929.1(A), 1931, 1932(A), and 1934 and to enact R.S. 51:1922.1 and 1923(10), relative to the office of financial institutions; to provide relative to the Louisiana Capital

Companies Tax Credit Program; to provide relative to the administration of the program between the Department of Economic Development and the Office of Financial Institutions; to provide for definitions; to provide relative to tax credits; to provide relative to certification and continuance of certification of capital companies; to prohibit certain activities; to provide relative to decertification; to provide for the promulgation of rules and regulations; to provide relative to advisory opinions; to provide for termination of the program; to provide for certain tax exemptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Theunissen
Total—3		

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

Mr. President in the Chair

Rules Suspended

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of calling House Bill No. 990 out of its regular order on third reading and final passage and taking it up at this time.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	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

Bean
Total—1

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

Rules Suspended

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

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

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

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 632 be called from the Calendar at this time.

SENATE BILL NO. 632—

BY SENATOR DARDENNE

AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99.1 through 99.20, relative to tobacco settlement financing; to provide for legislative findings and intent; to provide for definitions; to create the Tobacco Settlement Financing Corporation and to provide for a board; to provide for staffing of the corporation; to provide for tax exemptions; to provide for bond validation actions; to provide for the sale of certain tobacco assets; to provide for the issuance of bonds and for the security for payment of bonds; to provide for ancillary contracts and swaps; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 632 by Senator Dardenne

AMENDMENT NO. 1

On page 7, at the end of line 8, delete "except" and delete line 9 in its entirety

AMENDMENT NO. 2

On page 7, delete line 10 in its entirety and insert "as designated by the"

AMENDMENT NO. 3

On page 7, line 13, after "Members" delete the remainder of the line and on line 14 delete "service"

AMENDMENT NO. 4

On page 7, line 19, delete "two hundred dollars" and insert "the amount of per diem authorized for members of the legislature"

AMENDMENT NO. 5

On page 8, line 6, change "Four" to "Seven"

AMENDMENT NO. 6

On page 10, line 19, after "years" and before "the" change "from" to "after"

AMENDMENT NO. 7

On page 12, line 22, after "date" and before "one" change "which" to "that is"

AMENDMENT NO. 8

On page 13, line 24, after "to" and before "percent" change "forty" to "sixty"

AMENDMENT NO. 9

On page 14, line 1, after "to" and before "percent" change "forty" to "sixty"

AMENDMENT NO. 10

On page 22, line 15, after "Trust" and before the period "." insert "except as provided in R.S. 39:99.12B.(3)"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Campbell	Fields, W	Marionneaux
Fields, C	Malone	
Total—5		

ABSENT

Mr. President	Bean
Total—2	

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 750 be called from the Calendar at this time.

SENATE BILL NO. 750—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 40:1299.44(C)(9), relative to the patient's compensation fund; to provide for self-insured health care providers; to provide for removal from petition; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 750 by Senator Schedler

AMENDMENT NO. 1

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

"§1299.44. Patient's Compensation Fund

* * *

C. If the insurer of a health care provider or a self-insured health care provider has agreed to settle its liability on a claim against its insured and claimant is demanding an amount in excess thereof from the patient's compensation fund for a complete and final release, then the following procedure must be following:

* * *

AMENDMENT NO. 2

On page 1, line 10, after "for" and before the comma "," change "any future claim" to "such claim or any other claim arising from the same cause of action"

AMENDMENT NO. 3

On page 1, line 11, after "petition" delete the remainder of the line and insert a comma "," and add the following: "and his name shall be removed from any judgment that is rendered in the proceeding. Such release shall be filed with the clerk"

Senator Schedler 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
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

Total—0

ABSENT

Mr. President	Bean
Total—2	

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

**House Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

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

HOUSE BILL NO. 42—

BY REPRESENTATIVES DOWNER AND CLARKSON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bajoie	Bean
Total—3		

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

HOUSE BILL NO. 57—

BY REPRESENTATIVES ANSARDI AND BOWLER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	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

Total—0

ABSENT

Mr. President	Bean
Total—2	

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. 98—

BY REPRESENTATIVE R. CARTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre
Ellington
Fields, C
Total—38

Jones, C	Thomas
Lambert	Ullo
Lentini	

NAYS

Total—0

ABSENT

Bean
Total—1

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

HOUSE BILL NO. 101—

BY REPRESENTATIVE HILL

AN ACT

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

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

Mr. President	Fields, C	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	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

Bean	Jones, B
Fields, W	Michot
Total—4	

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

HOUSE BILL NO. 102—

BY REPRESENTATIVE MURRAY

AN ACT

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

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 102 by Representative Murray

AMENDMENT NO. 1

On page 2, line 6, after "Orleans" change "shall" to "may"

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 102 by Representative Murray

AMENDMENT NO. 1

On page 2, line 15, after "judges." insert: "The provisions of this Paragraph shall only apply to judges who are currently on the bench and serving and shall terminate upon their retirement or replacement as chief judge."

On motion of Senator Johnson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lambert
Boissiere	Fontenot	Lentini
Chaisson	Gautreaux	McPherson
Cravins	Heitmeier	Romero
Dupre	Johnson	Tarver
Fields, C	Jones, C	
Total—17		

NAYS

Barham	Hollis	Mount
Cain	Hoyt	Schedler
Campbell	Irons	Smith

Dardenne
Dean
Ellington
Total—17

Jones, B	Theunissen
Malone	Thomas
Michot	

ABSENT

Mr. President
Bean
Total—5

Hines	Ullo
Marionneaux	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 234—

BY REPRESENTATIVE PERKINS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	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—35		

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—4

Hines
Marionneaux

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. 255—

BY REPRESENTATIVE DIEZ

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Hines	Thomas
Cravins	Marionneaux	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier 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.

**Appointment of Conference Committee
on House Concurrent Resolution No. 92**

The President of the Senate appointed on the Conference Committee on House Concurrent Resolution No. 92 the following members of the Senate: Senators Gautreaux, Romero and Malone.

**Appointment of Conference Committee
on Senate Bill No. 511**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 511: Senators Lentini, Fontenot and Chaisson.

**Appointment of Conference Committee
on House Bill No. 1796**

The President of the Senate appointed on the Conference Committee on House Bill No. 1796 the following members of the Senate: Senators Ullo, Hoyt and Hainkel.

Messages from the House

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

Message from the House**HOUSE CONFEREES APPOINTED**

June 11, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 239 by Senator Lentini:

Representatives Hunter, Martiny and Bruneau.

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

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 11, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 678—

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

AN ACT

To amend and reenact R.S. 26:78(A), 80(A)(10) and (E), 86, 278(A), 280(A)(9) and (E), and 283, R.S. 27:306(F) and (H)1, and 310(B)(1)(e), R.S. 39:1594(G), R.S. 47:9050(B)(2), and 9060(D), and to enact R.S. 38:2216(N), R.S. 39:1498(A)(10) and 1616(5), R.S. 47:9(C), and R.S. 48:255(G), relative to tax clearances; to expand the need for tax clearances to certain businesses and certain taxes; to require a tax clearance upon the renewal of certain licenses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1104 (Substitute for Senate Bill 666 by Senator B. Jones, et Al)—

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

AN ACT

To enact R.S. 47:1516.1, relative to the Department of Revenue; to authorize the secretary to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 109—

BY SENATORS HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 37:1007(A)(1) and(A)(2)(c) and to enact R.S. 37:1007(A)(2)(a)(xiv), (xv), (xvi), and (xvii), relative to the Nurse Supply and Demand Commission; to increase the membership of the commission; to change the voting requirements for adding members to the commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 885—

BY SENATOR MARIONNEAUX

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1029—

BY SENATORS C. FIELDS AND SCHEDLER

AN ACT

To amend and reenact R.S. 49:321(C) and (D)(1) and to enact R.S. 49:321(A)(4), relative to security for deposit of state funds; to authorize the use of deposit guaranty bonds as security for deposits of state funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 196—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:40.2(A), (B)(1)(a), and (C)(1), relative to crimes; to redefine the crime of stalking; to increase the penalty for such crime; to prohibit suspension of penalty for such crime except under certain circumstances; to provide relative to definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 992—

BY SENATOR ULLO

AN ACT

To amend and reenact Children's Code Art. 791.1, the introductory paragraph of Art. 791.2 and Art. 791.4, to enact Children's Code Art. 791.5, and to repeal Sections 2 and 3 of Act No. 1372 of the 1999 Regular Session of the Legislature, relative to truancy and assessment and service centers; to authorize the creation of a truancy and assessment and service center in certain judicial districts encompassing the parishes of Bossier, Iberia, Lafayette and Ouachita; to extend the period of effectiveness for the pilot program; to extend the period for reporting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 965—

BY SENATORS HOYT, MCPHERSON AND THEUNISSEN AND REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 36:4(V) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to create the Ground Water Management Commission in the office of the governor; to create the Ground Water Management Advisory Task Force; to provide for the powers, duties, functions, and responsibilities of each of these entities as they relate to ground water management; to provide for adoption of rules and regulations for the determination of critical ground water areas and possible limitation of access to ground water sources and response to emergency situations; to require the development of a plan for implementation of a statewide comprehensive ground water management system; to provide for the Louisiana Geological Survey; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 748—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:804(C), relative to prison districts; to continue the membership of the board of governors of prison districts in certain parishes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 990—

BY SENATOR C. JONES

AN ACT

To enact R.S. 33:2740.51, relative to special taxing districts; to create the Southside Economic Development District in the City of Monroe; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1022—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9033.3(A), relative to sales tax incremental financing in 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 with amendments.

SENATE BILL NO. 191—

BY SENATOR MICHOT

AN ACT

To enact R.S. 47:463.4(B)(5), relative to special license plates; to provide for the issuance of an additional hang tag for a mobility impaired person under certain conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1041—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 11:153(H), relative to the Municipal Police Employees' Retirement System; to authorize members with a vested military benefit to purchase credit for military service; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1073—

BY SENATORS ELLINGTON AND SMITH

AN ACT

To amend and reenact R.S. 56:578.11, relative to the labeling of catfish packaging; to provide for the labeling of the country of origin; to define farm-raised; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1072—

BY SENATORS B. JONES, HEITMEIER, BARHAM BEAN, CAIN, CHAISSON, DARDENNE, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAUX, HAINKEL, HINES, C. JONES, LENTINI, SCHEDLER, SMITH, THEUNISSEN, THOMAS AND ULLO

AN ACT

To repeal R.S. 17:71.3(E)(2)(d) and (3), relative to reapportionment of school boards; to repeal certain provisions relative to subdivision of precincts to create certain school board districts; to allow certain school boards to divide precincts for the purpose of reapportionment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 300—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:2589(A), relative to justice of the peace courts; to require a minimum monthly salary to be paid from the parish governing authority for certain justices of the peace and constables; to require attendance at the Justice of the Peace Training Course to receive such salary; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 655—

BY SENATOR DEAN

AN ACT

To enact R.S. 3:2859, relative to the adoption and donation of unclaimed horses; to authorize the adoption and donation of unclaimed horses; to provide for the establishment of adoption and donation guidelines; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1061—

BY SENATOR ROMERO

AN ACT

To authorize and empower the state land office to sell the state's undivided interest in a certain parcel of land in St. Martin Parish at public auction; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1060—

BY SENATOR ROMERO

AN ACT

To authorize the secretary of the Department of Public Safety and Corrections to exchange certain property in Lafayette Parish with Adrian Vega; to provide for property descriptions; to provide for reservation of mineral rights; to provide for terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1064—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 24:31.10 and 31.11, relative to expense allowances for legislators; to increase the monthly expense allowance in connection with the holding or conduct of office; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 855—

BY SENATORS SCHEDLER, BAJOE, MOUNT AND IRONS AND REPRESENTATIVES TRICHE AND SCHWEGMANN

AN ACT

To enact R.S. 28:821(D) and 826, relative to community and family support systems; to create the Disability Services and Supports System Planning Group; to provide for the membership of the planning group; to provide for the duties and functions of the planning group; to provide for expiration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 865—

BY SENATOR THOMAS

AN ACT

To enact R.S. 22:230.5, relative to health insurance coverage; to provide with respect to health insurance benefits and options mandated by law; to provide for actuarial cost analysis and periodic reevaluations of statutory mandates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 905—

BY SENATOR HAINKEL AND REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 24:39, relative to the state capitol complex; to provide for security services within the state capitol complex; to create and to provide for the membership, powers, and duties of the Capitol Security Control Council; to authorize the council to establish rules and to provide for the enforcement thereof; to provide for the authority of public safety services within the Department of Public Safety and Corrections; to provide for traffic and parking infractions within the state capitol complex; to provide for vehicle impoundment and the imposition of penalties for traffic and parking infractions; to provide for the duties of the secretary of the Senate and the clerk of the House of Representatives; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 496—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 17:3801(C)(1) and 3802(C)(4), relative to the Louisiana Education Quality Trust Fund; to provide for use of monies in the fund for payment of investment management and administrative costs; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 569—

BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by Section 2 of Act No. 599 of the 1999 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 417—

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

AN ACT

To amend and reenact R.S. 38:2251(C)(6), (D), (E), (G), and (H) and R.S. 39:1595(C)(7) through (H), relative to certain Public Bid Law and central purchasing procurement preferences; to

decrease certain agricultural preferences; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 616—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:1975 and to enact R.S. 40:1392(C) and (D), relative to bridges; to provide for an exemption to tolls on the Crescent City Connection Bridge at New Orleans; to provide for enforcement of toll violations by a video or photo monitoring system; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 508—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2691(A) and to enact R.S. 46:2691(C), relative to the Medicaid Trust Fund for the Elderly; to provide for investment of monies in the fund; to authorize the treasurer to use investment earnings to pay expenses of outside investment managers; to authorize use of funds for administrative expenses of treasurer as costs; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 445—

BY SENATOR DARDENNE

AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2704, relative to reimbursement of nursing homes participating in the Medicaid program; to provide for legislative findings and purpose; to establish a case mix reimbursement methodology for nursing homes; to provide for exclusion of certain services; to provide for establishment of a committee to develop a plan and to provide for committee duties and responsibilities; to provide for promulgation of rules and regulations; to provide for an effective date; to provide for reporting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 626—

BY SENATOR MICHOT

AN ACT

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

Reported without amendments.

SENATE BILL NO. 694—

BY SENATOR HOYT

AN ACT

To enact R.S. 47:1414(D), relative to the state Board of Tax Appeals; to provide that qualified, licensed enrolled agents be allowed to represent taxpayers in matters before the board; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 212—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:282.3, relative to courses of instruction; to authorize local school systems to offer instruction in personal financial management in public schools; to require the State Board of Elementary and Secondary Education to adopt rules and guidelines; to establish a clearinghouse of materials and best practices; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 918—

BY SENATOR HOYT

AN ACT

To enact R.S. 27:312(C)(1)(b)(iii), relative to the Video Draw Poker Devices; to provide for the redistribution of monies in the Video Draw Poker Device Fund; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 733—

BY SENATORS B. JONES, CAMPBELL, CHAISSON, AND HINES

AN ACT

To amend and reenact R.S. 40:1509, relative to fire protection districts; to continue the authority for certain membership on the board of fire protection districts within certain parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 998—

BY SENATOR B. JONES

AN ACT

To enact R.S. 25:214.3, relative to general libraries; to authorize the Lincoln Parish Police Jury to add two additional members to the parish library board of control; to establish terms for the new members; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 809—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:1335, relative to State Police Pension and Retirement System; to authorize lump sum payment for accumulated annual and sick leave that exceeds one hundred percent of the retirement benefit; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 878—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:89, relative to prescription of forfeiture judgment; to provide for a limitation on the obligation of certain bail bonds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 100—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2334(A) and (B), relative to fire and police departments; to provide with respect to appearance bond fees payable to municipal chiefs of police; to increase the fee; to provide for the disposition thereof; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 477—

BY SENATOR SMITH

AN ACT

To enact R.S. 33:1448(I), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of Winn Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 571—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 33:441(A), relative to mayor's courts in Lawrason Act municipalities; to authorize the use of probation in such courts; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 154—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33:1559(A) and (B), relative to the compensation of coroners; to permit rather than require the state to provide supplemental compensation to coroners; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 487—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3821(D), relative to the Employees' Retirement System of the Sewerage and Water Board of New Orleans; to change the percentage of the pension fund portfolio which may be invested in equities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 654—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 48:1309.2(A)(2), relative to road lighting districts; to continue the applicability of certain service charges of road lighting districts in certain parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 284—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 46:1053(B)(4), relative to Iberia Parish Hospital Service District No. 1; to provide relative to the terms of office of members of the board of commissioners of the district; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 489—

BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.39(E)(3) and 1299.41(E)(4), relative to medical malpractice; to provide that medical malpractice claims shall have priority on a court's trial docket; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1027—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), relative to courts of appeal; to provide with respect to clerks of courts of appeal; to provide for the expenditure of the balance from fees collected by each clerk; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 297—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 37:2504(G), relative to office space for the Board of Examiners of Nursing Facility Administrators; to authorize the board to lease, lease purchase, or purchase office space; to require approval from the division of administration; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 896—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 39:1220(A)(2), relative to selection of depositories; to provide for selection of certain depositories for local funds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 298—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:1494.1(A)(3), relative to social service contracts; to expand the exemptions requiring requests for proposals for certain contracts; to provide an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1040—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 13:2105.1(A) and to enact R.S. 13:2105.1(D), relative to the Opelousas City Court; to authorize an increase in the fee collected by the marshal for the service of subpoenas in criminal matters; to provide relative to qualifications of the marshal; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 964—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 22:1406.1, relative to fire and homeowners insurance; to create the Fair Access to Insurance Requirements Plan; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1043—

BY SENATORS SCHEDLER, BAJOEI, CHAISSON, DEAN, HINES, B. JONES AND MOUNT

AN ACT

To enact R.S. 46:159.1, relative to hospice care for terminally ill persons; to provide for the development of a pilot project for hospice care in the Medicaid program; to provide an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

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

June 11, 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. 140—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 155—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to appoint a licensed physical therapist to serve as a member of the Medical Care Advisory Committee.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 158—

BY SENATOR THOMAS AND REPRESENTATIVES NEVERS AND STRAIN

A CONCURRENT RESOLUTION

To establish the Washington Parish Reservoir Commission to study the feasibility of developing a reservoir in Washington Parish and to examine and search for potential sites of such a reservoir.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Lambert
Bajoie	Fields, W	Lentini
Barham	Fontenot	Michot
Boissiere	Gautreaux	Mount
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Hines	Marionneaux
Campbell	Malone	McPherson
Total—6		

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

SENATE CONCURRENT RESOLUTION NO. 159—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express sincere condolences upon the death of Malcolm Dewitt Jones, Jr.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Marionneaux
Hines	Tarver
Total—4	

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 140 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE M. JACKSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to increase and provide for advanced funding for the federal Weatherization Assistance Program for Low-Income Persons ("WAP") and the Low-Income Home Energy Assistance Program ("LIHEAP").

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Lambert	Ullo
Fields, C	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Hines	Thomas
Bean	Jones, C	
Ellington	Marionneaux	
Total—7		

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

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 223 from the Committee on Insurance.

HOUSE CONCURRENT RESOLUTION NO. 223—

BY REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to conduct a pilot program to test the feasibility of implementing a motor vehicle insurance verification system for the purchase of gasoline.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith

Dupre
Ellington
Fields, C
Fields, W
Total—33

Jones, B	Tarver
Jones, C	Theunissen
Lambert	Thomas
Lentini	Ullo

NAYS

Cravins
Total—1

ABSENT

Mr. President	Campbell	Marionneaux
Bean	Hines	
Total—5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**FINANCE**

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

June 8, 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. 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. 471—

BY REPRESENTATIVE GALLOT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 485—

BY REPRESENTATIVES TOOMY AND JOHN SMITH AND SENATOR HEITMEIER AND REPRESENTATIVES ALARIO, ANSARDI, CAZAYOUX, CLARKSON, CROWE, DAMICO, DEVILLIER, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, GLOVER, HEATON, HEBERT, HILL, HUDSON, KATZ, KENNARD, LAFLEUR, LANCASTER, MARTINY, MCCALLUM, NEVERS, ODINET, POWELL, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TRICHE, TUCKER, WOOTON, BROOME, AND HOLDEN AND SENATOR CAIN

A JOINT RESOLUTION

Proposing to amend Article VII, Section 11(A) and to add Article VII, Section 10(D)(3) of the Constitution of Louisiana, relative to the expenditure of state funds; to require the payment by the state of salary supplements to certain local law enforcement and fire protection officers; to require the inclusion in the budget estimate and the appropriation of funds sufficient to fully fund such state supplements; to prohibit the reduction of such appropriation, except under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 508—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain funds of institutions of higher education or their management boards; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 556—

BY REPRESENTATIVE PINAC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2000-2001 to be used to pay the settlement in the suit entitled "Gordon P. Jeansonne v. Louisiana Department of Health and Human Resources, et al."; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 579—

BY REPRESENTATIVE WADDELL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Gannett River States Publishing Corporation v. State of Louisiana"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 647—

BY REPRESENTATIVE DIEZ

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the

state entitled "Alloy Piping Products v. State of Louisiana"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 765—

BY REPRESENTATIVES SALTER AND DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Natchitoches Parish Port Commission v. Deblieux & Kelley, Inc."; to provide for interest and other costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—

BY REPRESENTATIVES WOOTON, CLARKSON, DOWNER, AND MCDONALD AND SENATORS HAINKEL AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3991(B)(1)(a), relative to charter school enrollment requirements; to exempt from such requirements certain charter schools established with the mission of meeting the needs of children of military personnel; to provide conditions and exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 818—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(c)(i), relative to core curriculum requirements for eligibility for the Tuition Opportunity Program for Students; to require that the Louisiana Student Financial Assistance Commission provide a waiver procedure through the 2002-2003 school year for certain students unable to meet specified high school core curriculum requirements; to provide guidelines for such waivers; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 889—

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

AN ACT

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

Reported favorably.

HOUSE BILL NO. 894—

BY REPRESENTATIVE STRAIN

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 2000-2001 to the estate of Nathan King and to Stephen McLain to compensate them for injuries suffered as victims of violent crimes, pursuant to judgment by the Board of Review of the Department of Employment Security, as affirmed and revived by the Nineteenth Judicial District Court for the parish of East Baton Rouge, state of Louisiana; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 895—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the certain judgments and recommendations for payment rendered by the Board of Tax Appeals and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 909—

BY REPRESENTATIVE MCMAINS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Louisiana Health Service and Indemnity Company d.b.a. Blue Cross and Blue Shield of Louisiana v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1015—

BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 47:322.35(B), relative to the disposition of certain sales tax collections in LaSalle Parish; to provide for use of monies in the LaSalle Economic Development District Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1019—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To amend and reenact R.S. 39:75(C) and to enact R.S. 39:75(E) and (F), relative to the expenditure of state funds and budgetary procedure; to authorize the governor to make limited reductions to certain appropriations; to authorize the limited adjustment of budgets for certain mandatory or protected expenditures, appropriations, or allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for use

for other nonmandatory purposes under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1159—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1303.1, relative to the governmental deferred compensation plan; to authorize the Louisiana Deferred Compensation Commission to create a Section 401(a) plan as authorized by the Internal Revenue Code of 1954; to authorize the commission to establish rules and regulations regulating the plan; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1256—

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Steelcase, Inc. v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana", and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1275—

BY REPRESENTATIVE WALSWORTH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Ouachita Coca-Cola Bottling Company, Inc. v. State of Louisiana"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1322—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of state funds; to authorize the investment in stocks or certain funds of institutions of higher education or their management boards; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1340—

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

AN ACT

To enact R.S. 11:710 and to repeal R.S. 11:707, 707.1, 708, 737, and 791, relative to the Teachers' Retirement System; to provide with respect to employment of retirees and the benefits payable to such retirees; to provide regarding contributions and employer reporting requirements related to such reemployment; to repeal certain provisions of law related to the reemployment of retirees who did and those who did not participate in the Deferred Retirement Option Plan and those retirees who were hired

pursuant to a critical shortage of teachers; to provide relative to the suspension or reduction of benefits of all reemployed retirees; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1351—

BY REPRESENTATIVE THOMPSON
AN ACT

To authorize and provide for the transfer or lease of certain property to the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1368—

BY REPRESENTATIVE DANIEL
AN ACT

To provide for resolution of certain suits against the state related to the state sales and use taxes assessed on the purchase of certain manufactured and mobile homes; to create a special fund for the purpose of resolution of such lawsuits; to provide for the deposit and use of monies in the fund; to provide for a process for the return of certain monies paid with respect to such tax; to provide for rulemaking; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1433—

BY REPRESENTATIVE HOLDEN
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Missouri Pacific Railroad Company v. The Greater Baton Rouge Port Commission and the State of Louisiana through the Department of Transportation and Development"; to provide for costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1528—

BY REPRESENTATIVES THOMPSON AND SCALISE
AN ACT

To amend and reenact R.S. 39:75(C)(1)(a), relative to the expenditure of state funds and budgetary procedure; to authorize reductions in certain appropriations and allocations to avoid a budget deficit, including the limited adjustment of budgets for expenditures from dedicated funds under certain circumstances; to authorize the limited redirection and transfer of funds

supporting appropriations and allocations from dedicated funds for use for other purposes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1565—

BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, AND THOMPSON
AN ACT

To amend and reenact R.S. 9:3555(D), R.S. 17:354(A) and (B), 3129.6(A), and 4001(B), R.S. 30:136.3, R.S. 46:114.4(D), R.S. 47:299.20, 1061(B), 1838(4), and 2609(A), and R.S. 56:16(C) and to repeal R.S. 17:354(C) and (D), 3129.6(C), and 3921.2, R.S. 30:136.2, R.S. 47:2609(B) and (C), and R.S. 56.16, relative to special treasury funds; to provide for the deposit and use of monies in certain special treasury funds; to provide for the use of monies in the Charter School Start-Up Loan Fund, the Mineral Resources Audit and Collection Fund, the Section 201 Fund, the Fraud Detection Fund, the Higher Education Initiatives Fund, and the Telecommunications for the Deaf Fund; to establish the Academic Improvement Fund as a special fund in the state treasury; to repeal certain special treasury funds; to provide for the transfer of certain balances and amounts by the state treasurer; to provide for effective dates; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1822—

BY REPRESENTATIVE MURRAY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1870—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes and to substitute the means of financing for certain capital outlay projects during the 2000-2001 Fiscal Year; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1916—

BY REPRESENTATIVES FRUGE AND RIDDLE
AN ACT

To amend and reenact R.S. 39:51(D) and to enact R.S. 39:51(E), relative to the state operating budget; to require the commissioner of administration to provide certain information on employee positions and costs contained in the General Appropriation Bill to the House Committee on Appropriations; to require approval of the Joint Legislative Committee on the Budget for certain additions of employee positions or increases

in employee compensation for certain positions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1945—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 17:3048.1(A)(1)(c)(iii), relative to the Tuition Opportunity Program for Students Performance Award; to provide eligibility requirements for an initial award; to provide conditions and limitations; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1979—

BY REPRESENTATIVES MURRAY AND CURTIS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the Public Belt Railroad Commission certain amounts due pursuant to the joint maintenance contract with the Department of Transportation and Development relative to the Huey P. Long Bridge; to provide for costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2007—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 17:3351(A)(introductory paragraph) and to enact R.S. 17:3351(A)(5)(b)(vi), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to authorize the public postsecondary education management boards to establish and adjust tuition and mandatory attendance fee amounts applicable to students who are Louisiana residents; to provide limitations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2013—

BY REPRESENTATIVES MURRAY AND CURTIS

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, relative to special treasury funds; to create Sports Facility Assistance Fund as a special fund in the state treasury; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2046— (Substitute for House Bill 1593 by Representative Damico)

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2195.6 and to enact R.S. 30:2195(F), relative to the Motor Fuels Underground Storage Tank Trust Fund and underground storage tanks; to provide for the funding

and uses of the Tank Trust Fund; to provide for the use of the interest; to provide for ownership; to provide for abandoned underground storage tanks; to provide for liens and privileges for costs incurred by the state; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

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

HOUSE BILL NO. 471—

BY REPRESENTATIVE GALLOT

AN ACT

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

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

HOUSE BILL NO. 485—

BY REPRESENTATIVES TOOMY AND JOHN SMITH AND SENATOR HEITMEIER AND REPRESENTATIVES ALARIO, ANSARDI, CAZAYOUX, CLARKSON, CROWE, DAMICO, DEVILLIER, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, GLOVER, HEATON, HEBERT, HILL, HUDSON, KATZ, KENNARD, LAFLEUR, LANCASTER, MARTINY, MCCALLUM, NEVERS, ODINET, POWELL, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TRICHE, TUCKER, WOOTON, BROOME, AND HOLDEN AND SENATOR CAIN

A JOINT RESOLUTION

Proposing to amend Article VII, Section 11(A) and to add Article VII, Section 10(D)(3) of the Constitution of Louisiana, relative to the expenditure of state funds; to require the payment by the state of salary supplements to certain local law enforcement and fire protection officers; to require the inclusion in the budget

estimate and the appropriation of funds sufficient to fully fund such state supplements; to prohibit the reduction of such appropriation, except under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 508—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the investment in stocks of certain funds of institutions of higher education or their management boards; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 556—

BY REPRESENTATIVE PINAC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2000-2001 to be used to pay the settlement in the suit entitled "Gordon P. Jeansonne v. Louisiana Department of Health and Human Resources, et al."; and to provide for related matters.

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

HOUSE BILL NO. 579—

BY REPRESENTATIVE WADDELL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Gannett River States Publishing Corporation v. State of Louisiana"; and to provide for related matters.

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

HOUSE BILL NO. 647—

BY REPRESENTATIVE DIEZ

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Alloy Piping Products v. State of Louisiana"; and to provide for related matters.

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

HOUSE BILL NO. 765—

BY REPRESENTATIVES SALTER AND DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Natchitoches Parish Port Commission v. Deblieux & Kelley, Inc."; to provide for interest and other costs; and to provide for related matters.

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

HOUSE BILL NO. 796—BY REPRESENTATIVES WOOTON, CLARKSON, DOWNER, AND
MCDONALD AND SENATORS HAINKEL AND THEUNISSEN**AN ACT**

To amend and reenact R.S. 17:3991(B)(1)(a), relative to charter school enrollment requirements; to exempt from such requirements certain charter schools established with the mission of meeting the needs of children of military personnel; to provide conditions and exceptions; and to provide for related matters.

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

HOUSE BILL NO. 818—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3048.1(C)(2)(c)(i), relative to core curriculum requirements for eligibility for the Tuition Opportunity Program for Students; to require that the Louisiana Student Financial Assistance Commission provide a waiver procedure through the 2002-2003 school year for certain students unable to meet specified high school core curriculum requirements; to provide guidelines for such waivers; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 889—BY REPRESENTATIVES WINSTON, ILES, STRAIN, ALARIO, BAUDOIN,
BROOME, BRUCE, CLARKSON, DANIEL, DARTEZ, DURAND, ERDEY,
FAUCHEUX, FRITH, GUILLORY, HEBERT, HILL, HOLDEN, HUNTER,
HUTTER, KATZ, LANCASTER, MARTINY, MCMAINS, MORRISH, NEVERS,
PIERRE, PITRE, POWELL, PRATT, QUEZAIRE, ROMERO, SCHWEGMANN,
JANE SMITH, SNEED, WADDELL, WELCH, AND WOOTON**AN ACT**

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

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

HOUSE BILL NO. 894—

BY REPRESENTATIVE STRAIN

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 2000-2001 to the estate of Nathan King and to Stephen McLain to compensate them for injuries suffered as victims of violent crimes, pursuant to judgment by the Board of Review of the Department of Employment Security, as affirmed and revived by the Nineteenth Judicial District Court for the parish of East Baton Rouge, state of Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 895—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the certain judgments and recommendations for payment rendered by the Board of Tax Appeals and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 895 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 7, after "Section 1." change "Seventy-six Thousand Three Hundred Eighty and No/100" to "Seventeen Thousand Six Hundred Seventy-eight and No/100"

AMENDMENT NO. 2

On page 1, line 8, change "\$76,380.00" to "\$17,678.00"

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

HOUSE BILL NO. 909—

BY REPRESENTATIVE MCMAINS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Louisiana Health Service and Indemnity Company d.b.a. Blue Cross and Blue Shield of Louisiana v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

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

HOUSE BILL NO. 1015—

BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 47:322.35(B), relative to the disposition of certain sales tax collections in LaSalle Parish; to provide for use of monies in the LaSalle Economic Development District Fund; and to provide for related matters.

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

HOUSE BILL NO. 1019—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To amend and reenact R.S. 39:75(C) and to enact R.S. 39:75(E) and (F), relative to the expenditure of state funds and budgetary procedure; to authorize the governor to make limited reductions to certain appropriations; to authorize the limited adjustment of budgets for certain mandatory or protected expenditures, appropriations, or allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for use for other nonmandatory purposes under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1159—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1303.1, relative to the governmental deferred compensation plan; to authorize the Louisiana Deferred Compensation Commission to create a Section 401(a) plan as authorized by the Internal Revenue Code of 1954; to authorize the commission to establish rules and regulations regulating the plan; and to provide for related matters.

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

HOUSE BILL NO. 1256—

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Steelcase, Inc. v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana", and to provide for related matters.

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

HOUSE BILL NO. 1275—BY REPRESENTATIVE WALSWORTH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Ouachita Coca-Cola Bottling Company, Inc. v. State of Louisiana"; and to provide for related matters.

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

HOUSE BILL NO. 1322—BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of state funds; to authorize the investment in stocks or certain funds of institutions of higher education or their management boards; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1340—BY REPRESENTATIVES SCHNEIDER, DANIEL, DOERGE, MCDONALD,
TOOMY, AND WALSWORTH AND SENATOR BOISSIERE
AN ACT

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

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

HOUSE BILL NO. 1347—BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE
AN ACT

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

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

HOUSE BILL NO. 1351—BY REPRESENTATIVE THOMPSON
AN ACT

To authorize and provide for the transfer or lease of certain property to the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

HOUSE BILL NO. 1368—BY REPRESENTATIVE DANIEL
AN ACT

To provide for resolution of certain suits against the state related to the state sales and use taxes assessed on the purchase of certain manufactured and mobile homes; to create a special fund for the purpose of resolution of such lawsuits; to provide for the deposit and use of monies in the fund; to provide for a process for the return of certain monies paid with respect to such tax; to provide for rulemaking; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1368 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 7, after "rulemaking;" and before "and to provide" insert "to amend and reenact Section 2 of Act No. 30 of the 2000 Regular Session of the Legislature relative to the effective date;"

AMENDMENT NO. 2

On page 1, line 14, insert opening quotation marks before the word "Shirley"

AMENDMENT NO. 3

On page 1, line 16, insert closing quotation marks after the word "Parish"

AMENDMENT NO. 4

On page 1, line 17, insert opening quotation marks before the word "Nancy"

AMENDMENT NO. 5

On page 1, line 18, insert closing quotation marks after the word "Louisiana"

AMENDMENT NO. 6

On page 2, line 26, change the first word "this" to "the"

AMENDMENT NO. 7

On page 3, line 4, after "monies in the fund," delete the remainder of the line and insert "the amount of state sales or use taxes paid by those persons who are plaintiffs on or before the effective date of this Act"

AMENDMENT NO. 8

On page 3, line 5, delete the first words "use taxes"

AMENDMENT NO. 9

On page 3, line 20, delete the words "a party to" and replace with "listed on either the computer generated run or the manual list provided by the Office of Motor Vehicles which formed the basis for the judgment rendered on February 5, 2001, in"

AMENDMENT NO. 10

On page 3, line 24, after "District Court;" insert "and those persons who are not a party to"

AMENDMENT NO. 11

On page 4, line 8, change "twenty" to "eighty"

AMENDMENT NO. 12

On page 5, line 7, after "Act" insert "which shall include reasonable notification by mail to all claimants without any cost to the claimant for such notification"

AMENDMENT NO. 13

On page 5, between line 7 and 8, insert the following:

"Section 7. Section 2 of Act No. 30 of the 2000 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

* * *

Section 2. ~~This Act shall become effective if, as, and when a judgment in Shirley M. Avants, et al v. John Neely Kennedy, Secretary, No. 434575, Division D, Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana, becomes final and nonappealable or a written compromise settlement disposing of all claims is finalized and signed. This Act shall become effective on July 1, 2001.~~

AMENDMENT NO. 14

On page 5, line 8, after "Section" change "7" to "8"

AMENDMENT NO. 15

On page 5, line 8, change "June" to "July"

AMENDMENT NO. 17

On page 5, line 10, change "June" to "July"

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

HOUSE BILL NO. 1433—

BY REPRESENTATIVE HOLDEN

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Missouri Pacific Railroad Company v. The Greater Baton Rouge Port Commission and the State of Louisiana through the Department of Transportation and Development"; to provide for costs; and to provide for related matters.

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

HOUSE BILL NO. 1528—

BY REPRESENTATIVES THOMPSON AND SCALISE

AN ACT

To amend and reenact R.S. 39:75(C)(1)(a), relative to the expenditure of state funds and budgetary procedure; to authorize reductions in certain appropriations and allocations to avoid a budget deficit, including the limited adjustment of budgets for expenditures from dedicated funds under certain circumstances; to authorize the limited redirection and transfer of funds supporting appropriations and allocations from dedicated funds for use for other purposes; and to provide for related matters.

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

HOUSE BILL NO. 1565—

BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, AND THOMPSON

AN ACT

To amend and reenact R.S. 9:3555(D), R.S. 17:354(A) and (B), 3129.6(A), and 4001(B), R.S. 30:136.3, R.S. 46:114.4(D), R.S. 47:299.20, 1061(B), 1838(4), and 2609(A), and R.S. 56:16(C) and to repeal R.S. 17:354(C) and (D), 3129.6(C), and 3921.2, R.S. 30:136.2, R.S. 47:2609(B) and (C), and R.S. 56:16, relative to special treasury funds; to provide for the deposit and use of monies in certain special treasury funds; to provide for the use of monies in the Charter School Start-Up Loan Fund, the Mineral Resources Audit and Collection Fund, the Section 201 Fund, the Fraud Detection Fund, the Higher Education Initiatives Fund, and the Telecommunications for the Deaf Fund; to establish the Academic Improvement Fund as a special fund in the state treasury; to repeal certain special treasury funds; to provide for the transfer of certain balances and amounts by the state treasurer; to provide for effective dates; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1565 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, delete line 6, and insert "47:2609(B) and (C), R.S. 56:16 and to enact R.S. 39:137, relative to special treasury funds;"

AMENDMENT NO. 2

On page 1, line 13, after "treasury;" insert the following: "to establish the Deficit Elimination/Capital Outlay Escrow Replenishment Fund as a special fund in the state treasury;"

AMENDMENT NO. 3

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

"Section 5. R.S. 39:137 is hereby enacted to read as follows: 137. Deficit Elimination/Capital Outlay Escrow Replenishment Fund

A. The Deficit Elimination/Capital Outlay Escrow Replenishment Fund, hereafter referred to as fund, is hereby created in the State Treasury. The treasurer shall deposit into the fund the

difference between the Official Forecast of revenue available for general purpose expenditures for Fiscal Year 2000-2001 adopted by the Revenue Estimating Conference on May 14, 2001, and actual collections of revenue available for general purpose expenditures in Fiscal Year 2000-2001 as promulgated by the Revenue Estimating Conference. After Fiscal Year 2000-2001, the treasurer shall deposit into the fund the difference between the Official Forecast of revenue available for general purpose expenditures for the fiscal year adopted by the Revenue Estimating Conference at its last meeting before the end of the fiscal year and actual collections of revenue available for general purpose expenditures for that fiscal year as promulgated by the Revenue Estimating Conference.

B. The treasurer shall first reserve Sixty-two Million and No/100 Dollars (\$62,000,000.00) of the revenue deposited into the fund for Fiscal Year 2000-2001 for the purpose of paying any deficit incurred by current and prior year operations of the State Group Benefits Program.

C. If a positive balance remains in the fund after satisfying the requirements of Paragraph (A), the treasurer shall reserve Ten Million and No/100 (\$10,000,000.00) Dollars as partial satisfaction of the debt owed to that the State General Fund by the Health Care Service Division of the Louisiana State University System.”

D. If a positive balance remains in the fund after satisfying the requirements of Paragraphs (B) and (C), such balance shall be available to finance projects for which an appropriation is made in Priority 1 of the Act that originated as House Bill 2 of the 2001 Regular Session as follows:

Schedule 06-262, Office of the State Library for State Library Expansion, Construction, and Equipment in East Baton Rouge Parish \$140,000; Schedule 07-274, Public Improvements for Morganza to the Gulf of Mexico Flood Control Feasibility Study Planning, Design, Right of Way, and Construction of Levees, Floodgates and Other Flood Control Systems (\$61,870,000 Federal Match) in the parishes of Ascension, Assumption, St. Mary, Terrebonne, West Baton Rouge, Iberia, Iberville, Lafourche, Pointe Coupee and St. Martin \$40,000; Schedule 07-276, Office of Engineering, District 2 Headquarters and Sub-District Headquarters Relocation, Acquisition of Sites and Buildings, Planning, Renovation, and Construction in Lafourche and Terrebonne parishes \$500,000; Schedule 08-401, Phelps Correctional Center for Waste Water Systems and Lift Station Construction in Beauregard Parish \$625,000; Schedule 08-402, Louisiana State Penitentiary for Electrical Distribution System Upgrade Construction in West Feliciana Parish \$960,000; Schedule 50-N05 Ernest N. Morial Convention Center, Phase 3 Expansion, Engineering, Design, Site Development, and Construction (\$12,000,000 Local Match) (Provided, however, that no resolution or ordinance adopted by the New Orleans City Council is in effect nor is any resolution or ordinance or other action taken by the said Council which would prevent the completion and/or utilization of this project and the property upon which it is located for and in accordance with the intended use of this project as set forth in the capital outlay request and feasibility study for this project; the property expropriated for this project is used (a) for the purposes for which it was expropriated, including truck marshaling, and/or future development, or (b) as all or part of the consideration granted by the Ernest N. Morial – New Orleans Exhibition Hall Authority acquires other property in that part of the City of New Orleans bounded by Thalia Street,

Tchoupitoulas Street, Race Street, and the Mississippi River to be used for the same purposes as described above; and the cooperative endeavor agreement for this project between the state and the Ernest N. Morial – New Orleans Exhibition Hall Authority will require that any contract for this project executed by the authority pursuant to a non-cash line of credit shall be in accordance with the terms hereof \$18,400,000; Schedule 08-403C, Office of Youth Development-Bridge City for Plumbing/Mechanical/Electrical Renovations, Construction in Jefferson Parish \$515,000; Schedule 08-414, Wade Correctional Center for Caddo Detention Center Renovation, Construction in Caddo Parish \$190,000; Schedule 19-616 Southern University Baton Rouge for Site Improvement, Implementation of Master Plan, Planning and Construction in East Baton Rouge Parish \$35,000; Schedule 19-623, Grambling State University for Stadium Support Facility Construction in Lincoln Parish \$1,015,000; Schedule 19-629, University of Louisiana at Monroe for New Library Building, Construction, Equipment in Ouachita Parish \$30,000; Schedule 19-662, La. Educational T.V. Authority for KLTm Monroe, Transmitter, Transmission Line and Antenna Replacement, Planning and Construction in Ouachita Parish \$230,000; Schedule 19-698 Education Support Services for Bunkie Youth Center Acquisitions, Renovations and Major Repairs, Planning and Construction in Avoyelles Parish \$25,000; Schedule 36-L08, Lake Borgne Basin Levee District for Tidal Flood Protection for Reggio/Florissant Area in St. Bernard Parish \$15,000; Schedule 36-P06, Twin Parish Port Commission for Bulkheading and Site Improvements in Iberia Parish \$500,000; Schedule 36-P38, Natchitoches Parish Port for Relocation of La. Highway 486 at the Natchitoches Parish Port near its Intersection with La. Highway 6 (0.8 Miles) in Natchitoches Parish \$135,000; Schedule 50-J02, Allen Parish for Parish Health Units, Planning, Acquisition and Construction in Allen Parish \$590,000; Schedule 50-J09, Caddo Parish for Caddo Pine Island Oil and Historical Society Museum Construction in Caddo Parish \$100,000; Schedule 50-J16, Desoto Parish for Keatchie Four Forks Road Improvements in Desoto Parish \$160,000; Schedule 50-J26, Jefferson Parish for Bayou Segnette Pump Station and Floodwall, Planning and Construction (\$325,000 Local Match) in Jefferson Parish \$535,000; Schedule 50-J26, Jefferson Parish for Jefferson Highway Drainage Improvements in Jefferson Parish \$5,000; Schedule 50-J26, Jefferson Parish for Sports Complex/Airline Highway Improvements (Lasalle Tract) in Jefferson Parish \$200,000; Schedule 50-J27, Jefferson Davis Parish for Police Jury Annex, Planning and Construction in Jefferson Davis Parish \$395,000; Schedule 50-J28, Lafayette Parish for Acadiana recovery Center, Planning and Construction in Lafayette Parish \$1,000,000; Schedule 50-J54, Tensas Parish for Fertilizer Plant Road Construction in Tensas Parish \$60,000; Schedule 50-M54, Cotton Valley for Water System Improvements in Webster Parish \$50,000; Schedule 50-MG3, Leesville for Northside Industrial Park Building in Vernon Parish \$385,000; Schedule 50-ML4, New Roads for Morrison Parkway, Retaining Wall Rehabilitation and Other Improvements (\$100,000 non-state match) in Pointe Coupee Parish \$160,000; Schedule 50-MN9, Pollock for Access Road for US Federal Correctional Complex, Land Acquisition, Planning and Construction in Grant Parish \$575,000; Schedule 50-MQ5, St. Martinville for The Acadian Memorial Renovations in St. Martin Parish \$45,000;

Schedule 50-MR1, Shreveport for Sci-Port Discovery Center/Theater, Construction and Exhibit Acquisition (\$3,200,000 Local Match) in Caddo Parish \$3,965,000; Schedule 50-N17, South Terrebonne Tidewater and Conservation District for Hurricane Protection System, Construction, Equipment and Acquisition of Flood Gates in Terrebonne Parish \$95,000; Schedule 50-N18, Iberia Parish Airport Authority for Aircraft Maintenance and Paint Hangar to Serve 747 Aircraft, Planning and Construction in Iberia Parish \$320,000; Schedule 50-N22 North West La. Juvenile Detention Center Authority for Northwest Louisiana Detention Center and Ware Youth Center Vocational Training Center and Support Buildings, Construction in Red River Parish \$910,000; Schedule 50-N83, Rapides Parish Airport Authority for Roof and Wall Panel Replacement, Planning and Construction in Rapides Parish \$5,000; Schedule 50-N98 Kingsley House for Kingsley House Renovation and Expansion Planning and Construction in Orleans Parish \$10,000; Schedule 50-NA2, Lafayette Airport Commission for Major Infrastructure Improvements Planning and Construction (\$265,000 Local Match) in Lafayette Parish \$545,000.

E. If a positive balance remains in the fund after satisfying the requirements of Paragraph (B), (C), and (D), the treasurer shall reserve an amount sufficient to eliminate any deficit that occurs in the State Group Benefits Program from operations in Fiscal Year 2001-2002

F. Any monies remaining in the Deficit Elimination/Capital Outlay Escrow Replenishment Fund after satisfying the requirements of Paragraphs (B), (C), (D), and (E) shall be transferred to the State General Fund for satisfaction of any remaining debt owed to the State General Fund by the Health Care Service Division of the Louisiana State University System."

G. This Section shall be null and void and of no effect beginning July 1, 2003."

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 7, line 6, change "Section 6" to "Section 7"

AMENDMENT NO. 6

On page 9, line 24, change "Section 7" to "Section 8"

AMENDMENT NO. 7

On page 10, line 9, change "Section 8" to "Section 9"

AMENDMENT NO. 8

On page 10, line 11, change "Section 9" to "Section 10"

AMENDMENT NO. 9

On page 10, line 12, change "Section 10" to "Section 11"

AMENDMENT NO. 10

On page 10, line 13, change "Section 11" to "Section 12"

AMENDMENT NO. 11

On page 10, line 15, change "Section 12" to "Section 13"

AMENDMENT NO. 12

On page 10, line 16, change "Section 13" to "Section 14"

AMENDMENT NO. 13

On page 10, line 22, change "Section 14" to "Section 15"

AMENDMENT NO. 14

On page 11, line 3, change "Section 15" to "Section 16"

AMENDMENT NO. 15

On page 11, line 8, change "Section 16" to "Section 17"

AMENDMENT NO. 16

On page 11, line 12, change "Section 17" to "Section 18"

AMENDMENT NO. 17

On page 11, line 17, change "Section 18" to "Section 19"

AMENDMENT NO. 18

On page 11, delete lines 22 through 26 in their entirety and insert the following:

"Section 20. Sections 3, 10, 13, 17, 18 and 20 of this Act shall become effective July 1, 2002.

Section 21. Sections 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16, 19, and 21 shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, Section 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16, 19 and 21 of this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later.

AMENDMENT NO. 19

On page 20, delete lines 1 and 2 in their entirety.

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

HOUSE BILL NO. 1822—

BY REPRESENTATIVE MURRAY

AN ACT

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

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

HOUSE BILL NO. 1870—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes and to substitute the means of financing for certain capital outlay projects during the 2000-2001 Fiscal Year; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1870 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, after line 23, insert the following:

**"05-252 DEPARTMENT OF ECONOMIC DEVELOPMENT
OFFICE OF BUSINESS DEVELOPMENT**

Payable out of the State General Fund (Direct)
for deposit into the Statutory Dedications -
Louisiana Economic Development Fund \$6,000,000"

AMENDMENT NO. 2

On page 3, after line 43, insert the following:

"Payable out of the State General Fund (Direct)
for the Governor's Program for the gifted and
talented at McNeese State University \$116,500"

AMENDMENT NO. 3

On page 5, after line 4, insert the following:

"Section 3. Be it more or less estimated, the sum of Eight Hundred and Seventeen and No/100 \$817.00) Dollars, is hereby appropriated out of the general fund of the State of Louisiana to pay judgment in the suit entitled Cynthia Caliste and Keith Evans v. the State of Louisiana, bearing 19th Judicial Court, Division "A", Docket No. 451164."

AMENDMENT NO. 4

On page 5, after line 4, insert the following:

"Section 4. Be it more or less estimated, the sum of Eight Hundred, Seventy-three Thousand, Eight Hundred and one and No/100 (\$873,801) Dollars, plus costs and interest through date of payment, is hereby appropriated out of the general fund of the State of Louisiana to pay judgment in the suit entitled "Krielow Brothers, Inc. v. State of Louisiana, Division of Administration, et al, bearing number 461,228, Div. "I" of the Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana"

AMENDMENT NO. 5

On page 5, line 5, change "3" to "5"

AMENDMENT NO. 6

On page 5, line 12, change "4" to "6"

AMENDMENT NO. 7

On page 7, line 16, delete "30,785,000" and insert "12,385,000"

AMENDMENT NO. 8

On page 7, between lines 38 and 39, insert the following:

"Section 7. SCHOOL SUPPORT PERSONNEL SALARY SUPPLEMENT

"Payable out of the State General Fund (Direct)
for one-time salary supplements of \$300 for
noncertificated support personnel employed by
local school systems and for unclassified, non-
certificated support personnel employed by the
Louisiana School for the Visually Impaired,
the Louisiana School for the Deaf, the Louisiana
Special Education Center, the Louisiana School
for Math, Science and the Arts, the New Orleans
Center for the Creative Arts, the Southern
University and LSU Lab Schools, the Special
School Districts, and for nonpublic lunchroom
employees eligible for state salary supplements \$12,500,000

Provided, however, the one-time salary supplements of \$300 shall in no way affect existing salary schedules, or benefit formula for any noncertificated school support personnel. The one-time salary supplements of \$300 shall be made as one lump sum payment to each individual affected and shall be considered a one-time payment effective for Fiscal Year 2001-2002 only. Any salary supplement payments made in subsequent fiscal periods shall require additional appropriations. No contributions to retirement systems shall be made concomitant with these salary supplement payments, nor shall there be any effect on the computation of future retirement benefits. Provided that appropriations in this Section shall be used to pay salary supplements only for school personnel whose salary is paid for with state and local funds."

AMENDMENT NO. 9

On page 7, between lines 38 and 39, insert the following: "Provided, however, that the capital outlay appropriation contained in this Section shall not be subject to the provisions of R.S. 39:82(A) through (E)."

AMENDMENT NO. 10

On page 7, line 39, change "Section 4." to "Section 8."

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

HOUSE BILL NO. 1916—

BY REPRESENTATIVES FRUGE AND RIDDLE
AN ACT

To amend and reenact R.S. 39:51(D) and to enact R.S. 39:51(E), relative to the state operating budget; to require the commissioner of administration to provide certain information on employee positions and costs contained in the General Appropriation Bill to the House Committee on Appropriations; to require approval of the Joint Legislative Committee on the Budget for certain additions of employee positions or increases in employee compensation for certain positions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1916 by Representative Fruge

AMENDMENT NO. 1

On page 2, line 11, delete "four" and insert "ten"

AMENDMENT NO. 2

On page 2, delete lines 21 through 26 in their entirety and insert the following:

"Section 2. This Act shall become effective on July 1, 2004."

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

HOUSE BILL NO. 1945—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 17:3048.1(A)(1)(c)(iii), relative to the Tuition Opportunity Program for Students Performance Award; to provide eligibility requirements for an initial award; to provide conditions and limitations; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1979—

BY REPRESENTATIVES MURRAY AND CURTIS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the Public Belt Railroad Commission certain amounts due pursuant to the joint maintenance contract with the Department of Transportation and Development relative to the Huey P. Long Bridge; to provide for costs; and to provide for related matters.

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

HOUSE BILL NO. 2007—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 17:3351(A)(introductory paragraph) and to enact R.S. 17:3351(A)(5)(b)(vi), relative to the powers, duties, and responsibilities of public postsecondary education management boards; to authorize the public postsecondary education management boards to establish and adjust tuition and mandatory attendance fee amounts applicable to students who are Louisiana residents; to provide limitations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 2007 by Representative Alario

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 17:3351(A)(5)(b)(vi)" insert "and R.S. 17:1855(C)"

AMENDMENT NO. 2

On page 1, line 7, after "residents;" insert "to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose certain program fee amounts;"

AMENDMENT NO. 3

On page 1, line 12, delete "R.S. 17:3351(A)(5)(b)(vi) is" and insert in lieu thereof: "R.S. 17:3351(A)(5)(b)(vi) and R.S. 17:1855(C) are"

AMENDMENT NO. 4

On page 1, between lines 13 and 14 insert the following:

§1855. Student tuition and attendance fees; program fees; authority to impose

* * *

R.S. 17:1855(C) is all proposed new law.

C. In addition to the authority granted the Board of Supervisors of Southern University and Agricultural and Mechanical College by R.S. 17:3351(A)(5) and in accordance with the provisions of Article VII, Section 2.1 of the Constitution of Louisiana, the board may impose a program fee not to exceed two hundred dollars per student per semester, for students at Southern University at Shreveport pursuing the clinical portion of their studies in allied health programs, subject to the approval of the Joint Legislative Committee on the Budget."

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

HOUSE BILL NO. 2013—

BY REPRESENTATIVES MURRAY AND CURTIS

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, relative to special treasury funds; to create Sports Facility Assistance Fund as a special fund in the state treasury; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2046— (Substitute for House Bill 1593 by Representative Damico)

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2195.6 and to enact R.S. 30:2195(F), relative to the Motor Fuels Underground Storage Tank Trust Fund and underground storage tanks; to provide for the funding and uses of the Tank Trust Fund; to provide for the use of the interest; to provide for ownership; to provide for abandoned underground storage tanks; to provide for liens and privileges for costs incurred by the state; and to provide for related matters.

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

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of hearing House Bill Nos. 542, 543, 696 and 1363 in the Committee on Finance without the required 24 hour notice.

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 11, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 71— BY SENATOR IRONS AND REPRESENTATIVE K. CARTER

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.

SENATE CONCURRENT RESOLUTION NO. 144— BY SENATOR C. JONES AND REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary B 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.

SENATE CONCURRENT RESOLUTION NO. 153—

BY SENATORS HAINKEL, BOISSIERE, HEITMEIER, IRONS, JOHNSON BARHAM, BEAN, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HINES, HOLLIS, HOYT, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLO, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL,

PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend 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.

SENATE CONCURRENT RESOLUTION NO. 154—

BY SENATORS DUPRE, CHAISSON, AND GAUTREAUX AND REPRESENTATIVES BALDONE, DARTEZ, DOWNER, PITRE, TRICHE AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the governor to declare a state of emergency in Lafourche and Terrebonne parishes due to the effects of Tropical Storm Allison.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of State Civil Service to study modifying the civil service rules and regulations so as to accept certain college credits or degrees from schools which are a part of the Louisiana Community and Technical College System.

SENATE CONCURRENT RESOLUTION NO. 67—

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

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 102—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 4(A)(2) 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.

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.

SENATE CONCURRENT RESOLUTION NO. 149—

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

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Concurrent Resolutions 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 11, 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. 12—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Criminal Procedure Art. 793, relative to trial by jury; to allow jurors in criminal cases to take notes under certain conditions; to authorize jurors to use such notes during deliberations; and to provide for related matters.

SENATE BILL NO. 104—

BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(E), relative to protective custody; to establish a criminal penalty for executing a statement specifying the need for another person to be taken into protective custody that he knows or should know is false; and to provide for related matters.

SENATE BILL NO. 228—

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

AN ACT

To name Interstate 210 located in the city of Lake Charles as the Doug Fournet Memorial Parkway; and to provide for related matters.

SENATE BILL NO. 234—

BY SENATORS FONTENOT AND MARIONNEAUX

AN ACT

To enact R.S. 32:1306(C)(3)(d), relative to motor vehicle inspections; to provide for the applicability of certain additional fees; and to provide for related matters.

SENATE BILL NO. 418—

BY SENATOR SCHEDLER AND REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 12:982.1, relative to dentists; to provide for professional limited liability companies; to authorize formation of a limited liability company by a single dentist; and to provide for related matters.

SENATE BILL NO. 420—

BY SENATORS HAINKEL AND SCHEDLER AND REPRESENTATIVES BRUNEAU, CLARKSON AND SCHNEIDER

AN ACT

To amend and reenact Section 1 of Act No. 1 of the 1989 Regular Session of the Legislature, relative to the Crescent City Connection; to recognize the contributions of Captain Neville Levy; and to provide for related matters.

SENATE BILL NO. 494—

BY SENATOR HINES

AN ACT

To enact R.S. 9:391.1, relative to legitimation of illegitimate children; to provide for the legitimate status of a child conceived and born after the death of the husband of the mother; to provide conditions under which such status is achieved; and to provide for related matters.

SENATE BILL NO. 503—

BY SENATOR HINES AND REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:913(5), relative to registered nurses; to revise the definition of "authorized prescriber" to allow such prescribers to prescribe medical devices or appliances; and to provide for related matters.

SENATE BILL NO. 510—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 44:4(29), relative to public records; to exempt certain records and information in the possession of the Louisiana State Board of Examiners of Psychologists from the provisions of the public records act; to provide for public access to certain records; and to provide for related matters.

SENATE BILL NO. 740—

BY SENATOR BOISSIERE

AN ACT

To repeal R.S. 22:36, relative to domestic incorporated insurers; repeals the requirement for temporary bonds to be posted by original incorporators of insurance companies prior to issuance of certificates of authority by the Department of Insurance; and to provide for related matters.

SENATE BILL NO. 105—

BY SENATOR ULLO

AN ACT

To amend and reenact Code of Criminal Procedure Art. 659, relative to insanity proceedings; to provide with respect to costs; to provide for fixing fees and expenses for mental examinations; to require the trial judge to utilize the fee schedule provided by law when fixing fees and expenses for court ordered mental examinations and reports prior to commitment; and to provide for related matters.

SENATE BILL NO. 379—

BY SENATORS ELLINGTON AND SMITH
AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.155, relative to water conservation; to provide for the creation of the Castor Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction, powers, and functions of the district and the board, including authority for taxation and expropriation; to provide for enforcement of rules and regulations of the board; to provide for violations and penalties; to provide for the powers and duties of certain state departments and agencies; and to provide for related matters.

SENATE BILL NO. 672—

BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 17:179(A), relative to student identification badges; to authorize certain local school boards in certain parishes to issue student identification badges; and to provide for related matters.

SENATE BILL NO. 680—

BY SENATOR MCPHERSON
AN ACT

To authorize and empower the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

SENATE BILL NO. 764—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 17:525(A), relative to school districts; to continue the applicability of provisions concerning promotion of certain school employees to certain school districts; and to provide for related matters.

SENATE BILL NO. 769—

BY SENATORS GAUTREAUX AND CAIN
AN ACT

To amend and reenact R.S. 33:1236(60), relative to parishes; to continue the authority of sewage districts in certain parishes to have privileges against property for unpaid service charges or sewage disposal services; and to provide for related matters.

SENATE BILL NO. 941—

BY SENATOR HAINKEL
AN ACT

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

SENATE BILL NO. 954—

BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 9:2801, relative to partition of community property; to provide for orders partitioning retirement and other deferred work benefits; and to provide for related matters.

SENATE BILL NO. 955—

BY SENATORS DARDENNE AND SCHEDLER
AN ACT

To amend and reenact R.S. 9:2799(A)(1) and (B), relative to limitation of liability for damages from donations; to provide with respect to the donation of vitamins without incurring liability for damages; to provide for limitation of liability for food bank distributors; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 1002—

BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 37:693(B)(3), relative to land surveyor interns; to provide for the qualifications of land surveyor interns; and to provide for related matters.

SENATE BILL NO. 372—

BY SENATOR W. FIELDS
AN ACT

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

SENATE BILL NO. 412—

BY SENATOR ELLINGTON
AN ACT

To enact Part XXIII of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.141 through 3087.148, relative to water conservation; to provide for the creation of the Turkey Creek Reservoir District and a board of commissioners for the district; to provide for jurisdiction; and to provide for related matters.

SENATE BILL NO. 1076—

BY SENATORS HOYT AND SCHEDLER
AN ACT

To enact Civil Code Art. 136.1 and Children's Code Art. 1015(8), relative to visitation rights; to provide that if the child was conceived through the commission of a felony rape, the natural parent who committed the felony rape shall be denied visitation rights; to provide that the commission of a felony rape which resulted in the conception of the child shall be grounds for termination of parental rights; and to provide for related matters.

SENATE BILL NO. 431—

BY SENATOR MICHOT
AN ACT

To amend and reenact Civil Code Art. 2315, relative to liability for acts which cause damage; to provide for the recovery of sales tax paid by the owner of the property damaged; to provide that damages shall include any sales tax paid by the owner on the property damaged; and to provide for related matters.

SENATE BILL NO. 564—

BY SENATOR ROMERO
AN ACT

To enact 9:203(D), relative to marriage; to authorize federal court judges to perform marriage ceremonies within the state; to provide for termination of the authority; and to provide for related matters.

SENATE BILL NO. 574—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 42:1132(B)(2)(a), relative to the appointment of members to the Board of Ethics; to require that the appointment of the members to the Board of Ethics be made within sixty days of their nomination; and to provide for related matters.

SENATE BILL NO. 702—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 17:154.4, relative to public school schedules; to require the governing authority of any city, parish, or other local public school system to schedule and conduct an additional instructional day under certain circumstances; and to provide for related matters.

SENATE BILL NO. 703—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 51:423(A), relative to unfair sales practices; to prohibit the sale of information by retail or wholesale grocers concerning customers derived from the issuance to and use of certain cards by customers; and to provide for related matters.

SENATE BILL NO. 753—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 22:1304(A) and to enact R.S. 22:1304(C), relative to insurers; to provide for examinations and investigations of insurers; to provide for examinations of third party administrators for insurers or self-insurance funds; and to provide for related matters.

SENATE BILL NO. 1025—

BY SENATOR MCPHERSON

AN ACT

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

SENATE BILL NO. 1031—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1726(B), relative to motor vehicles; to provide for the maximum charge for storage of certain unclaimed vehicles; and to provide for related matters.

SENATE BILL NO. 1044—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 47:463.8(B) and (D), relative to special license plates; to eliminate the regular motor vehicle registration license fee for special license plates for antique motor vehicles and motorcycles; and to provide for related matters.

SENATE BILL NO. 1074—

BY SENATOR LAMBERT (BY REQUEST)

AN ACT

To amend and reenact R.S. 45:1194, relative to contests of public service commission actions; to provide for consideration by the public service commission of additional evidence in certain circumstances; to require a remand for such consideration and to provide for the actions which may be taken upon such remand; and to provide for related matters.

Respectfully submitted,

CHRIS ULLO

Chairman

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

Message to the Governor**SIGNED SENATE BILLS**

June 11, 2001

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 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 R.S. 33:2740.1, and to enact R.S. 8:454.1, relative to cemeteries; to provide for the operation of perpetual or endowed care cemeteries; to provide for the makeup of the cemetery board; to increase fines for violations of board rules and regulations; to provide relative to trust funds and the administration thereof; to provide for the definition of "ward" with regard to the maintenance of public cemeteries; and to provide for related matters.

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.

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

June 11, 2001

provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

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. 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.

SENATE BILL NO. 1102—(Substitute for Senate Bill 543 by Senator Cain) (Duplicate of House Bill No. 1949)

BY SENATOR C. FIELDS AND REPRESENTATIVE ERDEY
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.

and they are hereby presented for executive approval.

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Bean	1 Day	Cain	½ Day
Johnson	½ Day	Malone	½ Day
Schedler	½ Day	Tarver	½ Day

Adjournment

Senator Lambert moved that the Senate adjourn until Tuesday, June 12, 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 Tuesday, June 12, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk