

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

---

**FORTIETH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 12, 2001

The Senate was called to order at 9:00 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	Lentini
Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ulló
Total—39		

**ABSENT**

Total—0

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

**Prayer**

The prayer was offered by Senator Dardenne, 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 Dardenne, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 81 by Representative Bruce, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Bruce, Diez and Montgomery.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 590 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Montgomery, Schneider and Gallot.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1712 by Representative Nevers, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of

the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Nevers, Diez and R. Carter.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 123 by Senator Malone:

Representatives Hopkins, Lancaster and Waddell.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 221 by Senator Hines:

Representatives Morrish, Lancaster and LaFleur.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 360 by Senator Hainkel:

Representatives Powell, Lancaster and Nevers.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 501 by Senator Fontenot:

Representatives Diez, Powell and Tucker.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 704 by Senator Fontenot:

Representatives Pinac, Alario and Daniel.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 776 by Senator B. Jones:

Representatives Murray, Crane and Salter.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 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. 892 by Senator Cravins:

Representatives Hudson, Romero and Toomy.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1796 by Representative Fruge:

Representatives Fruge, Lancaster and Morrish.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 12, 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. 247—**  
BY SENATOR SCHEDLER  
AN ACT

To enact R.S. 17:421.7, relative to public school counselors; to provide a salary supplement for certain public school counselors that have acquired certain certification by the National Board for Certified Counselors; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 280—**  
BY SENATOR DARDENNE  
AN ACT

To enact R.S. 17:1224(E), relative to the review of certain health and welfare trust funds; to provide for legislative oversight and legislative auditor's review; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 335—**  
BY SENATORS B. JONES AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:34(A) and the introductory paragraph of (B), relative to vital records forms; to provide for electronic registration of vital records; to provide for promulgation of rules and regulations thereto; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 345—**  
BY SENATOR DARDENNE  
AN ACT

To enact R.S. 14:40.3, relative to criminal offenses against the person; to create the crime of cyberstalking; to provide that such crime shall be the intentional harassing or threatening of another through the use of electronic mail or electronic communication; to provide for definitions; to apply for exceptions of peaceable, nonviolent, or nonthreatening activities for certain purposes; to provide for penalties; 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 12, 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. 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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without 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 without amendments.

**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.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 426 by Representative Futrell

AMENDMENT NO. 1

On page 2, line 12, following "to" and before "of Subsection B" delete "Paragraph 2 of"

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 765 by Representative Salter

AMENDMENT NO. 1

On page 1, line 4, following "Inc." and before "; to provide" insert ", et al."

**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 without amendments.

**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 without amendments.

June 12, 2001

**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 without amendments.

**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 without amendments.

**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 without 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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1368 by Representative Daniel

AMENDMENT NO. 1

On page 4, line 17, following "paragraphs" change "(1)" to "(A)(1)"

**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 without 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 without amendments.

**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 without amendments.

**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

June 12, 2001

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 without 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 without amendments.

**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 without 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 without amendments.

**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 without amendments.

**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 without 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 without amendments.

**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 without 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 without amendments.

**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 without amendments.

**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 without amendments.



**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 without 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 without amendments.

**HOUSE BILL NO. 2046 (Substitute for House Bill 1593 by Representative Damico)—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To amend and reenact R.S. 30:2195.6 and to enact R.S. 30:2195(F), relative to the Motor Fuels Underground Storage Tank Trust Fund and underground storage tanks; to provide for the funding and uses of the Tank Trust Fund; to provide for the use of the interest; to provide for ownership; to provide for abandoned underground storage tanks; to provide for liens and privileges for costs incurred by the state; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO.225—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of reducing the requirements for paperwork placed on teachers, including a revision of procedures and requirements aimed at streamlining state and local paperwork, and to submit a written report on the progress of these efforts to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2002 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 227—**

BY REPRESENTATIVE HOLDEN

**A CONCURRENT RESOLUTION**

To urge and request the Federal Emergency Management Administration (FEMA) to expedite an emergency declaration in Louisiana by the President of the United States to make flood victims eligible for federal funds and to send additional personnel to affected areas of the state to assist flood victims in filing claims.

**HOUSE CONCURRENT RESOLUTION NO. 228—**

BY REPRESENTATIVE LUCAS

**A CONCURRENT RESOLUTION**

To urge and request the city of New Orleans to take prompt action to issue tickets to the contracted garbage pickup company for the city, WASTE MANAGEMENT, INC., for violating state and local litter laws by littering the service roads on Interstate Highway 10 and the city streets where garbage is not picked up and is left on the streets in certain neighborhoods.

**HOUSE CONCURRENT RESOLUTION NO. 229—**

BY REPRESENTATIVES TRICHE, DOWNER, AND CHAISSON

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Maxine Gros Giardina of Thibodaux.

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

**House Concurrent Resolutions**

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

June 12, 2001

**HOUSE CONCURRENT RESOLUTION NO. 225—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of reducing the requirements for paperwork placed on teachers, including a revision of procedures and requirements aimed at streamlining state and local paperwork, and to submit a written report on the progress of these efforts to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2002 Regular Session.

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

**HOUSE CONCURRENT RESOLUTION NO. 227—**

BY REPRESENTATIVE HOLDEN

**A CONCURRENT RESOLUTION**

To urge and request the Federal Emergency Management Administration (FEMA) to expedite an emergency declaration in Louisiana by the President of the United States to make flood victims eligible for federal funds and to send additional personnel to affected areas of the state to assist flood victims in filing claims.

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**

Mr. President	Fontenot	Michot
Barham	Gautreaux	Mount
Bean	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Fields, W	Marionneaux	
Total—28		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields, C	Jones, C
Boissiere	Hines	McPherson
Campbell	Irons	Thomas
Cravins	Johnson	
Total—11		

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

**HOUSE CONCURRENT RESOLUTION NO. 228—**

BY REPRESENTATIVE LUCAS

**A CONCURRENT RESOLUTION**

To urge and request the city of New Orleans to take prompt action to issue tickets to the contracted garbage pickup company for the city, WASTE MANAGEMENT, INC., for violating state and local litter laws by littering the service roads on Interstate Highway 10 and the city streets where garbage is not picked up and is left on the streets in certain neighborhoods.

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

**HOUSE CONCURRENT RESOLUTION NO. 229—**

BY REPRESENTATIVES TRICHE, DOWNER, AND CHAISSON

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Maxine Gros Giardina of Thibodaux.

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**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Cravins	Johnson
Boissiere	Fields, C	
Campbell	Hines	
Total—7		

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

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT**

Senate Concurrent Resolution No. 52 by Senator McPherson

June 7, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 52 by Senator McPherson recommend the following concerning the engrossed resolution:

- 1. That House all Committee Amendments proposed by the House Committee on Natural Resources and adopted by the House of Representatives on May 17, 2001, be adopted.

Respectfully submitted,
Senators: Joe McPherson, Craig F. Romero, Foster L. Campbell
Representatives: Rick Farrar, Wilfred Pierre, Jack D. Smith

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of Senators and Representatives and their respective counts.

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

CONFERENCE COMMITTEE REPORT
House Bill No. 264 By Representative Hammett

June 11, 2001

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 264 by Representative Hammett, recommend the following concerning the reengrossed bill:

- 1. That the Senate Floor Amendments proposed by Senator Ellington and Adopted by the Senate on May 15, 2001, be rejected.
2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, at the end of line 21, delete "premiums or other" and at the beginning of line 22, delete "considerations for insurance policies or contracts issued" and insert in lieu thereof "direct premiums written"

AMENDMENT NO. 2

On page 2, line 25, after "total" delete the remainder of the line and on line 26 delete "contracts issued" and insert in lieu thereof "direct premiums written"

Respectfully submitted,
Representatives: Bryant O. Hammett, Jr., Sharon Weston Broome, James Donelon
Senators: Noble E. Ellington, Kenneth M. Smith, Gregory W. Tarver, Sr.

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, listing names of Senators and Representatives and their respective counts.

June 12, 2001

Total—32

NAYS

Total—0

ABSENT

Bajoie	Fields, C	Johnson
Boissiere	Fields, W	
Campbell	Fontenot	
Total—7		

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

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 1358 By Representative Schneider, et al.**

June 11, 2001

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1358 by Representative Schneider et al., recommend the following concerning the engrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001, be rejected.
2. That Senate Floor Amendment No. 1 proposed by Senator Boissiere and adopted by the Senate on May 22, 2001, be rejected.
3. That the following amendment to the engrossed bill be adopted:

**AMENDMENT NO. 1**

On page 3, between lines 19 and 20, insert:

"Section 2. Notwithstanding any other provision of law to the contrary, the actuarial cost of implementing this Act shall be paid from surplus funds available to the system, but shall not be paid in whole or in part from funds contained in the Employer Credit Account."

**AMENDMENT NO. 2**

On page 3, at the beginning of line 20, change "Section 2." to "Section 3."

Representatives:  
Pete Schneider  
Joe R. Salter  
Jean M. Doerge

Respectfully submitted,  
Senators:  
Lambert Boissiere, Jr.  
Butch Gautreaux  
Fred Hoyt

**Rules Suspended**

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
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	McPherson
Boissiere	Irons	
Campbell	Johnson	
Total—7		

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

**Motion to Recommit**

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted House Bill No. 2029 from the Committee on Transportation, Highways, and Public Works to the Committee on Commerce and Consumer Protection.

**Senator Lambert in the Chair**

**Rules Suspended**

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

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

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

**HOUSE CONCURRENT RESOLUTION NO. 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 by the Committee on Judiciary B.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
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	McPherson
Boissiere	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 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 by the Committee on Judiciary B.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Malone  
Total—1

**ABSENT**

Mr. President	Campbell	Fontenot
Boissiere	Fields, C	Johnson
Total—6		

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

**Reconsideration**

On motion of Senator Johnson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 11, 2001 was reconsidered.

**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.

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

**Reconsideration**

On motion of Senator Cravins, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 11, 2001 was reconsidered.

**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

June 12, 2001

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.

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

**Rules Suspended**

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**HOUSE BILL NO. 328—**

BY REPRESENTATIVE KENNARD

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Jones, B
Boissiere	Fields, C	
Campbell	Johnson	
Total—7		

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

**HOUSE BILL NO. 339—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact Code of Civil Procedure Article 376, relative to expert witnesses; to provide relative to the immunity of court-appointed expert witnesses; to provide a limitation of immunity for certain actions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Campbell	Fields, C
Boissiere	Cravins	Johnson
Total—6		

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. 348—**

BY REPRESENTATIVE MCMAINS

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Boissiere	Fields, C
Barham	Campbell	Johnson
Total—6		

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

**HOUSE BILL NO. 365—**

BY REPRESENTATIVE DIEZ

**AN ACT**

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

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	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, B	Tarver

Dupre  
Ellington  
Fields, W  
Total—33

Lambert	Theunissen
Lentini	Thomas
Malone	Ullo

**NAYS**

Total—0

**ABSENT**

Mr. President	Campbell	Johnson
Boissiere	Fields, C	Jones, C
Total—6		

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. 389—**

BY REPRESENTATIVE SCALISE

**AN ACT**

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

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 389 by Representative Scalise

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 17:3091(A), the introductory paragraph of 3092, and 3129.4(C)(1) and to" and after "R.S. 17:3048.1(S)(5)" insert ", 3091(D), 3092(B), 3093(B)(5) and (E), and 3093.1" and between "to" and "the" insert "student financial assistance for higher education; to provide for"

AMENDMENT NO. 2

On page 1, at the end of line 7, add the following: "to provide for the creation of the Louisiana Higher Education Loan Program; to provide definitions; to provide relative to the authority and responsibility of the executive director of the office of student financial assistance; to provide relative to the powers of the Louisiana Tuition Trust Authority; to authorize the authority to make, service, and sell primary and secondary student loans and to create obligations and issue bonds in furtherance of that authority; to provide relative to the status of any obligations issued by the Louisiana Tuition Trust Authority; to specify that no bond, note, or other obligation shall be a debt of the state or subject to the full faith and credit of the state;"

June 12, 2001

AMENDMENT NO. 3

On page 1, line 10 after "Section 1." insert "R.S. 17:3091(A), the introductory paragraph of 3092, and 3129.4(C)(1) are hereby amended and reenacted and" and change "is" to ", 3091(D), 3092(B), 3093(B)(5) and (E), and 3093.1 are"

AMENDMENT NO. 4

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

"§3091. Louisiana Student Tuition Assistance and Revenue Trust Program; creation; purpose; legislative intent

A. In order to help make education affordable and accessible to all citizens of Louisiana, to assist in the maintenance of state institutions of postsecondary education by helping to provide a more stable financial base to these institutions, to provide the citizens of Louisiana with financing assistance for education and protection against rising tuition costs, to encourage saving to enhance the ability of citizens to obtain access to institutions of postsecondary education, to encourage academic excellence, to promote a well educated and financially secure population to the ultimate benefit of all citizens of the state, and to encourage a recognition that financing an education is an investment in the future, there is hereby created the Louisiana Student Tuition Assistance and Revenue Trust Program which ~~may hereafter be~~ shall consist of the education savings program, referred to as the "START" Program and the Louisiana Higher Education Loan Program which shall consist of a higher education student loan program. ~~The program~~ These programs shall consist of the establishment of provide for the education savings accounts for the routine savings by individuals, groups, or organizations and provisions for the routine deposit of funds to cover for the future educational costs of a designated beneficiary or a group of beneficiaries and for educational loans to be made to students who are residents of Louisiana or who are attending school in this state.

\* \* \*

D. It is the intention of the legislature that the Louisiana Higher Education Loan Program may compete for some or all of any allocation made by the governor for qualified student loan bonds, as defined in the United States Internal Revenue Code Section 146(b), from the state's bond volume cap for private activity bonds, as determined under the provisions of United States Internal Revenue Code Section 146.

§3092. Definitions

A. For the purposes of the provisions of this Chapter related to the START Program, the following words, terms, and phrases shall have the following meanings, unless the context clearly requires otherwise:

\* \* \*

B. For the purposes of the provisions of this Chapter related to the Louisiana Higher Education Loan Program, the following words, terms, and phrases shall have the following meanings, unless the context clearly requires otherwise:

(1) "Bond" or "note" means any bond or note authorized to be issued by the authority under this Chapter, and may consist of a bond, note or debt obligation evidencing an obligation to repay borrowed money and payable solely from revenues and other money of the authority pledged for repayment.

(2) "Eligible borrower" means a person, or parent of a person, who is eligible to borrow under the Federal Family Education Loan Program and the rules and regulations of the Louisiana Student Financial Assistance Commission.

(3) "Eligible school" means a postsecondary institution of higher education or a vocational school declared eligible by the United States Department of Education to participate in the Federal Family Education Loan Program and which qualifies under the rules and regulations of the Louisiana Student Financial Assistance Commission.

(4) "Eligible lender" means any person, corporation, agency, company or other legal entity qualified to participate as a lender in the Federal Family Education Loan Program and qualified as such under the rules and regulations of the Louisiana Student Financial Assistance Commission.

(5) "Higher Education Act" means the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1998, and as may be further amended from time to time, codified as Title 20, United States Code, Sections 1001 et seq.

(6) "Student loan" means a loan qualifying for a guarantee under the Federal Family Education Loan Program made to an eligible borrower.

§3093. Louisiana Tuition Trust Authority; creation; powers

\* \* \*

B. \* \* \*

(5) The executive director of the office of student financial assistance shall serve as the executive director of the authority in support of the programs authorized under this Chapter. The executive director shall administer, manage, and direct the affairs and business of the authority, subject to the policies, control, direction and bylaws of the authority. The office of student financial assistance shall provide technical, clerical, and administrative assistance to the authority, together with necessary office space and personnel, and shall assist the authority in all ways by the performance of any and all actions which may be useful or beneficial to the authority in the performance of its responsibilities under this Chapter. The executive director shall organize the personnel of the office of student financial assistance to ensure that the functions of the Louisiana Student Financial Assistance Commission related to the guarantee of student loans under the Federal Family Education Loan Program are separate and apart from the functions of the authority in regard to loans made to eligible students which may be guaranteed under the Federal Family Education Loan Program. The duties, responsibilities, funds, liabilities, and expenses of the authority in regard to the Higher Education Loan Program shall be maintained wholly separate and apart from other duties, responsibilities, funds, liabilities, and expenses of the authority. Members of the authority or employees of the office of student financial assistance executing the notes, bonds, or other obligations of the authority are not personally liable for the repayment of the note, bond, or other obligation or subject to personal liability or accountability by reason of its issuance or nonissuance.

\* \* \*

E. In regard to its responsibilities under the Higher Education Loan Program, the authority shall have all of the powers necessary to effectively and efficiently carry out and effectuate the purposes and provisions of this Chapter, including, but without limitation, the following powers:

(1) Make or participate in making a student loan to an eligible borrower, including refinancing or consolidating obligations previously incurred by an eligible borrower and participating in a loan to an eligible borrower with other eligible lenders.



(2) Acquire, purchase, make commitments to purchase, take assignments of or participate in the purchase of a student loan from an eligible lender.

(3) Sell or participate in the sale of insured student loans.

(4) Collect and pay reasonable fees and charges in connection with making, purchasing, and servicing or causing to be made, purchased, or serviced student loans by the authority, including payment to the office of student financial assistance for services performed for the authority related to the making of student loans.

(5) Procure insurance in respect of all student loans made or purchased by the authority.

(6) Consent whenever it deems it necessary or desirable in the fulfillment of its responsibilities under the Higher Education Loan Program to the modification of the rate of interest, time of payment of any installment of principal or interest or any other terms of any student loan to which the authority is a party; provided, that no such consent shall be made or given if the effect of the same would be to obviate insurance coverage in respect of any student loan.

(7) Include in any borrowing or bond issuance such amounts as may be deemed necessary by the authority to pay financing charges, interest on the obligations for a reasonable period, consulting, advisory and legal fees, and such other expenses as are necessary or incident to any such borrowing.

(8) Make and publish rules and regulations respecting its lending programs and such other rules and regulations as are necessary or incident to any such borrowing.

(9) Make, execute, and effectuate any and all agreements or other documents with any federal or state agency or any person, corporation, association, partnership, or other organization or entity necessary to accomplish the purpose of this Chapter.

(10) Accept appropriations, loans, grants, revenue sharing, devises, gifts, bequests and federal grants, and any other aid from any source whatsoever and to agree to, and to comply with, conditions incident thereto.

(11) Sue and be sued in its own name.

(12) Employ fiscal consultants, attorneys, counselors, and such other consultants and employees as may be required in the judgment of the authority and to fix and pay their compensation.

(13) Borrow money and issue bonds and notes and provide for the rights of bondholders and to secure the bonds by assignment, pledge, or granting a security interest in its property including all or a part of an obligation for the purpose of carrying out the purpose of the Higher Education Loan Program as set forth in this Chapter. The state shall not be liable for the repayment of bonds issued by the authority. The bonds issued by the authority shall not be a debt of the state, and each bond shall contain on its face a statement to that effect.

(14) Service and collect student loans for other lenders, holders, and educational institutions.

(15) Make and provide for the issuance of refunding obligations for the purpose of refunding any outstanding obligations which have been issued under the provisions of this Chapter and enter into such obligations, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such obligations. Refunding obligations may be sold or exchanged for outstanding obligations issued under this Chapter and, if sold, the proceeds thereof may be applied, in addition to any other authorized purposes, to the purchase, redemption or payment of such outstanding obligations.

(16) Establish in respect to any bonds, notes or other obligations issued for the purposes of the Higher Education Loan Program such reserve funds or replacement funds as the authority may determine are required for the purposes of the program.

§3093.1. Status of obligations issued by the Louisiana Tuition Trust Authority and disposition of proceeds

A. A bond, note or other obligation issued under the provisions of this Chapter shall not be deemed to constitute a debt, liability or obligation of the state or a pledge of the full faith and credit of the state, but shall be payable solely from the revenues or assets of the authority. Each bond, note or other obligation issued under this Chapter shall contain on the face thereof a statement to the effect that the authority shall not be obligated to pay the same nor the interest thereon except from the revenues or assets pledged therefor and that neither the full faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on such obligation.

B. Proceeds from any bond, note or other obligation of the authority issued for purposes of the Higher Education Loan Program may only be used for the funding of student loans, the payment of interest, the establishment of reserves to secure the bonds, and other expenditures of the authority necessary to carry out the purpose of the program and the powers of the authority granted in this Chapter. Any portion of such proceeds in excess of the amount required to be expended as provided in this Subsection shall be deposited into a separate Higher Education Loan Program account in the Louisiana Education Tuition and Savings Fund provided for in R.S. 17:3129.4(C).

C. Bonds issued by the authority shall be issued in accordance with and subject to the rules and regulations of the Louisiana Bond Commission.

D. Notwithstanding any other provisions of law to the contrary, all monies received pursuant to the authority of this Chapter shall be deemed to be trust funds to be held and applied solely as provided in this Chapter. The resolution authorizing any obligations or the trust agreement securing the same may provide that any of such monies may be temporarily invested pending the disbursement thereof and shall provide that any officer with whom, or any bank or trust company with which, such monies shall be deposited shall act as trustee of such monies and shall hold and apply the same for the purposes hereof, subject to such regulations as this Chapter and such resolution or trust agreement may provide.

E. Any holder of a bond, note or other obligation issued under the provisions of this Chapter or any coupons appertaining thereto, and the trustee under any trust agreement or resolution authorizing the issuance of such obligations, except as the rights herein given may be restricted by such trust agreement or resolution, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted hereunder or under such trust agreement or resolution or under any other contract executed by the authority pursuant to this Chapter or by such trust agreement or resolution to be performed by the authority or by any officer thereof.

F. Notwithstanding any other provisions of the law or any recitals in any obligations issued under the provisions of this Chapter, all bonds, notes or other obligations issued pursuant hereto, and interest coupons appertaining thereto shall be and are hereby made negotiable instruments under the laws of this state, subject only to any applicable provisions for registration.

June 12, 2001

G. Bonds, notes or other obligations issued under the provisions of this Chapter are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds including capital in their control or belonging to them. Such obligations are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds, notes or obligations of the state is now or may hereafter be authorized by law.

H. No member of the authority or other officer or any officer or employee of the office of student financial assistance shall be subject to any personal liability or accountability by reason of his execution of any obligation or the issuance of any document in furtherance thereof.

I. The bonds issued under the provisions of the Higher Education Loan Program and the interest earned thereon are exempt from taxation in this state.

\* \* \*

§3129.4. Louisiana Education Tuition and Savings Plan and Fund

\* \* \*

C.(1) There shall be established in the state treasury as a special permanent fund the Louisiana Education Tuition and Savings Fund, hereinafter referred to as the "Tuition and Savings Fund". The fund shall be comprised of separate accounts for the Louisiana Student Tuition Assistance and Revenue Trust Program established in Chapter 22-A of this Title ~~and~~, for the educational savings program authorized by this Section, and for the Louisiana Higher Education Loan Program. A "Tuition Assistance Fund" shall be established as a special permanent sub-account within the Louisiana Student Tuition Assistance and Revenue Trust Program Account. As budgeted by the Louisiana Tuition Trust Authority, the legislature shall annually appropriate state general funds to be deposited by the state treasurer in the Tuition Assistance Fund. Monies in the Tuition Assistance Fund shall be used, as appropriated, to make tuition assistance grants to the beneficiaries of eligible education savings accounts established under the Louisiana Student Tuition Assistance and Revenue Trust Program by Chapter 22-A of this Title. Monies in the Louisiana Higher Education Loan Program account may be withdrawn by the Louisiana Tuition Trust Authority for purposes provided by law for the Louisiana Higher Education Loan Program, subject to appropriation by the legislature. All revenues and interest earnings generated pursuant to programs of the Louisiana Education Tuition and Savings Plan ~~and~~, the Louisiana Student Tuition Assistance and Revenue Trust Program, and the Louisiana Higher Education Loan Program shall be credited to their respective fund accounts or sub-accounts. The monies in this fund shall be used solely to finance the permitted educational benefits provided by the respective programs. All unexpended and unencumbered monies in fund accounts and their respective sub-accounts at the end of a fiscal year shall remain in such fund accounts or sub-accounts and be available for appropriation in the next fiscal year. The monies in the fund shall be invested by the state treasurer in accordance with state law and as provided for by program rules, regulations, and guidelines, and interest earned on the investment of these monies shall be credited to the respective fund accounts or sub-accounts, following compliance with the requirements of Article VII, Section 9(B) of the constitution relative

to the Bond Security and Redemption Fund. However, principal deposited by account owners and interest earned thereon is not public money and therefore is not subject to the requirements of Article VII, Section 9(B) of the constitution.

\* \* \*\*

On motion of Senator Hainkel, 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**

Mr. President	Fields, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	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**

Campbell	Johnson
Cravins	McPherson
Total—4	

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. 410—**

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

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

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W. Fields to Reengrossed House Bill No. 410 by Representative K. Carter

AMENDMENT NO. 1

On page 2, line 14, change "graduated from high school" to "obtained a high school equivalency diploma"

AMENDMENT NO. 2

On page 2, line 16, change "graduated from high school" to "obtained a high school equivalency diploma"

AMENDMENT NO. 3

On page 2, line 19, after "student" delete "graduated" and delete line 20 and insert in lieu thereof "obtained a high school equivalency diploma."

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed House Bill No. 410 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, after "(V)" insert "and (W)"

AMENDMENT NO. 2

On page 1, line 4, after "diplomas;" insert "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;"

AMENDMENT NO. 3

On page 1, line 8, change "(V) is" to "(V) and (W) are"

AMENDMENT NO. 4

On page 4, between lines 6 and 7, insert the following:

"W.(1) Any student graduating during the 2001-2002 school year or thereafter from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education and, if from a nonpublic high school the nonpublic high school also meets any applicable provisions of Subsection T of this Section, shall be eligible for an Associate Award provided the student meets all initial and continuing requirements of this Chapter for an Opportunity Award except that the student has a composite score on the 1990 version of the American College Test of at least eighteen, but lower than that required for the Opportunity Award, or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(2) Notwithstanding any provision of this Section to the contrary, a student receiving an Associate Award shall be limited to enrolling at an eligible college or university that does not offer academic degrees at the baccalaureate level or higher to pursue an

academic undergraduate degree at the associate degree level or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree. Program eligibility for any such student shall be limited to no more than four semesters or an equivalent period of time at an institution operating on other than a semester system.

(3)(a) For any student who receives an Associate Award and who has enrolled at any public college or university in the state which meets the requirements of this Subsection, the state shall award an amount determined by the administering agency to equal the tuition charged by the public college or university attended.

(b) For any student who receives an Associate Award and who has enrolled at any regionally accredited independent college or university in the state meeting the requirements of this Subsection and which is a member of the Louisiana Association of Independent Colleges and Universities, the state shall award, as may be applicable, an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Subsection for students attending public colleges and universities meeting the requirements of this Subsection that offer academic undergraduate degrees at the associate degree level or an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Subsection for students attending public colleges and universities meeting the requirements of this Subsection that offer the permitted skill or occupational training."

Senator W. Fields moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, C, Irons. Rows include Bajoie, Boissiere, Cain, Chaisson, Cravins, Dupre, and Total—18.

NAYS

Table with 3 columns: Name, Hollis, Michot. Rows include Mr. President, Barham, Bean, Dardenne, Dean, Ellington, and Total—17.

ABSENT

Table with 2 columns: Name, McPherson, Schedler. Rows include Campbell, Johnson, and Total—4.

The Chair declared the amendments were adopted.

June 12, 2001

The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 419—

BY REPRESENTATIVE ERDEY

AN ACT

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

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	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	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
Campbell	Johnson
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. 423—

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 423 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 5, between "Development;" and "and" insert the following: "to authorize and empower the secretary of the Department of Transportation and Development to transfer title to certain described parcels of land between the diversion canal and Interstate 49, in the parishes of Rapides, Evangeline, Avoyelles and St. Landry to the Department of Wildlife and Fisheries; to provide for execution of documents; to provide for property use restrictions; to provide for cooperative endeavor agreements with landowners;"

AMENDMENT NO. 2

On page 4, between lines 14 and 15, insert the following:

"Section 4. The secretary of the Department of Transportation and Development is hereby authorized and empowered to convey, transfer, assign, and deliver title to the following described property to the Department of Wildlife and Fisheries:

A certain tract or parcel of land, situated in the parishes of Rapides, Evangeline, Avoyelles and St. Landry, state of Louisiana, and being more particularly described as follows:

The scenic easement area lying between the I-49 right-of-way westward to the Bayou Boeuf-Cocodrie Diversion Canal, beginning just north of the community of Washington, Louisiana, in St. Landry Parish, and extending northward through Evangeline Parish, Avoyelles Parish, and the southern portion of Rapides Parish.

The southern boundary of the area, in St. Landry Parish, is located on property acquired from John R. Thistlethwaite III, et al by expropriation (Suite Number 8432201, 27th JDC, August 10, 1981). It begins at approximately Highway Survey Station 576 + 60.00, between sections 11 and 12, T4S, R4E, as shown on a right-of-way map prepared by John K. Laws, Jr. and dated December 23, 1980.

The northern boundary of the area, in Rapides Parish, is located on property acquired from Phil and Pricilla Kees, by sale dated July 29, 1982 and recorded at Book 1068, Page 773 of the Rapides Parish records. It is located at approximately Highway Survey Station 211 + 91.00 in the parcel designated at No. UR10-1 in the sale documents, the "Kees/Odom" property line as shown on the right-of-way map prepared by Lindsey J. Aucoin dated February 12, 1981.

The entire length of the easement area is approximately twenty miles.

Section 5. The secretary of the Department of Transportation and Development, or his duly authorized representative is hereby authorized, subject to approval by the Federal Highway Administration, to execute such documents and perform such other acts as are necessary to properly effectuate any cooperative endeavor or sale, lease conveyance, transfer, assignment, and delivery of the property described in Section 4 of this Act, in accordance with law, to the Department of Wildlife and Fisheries.

Section 6. Construction of any kind, use of all-terrain vehicles and harvesting of timber shall be prohibited on the property described in Section 4 of this Act. Hunting on the property shall be limited to small game and bow hunting for big game. There shall be no access from Interstate 49 onto the property described herein.

Section 7. The property described in Section 4 of this Act shall be maintained in its natural state by the department, however, the secretary may enter into cooperative endeavor agreements with private landowners within the boundaries of, and adjacent to, the

described property in order to maintain adequate drainage and access as may be required by law."

AMENDMENT NO. 3

On page 4, line 15, change "Section 4" to "Section 8"

Senator McPherson moved adoption of the amendments.

Senator Hines objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Cain	Fields, C	Smith
Cravins	Fields, W	Ullo
Dean	Jones, C	
Ellington	McPherson	
Total—10		

NAYS

Bajoie	Heitmeier	Michot
Barham	Hines	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dupre	Lentini	Thomas
Fontenot	Malone	
Gautreaux	Marionneaux	
Total—22		

ABSENT

Mr. President	Johnson	Mount
Campbell	Jones, B	
Chaisson	Lambert	
Total—7		

The Chair declared the amendments were rejected.

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	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	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	

NAYS

Dean	
Total—1	

ABSENT

Mr. President	Johnson
Campbell	Jones, B
Total—4	

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

**Mr. President in the Chair**

**HOUSE BILL NO. 569—**

BY REPRESENTATIVE MCCALLUM  
AN ACT

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

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

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

NAYS

Total—0	
---------	--

ABSENT

Campbell	Johnson	Jones, B
Total—3		

June 12, 2001

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. 720—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Johnson
Campbell	Jones, B
Total—4	

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. 721—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

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

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**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Campbell	Jones, B
Bajoie	Johnson	McPherson
Total—6		

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. 722—**

BY REPRESENTATIVES MCMAINS, ANSARDI, AND WALSWORTH  
AN ACT

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

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	Marionneaux
Barham	Fontenot	Michot
Bean	Gautreaux	Mount
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver

Dardenne	Irons	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Johnson	McPherson
Campbell	Jones, B	
Total—5		

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

**Senator Lambert in the Chair**

**HOUSE BILL NO. 757—**  
BY REPRESENTATIVE PERKINS

AN ACT

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

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

**HOUSE BILL NO. 808—**  
BY REPRESENTATIVE PITRE

AN ACT

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

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

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	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	Campbell	Irons
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. 934—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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

NAYS

Dean  
Total—1

ABSENT

Mr. President	Campbell	Jones, B
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.

June 12, 2001

**HOUSE BILL NO. 935—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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	Fields, W	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	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	Campbell	McPherson
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. 936—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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

**HOUSE BILL NO. 937—**  
BY REPRESENTATIVE DIEZ

AN ACT

To repeal R.S. 40:1321(I)(3) and (4), relative to special identification cards; to remove the late fee for renewal of an expired special

identification card by mail or by electronic commerce; and to remove provisions for the disposition of that fee.

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Campbell	McPherson
Total—4	

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. 938—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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	Fields, C	Lentini
Barham	Fields, W	Marionneaux
Bean	Fontenot	McPherson
Boissiere	Gautreaux	Michot



Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Hoyt	Malone
Total—2	
	ABSENT

Mr. President  
Total—1

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. 943—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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

NAYS

Total—0	ABSENT
---------	--------

Mr. President

Total—1

The Chair declared the 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. 953—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

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

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator C. Jones to Engrossed House Bill No. 953 by Representative Guillory

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 23:" insert "1595(A), and"

AMENDMENT NO. 2

On page 1, line 3, after "referee", insert "; and delete "and"

AMENDMENT NO. 3

On page 1, line 5, after "referees;" insert "to increase the percentage of wages to determine amount of benefits"

AMENDMENT NO. 4

On page 1, line 7, after "R.S. 23:" insert "1595(A), and"

AMENDMENT NO. 5

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

"§1595. Duration of benefits

A. Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to whichever is the lesser of twenty-six times his weekly benefit amount as determined pursuant to R.S. 23:1592(3), or ~~twenty-seven~~ forty percent of his wages for insured work paid during the base period; provided that such total amount of benefits, if not a multiple of one dollar, shall be computed to the nearest multiple of one dollar. Provided, however, that no claimant shall receive a benefit check for any week beyond the number of weeks computed on his initial claim unless that claimant is participating in a program providing partial unemployment as set forth in R.S. 23:1472(19)(a), or a Shared-Work Plan as set forth in R.S. 23:1750, or has been paid wages for part-time or full-time work. Further, if a base period employer has provided severance pay, which when prorated weekly is an amount which equals or exceeds the claimant's weekly benefit amount, the claimant's benefit entitlement computed under this Subsection shall be reduced by one week for each week of severance pay, provided that no claimant's entitlement shall be reduced to less than one week.

\* \* \*

June 12, 2001

AMENDMENT NO. 6

On page 1, line 13, change "tribunals" to "referees"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Johnson
Barham	Fields, C	Jones, B
Bean	Fields, W	Jones, C
Boissiere	Gautreaux	Lambert
Cain	Heitmeier	Lentini
Chaisson	Hines	McPherson
Cravins	Hollis	Romero
Dupre	Irons	Tarver
Total—24		

NAYS

Mr. President	Hoyt	Smith
Dardenne	Malone	Theunissen
Dean	Mount	Thomas
Fontenot	Schedler	Ullo
Total—12		

ABSENT

Campbell	Marionneaux	Michot
Total—3		

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

Personal Privilege

Senator Hollis 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. 953. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 959—

BY REPRESENTATIVES GUILLORY, BOWLER, CLARKSON, MURRAY, NEVERS, PERKINS, PITRE, POWELL, SCALISE, STELLY, AND TUCKER  
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Michot	Thomas
Total—3		

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

Mr. President in the Chair

HOUSE BILL NO. 963—

BY REPRESENTATIVE DIEZ

AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 963 by Representative Diez

AMENDMENT NO. 1

On page 2, line 1, change "parish" to "municipality"

On motion of Senator Heitmeier, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Jones, B  
Total—1

The Chair declared the amended 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. 1023—**

BY REPRESENTATIVE DIEZ

**AN ACT**

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

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	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas

Dupre  
Ellington  
Fields, C  
Total—37

Jones, C  
Lambert  
Lentini

Ullo

**NAYS**

Malone  
Total—1

**ABSENT**

Mr. President  
Total—1

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. 1075—**

BY REPRESENTATIVES DEWITT AND FARRAR

**AN ACT**

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

The bill was read by title. Senator McPherson 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
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—3

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

June 12, 2001

HOUSE BILL NO. 1121—  
BY REPRESENTATIVE PITRE

AN ACT

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

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1121 by Representative Pitre

AMENDMENT NO. 1

Delete Amendment No 1 proposed by the Senate Committee on Labor & Industrial Relations and adopted by the Senate on May 30, 2001

AMENDMENT NO. 2

On page 2, line 3, after "treatment and" delete the remainder of the line and delete lines 4 through 12

Senator Dardenne moved adoption of the amendments.

Senator C. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—32		

NAYS

Bajoie	Fields, C	Irons
Campbell	Fields, W	Jones, C
Total—6		

ABSENT

Marionneaux  
Total—1

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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. 1142—  
BY REPRESENTATIVE DIEZ

AN ACT

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

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	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero

Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Fields, C	Fields, W
Total—2	

ABSENT

Mr. President  
Total—1

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. 1197—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

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

NAYS

Total—0  
ABSENT

Lentini  
Total—1

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. 1308—**

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

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Mr. President  
Total—2  
ABSENT

Smith  
Total—1

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.

June 12, 2001

HOUSE BILL NO. 1384—  
BY REPRESENTATIVE RIDDLE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—1

ABSENT

Mr. President  
Total—1

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

HOUSE BILL NO. 1385—  
BY REPRESENTATIVE RIDDLE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Malone
Bajoie	Fields, W	Marionneaux

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

NAYS

Total—0

ABSENT

Hines  
Total—2  
Mount

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

HOUSE BILL NO. 1502—  
BY REPRESENTATIVE WADDELL

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 1527—

BY REPRESENTATIVE BROOME

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—1

ABSENT

Total—0

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

HOUSE BILL NO. 1613—

BY REPRESENTATIVE GUILLORY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 1674—

BY REPRESENTATIVE DIEZ

AN ACT

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

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	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen

June 12, 2001

Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

NAYS

Fields, C  
Total—1

ABSENT

Fontenot  
Total—1

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. 1686—**

BY REPRESENTATIVE BROOME

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneau
Bajoie	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Tarver
Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Fields, C	Malone	
Total—32		

NAYS

Barham	Fontenot
Ellington	Smith
Total—4	

ABSENT

Campbell	Fields, W	Jones, B
Total—3		

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

**HOUSE BILL NO. 1721—**

BY REPRESENTATIVE DONELON

AN ACT

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

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1721 by Representative Donelon

AMENDMENT NO. 1

On page 3, after line 20, insert the following:

"(3) In any case in which a health care provider either fails to respond in writing within thirty days to a health insurance issuer's written notification of recoupment or disputes a proposed recoupment that is ultimately resolved in favor of the health insurance issuer, the health insurance issuer shall be entitled to a late payment adjustment from the health care provider equal to one percent of the amount due. The health insurance issuer shall be entitled to an additional late payment adjustment equal to one percent of the unpaid balance for each month or partial month that such recoupment amount remains unpaid."

Senator Schedler moved adoption of the amendments.

Senator Boissiere objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hollis	Romero
Cain	Jones, B	Schedler
Campbell	Jones, C	Smith
Chaisson	Lambert	Theunissen
Dardenne	Lentini	Thomas
Dupre	Marionneau	
Total—26		

NAYS

Boissiere	Fields, W	Malone
Cravins	Hoyt	Tarver
Dean	Irons	Ullo
Fields, C	Johnson	
Total—11		

ABSENT



Fontenot Hines
Total—2

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 1727— BY REPRESENTATIVE DIEZ

AN ACT

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

permits to dismantle certain vehicles; and to provide for related matters.

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

HOUSE BILL NO. 1800—

BY REPRESENTATIVE CROWE

AN ACT

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

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

Bean Fontenot Lentini
Cain Gautreaux McPherson
Campbell Heitmeier Romero
Chaisson Hines Schedler
Dardenne Hollis Smith
Dean Jones, C Thomas
Dupre Lambert
Total—20

NAYS

Bajoie Hoyt Michot
Barham Irons Mount
Boissiere Johnson Theunissen
Fields, C Malone Ullo
Fields, W Marionneaux
Total—14

ABSENT

Mr. President Ellington Tarver
Cravins Jones, B
Total—5

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

BY REPRESENTATIVE PINAC AND SENATOR FONTENOT

AN ACT

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

June 12, 2001

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

Table with 3 columns: Name, Fontenot, Lentini. Rows include Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dupre, Ellington, Total—30.

NAYS

Table with 2 columns: Name, Fields, W. Rows include Dean, Fields, C, Total—4.

ABSENT

Table with 3 columns: Name, Jones, B, Tarver. Rows include Mr. President, Cravins, Total—5.

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. 1858—

BY REPRESENTATIVE BROOME

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, C, Lentini. Rows include Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Malone, Marionneaux, Michot, Mount, Romero.

Table with 3 columns: Name, Hollis, Schedler. Rows include Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—35, Hoyt, Irons, Johnson, Jones, C, Lambert, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, McPherson. Rows include Mr. President, Jones, B, Total—4, Tarver.

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

HOUSE BILL NO. 1864—

BY REPRESENTATIVE DIEZ

AN ACT

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

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. 1864 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:2212(A)(1)(b)" insert "and to enact R.S. 38:2227"

AMENDMENT NO. 2

On page 1, line 4, after "contracts;" insert "to prohibit certain payments and reimbursements under certain public contracts;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 38:2227 is hereby enacted"

AMENDMENT NO. 4

On page 1, at the bottom of the page, insert the following:

"R.S. 38:2227 is all proposed new law.

§2227. Prohibition of certain payments or reimbursements based upon a reduction or elimination of pay items, quantities, or work

A. Notwithstanding any other law or regulation to the contrary, if the Department of Transportation and Development eliminates a pay item or pay items contained in a contract because they are

unnecessary for proper completion of the work, or if the department makes a change in the quantity of materials, supplies, equipment, or other property to be provided pursuant to a contract, or alters any contract work, the contractor shall not receive a payment or any other expense, profit, or loss reimbursement under the contract based upon or attributable to the portion of such pay item, quantity, or work which is reduced or eliminated.

B. "Pay item" means a specific portion of work for which a price is provided in the contract."

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Fields, W, Fontenot, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo. Total—32

NAYS

Total—0

ABSENT

Table listing ABSENT: Mr. President, Jones, B, Tarver, Gautreaux, Romero, Irons, Schedler. Total—7

The Chair declared the amended 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. 1895— BY REPRESENTATIVE PIERRE

AN ACT

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

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

Table listing YEAS: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dupre, Ellington, Fields, C, Fields, W, Fontenot, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, C, Lambert, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Ullo. Total—31

NAYS

Table listing NAYS: Dean. Total—1

ABSENT

Table listing ABSENT: Mr. President, Hoyt, Jones, B, Thomas, Cravins, Tarver, Gautreaux. Total—7

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.

Rules Suspended

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 12, 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. 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 without amendments.

**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.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 159—**

BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To express sincere condolences upon the death of Malcolm Dewitt Jones, Jr.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**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 11, 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. 542—**

BY REPRESENTATIVE MONTGOMERY

**AN ACT**

To amend and reenact R.S. 13:970(L) and to enact R.S. 13:961(F)(1)(l), relative to court reporters in the Twenty-Sixth Judicial District Court; to authorize an increase in per page fees charged for transcription of testimony and for copies thereof in civil and criminal cases in Bossier Parish and Webster Parish; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 543—**

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

**AN ACT**

To amend and reenact R.S. 13:961(F)(1)(c), relative to court reporters in the Seventeenth Judicial District Court; to increase the fees charged for transcription of testimony and copies in civil and criminal cases in Lafourche Parish; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 648—**

BY REPRESENTATIVE DOWNER

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain claims against the state recommended for payment by the Board of Tax Appeals; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 696—**

BY REPRESENTATIVES MCDONALD, HAMMETT, AND THOMPSON AND SENATOR JONES

**AN ACT**

To enact R.S. 13:961(F)(1)(l), relative to court reporter fees in the Sixth Judicial District; to authorize an increase in transcription fees in civil and criminal cases; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1363—**

BY REPRESENTATIVE KATZ

**AN ACT**

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

Reported favorably.

**HOUSE BILL NO. 1626—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To enact Subpart F of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99 and 99.1, relative to special treasury funds; to create the Municipalities Energy Expense Loan Fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund; to provide for loans from the fund for certain municipalities to assist with the payment of energy expenses; to provide for the administration of the program; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1640—**

BY REPRESENTATIVE LEBLANC

## AN ACT

To amend and reenact Part VII of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:251 through 257, relative to the operation of state buildings; to provide for an energy management policy to minimize energy costs and consumption; to require that such policy be used by the agencies of state government; to require the development of energy management plans for each agency; to require reporting relative to such plans; to authorize the retention of certain monies associated with savings in expenses related to energy use; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1641—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND THOMPSON

## AN ACT

To amend and reenact R.S. 17:375(A)(1) and (B)(3), R.S. 23:1170(A), R.S. 32:1313(B), R.S. 40:2199(F)(1) and 2502(E), R.S. 41:1085, R.S. 46:160.1(17), 160.9, 160.10(A), and 2685(A)(3), and R.S. 47:718(C) and to repeal Part III of Chapter 4-A of Title 3, comprised of R.S. 3:331 through 338, R.S. 17:7.6, 10.3, 373, 375(3), and 377(B), Chapter 20-D of Title 17, comprised of R.S. 17:3044.1 through 3044.5, R.S. 17:3129.5, 3129.6, 3384, and 3765, R.S. 23:1170(C), and 2071, R.S. 28:26, Chapter 5-A of Subtitle 1 of Title 30, comprised of R.S. 30:311 through 30:316, R.S. 33:3007, R.S. 36:4(B)(6)(b), 259(AA), 409(C)(7), R.S. 40:1300.6 and 1300.171, Part VIII of Chapter 11 of Title 40, comprised of R.S. 40:2193 through 2193.5, R.S. 40:2194.6, 2195.2(B), 2502(B)(9), and 2503, R.S. 46:160.1(8) and 160.7, Part V of Chapter 4 of Title 46, comprised of R.S. 46:581 through 589, Part VI of Chapter 4 of Title 46, comprised of R.S. 46:591 through 593, R.S. 46:932(11), Chapter 36 of Title 46, comprised of R.S. 46:2451 through 2453, 2624(I)(4) and (5), Chapter 49 of Title 46, comprised of R.S. 46:2640 through 2643, R.S. 46:2682(2), and 2684, Subpart I of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.31, Subpart J of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.32, Subpart K of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.33, Subpart O of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.38, Subpart P of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.39, Subpart R of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.41 and 120.42, Subpart S of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.51 through 120.55, R.S. 47:463.60, Subtitle VI of Title 47, comprised of R.S. 47:5001 through 5010, R.S. 51:2323, and R.S. 56:1924, relative to special treasury funds; to eliminate the Medicaid Access Trust Fund, Community-based Health Care Fund, U.S. Olympic Checkoff Fund, Rural Development Loan Fund, School and District Accountability Fund, Quality Science and Mathematic Equipping Fund, Minority Health Professions Education Fund, Louisiana University Faculty Incentive Fund, Higher Education Initiatives Fund, Louisiana Endowment Fund for Eminent Louisiana Scholars, School Leadership Development Fund, Alternative School Fund, Workers' Compensation Enforcement Revolving Fund, Community and Technical Colleges Investment Fund, Mental Health Trust Fund, Coastal Environmental

Protection Trust Fund, St. Mary Parish Local Government Gaming Mitigation Fund, Louisiana Senior Citizens Trust Fund, Louisiana Indigent Health Care Trust Fund, Louisiana Inmate Arts Trust Fund, Child Advocacy Center Support Fund, Health Professional Development Fund, Community-Based and Rural Health Care Fund, Interagency Recreation Board Fund, Louisiana Community-Based Services Trust Fund, Homeless Relief Fund, Homeless Trust Fund, Drug Enforcement and Recovery Fund, Victims of Family Violence Checkoff Fund, Literacy Fund, Addictive Disorders Treatment Fund, Louisiana Special Olympics Checkoff Fund, Pet Overpopulation Fund, Tax Surplus Fund, Louisiana Small Business Incubator Fund, Motor Vehicle Safety Inspection Fund, Weights and Standards Mobile Police Force Fund, Health Care Facility Fund, and Stewardship Account; to authorize the transfer of balances between funds; to provide for deposit of monies into the state general fund; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1652—**

BY REPRESENTATIVES LEBLANC, PITRE, JOHN SMITH, AND WINSTON

## AN ACT

To amend and reenact R.S. 39:82(A), 87.4(A) and (D)(3), and 352 and to enact R.S. 39:87.4(D)(5) and (6) and 87.5, relative to government performance; to provide for an incentive reward program related to efficiency in state operations and performance; to provide for eligibility, determination, and requirements for receipt of rewards; to provide for limitations on and methods for the provision of such rewards; to establish the "Incentive Fund" in the state treasury; to provide for deposit and use of monies in the fund; to provide for use of unexpended, unencumbered monies remaining in the fund at the end of the fiscal year; to require the development of a model plan for the purposes of the incentive program by the Department of State Civil Service; to authorize rewards for certain state employees under certain circumstances; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1665—**

BY REPRESENTATIVE LEBLANC

## AN ACT

To amend and reenact R.S. 39:2(27) and 75(A) and to enact R.S. 39:2(11.1), relative to the elimination of a projected or actual deficit; to define projected deficit and a deficit; to provide relative to the budget status report and its contents; to provide for the elimination of a projected deficit in a fund or a deficit in a fund; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1783—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND AND SENATOR DARDENNE

## AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1808—**

BY REPRESENTATIVE LEBLANC

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments.

**HOUSE BILL NO. 1817—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, AND ULLO

AN ACT

To appropriate the sum of Forty-nine Million Two Hundred Eighty-four Thousand Forty-nine and No/100 (\$49,284,049.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Four Hundred Thousand and No/100 (\$7,400,000.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported with amendments.

**HOUSE BILL NO. 1835—**

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2001-2002; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1957—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 56:1691(C) and (D), to repeal R.S. 56:1691(B)(3), (E), (F), and (G), and to repeal R.S. 56:1691 effective July 1, 2002, relative to monies in the State Parks Land Acquisition Trust Fund; to provide for the investment and use of monies deposited in the fund; to authorize use of monies in the fund for certain promotional activities related to state parks and outdoor recreational activities; to provide for effective dates; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2014—**

BY REPRESENTATIVE GREEN

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 "Wal-Mart Stores, Inc. v. Secretary, Dept. of Revenue, State of Louisiana"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAY DARDENNE  
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 12, 2001

To the President and Members of the Senate:

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

**HOUSE BILL NO. 243 —**

BY REPRESENTATIVES SCALISE AND SWILLING

AN ACT

To amend and reenact R.S. 51:293, relative to the Louisiana Superdome; to authorize the transfer of the right to designate and use an alternative name and trademarks for the Louisiana Superdome; to require approval of the Joint Legislative Committee on the Budget relative to certain transactions; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the Louisiana Superdome; and to provide for related matters.

Reported 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.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON**

**LABOR AND INDUSTRIAL RELATIONS**

Senator C. Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

June 12, 2001

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

**HOUSE BILL NO. 774—**  
BY REPRESENTATIVE STELLY

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 798—**  
BY REPRESENTATIVE DONELON

AN ACT

To repeal Chapter 2 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:101 through 115, to repeal provisions of law regulating employment agencies.

Reported with amendments.

**HOUSE BILL NO. 975—**  
BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 39:1798.5, relative to the Office Facilities Corporation; to authorize the corporation to assert certain defenses to claims in tort or workers' compensation against the corporation; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 976—**  
BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 39:1797.1, relative to the Louisiana Office Building Corporation; to authorize the corporation to assert certain defenses to claims in tort or workers' compensation against the corporation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 977—**  
BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 39:1785(E) and (F), relative to the Correctional Facilities Corporation; to authorize the corporation to provide for applicability of certain defenses in tort or workers' compensation claims against the corporation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1003—**  
BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 23:1212, relative to medical expense payments in workers' compensation; to provide that payment by Medicaid or other state medical assistance programs does not

extinguish claims for medical expenses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1193—**  
BY REPRESENTATIVE MURRAY

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 1295—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 23:631(A)(1)(a), relative to discharged employees; to extend the time period within which a discharged employee must be compensated; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1516—**  
BY REPRESENTATIVE MCMAINS

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 1735—**  
BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 23:1031.1(D), (E)(introductory paragraph), and (F) and 1293(B)(1) and to enact R.S. 23:1310.8(F), relative to workers' compensation; to provide for the determination of occupational disease; to provide for accessibility to pleadings and evidence in workers' compensation disputes; to provide for motions for modification; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1811 (Substitute for House Bill No. 1746 by Representative Scalise)—**

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 23:1035(B), relative to workers' compensation; to exempt musicians and performers working under contract from coverage; and to provide for related matters.

Reported favorably.

June 12, 2001

**HOUSE BILL NO. 2045 (Substitute for House Bill No. 806 by Representative Pitre)—**

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1127.1, relative to workers' compensation; to allow and institute a procedure for access to employee earnings records; to provide confidentiality for information received; to provide for damages as a result of a breach of confidentiality; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

Senator Barham 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. 243 —**

BY REPRESENTATIVES SCALISE AND SWILLING

AN ACT

To amend and reenact R.S. 51:293, relative to the Louisiana Superdome; to authorize the transfer of the right to designate and use an alternative name and trademarks for the Louisiana Superdome; to require approval of the Joint Legislative Committee on the Budget relative to certain transactions; to require certain conditions in any agreement to transfer the right to designate and use an alternative name and trademarks for the Louisiana Superdome; and to provide for related matters.

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

**HOUSE BILL NO. 542—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 13:970(L) and to enact R.S. 13:961(F)(1)(I), relative to court reporters in the Twenty-Sixth Judicial District Court; to authorize an increase in per page fees charged for transcription of testimony and for copies thereof in civil and criminal cases in Bossier Parish and Webster Parish; and to provide for related matters.

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

**HOUSE BILL NO. 543—**

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

AN ACT

To amend and reenact R.S. 13:961(F)(1)(c), relative to court reporters in the Seventeenth Judicial District Court; to increase the fees

charged for transcription of testimony and copies in civil and criminal cases in Lafourche Parish; and to provide for related matters.

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

**HOUSE BILL NO. 648—**

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain claims against the state recommended for payment by the Board of Tax Appeals; 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. 696—**

BY REPRESENTATIVES MCDONALD, HAMMETT, AND THOMPSON AND SENATOR JONES

AN ACT

To enact R.S. 13:961(F)(1)(I), relative to court reporter fees in the Sixth Judicial District; to authorize an increase in transcription fees in civil and criminal cases; 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. 774—**

BY REPRESENTATIVE STELLY

AN ACT

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

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

**HOUSE BILL NO. 798—**

BY REPRESENTATIVE DONELON

AN ACT

To repeal Chapter 2 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:101 through 115, to repeal provisions of law regulating employment agencies.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Bill No. 798 by Representative Donelon



AMENDMENT NO. 1

On page 1, delete lines 2, 3 and 4, in lieu of insert the following: "To amend and reenact R.S.23:102(E), relative to employment services; to exempt employer-fee-paid employment services from certain requirements; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete to end of line and delete line 7, in lieu of insert the following:

"R.S. 23:102(E) is hereby amended and reenacted to read as follows: §102. Employment service exclusions

\* \* \*

E. ~~Except for provisions requiring applicants for licensure under this Part to take an examination, the licensing requirements of R.S. 23:105, and the bond requirements of R.S. 23:106, the~~ **The** provisions of this Part shall not apply to employer-fee-paid employment services, whether domestic or foreign, or authorize or allow the regulation of the charges made by such employment services to employers."

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

**HOUSE BILL NO. 975—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 39:1798.5, relative to the Office Facilities Corporation; to authorize the corporation to assert certain defenses to claims in tort or workers' compensation against the corporation; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 975 by Representative McMains

AMENDMENT NO. 1

On page 2, line 5, change "in" to "of"

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

**HOUSE BILL NO. 976—**

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 39:1797.1, relative to the Louisiana Office Building Corporation; to authorize the corporation to assert certain defenses to claims in tort or workers' compensation against the corporation; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. Under the provisions of Joint Rule No. 3 of the Rules of

the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 977—**

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 39:1785(E) and (F), relative to the Correctional Facilities Corporation; to authorize the corporation to provide for applicability of certain defenses in tort or workers' compensation claims against the corporation; and to provide for related matters.

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

**HOUSE BILL NO. 1003—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 23:1212, relative to medical expense payments in workers' compensation; to provide that payment by Medicaid or other state medical assistance programs does not extinguish claims for medical expenses; and to provide for related matters.

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

**HOUSE BILL NO. 1193—**

BY REPRESENTATIVE MURRAY

AN ACT

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

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

**HOUSE BILL NO. 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 Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

June 12, 2001

**HOUSE BILL NO. 1295—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 23:631(A)(1)(a), relative to discharged employees; to extend the time period within which a discharged employee must be compensated; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Bill No. 1295 by Representative Stelly

AMENDMENT NO. 1

On page 1, line 14 delete "within" and line 15 in their entirety, in lieu of insert "**on or before the next regular payday or no later than fifteen days following the date of discharge, whichever occurs first.**"

AMENDMENT NO. 2

On page 1, after line 16, insert the following:

"C. With respect to interstate common carriers by rail, a legal holiday shall not be considered in computing the ~~three~~ **fifteen** day period provided for in Subsection A of this Section.

\* \* \*

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

**HOUSE BILL NO. 1363—**

BY REPRESENTATIVE KATZ

AN ACT

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

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. 1516—**

BY REPRESENTATIVE MCMAINS

AN ACT

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

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

**HOUSE BILL NO. 1626—**

BY REPRESENTATIVE LEBLANC

AN ACT

To enact Subpart F of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:99 and 99.1, relative to special treasury funds; to create the Municipalities Energy Expense Loan Fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund; to provide for loans from the fund for certain municipalities to assist with the payment of energy expenses; to provide for the administration of the program; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

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. 1640—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact Part VII of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:251 through 257, relative to the operation of state buildings; to provide for an energy management policy to minimize energy costs and consumption; to require that such policy be used by the agencies of state government; to require the development of energy management plans for each agency; to require reporting relative to such plans; to authorize the retention of certain monies associated with savings in expenses related to energy use; 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. 1640 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 7, after "energy" delete the remainder of the line and insert: "cost saving measures"

AMENDMENT NO. 2

On page 1, at the beginning of line 8, delete "agency"

AMENDMENT NO. 3

On page 2, line 16, delete "The Division of" and delete lines 17 through 23 in the entirety and insert:

"(1) The division of administration shall develop and implement a standardized reporting method to obtain information from each agency on energy usage and costs for such energy used. The reports shall include information relative to state-owned or leased buildings and facilities concerning location, billing name and address, square footage, hours of operation, demand charges, energy suppliers, and energy costs no later than January 1, 2002. Such reports shall be made on a biannual basis.

(2) The division of administration shall use this information to develop and maintain a database on all state buildings and facilities

and their associated energy use, energy demand, and energy cost. The"

AMENDMENT NO. 4

On page 3, line 1, after "others" insert a period "." and delete the remainder of the line and delete line 2 in its entirety.

AMENDMENT NO. 5

On page 3, line 3, after "B." delete the remainder of the line and delete lines 4 through 14 in their entirety and insert:

"(1) The division of administration shall develop an initial energy cost index no later than April 1, 2002. The energy cost index shall be developed using the information obtained pursuant to Subsection A of this Section. The energy cost index shall include, but not be limited to the following:

(a) British thermal units per square foot by building or facility class.

(b) Energy costs per million British thermal units.

(c) Kilowatt demand by square foot by class.

(d) A target power factor.

(2) The division of administration shall use the energy cost index to identify state buildings and facilities with elevated energy use or costs."

AMENDMENT NO. 6

On page 3, delete lines 15 through 22 and insert:

"C. The division of administration shall conduct, or cause to be conducted, detailed bill assessments and energy audits on state buildings and facilities with identified elevated energy use or costs. Such assessments and energy audits shall be conducted on a priority basis based on results of the energy cost index. Bill assessments shall include assessments of gas and electrical consumption, peak demand and demand charges, service charges, and tariff or rate schedule appropriateness. Energy audits shall include audits of occupancy and use patterns, electrical controls and control systems, heating, ventilation, and air conditioning efficiency and maintenance, lighting efficiency, building infiltration, and control of radiant gain through walls, roof, and windows. In order to minimize expenditures, the division of administration shall utilize performance contracting and service agreements to the maximum extent possible."

AMENDMENT NO. 7

On page 3, line 23, after "D." delete the remainder of the line, delete lines 24 through 26, on page 4, delete lines 1 through 12, and at the beginning of line 13, delete "years." and insert the following:

"The division of administration shall make, or cause to be made, recommendations for energy cost saving measures, hereinafter referred to as "ECSCMs" as a result of bill assessments or energy audits conducted as provided in Subsection C of this Section. Approved ECSCMs shall include measures to reduce energy consumption, reduce demand charges, improve power factors, and lower per unit energy costs. Such measures shall be prioritized on life cycle costing.

E. The division of administration shall aggregate buildings and facilities or agencies for the purpose of negotiating utility rates favorable to the state.

F. The division of administration shall evaluate the economic feasibility of on-site electrical generation. The division of administration shall develop on-site electrical generation when the per

unit energy costs or energy demand charges make on-site generation favorable on a life cycle cost analysis. On-site generation technologies may include fuel cells, fuel-fired turbines, and renewable energy sources such as photovoltaics, solar thermal energy, and biomass energy.

G."

AMENDMENT NO. 8

On page 4, line 14, after "consumption" and before "as well" delete "and expenses," and insert "and in implementing ECSCMs,"

AMENDMENT NO. 9

On page 4, delete line 19 and insert:

"§254. Implementation of"

AMENDMENT NO. 10

On page 4, delete lines 21 through 26, and on page 5, delete line 1 and insert:

"A. Implementation of energy cost saving measures or on-site generation projects shall be made on a funds available basis or through the use of a performance contract or service agreement requiring no expenditure. Energy cost saving measures and on-site electrical generation projects involving a capital investment must have a positive life cycle cost analysis.

B.(1) Agencies able to demonstrate net savings from implementing ECSCMs initiated by the agency may retain all of the utility expenditure savings until the investment costs of implementing the ECSCMs are paid in full, and thereafter may retain one-half of the utility expenditure savings over the remaining useful life of the ECSCMs. Such retained utility expenditure savings shall be from funds appropriated or allocated for utility costs to such agency. The provisions of Subsection B shall not apply to postsecondary institutions.

(2) Agencies able to demonstrate net savings from implementing ECSCMs which were initiated by the agency prior to the effective date of this Act may retain all of the utility expenditure savings for the useful life of the ECSCMs. Such retained utility expenditure savings shall be from funds appropriated or allocated for utility costs to such agency.

(3) The division of administration shall develop and promulgate such rules and regulations as are necessary to provide for the measurement and verification of energy savings.

(4) The provisions of Subsection B of this Section shall not apply to postsecondary institutions."

AMENDMENT NO. 11

On page 5, line 4, after "Part" and before "shall" insert: "pertaining to capital investments"

AMENDMENT NO. 12

On page 5, line 6, after the period "." and before "The" insert: "The other provisions of this Part shall apply to the state-owned buildings and facilities and to that portion occupied or used by state agencies in buildings or facilities leased by the agency."

AMENDMENT NO. 13

On page 5, line 10, change "unable" to "failing"

AMENDMENT NO. 14

On page 5, at the end of line 13, insert: "The commissioner of administration shall withhold from the appropriations of any agency failing to comply with the provisions of this Part an amount equal to five percent of the amount appropriated to the agency for energy costs only if approved by the Joint Legislative Committee on the Budget. The commissioner of administration shall release any amounts withheld upon an agency's compliance with the provisions of this Part less the amount used by the division of administration for collecting energy data from the non-complying agency. The use and expenditure of such amounts by the division of administration are subject to approval by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 15

On page 5, delete lines 15 through 19 and insert: "The division of administration shall report annually to the Joint Legislative Committee on the Budget and the Legislative Fiscal Office the results of the energy cost saving measures undertaken pursuant to this Part and the savings generated by such measures."

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. 1641—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND THOMPSON  
AN ACT

To amend and reenact R.S. 17:375(A)(1) and (B)(3), R.S. 23:1170(A), R.S. 32:1313(B), R.S. 40:2199(F)(1) and 2502(E), R.S. 41:1085, R.S. 46:160.1(17), 160.9, 160.10(A), and 2685(A)(3), and R.S. 47:718(C) and to repeal Part III of Chapter 4-A of Title 3, comprised of R.S. 3:331 through 338, R.S. 17:7.6, 10.3, 373, 375(3), and 377(B), Chapter 20-D of Title 17, comprised of R.S. 17:3044.1 through 3044.5, R.S. 17:3129.5, 3129.6, 3384, and 3765, R.S. 23:1170(C), and 2071, R.S. 28:26, Chapter 5-A of Subtitle 1 of Title 30, comprised of R.S. 30:311 through 30:316, R.S. 33:3007, R.S. 36:4(B)(6)(b), 259(AA), 409(C)(7), R.S. 40:1300.6 and 1300.171, Part VIII of Chapter 11 of Title 40, comprised of R.S. 40:2193 through 2193.5, R.S. 40:2194.6, 2195.2(B), 2502(B)(9), and 2503, R.S. 46:160.1(8) and 160.7, Part V of Chapter 4 of Title 46, comprised of R.S. 46:581 through 589, Part VI of Chapter 4 of Title 46, comprised of R.S. 46:591 through 593, R.S. 46:932(11), Chapter 36 of Title 46, comprised of R.S. 46:2451 through 2453, 2624(I)(4) and (5), Chapter 49 of Title 46, comprised of R.S. 46:2640 through 2643, R.S. 46:2682(2), and 2684, Subpart I of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.31, Subpart J of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.32, Subpart K of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.33, Subpart O of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.38, Subpart P of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.39, Subpart R of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.41 and 120.42, Subpart S of Part 1 of Chapter 1 of Subtitle II of Title 47, comprised of R.S. 47:120.51 through 120.55, R.S. 47:463.60, Subtitle VI of Title 47, comprised of R.S. 47:5001 through 5010, R.S. 51:2323, and R.S. 56:1924, relative to special treasury funds; to eliminate the Medicaid Access Trust Fund,

Community-based Health Care Fund, U.S. Olympic Checkoff Fund, Rural Development Loan Fund, School and District Accountability Fund, Quality Science and Mathematic Equipping Fund, Minority Health Professions Education Fund, Louisiana University Faculty Incentive Fund, Higher Education Initiatives Fund, Louisiana Endowment Fund for Eminent Louisiana Scholars, School Leadership Development Fund, Alternative School Fund, Workers' Compensation Enforcement Revolving Fund, Community and Technical Colleges Investment Fund, Mental Health Trust Fund, Coastal Environmental Protection Trust Fund, St. Mary Parish Local Government Gaming Mitigation Fund, Louisiana Senior Citizens Trust Fund, Louisiana Indigent Health Care Trust Fund, Louisiana Inmate Arts Trust Fund, Child Advocacy Center Support Fund, Health Professional Development Fund, Community-Based and Rural Health Care Fund, Interagency Recreation Board Fund, Louisiana Community-Based Services Trust Fund, Homeless Relief Fund, Homeless Trust Fund, Drug Enforcement and Recovery Fund, Victims of Family Violence Checkoff Fund, Literacy Fund, Addictive Disorders Treatment Fund, Louisiana Special Olympics Checkoff Fund, Pet Overpopulation Fund, Tax Surplus Fund, Louisiana Small Business Incubator Fund, Motor Vehicle Safety Inspection Fund, Weights and Standards Mobile Police Force Fund, Health Care Facility Fund, and Stewardship Account; to authorize the transfer of balances between funds; to provide for deposit of monies into the state general fund; 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. 1641 by Representative LeBlanc, DeWitt, and Thompson

AMENDMENT NO. 1

On page 1, line 8, after "17:3129.5" and before "3384" delete "3129.6,"

AMENDMENT NO. 2

On page 2, at the end of line 16, delete "Higher"

AMENDMENT NO. 3

On page 2, at the beginning of line 17, delete "Education Initiatives Fund,"

AMENDMENT NO. 4

On page 11, line 9, delete "3129.6,"

AMENDMENT NO. 5

On page 11, line 25, after "repealed" insert "and abolished"

AMENDMENT NO. 6

On page 12, at the end of line 2, insert the following: "The balance remaining in the Workers' Compensation Enforcement Revolving Fund shall be transferred to the Worker's Compensation Administration Fund"

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. 1652—**

BY REPRESENTATIVES LEBLANC, PITRE, JOHN SMITH, AND WINSTON  
AN ACT

To amend and reenact R.S. 39:82(A), 87.4(A) and (D)(3), and 352 and to enact R.S. 39:87.4(D)(5) and (6) and 87.5, relative to government performance; to provide for an incentive reward program related to efficiency in state operations and performance; to provide for eligibility, determination, and requirements for receipt of rewards; to provide for limitations on and methods for the provision of such rewards; to establish the "Incentive Fund" in the state treasury; to provide for deposit and use of monies in the fund; to provide for use of unexpended, unencumbered monies remaining in the fund at the end of the fiscal year; to require the development of a model plan for the purposes of the incentive program by the Department of State Civil Service; to authorize rewards for certain state employees under certain circumstances; 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. 1665—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 39:2(27) and 75(A) and to enact R.S. 39:2(11.1), relative to the elimination of a projected or actual deficit; to define projected deficit and a deficit; to provide relative to the budget status report and its contents; to provide for the elimination of a projected deficit in a fund or a deficit in a fund; 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. 1665 by Representative LeBlanc

**AMENDMENT NO. 1**

On page 1, line 2, change "75(A)" to "75(A), (C)(introductory paragraph), and (D)"

**AMENDMENT NO. 2**

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

"(3) At the first meeting of the Joint Legislative Committee on the Budget after publication of the Comprehensive Annual Financial Report for the state of Louisiana, the budget status report shall be adjusted to reflect the balance in any fund that existed in a fund at the end of the previous fiscal year. For purposes of this Paragraph, the balance in any fund shall mean the unreserved, undesignated fund balance reported in the Comprehensive Annual Financial Report of the state of Louisiana adjusted as provided in this Paragraph. The division of administration shall adjust such balance for items that

have been accounted for in the budget for the current year, that do not affect the budgetary soundness of a fund, or that are described in Paragraph (4) of this Subsection. The division of administration shall submit a list and description of all adjustments to the Legislative Fiscal Office at least one week prior to that meeting. The Legislative Fiscal Office may submit written comments and recommendations on the adjustments to the committee.

**AMENDMENT NO. 3**

On page 3, at the beginning of line 3, change "(3)" to "(4)"

**AMENDMENT NO. 4**

On page 3, line 5, after "to be" and before "addressed" insert "fully"

**AMENDMENT NO. 5**

On page 3, between lines 11 and 12, insert:

"C. Upon receiving notification that a projected deficit exists, the governor shall have interim budget balancing powers to adjust the budget in accordance with the following provisions:

D. If within thirty days of the determination that a projected deficit exists in a fund the necessary adjustments in the appropriations are not made to eliminate the projected deficit, the governor shall call a special session of the legislature for this purpose unless the legislature is in regular session. This special session shall commence as soon as possible as allowed by the provisions of the Constitution of Louisiana, including but not limited to Article III, Section 2(B).

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. 1735—**

BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 23:1031.1(D), (E)(introductory paragraph), and (F) and 1293(B)(1) and to enact R.S. 23:1310.8(F), relative to workers' compensation; to provide for the determination of occupational disease; to provide for accessibility to pleadings and evidence in workers' compensation disputes; to provide for motions for modification; and to provide for related matters.

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

**HOUSE BILL NO. 1783—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND AND  
SENATOR DARDENNE

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Reported with amendments by the Committee on Finance.

June 12, 2001

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1783 by Representative LeBlanc

AMENDMENT NO. 1

On page 14, delete lines 16 through 20 and insert the following:

"Section 4. The sum of Nine Million Seven Hundred Forty-three Thousand Seven Hundred One and No/100 (\$9,743,701) Dollars, be it more or less estimated, is hereby appropriated out of the State General Fund by Interagency Transfers to the Supreme Court from the Department of Health and Hospitals, Office of Addictive Disorders for the maintenance and enhancement of drug courts.

Section 5. The sum of Nine Million Seven Hundred Thousand and No/100 (\$9,700,000) Dollars is hereby appropriated out of the State General Fund by Interagency Transfers to the Supreme Court from the Department of Social Services to be allocated as follows: Truancy and Assessment Centers (\$1,100,000), Court Appointed Special Advocates (\$3,600,000) and Drug Courts (\$5,000,000). Provided, however, that where such funds originate as TANF funding, such funds may be used only for clients eligible for TANF-funded drug court services, truancy and assessment center services, and court-appointed special advocate services as specified in the Louisiana State TANF plan. Eligible drug court services shall include treatment, assessment, training and other supportive services, except drug court administration costs.

Section 6. The sum of Two million Seven Hundred Eighty-five Thousand and No/100 (\$2,785,000) Dollars is hereby appropriated out of the State General Fund for Truancy and Assessment Centers."

AMENDMENT NO. 2

On page 14, line 21, change "Section 5." to "Section 7."

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. 1808—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1808 by Representative LeBlanc

AMENDMENT NO. 1

On page 3, between lines 29 and 30, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues for health insurance premium claims payments \$113,500,000"

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. 1811 (Substitute for House Bill No. 1746 by Representative Scalise)—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact R.S. 23:1035(B), relative to workers' compensation; to exempt musicians and performers working under contract from coverage; and to provide for related matters.

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

HOUSE BILL NO. 1817—

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, AND ULLO

AN ACT

To appropriate the sum of Forty-nine Million Two Hundred Eighty-four Thousand Forty-nine and No/100 (\$49,284,049.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Four Hundred Thousand and No/100 (\$7,400,000.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1817 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert in lieu thereof: "To appropriate the sum of Forty-nine Million Six Hundred Thirty-four Thousand Forty-nine and No/100 (\$49,634,049.00) Dollars, or so much"

AMENDMENT NO. 2

On page 1, delete lines 15 and 16 and insert in lieu thereof:

"Section 1.A. To appropriate the sum of Forty-nine Million Six Hundred Thirty-four Thousand Forty-nine and No/1000 (\$49,634,049.00)"

AMENDMENT NO. 3

On page 2 delete lines 18 and 19 and insert in lieu thereof: "general fund, Thirty-four Million Two Hundred Seventy-three Thousand Eight Hundred Thirty-nine and No/100 (\$34,273,839) Dollars is hereby"

AMENDMENT NO. 4

On page 3, line 3, between "Senate" and the period "." insert the following: "and, in addition to other reimbursement authorized by law, to provide for reimbursement of vouchered actual expenses of each member of the Senate up to eight thousand four hundred dollars per fiscal year, based on the accrual of seven hundred dollars per month in the fiscal year, or so much thereof as may be necessary, for payment of rent for office space in a parish or parishes which he represents as provided in R.S. 24:31.4, for payment of the cost of maintaining utilities in said office or offices, for purchase or lease of furniture or equipment used in the conduct of his office, for purchase of stationery and supplies, postage, photography, printing, and telephone service in the office or offices in excess of that payable pursuant to the Senate Policy Manual, for member travel within his senatorial district in furtherance of the holding or conduct of his office at the rate provided in R.S. 24:31.1, and for other office expenses related to the holding or conduct of his office."

AMENDMENT NO. 5

On page 3, delete lines 16 and 17 insert in lieu thereof: "the use of the House of Representatives and Twelve Million One Hundred Forty Thousand Six Hundred Ninety-seven and No/100 (\$12,140,697.00)"

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. 1835—**

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2001-2002; 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. 1835 by Representative LeBlanc

AMENDMENT NO. 1

On page 31, between lines 2 and 3 insert the following:

"Richland Parish  
Assessment District"

AMENDMENT NO. 2

On page 38, between lines 7 and 8 insert the following:

"(4) In the Parish of Ouachita, the parish governing authority shall make available to the Town of Richwood five percent of the total monies received by the governing authority out of its allocated funds."

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. 1957—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 56:1691(C) and (D), to repeal R.S. 56:1691(B)(3), (E), (F), and (G), and to repeal R.S. 56:1691 effective July 1, 2002, relative to monies in the State Parks Land Acquisition Trust Fund; to provide for the investment and use of monies deposited in the fund; to authorize use of monies in the fund for certain promotional activities related to state parks and outdoor recreational activities; to provide for effective dates; 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. 2014—**

BY REPRESENTATIVE GREEN

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 "Wal-Mart Stores, Inc. v. Secretary, Dept. 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. 2045 (Substitute for House Bill No. 806 by Representative Pitre)—**

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 23:1127.1, relative to workers' compensation; to allow and institute a procedure for access to employee earnings records; to provide confidentiality for information received; to provide for damages as a result of a breach of confidentiality; and to provide for related matters.

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

**Rules Suspended**

Senator Lambert 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**

June 12, 2001

Senator Johnson asked that Senate Bill No. 173 be called from the Calendar at this time.

SENATE BILL NO. 173—

BY SENATOR JOHNSON

A JOINT RESOLUTION

Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to revenue and finance; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes levied by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with those of the state; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Called from the Calendar

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

SENATE BILL NO. 428—

BY SENATOR JOHNSON

AN ACT

To enact Chapter 4.1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:221 through 226, relative to the Louisiana Tax Law Institute; to create the institute and provide for its membership, powers, duties, and responsibilities; and to provide for related matters.

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

Recess

On motion of Senator Ullo, 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, C	Lentini
Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler

Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—39

Irons  
Johnson  
Jones, B  
Jones, C  
Lambert

Smith  
Tarver  
Theunissen  
Thomas  
Ullo

ABSENT

Total—0

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

Senate Business Resumed

Senator Lambert in the Chair

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 45—

BY SENATOR IRONS

A RESOLUTION

To urge and request the commissioner of agriculture and forestry and the appropriate officials of Alabama, California, Florida, Georgia, Hawaii, Mississippi, North Carolina, South Carolina, Tennessee, and Texas to join together to develop an approach to fighting the Formosan termite.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 46—

BY SENATORS HOYT AND ROMERO AND REPRESENTATIVE HEBERT

A RESOLUTION

To request the U.S. Army Corps of Engineers to study and evaluate the area in and around the town of Erath, Louisiana, and assist the governing authority of the town of Erath in development of a plan or course of action to alleviate future flooding in that locality.

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

SENATE RESOLUTION NO. 47—

BY SENATOR HAINKEL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Joseph Earl Ebrecht.



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

SENATE CONCURRENT RESOLUTION NO. 160—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the commissioner of agriculture and forestry and the appropriate officials of Alabama, California, Florida, Georgia, Hawaii, Mississippi, North Carolina, South Carolina, Tennessee, and Texas to join together to develop an approach to fighting the Formosan termite.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 161—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To recognize and commend the Baton Rouge Cadet Squadron, Louisiana Wing, on being honored in 2000 as the Civil Air Patrol Squadron of Distinction, and to recognize Major Joe Muffoletto on being honored as the commander of the squadron with the F. Ward Reilly Leadership Award.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Jones, B	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fields, C	Malone	Ullo
Fields, W	Marionneaux	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Johnson
Bajoie	Fontenot	Schedler
Cain	Heitmeier	
Cravins	Irons	
Total—10		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend the provisions of Section 418(d)(6)(C) of Title 42 of the United States Code to allow each and every state the right to divide its respective state and local retirement systems into two parts, the first part being composed of members who desire to participate jointly in both the state or local retirement system and the federal social security system and the second part of any such divided retirement system to be composed of members who desire to participate solely in the state or local retirement system but not in the federal social security system.

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVE M. JACKSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Economic Development Corporation to adopt rules and regulations to create a program to expand the availability of credit, developmental and technical assistance, investment capital, and financial services in distressed urban and rural communities by making available certain funds in the form of investments or loans to qualified community development corporations.

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVES R. ALEXANDER, GALLOT, AND MCCALLUM AND SENATOR B. JONES

A CONCURRENT RESOLUTION

To recognize the Smurfit-Stone mill in Hodge for receiving the Smurfit-Stone Container Mill of the Year 2000 Award for the Containerboard Mill Division.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

June 12, 2001

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend the provisions of Section 418(d)(6)(C) of Title 42 of the United States Code to allow each and every state the right to divide its respective state and local retirement systems into two parts, the first part being composed of members who desire to participate jointly in both the state or local retirement system and the federal social security system and the second part of any such divided retirement system to be composed of members who desire to participate solely in the state or local retirement system but not in the federal social security system.

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

HOUSE CONCURRENT RESOLUTION NO. 137—

BY REPRESENTATIVE M. JACKSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Economic Development Corporation to adopt rules and regulations to create a program to expand the availability of credit, developmental and technical assistance, investment capital, and financial services in distressed urban and rural communities by making available certain funds in the form of investments or loans to qualified community development corporations.

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

HOUSE CONCURRENT RESOLUTION NO. 230—

BY REPRESENTATIVES R. ALEXANDER, GALLOT, AND MCCALLUM AND SENATOR B. JONES

A CONCURRENT RESOLUTION

To recognize the Smurfit-Stone mill in Hodge for receiving the Smurfit-Stone Container Mill of the Year 2000 Award for the Containerboard Mill Division.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—30

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Irons
Bajoie	Fontenot	Johnson
Campbell	Heitmeier	Schedler
Total—9		

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

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT

Senate Bill No. 176 by Senator Boissiere

June 7, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 176 by Senator Boissiere recommend the following concerning the Engrossed bill:

1. That House Floor Amendment Nos. 1, 2, 3, 5, and 6 proposed by Representative Toomy and adopted by the House of Representatives on May 21, 2001 be adopted.
2. That House Floor Amendment No. 4 proposed by Representative Toomy and adopted by the House of Representative on May 21, 2001 be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

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

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

§778. Disability retirement

\* \* \*

D. Disability retirees who had at least fifteen years of service prior to being certified as disabled and who have been receiving disability benefits for at least ten years and who have attained at least age fifty shall be eligible to convert from disability benefits to regular retirement benefits, provided that any such retiree's regular retirement benefits shall be based on the number of years actually credited to the member's account, and provided that such conversion does not produce a benefit that creates an actuarial cost to the system."

Respectfully submitted,

Senators:  
Lambert Boissiere, Jr.  
Butch Gautreaux  
Fred Hoyt

Representatives:  
Pete Schneider, III  
Edwin R. Murray  
Patrick Swilling

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bajoie, Dardenne, Heitmeier, Irons, Johnson, Schedler.

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 177 by Boissiere

June 7, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 177 by Senator Boissiere recommend the following concerning the Engrossed bill:

- 1. That House Floor Amendment Nos. 1, 2, and 3 proposed by Representative Lancaster and adopted by the House of Representatives on May 21, 2001 be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, between "11:403(2)(a)," and "(12)" insert "(6),"

AMENDMENT NO. 2

On page 1, line 5, after ""actuarial interest"," insert ""base pay","

AMENDMENT NO. 3

On page 1, line 11, between "11:403(2)(a)," and "(12)" insert "(6),"

AMENDMENT NO. 4

On page 2, between lines 8 and 9 insert the following:

\* \* \*

"(6) "Base pay" means prescribed compensation for a specific position on a full- time basis, but does not include overtime, per diem, differential pay, payment in kind, premium pay, or any other allowance for expense authorized and incurred as an incident to employment, except supplemental pay for certain members as provided by Article X, Section 10(A)(1) of the Louisiana Constitution of 1974. Employees who work bi-weekly eighty-hour schedules shall have their earned compensation for such regularly scheduled work considered as part of base pay even if some of these hours are defined as overtime for the purpose of the Fair Labor Standards Act."

Respectfully submitted,

Senators: Lambert Boissiere, Jr. Butch Gautreaux Fred Hoyt

Representatives: Pete Schneider, III Edwin R. Murray

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President Bajoie

Johnson Jones, B

June 12, 2001

Total—4

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

Mr. President in the Chair

CONFERENCE COMMITTEE REPORT
Senate Bill No. 776 by Senator B. Jones, et al.

June 11, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 776 by Senator B. Jones, et al. recommend the following concerning the Engrossed bill:

- 1. That House Committee Amendments No. 1 through 6 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 4, 2001 be adopted.
2. That House Floor Amendment No. 1 proposed by Representative Salter and adopted by the House of Representatives on June 6, 2001 be adopted.
3. That House Floor Amendments No. 1 through 37 proposed by Representative Scalise and others and adopted by the House of Representatives on June 6, 2001 be rejected.
4. The following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 6, line 4, change "Headstart" to "Head Start"

AMENDMENT NO. 2

On page 6, line 26, change "Headstart" to "Head Start"

Respectfully submitted,
Senators: Bill Jones, Gerald Theunissen, Wilson Fields
Representatives: Carl Crane, Joe Salter, Edwin Murray

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Bajioe, Fields, C, Fields, W, Lentini, Malone

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

CONFERENCE COMMITTEE REPORT

House Concurrent Resolution No. 92 By Representative Odinet

June 12, 2001

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Concurrent Resolution No. 92 by Representative Odinet, recommend the following concerning the engrossed resolution:

- 1. That the Senate Floor Amendment proposed by Senator Malone and adopted by the Senate on May 29, 2001, be rejected.
2. That the following amendment be adopted:

AMENDMENT NO. 1

On page 5, between lines 6 and 7, insert the following:

"BE IT FURTHER RESOLVED that no member of the Louisiana State Seafood Industry Advisory Board shall have been convicted of a violation of any wildlife or fishery law."

Respectfully submitted,
Representatives: Kenneth L. Odinet, Wilfred Pierre, Jack D. Smith
Senators: D.A. "Butch" Gautreaux, Craig F. Romero, Max T. Malone

Rules Suspended

Senator Gautreaux asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee

Report. On motion of Senator Gautreaux, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Total—38; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Dupre Total—1

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

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

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

June 12, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 1654— BY REPRESENTATIVE PINAC AND SENATOR HOLLIS AN ACT

To amend and reenact R.S. 9:3410(B)(3) and to enact R.S. 12:1308.1, 1308.2, 1350.1, 1353(A)(9) and (E), and 1364(A)(4) and (B)(4), relative to filing of annual reports with the secretary of state; to require annual reports of limited liability companies; to provide for filing fees for limited liability companies and to increase filing fees for registered foreign partnerships; to provide relative to failure to file annual reports, including limitations on doing business with the state and revocation of articles of organization

or certificates of authority; to provide for reinstatement of articles of organization; and to provide for related matters.

Reported favorably.

Respectfully submitted, KEN HOLLIS Chairman

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 1654— BY REPRESENTATIVE PINAC AND SENATOR HOLLIS AN ACT

To amend and reenact R.S. 9:3410(B)(3) and to enact R.S. 12:1308.1, 1308.2, 1350.1, 1353(A)(9) and (E), and 1364(A)(4) and (B)(4), relative to filing of annual reports with the secretary of state; to require annual reports of limited liability companies; to provide for filing fees for limited liability companies and to increase filing fees for registered foreign partnerships; to provide relative to failure to file annual reports, including limitations on doing business with the state and revocation of articles of organization or certificates of authority; to provide for reinstatement of articles of organization; and to provide for related matters.

Reported favorably by the Committee on Commerce and Consumer Protection. 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 Lambert asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 174 from the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 174— BY REPRESENTATIVE DANIEL A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect directional signs in Baton Rouge indicating the location of the Louisiana State University Rural Life Museum and to erect directional signs in West Monroe indicating the location of Antique Alley located on Louisiana Highway 80.

The resolution was read by title. Senator Barham moved to adopt the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

June 12, 2001

Barham	Fields, W	Marionneaux
Bean	Gautreux	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Jones, B	Smith
Cravins	Jones, C	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fields, C	Malone	Ullo

Total—30

NAYS

Total—0

ABSENT

Mr. President	Dean	Irons
Bajoie	Fontenot	Johnson
Dardenne	Heitmeier	Schedler

Total—9

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

**Regular Order of the Day Resumed**

**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. 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.

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 Reengrossed Senate Bill No. 109 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, change "and (A)(2)(c)" to "and (2)(c) and (B)(1),"

AMENDMENT NO. 2

On page 1, line 5, after "commission;" insert "to add to the duties of the commission;"

AMENDMENT NO. 3

On page 1, line 8, change "and (A)(2)(c)" to "and (2)(c) and (B)(1)"

AMENDMENT NO. 4

On page 1, line 16, insert the following: "The commission shall be staffed and advised by the Louisiana State Board of Nursing."

AMENDMENT NO. 5

On page 2, between lines 10 and 11 insert:

"(xix) The Louisiana Association of Nurse Practitioners.  
(xx) Association of periOperative Registered Nurses.  
(xxi) The Louisiana School Nurses Organization."

AMENDMENT NO. 6

On page 2, after line 15, add the following:

"B. The commission shall:

(1) Study all aspects of the supply of and demand for nursing assistants, licensed practical nurses, registered nurses, nurses who have a baccalaureate degree, certified registered nurse anesthetists, and nurse educators, particularly the following issues:

\* \* \*

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 109 by Senator Hines

AMENDMENT NO. 1

In House Committee Amendment No. 4, proposed by the House Committee on Health and Welfare and adopted on May 31, 2001, on line 9 change "On page 1, line 16" to "On page 1, at the end of line 16"

AMENDMENT NO. 2

On page 1, lines 3 and 9, following "(xvi)," change "and (xvii)" to "(xvii), (xviii), (xix), (xx), and (xxi)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Shaw to Reengrossed Senate Bill No. 109 by Senators Hines and Schedler

AMENDMENT NO. 1

Delete House Committee Amendment No. 4 proposed by the House Committee on Health and Welfare and adopted by the House on June 4, 2001.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
---------------	----------	-------------

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

NAYS

Total—0

ABSENT

Cravins	Dean
Total—2	

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

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.

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. 191 by Senator Michot

AMENDMENT NO. 1

On page 1, at the beginning of line 13, after "(5)" delete "An" and insert the following: "If the commissioner of motor vehicles, in his discretion, finds that appropriate circumstances exist, an"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 191 by Senator Michot

AMENDMENT NO. 1

On page 1, after line 16, insert the following:

"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 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."

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

NAYS

Total—0

ABSENT

Campbell	Fontenot	Malone
Dupre	Hollis	Schedler
Total—6		

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. 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.

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 Engrossed Senate Bill No. 196 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 15, after "the" and before "at" delete "uninvited presence" and insert "willful, malicious, and repeated uninvited presence of the perpetrator"

June 12, 2001

AMENDMENT NO. 2

On page 2, line 16, after "probation" delete the remainder of the line and on line 17, delete "days in jail"

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

NAYS

Total—0

ABSENT

Total—0

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

SENATE BILL NO. 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.

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 Judiciary to Engrossed Senate Bill No. 300 by Senator Chaisson

AMENDMENT NO. 1

On page 2, at the end of line 1, after "month," insert "This salary of not less than seventy-five dollars per month shall include and shall

not be in addition to, the amount of the salary provided for in R.S. 33:1702.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Chaisson	Fields, W
Total—2	

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

Senator Lambert in the Chair

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.

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

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



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.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 445 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 25, at the beginning of the line, insert "five representatives of"; and, following "and" and before "the" insert "one representative of"

AMENDMENT NO. 2

On page 4, line 26, following "Aging" insert a comma "," and on line 27, delete "Five committee members"

AMENDMENT NO. 3

On page 5, line 1, change "shall represent" to "The representatives of"; and, at the end of the line, delete "one"

AMENDMENT NO. 4

On page 5, line 2, at the beginning of the line, delete "committee member shall represent"; and, on line3, following "Aging", delete "and"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington  
Fields, C  
Total—38

Lambert  
Lentini

Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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. 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.

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 Appropriations to Engrossed Senate Bill No. 496 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "reenact", delete the remainder of the line and insert the following:

"R.S. 17:3801(A)(3) and (C)(1) and 3802(C)(4) and to enact R.S. 17:3802(C)(5) and 3803(B)(1)(g), relative to"

AMENDMENT NO. 2

On page 1, line 3, after "Fund;" insert "to provide for the allocation of earnings;"

AMENDMENT NO. 3

On page 1, line 5, after "costs;" insert the following: "to provide for payment of certain costs related to the use of external peer-review consultants; to provide authorization for investment in tax exempt bonds;"

AMENDMENT NO. 4

On page 1, line 7, after "Section 1." delete the remainder of the line and delete line 8 in its entirety and insert the following:

"R.S. 17:3801(A)(3) and (C)(1) and 3802(C)(4) are hereby amended and reenacted and R.S. 17:3802(C)(5) and 3803(B)(1)(g) are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, between lines 9 and 10, insert the following:

"A.

June 12, 2001

\* \* \*

(3) After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the constitution, and notwithstanding Article XIV, Section 10 of the constitution, seventy-five percent of the recurring revenues received under Section 1337(g) of Title 43 of the United States Code which are attributable to mineral production activity or leasing activity, seventy-five percent of the interest income earned on investment of the Permanent Trust Fund, and twenty-five percent of realized capital gains and seventy-five percent of the dividend income earned on investment of the Permanent Trust Fund shall be deposited and credited to a special fund which is hereby created in the state treasury and which shall be known as the Louisiana Quality Education Support Fund, hereinafter referred to as the "Support Fund". Beginning July 1, 2001, and only as to and in the accounting of earnings after that date, the treasurer shall account for earnings from the Permanent Fund in a manner which allocates the earnings between the Permanent Fund and the Support Fund in the proportions as herein provided as such earnings are realized. Beginning July 1, 2001, and only as to and in the accounting of earnings after that date, the treasurer shall account for earnings attributable to Support Fund balances due the boards of education separately and allocate such earnings to the credit of each board respectively."

AMENDMENT NO. 6

On page 2, line 13, after "include", delete the remainder of the line and insert "costs"

AMENDMENT NO. 7

On page 2, line 15, after "services" insert "not to exceed two percent of amounts managed"

AMENDMENT NO. 8

On page 2, line 17, after "Fund" insert "not to exceed two percent of amounts managed"

AMENDMENT NO. 9

On page 2, after line 23, insert the following:

"(5) Costs attributable to the Board of Regents for use of external peer-review consultants for purposes of review, evaluation, and assessment of program proposals are recognized as costs appropriately borne by the respective Support Fund programs and shall be paid from the category of expenditure related to the program for which the review, evaluation, and assessment applies.

§3803. Investment authority; treasurer

\* \* \*

B. Grant of authority.

(1) The state treasurer is hereby authorized and directed to invest offshore revenues which are deposited into any fund created pursuant to the constitution or statutes of the state which are determined by the state treasurer to be available for investment in the following permitted investments:

\* \* \*

(g) Tax exempt bonds and other taxable governmental bonds. In addition to all other investment authority related to the Louisiana Education Quality Trust Fund, the state treasurer may invest in tax exempt bonds as defined in R.S. 49:342(C), and in taxable bonds issued by any state or a political subdivision or public corporation of

any state, provided that such taxable bonds are rated at the time the investment is made by a nationally recognized rating agency in one of the three highest rating categories of that rating agency.

\* \* \*

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Hines
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.

**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.

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 Appropriations to Reengrossed Senate Bill No. 508 by Senator Schedler

AMENDMENT NO. 1

On page 2, at the end of line 7, insert the following: "Monies in the fund may be used as the source of state matching funds for Medicaid funds to make enhanced payments to local government owned health care facilities"

AMENDMENT NO. 2

On page 2, line 10, delete "permanently"

AMENDMENT NO. 3

On page 2, line 26, delete "without"

AMENDMENT NO. 4

On page 3, line 1, delete "limitation any" and insert "those"

AMENDMENT NO. 5

On page 3, line 2, after "services," and before "costs" insert "which shall not exceed two percent of the amount managed."

AMENDMENT NO. 6

On page 3, line 4, after "fund," and before "and" insert "which shall not exceed two percent of the amount managed"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 508 by Senator Schedler

AMENDMENT NO. 1

On page 2, delete line 11 and insert "invested by the state treasurer."

AMENDMENT NO. 2

On page 2, at the end of line 16, insert the following: "In establishing investment goals and policies for monies in the Medicaid Trust Fund for the Elderly, the state treasurer shall consult no less frequently than semiannually with the secretary of the Department of Health and Hospitals as to the anticipated cash withdrawals from the fund during the next twelve months."

AMENDMENT NO. 3

On page 4, after line 11, insert the following:

"(6) On or before November first of each year, the state treasurer shall prepare and submit to the secretary of the Department of Health and Hospitals a report on the performance of the fund during the prior fiscal year. The state treasurer shall also submit a copy of the report to the Joint Legislative Committee on the Budget and to the House Committee on Health and Welfare and the Senate Committee on Health and Welfare."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie                      Fields, W                      Marionneaux

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

NAYS

Total—0

ABSENT

Mr. President                      Hines

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.

**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.

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

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 569 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 3, following "by" and before "Section 2" insert "the second"

AMENDMENT NO. 2

On page 2, line 11, following "by" and before "Section 2" insert "the second"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Mr. President

Total—1

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

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.

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. 616 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 14, after "firemen" delete the remainder of the line

AMENDMENT NO. 2

On page 2, at the beginning of line 15, delete "firemen"

AMENDMENT NO. 3

On page 2, line 18, after "parish fire department" delete "or of a volunteer fire department"

AMENDMENT NO. 4

On page 2, line 25, after "firemen" and before "shall" delete "and volunteer firemen"

AMENDMENT NO. 5

On page 2, line 26, after "deposit of" and before "dollars" change "ten" to "twenty-five"

AMENDMENT NO. 6

On page 3, line 5, after "firemen" and before "during" delete "or volunteer firemen"

AMENDMENT NO. 7

On page 4, line 15, after "deposit of" and before "dollars" change "ten" to "twenty-five"

AMENDMENT NO. 8

On page 5, line 4, after "prior to" change "July 1,2001" to "January 1, 2002"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Schedler

Total—1

ABSENT

Mr. President

Total—1

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

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.

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 Agriculture to Engrossed Senate Bill No. 655 by Senator Dean

AMENDMENT NO. 1

On page 1, line 12, after "following" delete "advertisement to locate the owner," and insert "a diligent attempt to locate the owner and proper advertisement,"

AMENDMENT NO. 2

On page 2, line 6 after horses insert a period "." and "Any recommendations made by the Louisiana Animal Control Association shall be taken into consideration by the authority or sheriff when establishing the guidelines."

AMENDMENT NO. 3

On page 2, between lines 13 and 14 insert the following:

"D. "Proper advertisement" for purposes of this Section means giving notice by advertising in newspaper having general circulation within the parish once a week for two consecutive weeks. The notice shall set forth all of the following:

- (1) A description of the horse.
- (2) A statement that the owner is unknown or if known, that he cannot be located.
- (3) A statement indicating when and where the horse was found.
- (4) A location where the owner can prove ownership and reclaim the horse."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 655 by Senator Dean

AMENDMENT NO. 1

On page 2, delete lines 7 and 8 in their entirety

Senator Dean 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
Campbell	Hollis	Mount
Chaisson	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

Bean  
Total—1

ABSENT

Mr. President  
Total—2  
Cravins

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

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.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 678 by Senator B. Jones

AMENDMENT NO. 1

On page 1, delete lines 2 through 7 in their entirety and insert the following:

"To amend and reenact R.S. 47:9050(B)(2) and 9060(D), relative to tax clearances; to"

June 12, 2001

AMENDMENT NO. 2

On page 1, line 8, after "licenses;" insert "to require a tax clearance prior to the awarding of lottery vendor contracts;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16 in their entirety and delete pages 2 through 10 in their entirety.

AMENDMENT NO. 4

On page 11, delete lines 1 and 2 and insert the following:

"Section 1. R.S. 47:9050(B)(2) and 9060(D) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 12, delete lines 14 through 26 in their entirety

AMENDMENT NO. 6

On page 13, at the beginning of line 2, change "Section 7." to "Section 2."

AMENDMENT NO. 7

On page 13, at the beginning of line 4, change "Section 8." to "Section 3."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 678 by Senator B. Jones

AMENDMENT NO. 1

On page 12, line 5, following "(1)" and before "contract" change "a" to "A"

AMENDMENT NO. 2

On page 12, line 8, following "(2)" and before "contract" change "a" to "A"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Mr. President

Cravins

Total—2

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

**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.

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

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 748 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 10, following "C." delete "The members of the board of governors shall in" and insert in lieu thereof "In"

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Cravins  
Total—2

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

**SENATE BILL NO. 855—**

BY SENATORS SCHEDLER, BAJOIE, 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.

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 Reengrossed Senate Bill No. 855 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 14, change "principle" to "principles"

AMENDMENT NO. 2

On page 2, line 19, change "CARSA" to "Community and Residential Services Association"

AMENDMENT NO. 3

On page 2, line 20, delete "Arcs" and insert in lieu thereof "ARCs (formerly Associations for Retarded Citizens)"

AMENDMENT NO. 4

On page 3, line 12, after "AARP" insert "(formerly American Association of Retired Persons)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 855 by Senator Schedler, et al.

AMENDMENT NO. 1

On page 4, between lines 12 and 13, insert the following:

"(q) The chairman of the Louisiana Assistive Technology Access Network, or his designee.

(r) The chairman of the Statewide Independent Living Council, or his designee."

AMENDMENT NO. 2

On page 4, at the end of line 15, add the following: "The Office of Disability Affairs in the office of the governor shall be charged with convening and supporting the activities of the planning group and

consumer task force. The first meeting shall convene within sixty days after the 2001 regular session of the legislature."

AMENDMENT NO. 3

On page 4, at the end of line 20, change the period "." to a comma "," and add the following: "and with the exception of the members of the consumer task force who shall receive travel allowances and support services necessary for the members to participate in the consumer task force meetings. Such allowances and support services shall be provided with federal funds from the "Real Choice Systems Change Grant."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Futrell to Reengrossed Senate Bill No. 855 by Senator Schedler

AMENDMENT NO. 1

On page 4, line 21 after "E." and before "The" insert "(1)"

AMENDMENT NO. 2

On page 4 between lines 24 and 25 insert the following:

"(2) Written notice of any meeting of the consumer task force shall be given to the planning group at least ten days in advance.

"(3) The provisions of the Open Meetings Law shall apply to all consumer task force meetings."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President  
Total—1

June 12, 2001

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

SENATE BILL NO. 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.

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

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

SENATE BILL NO. 885— BY SENATOR MARIONNEAUX

AN ACT

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

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 885 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 10, following "(C)," and before "(D)" delete "and"

AMENDMENT NO. 2

On page 1, line 10, following "(D)(2)" and before the end of the line, insert ", and (F)"

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Martiny to Engrossed Senate Bill No. 885 by Senator Marionneaux (Duplicate of H.B. No. 1058)

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "and" and on line 3, after "(D)(2)," insert "and (F),"

AMENDMENT NO. 2

On page 1, line 3, after "incarceration" insert a semicolon ";" and delete the remainder of the line and delete lines 4 through 7 in their entirety and insert the following: "to provide that letters of

incarceration may be obtained from any officer from any facility in the state of Louisiana or a foreign jurisdiction; to provide that a letter of incarceration shall provide sufficient proof of incarceration;"

AMENDMENT NO. 3

On page 3, after line 5, insert the following:

"F. When the defendant has been surrendered in conformity with this Article or a letter of verification of incarceration has been issued to the surety as provided for in Paragraph B of this Article, the court shall, upon presentation of the certificate of surrender or the letter of verification of incarceration, order that the surety be exonerated from liability on his bail undertaking and shall order any judgment of forfeiture set aside.

\* \* \*

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Hoyt, Irons, Mount, Schedler, Thomas

Total—6

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

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.

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. 905 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 24:39," and insert "R.S. 49:150.2 and 150.3,"

AMENDMENT NO. 2

On page 1, line 3, delete "security services" and insert "regulation and control"

AMENDMENT NO. 3

On page 1, line 3, after "complex;" delete the remainder of the line, and delete lines 4 through 11, in their entirety, and on line 12 delete "Representatives;" and insert "to provide for the definition of state capitol complex;"

AMENDMENT NO. 4

On page 1, line 14, delete "R.S. 24:39 is" and insert "R.S. 49:150.2 and 150.3 are"

AMENDMENT NO. 5

On page 1, delete lines 15 and 16 in their entirety, and delete pages 2 through 5 in their entirety, and on page 6, delete lines 1 through 12, in their entirety, and insert the following:

"§150.2. Regulation and control within the capitol complex

A. Except as provided in R.S. 49:150.1, the governor, the president of the senate and the speaker of the house of representatives may jointly provide for uniform provisions and procedures for the regulation and control of the state capitol complex.

B.(1) Such uniform provisions and procedures may include, but need not be limited to any measure with regard to any issue involving the state capitol complex, security services, vehicular traffic and parking control within and about the state capitol building, and other contingencies, incidents, or issues which may affect the protection and safety of the state capitol complex and its occupants, visitors or users.

(2) The governor, the president of the Senate and the speaker of the House of Representatives may seek the advice and counsel of the deputy secretary for public safety services of the department of public safety and corrections, office of state police, with regard to

provisions and procedures affecting security services and other safety issues.

§150.3. Definitions

For the purposes of this Subpart, "state capitol complex" means that area in the city of Baton Rouge containing the state capitol building and bounded on the south by North Street, on the west by the Mississippi River, on the north by Choctaw Drive, and on the east by the Kansas City Southern Railway tracks."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed Senate Bill No. 905 by Senator Hainkel

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 29, 2001, on page 2, delete lines 3 through 9, in their entirety

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Irons  
Total—1

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

June 12, 2001

**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.

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 Environment to Reengrossed Senate Bill No. 965 by Senators Hoyt et al.

AMENDMENT NO. 1

On page 2, line 22, after "science" insert "based upon generally accepted scientific principles"

AMENDMENT NO. 2

On page 3, line 9, after "the" and before "use" insert "technologically feasible"

AMENDMENT NO. 3

On page 3, line 22, after "conditions" and before the period "." insert "which are causing a serious adverse impact to an aquifer."

AMENDMENT NO. 4

On page 4, lines 19 and 21, change "A" to "One"

AMENDMENT NO. 5

On page 4, delete lines 23 through 25 in their entirety and insert in lieu there of the following:

"(12) One member appointed by the governor from a list of three names submitted by the Louisiana Farm Bureau and who is a farmer actively engaged in farming in the geographical area of the state underlain by the Chicot aquifer."

AMENDMENT NO. 6

On page 4, line 26, delete "who is" and after "the" insert "governor from a list of three nominations submitted by the"

AMENDMENT NO. 7

On page 5, delete lines 1 through 8 in their entirety and insert in lieu there the following:

"(14) One member appointed by the governor from a list of three nominations submitted by the board of commissioners of the Capital Area Groundwater District."

AMENDMENT NO. 8

On page 5, line 9, change "(18)" to "(15)"

AMENDMENT NO. 9

On page 5, line 19, before "capacity" insert "projected"

AMENDMENT NO. 10

On page 7, line 16, after "determinations" delete the remainder of the line

AMENDMENT NO. 11

On page 7, between lines 19 and 20, insert the following:

"H. Anything contained in this Chapter or in Chapters 13-A or 13-B of this Title to the contrary notwithstanding, the Department of Environmental Quality shall retain exclusive authority over those matters governed by the Louisiana Environmental Quality Act, R.S. 30:2001 et seq."

AMENDMENT NO. 12

On page 8, line 1, after "the" and before "aquifer" insert "sustainability of the"

AMENDMENT NO. 13

On page 11, between lines 5 and 6, insert the following:

- (42) A representative of the Power Alliance.
- (43) A representative of the Irrigation Association.
- (44) A representative of the League of Women Voters."

AMENDMENT NO. 14

On page 12, line 7, change "approval" to "review"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 965 by Senator Hoyt

AMENDMENT NO. 1

On page 2, line 5, following "in" and before "shall" change "R.S. 38:3097.1," to "R.S. 38:3099.3,"

AMENDMENT NO. 2

On page 11, line 7, following "Commission" and before "the" change "(R.S. 38:3097.1)," to "(R.S. 38:3099.3),"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 965 by Senator Hoyt et al.

AMENDMENT NO. 1

On page 6, line 14, after "upon" delete the remainder of the line and on line 15, delete "closing of the original well." and insert in lieu thereof "demonstration that the original well will be properly closed."

AMENDMENT NO. 2

In Amendment No. 16 proposed by the House Committee on Environment and adopted by the House on May 31, 2001, change "Power Alliance" to "Association of Public Utilities"

AMENDMENT NO. 3

On page 11, between lines 5 and 6, insert the following:

"(45) A representative of the Citizens for a Clean Environment.

(46) A representative of Louisiana Independent Oil and Gas Association.

(47) A representative from the Louisiana State University at Shreveport Watershed Management Initiative.

(48) A representative of the Municipal Water Association.

(49) A representative of the New Orleans Sewerage and Water Board."

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

Motion

Senator Cain moved as a substitute motion that the Senate reject the amendments proposed by the House.

Senator Hoyt objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain Fields, W Malone
Cravins Irons Marionneau
Dean Jones, C Ullo
Fields, C Lentini
Total—11

NAYS

Mr. President Ellington McPherson
Bajoie Fontenot Michot
Barham Gautreaux Mount
Bean Heitmeier Romero
Boissiere Hines Schedler
Campbell Hollis Smith
Chaisson Hoyt Tarver
Dardenne Johnson Theunissen
Dupre Jones, B Thomas
Total—27

ABSENT

Lambert
Total—1

The Chair declared the Senate refused to reject the amendments proposed by the House.

ROLL CALL

The roll was called on the original motion to concur in the amendments proposed by the House with the following result:

YEAS

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

NAYS

Cravins Dean Malone
Total—3

ABSENT

Dupre Ellington
Total—2

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

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.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 990 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 33:2740.49, to"

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 33:2740.51," and before "relative" insert "and to repeal Act Nos. 88 and 446 of the 1982 Regular Session of the Legislature,"

AMENDMENT NO. 3

On page 1, line 2, after "special" and before "districts;" delete "taxing"

June 12, 2001

AMENDMENT NO. 4

On page 1, line 3, after "City of Monroe;" and before "and" insert "to repeal provisions for the Monroe Downtown Development District and to transfer its functions, powers, and duties to the Downtown Economic Development District of the city of Monroe;"

AMENDMENT NO. 5

On page 1, line 7, after "Section 1." and before "R.S. 33:2740.51" insert "R.S. 33:2740.49 is hereby amended and reenacted and"

AMENDMENT NO. 6

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

"§2740.49. The downtown economic development district of the city of Monroe; creation, composition, and powers; preparation of plans, levy of special ad valorem taxes, and insurance of bonds and other instruments of indebtedness

A.(1) The local governing authority for the city of Monroe, with the approval of the mayor, is authorized to create a special taxing district within the city of Monroe. The boundaries of the district shall be located within the city of Monroe and described as follows:

Beginning at the intersection of the centerline of the Ouachita River and the centerline of the I-20 Bridge; thence easterly along the centerline of the I-20 to the centerline of the Civic Center Expressway; thence in an easterly and northerly direction along the south and east sides of the Monroe Civic Center to South 11th Street and continuing northerly along the centerline of South 11th Street to the centerline of Manassas Street; thence northeasterly along the centerline of Manassas Street to Desiard Street; thence northerly along the centerline of Pendleton Street to the centerline of Washington Street; thence westerly along the centerline of Washington Street to the centerline of North 9th Street; thence northerly along the centerline of North 9th Street to the intersection with an alley located between Louisville Avenue and Bres Avenue; thence westerly along the centerline of said alley and along an extended line to the centerline of the Ouachita River; thence southerly along the centerline of the Ouachita River, which is also the Monroe city limits line, to the point of beginning; and that certain property located south of the centerline of I-20 and north of the Masur Museum of Art between the Ouachita River and South Grand Street.

(2) The special taxing district shall be known and designated as the "Downtown Economic Development District for the City of Monroe", hereinafter referred to as "the district".

B. The local governing authority of the city of Monroe, hereinafter referred to as "the council", shall have control over and responsibility for the functions, affairs, and administration of the district.

C. In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district, to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, and to provide for uses of the Ouachita River for the purpose and development of the district, there is hereby authorized to be created a board of commissioners for the district, hereinafter referred to as "the board".

D.(1) The board shall be composed of nine members, all of whom shall be qualified voters of the parish of Ouachita. The board

membership shall be reflective of the city's diverse population. The nine members shall be appointed as follows:

(a) Two members shall be appointed by the mayor.

(b) Two members shall be appointed by the city council.

(c) Two members shall be appointed by the city council from a list of nominees submitted by the Monroe Chamber of Commerce to the council on or before August 1, 1999.

(d) Three members shall be appointed by the city council from a list of nominees submitted to the council on or before August 1, 1999, by the three largest assessed property owners within the district, and at least one appointment must be made from each of the three largest assessed property owners. The members appointed by the city council in this Subparagraph shall have their principal place of business or profession in, or own property in, the district.

(e) The initial appointments to the board shall be made on or before September 1, 1999.

(2)(a) The terms of members of the board shall be three years, and upon expiration of a term of office, the successor shall be appointed in accordance with the procedures herein prescribed for the appointment of the original members.

(b) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled by appointment in the same manner as the original appointment for the unexpired term.

E.(1) As soon as practical after their appointment, the board shall meet. The board shall elect from their number a chairman, vice chairman, a secretary, a treasurer, and such other officers as it may deem appropriate.

(2) The minute books and archives of the board shall be maintained by the board's secretary with the help and assistance of and through the council's office. The monies, funds, and accounts of the district in the official custody and control of the board's treasurer shall be deposited, expended, and accounted for, records maintained, and idle funds invested through the department of administration, under the director of administration, and checks issued through the department as in the case of city monies under the plan of government. An attorney appointed by the mayor shall serve as the board's regular attorney, and the services of other offices and departments of the city shall be furnished in accordance with ~~Subsection F~~ Paragraph (F)(5) of this Section.

(3) The duties of the officers shall be fixed by bylaws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business and affairs. ~~and, to~~ To the extent that funds are available, ~~the board shall hire be empowered to employ an executive director and other~~ such assistants and employees as are needed to assist the board in the performance of its duties. It shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such time and places within or without the district as may be prescribed in the bylaws.

(4) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available to the public in conformance with law.

(5) The members of the board shall serve without compensation; however, they shall receive a travel allowance as reimbursement for expenses incurred while attending to the business of the board or the district.

F.(1)(a) The board shall prepare or cause to be prepared a plan or plans specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and

shall conduct such public hearings, publish such notice with respect thereto, and disseminate such information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

~~(2)~~(b) Any plan may specify and encompass any public services, capital improvements, and facilities which the city of Monroe is authorized to undertake, furnish, or provide under the constitution and laws of the state of Louisiana, and such specified public services, improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the city of Monroe is then furnishing or providing or may then or in the future be obligated to furnish or provide within the district.

~~(3)~~(c) Any plan shall include:

~~(a)~~(i) An estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein.

~~(b)~~(ii) The proportion of the tax to be levied on the taxable real property within the district which is to be set aside and dedicated to paying the cost of furnishing specified services and the proportion of such tax to be set aside and dedicated to paying the cost of capital improvements or paying the cost of debt service on any bonds to be issued to pay the cost of capital improvements, such proportions, in each case, to be expressed in numbers of mills.

~~(c)~~(iii) An estimate of the total number of mills required to be levied each year on the taxable real property within the district in order to provide the funds required for the implementation of the plan for furnishing the specified services and for capital improvements, debt service, or both.

~~(4)~~(d) The board shall also submit the plan to the city planning commission. The planning commission shall review the plan and determine whether or not it is consistent with the comprehensive plan for the city of Monroe. The planning commission, within thirty days following receipt of the plan, shall submit to the council its written opinion as to whether or not the plan or any portion or detail thereof is inconsistent with the comprehensive plan for the city, together with its written comments and recommendations with respect thereto.

~~(5)~~~~(a)~~~~(c)~~(i) After receipt of the plan together with the written comments and recommendations of the city planning commission, the council shall review and consider the plan together with the written comments and recommendations. The council, by a majority vote of all its members, may adopt or reject the plan as originally submitted by the board or alter or modify the plan or any portion or detail thereof.

~~(b)~~(ii) If the plan as originally submitted by the board is adopted by the majority vote of the council, it shall become final and conclusive and may thereafter be implemented. If the council alters or modifies the plan by a majority vote of its members, the plan as altered or modified shall be resubmitted to the board for its concurrence or rejection.

~~(c)~~(iii) The board may concur in the modified plan by a majority vote of all of its members. If the board votes to concur in the plan as modified by the council, the plan shall become final and conclusive and may thereafter be implemented. If the board does not concur in the plan as modified by the council, it shall notify the council in writing of its decision.

~~(4)~~(iv) Thereafter and as often as the board may deem to be necessary or advisable, it shall prepare or cause to be prepared a plan or plans and submit the same to the planning commission in accordance with the same procedure hereinabove prescribed with

respect to the original plan. The planning commission shall submit such plan, together with their written comments and recommendations, to the council for its adoption, modification, or rejection in the manner and with the same effect as provided with respect to the original plan.

~~G.~~~~(1)~~~~(2)~~(a) Notwithstanding the provisions of ~~Subsection F Paragraph (1)~~ of this ~~Section Subsection~~, the board may prepare and submit directly to the council a plan or plans setting forth its intention to employ professional consultants, experts, and such other advisors and personnel as it shall deem to be necessary or convenient to assist in the preparation of a plan or plans for the orderly and efficient development of services and improvements within the district.

(b) The plan shall specify the services proposed to be rendered by such employees, an estimate of the aggregate of the proposed salaries of such employees, and an estimate of the other expenses of the board required for the preparation of such plan or plans, together with a request that a tax in an amount sufficient to cover the costs of such salaries and expenses be levied on the real property within the district.

(c) The plan shall include a proposed budget of income and expenditures specifying the source of funding for each of the years the tax is to run.

~~(2)~~~~(3)~~(a) The council shall review and consider such plan within thirty days following submission to it by the board and shall adopt or reject such plan by a majority vote of its members.

(b) If the council adopts such plan, it shall become final and conclusive, and the tax requested by the board upon approval by special referendum of the electorate of the city of Monroe, as required by ~~Subsection J Paragraph (6)~~ of this ~~Section Subsection~~, shall be levied and collected.

(c) If the council rejects the plan, it shall notify the board of its action, and the board may again and from time to time prepare and submit to the council a plan in accordance with the procedures provided for in this ~~Subsection Paragraph~~.

~~H.~~ (4) If no plan is finally and conclusively adopted in accordance with the procedures prescribed in this ~~Section Subsection~~ within four years after June 11, 1999, all power and authority conferred hereby shall lapse, the district shall be dissolved, and all power and authority incident thereto shall become null and void as a matter of law; however, in such event, all obligations contractual or otherwise, incurred by the district during its existence, shall survive and shall be fully enforceable in accordance with their terms.

~~I.~~~~(1)~~~~(5)~~(a) All services to be furnished within the district pursuant to any plan finally and conclusively adopted hereunder shall be furnished, supplied, and administered by the city through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. All capital improvements and facilities to be acquired, constructed, or provided within the district, whether from the proceeds of bonds or otherwise, shall likewise be so acquired, constructed, or provided by the city through its regularly constituted departments, agencies, boards, commissions, and instrumentalities, it being the intention hereof to avoid the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district.

~~(2)~~(b) In order to provide such services and/or provide, construct, or acquire such capital improvements or facilities, the board may enter into intergovernmental local service contracts with the city.

~~(3)(c)~~ The cost of any such services, capital improvements, or facilities shall be paid for by the district from the proceeds of the special tax levied upon real property within the district as herein provided or from the proceeds of bonds.

~~J-(4)(6)(a)~~ The council, in addition to all other taxes which it is now or hereafter may be authorized to levy and collect, is hereby authorized to levy and collect a special ad valorem tax not to exceed ten mills on the dollar of assessed valuation upon all taxable real property situated within the boundaries of the city of Monroe. The tax shall be levied for a term not to exceed fifty years and shall be collected in the same manner and at the same time as all other ad valorem taxes on property subject to taxation by the city are collected. No such tax shall be levied until a plan requesting the levy of a tax is finally and conclusively adopted in accordance with the procedures prescribed herein.

~~(2)(b)~~ The proceeds of the tax shall be used exclusively for the purposes and benefit of the district.

~~(3)(c)~~ The tax shall be submitted to a referendum of the electorate of the city of Monroe and conducted in accordance with the Louisiana Election Code.

~~(4)(d)~~ The avails of the tax shall be paid over by the sheriff and ex officio tax collector to the city administration department, day-by-day, as the same are collected for the account of the district.

~~(5)(e)~~ It is expressly declared that the special tax hereby authorized is limited to immovable property, and nothing contained in this ~~Section Subsection~~ shall be construed to levy or authorize the levying of a tax upon movable property of any kind or description whatsoever, whether corporeal or incorporeal.

~~K-(4)(7)(a)~~ The council, when requested by resolution adopted by a majority of the members of the board, may fund the avails of the tax into bonds or other instruments of indebtedness for the exclusive benefit of the district. The principal of, the premium if any, and interest on the bonds or other instruments of indebtedness shall be payable solely from the proceeds of the special tax authorized, levied, and collected pursuant to the provisions of this ~~Section Subsection~~. The bonds shall not constitute general obligations of the parish. Any indebtedness incurred by the council for and on behalf of the district pursuant to the provisions of this ~~Section Subsection~~, evidenced by bonds, notes, or other evidences of indebtedness, or otherwise, shall be excluded in determining the power of the council to incur indebtedness and to issue its general obligation bonds. The principal amount of such bonds which may be outstanding at any one time shall never exceed the sum of twenty million dollars and shall not exceed the total principal amount which may be serviced in principal and interest not to exceed seventy-five percent of the avails estimated to be available in the first and each succeeding year that any of the bonds are to be outstanding. The proceeds derived from the sale of such bonds shall be paid over to the appropriate officials of the council for deposit to the account of the district. The bonds shall bear such rate or rates of interest and, except as herein otherwise specifically provided, shall be in such form, terms, and denominations, be redeemable at such times and places, within a period of not exceeding fifty years from the date thereof as may be provided for in the resolution of the council providing for their issuance.

~~(2)(b)~~ The bonds shall be signed by the mayor and the clerk of the council. However, in the discretion of the council one of the signatures may be in facsimile. In case any officer whose signature appears upon a bond or coupon ceases to be an officer before delivery

of the bonds or coupons to the purchaser, his signature or countersignature shall nevertheless be valid for all purposes.

~~(3)(a)(c)~~ The resolution of the council authorizing the issuance and sale of such bonds and fixing the form and details thereof may contain such other provisions as the council may deem to be necessary or advisable to enhance the marketability and acceptability thereof by purchasers and investors, including but not limited to covenants with bondholders setting forth:

(i) Conditions and limitations on the issuance of additional bonds constituting a lien and charge on the avails of the special tax levied on real property within the district, pari passu with bonds theretofore issued and outstanding; and

(ii) The creation of reserves for the payment of the principal of and interest on such bonds.

~~(b)(d)~~ These bonds and the interest thereon shall be exempt from all taxation levied for state, parish, municipal, or other local purposes.

~~(e)(e)~~ Savings banks, tutors of minors, curators of interdicts, trustees, and other fiduciaries are authorized to invest the funds in their hands in said bonds.

~~L-(4)(8)(a)~~ Notwithstanding any other provision of this ~~Section Subsection~~ to the contrary, no tax authorized herein shall be levied and no bonds shall be issued unless and until the maximum amount of the tax in mills, the years the tax is to run and to be issued under the plan, and the maximum amount of bonds to be issued has been approved by a majority of the electors in the district voting thereon in an election called for that purpose in accordance with the Louisiana Election Code.

~~(2)(b)~~ No bonds issued hereunder shall be general obligations of the state of Louisiana, the parish of Ouachita, the city of Monroe, or the district.

~~M-(9)~~ The district shall have the power to acquire, to lease, to insure, and to sell real property within its boundaries in accordance with its plans.

~~N-(10)~~ The district shall have the authority to pay the city of Monroe, the Monroe Chamber of Commerce and/or the Ouachita Economic Development Corporation for services rendered by each respective entity under a local services contract between the district and such entity for services rendered in furtherance of this ~~Section Subsection~~.

G.(1) The legislature hereby finds and declares that it is necessary for the public health, safety, and welfare of the city of Monroe that the property value deterioration in the principal area or areas of the city of Monroe known generally as the Central Business District be halted and that the causes of such deterioration be halted, since the Central Business District is the center of commercial, civic, and cultural activities of the metropolitan area.

(2) It shall be the function and duty of the board to formulate the program to implement the various development plans for downtown Monroe heretofore or hereafter submitted, and it shall revise or amend its decisions from time to time as it sees fit. Such a program shall implement the various plans with the responsibility of aiding and encouraging private development of the area and promoting and coordinating public development. In carrying out such programs, the board may consult with all departments of the city of Monroe and such other public or private agencies as are concerned with matters affecting or affected by the program. The board may conduct studies and based thereon may make such recommendations as it determines are calculated to implement the intent and purposes of this Section.

(3) The programs formulated and recommendations made as provided in Paragraph (2) of this Subsection shall be included in the plan or plans prepared as provided in Subsection F of this Section.

\* \* \*

AMENDMENT NO. 7

On page 1, line 10, after "preparation of plans" delete the comma and delete the remainder of the line and delete lines 11 and 12 in their entirety

AMENDMENT NO. 8

On page 1, at the end of line 15, delete "taxing"

AMENDMENT NO. 9

On page 21, line 9, after "special" and before "district" delete "taxing"

AMENDMENT NO. 10

On page 24, at the end of line 14, delete the semi-colon ";" and insert "an estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein."

AMENDMENT NO. 11

On page 24, delete lines 15 through 27 in their entirety and on page 25, delete lines 1 and 2 in their entirety

AMENDMENT NO. 12

On page 26, line 19, after "plans" delete the comma "," and delete the remainder of the line and delete lines 20 through 24 in their entirety and insert a period "."

AMENDMENT NO. 13

On page 27, line 2, after "conclusive" delete the comma "," and delete the remainder of the line and delete lines 3 and 4 in their entirety and insert a period "."

AMENDMENT NO. 14

On page 28, delete lines 9 through 27 in their entirety and delete pages 29 and 30 in their entirety and on page 31 delete lines 1 through 9 in their entirety.

AMENDMENT NO. 15

On page 31, at the beginning of line 10, change "M." to "J."

AMENDMENT NO. 16

On page 31 at the beginning of line 13, change "N." to "K."

AMENDMENT NO. 17

On page 31, between lines 17 and 18, insert the following:

"Section 2. Act Nos. 88 and 446 of the 1982 Regular Session of the Legislature are hereby repealed in their entirety."

AMENDMENT NO. 18

On page 31, at the beginning of line 18, change "Section 2." to "Section 3."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 990 by Senator C. Jones

AMENDMENT NO. 1

Delete Amendment Nos. 17 and 18 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on May 30, 2001.

AMENDMENT NO. 2

On page 28, delete lines 5 through 8 in their entirety.

AMENDMENT NO. 3

On page 31, between lines 17 and 18, insert the following:

"Section 2. Act Nos. 88 and 446 of the 1982 Regular Session of the Legislature are hereby repealed in their entirety.

Section 3. The governing authority of the city of Monroe shall provide a portion of the funding for the district from the undedicated portion of the proceeds of the sales and use tax resulting from a tax referendum passed on May 5, 2001."

AMENDMENT NO. 4

On page 31, at the beginning of line 18, change "Section 2." to "Section 4."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 990 by Senator C. Jones

AMENDMENT NO. 1

On page 31, line 14, after "Commerce" insert a comma "," and delete "and/or"

AMENDMENT NO. 2

On page 31, line 15, after "Corporation" insert "or other contractor"

AMENDMENT NO. 3

On page 31, line 16, after "entity" insert "or persons"

AMENDMENT NO. 4

In House Committee Amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs, and adopted by the House of Representatives on May 30, 2001, in the text of Amendment No. 6, on page 7, line 27, after "Commerce" insert a comma "," and delete "and/or"

AMENDMENT NO. 5

In House Committee Amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs, and adopted by the House of Representatives on May 30, 2001, in the text of Amendment No. 6, on page 7, line 28, after "Corporation" insert "or other contractor"

AMENDMENT NO. 6

In House Committee Amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs, and adopted by the House of Representatives on May 30, 2001, in the text of Amendment No. 6, on page 7, line 29, after "entity" insert "or persons"

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

SENATE 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed Senate Bill No. 992 by Senator Ullo

AMENDMENT NO. 1

On page 3, line 5, after "corrections," and before "designated" delete "and" and after "providers" insert a comma ", " and "and the Boys and Girls Clubs of East Baton Rouge Parish"

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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.

HOUSE BILL NO. 1022—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 56:31(A) and 31.1(A), relative to wildlife enforcement; to provide with respect to class one violations; to provide for payment of fines to the Department of Wildlife and Fisheries within a certain time period; to provide for expungement of class one violation record; to provide for adjudication of unpaid violations; 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 Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1022 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 12, after "A." and before "Municipalities" delete "(1)"

AMENDMENT NO. 2

On page 2, delete lines 22 through 27 in their entirety



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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Irons
Total—1

ABSENT

Mr. President
Total—1

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 1029 by Senator C Fields

AMENDMENT NO. 1

On page 1, at the end of line 2, add "39:221(6) and R.S."

AMENDMENT NO. 2

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

"Section 1. R.S. 39:1221(6) is hereby enacted to read as follows:

§1221. Security for deposits; kinds
Local depositing authorities shall require as security for deposits:

\* \* \*

(6) Deposit guaranty bonds underwritten and guaranteed by an insurance company, licensed to do business in this state, listed as an approved surety by the United States Department of the Treasury, that provide coverage for deposits of depositing authorities in excess of the amounts insured by the Federal Deposit Insurance Corporation or any other governmental agency insuring bank or other financial institution deposits that is organized under the laws of the United States, and the form and content of which are approved in advance by the state treasurer."

AMENDMENT NO. 3

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—39; Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Total—0

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

SENATE 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.

June 12, 2001

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 1041 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, between "System" and the semi-colon ";" insert "and the Sheriffs' Pension and Relief Fund"

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety and insert in lieu thereof "member of either the Municipal police Employees' Retirement System or the Sheriffs' Pension and Relief Fund shall"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Downer and Schneider to Engrossed Senate Bill No. 1041 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 1, after "in" delete the remainder of the line and at the beginning of line 2, delete "including"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery and Waddell to Engrossed Senate Bill No. 1041 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 11:791(A)(3) and to"

AMENDMENT NO. 2

On page 1, at the end of line 2, add "Retirement System and the Teachers"

AMENDMENT NO. 3

On page 1, line 4, between "service;" and "and" insert "to provide with respect to the payment of benefits, including but not limited to the suspension or reduction thereof; to provide with respect to the Deferred Retirement Option Plan; to provide with respect to the reemployment of retirees; to provide an effective date;"

AMENDMENT NO. 4

On page 1, line 8, between "Section 1." and "hereby" delete "R.S. 11:153(H) is" and insert "R.S. 11:153(H) and 791(A)(3) are"

AMENDMENT NO. 5

On page 2, after line 5, add:

"§791. Reemployment after termination
A.

\* \* \*

(3) Notwithstanding the provisions of Paragraph (1) or (2) of this Subsection, any retiree who participated in the Deferred Retirement Option Plan prior to retirement may be reemployed in a position covered by this system as a health care

professional faculty member either immediately upon retirement or anytime thereafter and shall be exempt from a suspension or reduction of benefits.

\* \* \*

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 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."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Thomas; Total—2

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed Senate Bill No. 1060 by Senator Romero

AMENDMENT NO. 1

On page 1, line 12, between "Vega to" and "the" insert "approximately two acres of"

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:

"In addition to the property described above, the secretary of the Department of Public Safety and Corrections is hereby authorized, for and on behalf of the state of Louisiana, to convey, transfer, assign, and deliver title to Adrian Vega to the following described property consisting of four acres, more or less, located in Lafayette Parish:

"One (1) certain piece or parcel of land, together with all of the improvements situated, wholly or partially thereon, and all rights, ways, servitudes, privileges and advantages thereunto belonging or in anyway appertaining, located in Section 43, Township 10 South, Range 5 East, Lafayette Parish, LA, being designated as Tract 2 on a map prepared by C. Stuart Simmons, Registered Land Surveyor, dated August 17, 1962, a copy of which map is attached hereto and made a part hereof; which parcel of land is more particularly described as follows:

Beginning at the intersection of the required westerly right of way line of State Project No. 700-02-54, and the existing northerly right of way line of Route La. 728-8, thence South 60 deg. 17 min. West, along the said existing northerly right of way line, a distance of 450.43 feet, to a point and corner, thence around the arc of a curve to the left (the radius of which is 261.01 feet, the long chord of which is 5.20 feet, bearing North 15 deg. 11 min. West) a distance of 5.20 feet, thence North 08 deg. 13 min. East a distance of 300.75 feet to a 1 inch iron pipe and corner, thence North 37 deg. 59 min. East, a distance of 749.65 feet into a 1 inch iron pipe and corner, thence South 80 deg. 25 min. East, a distance of 1.42 feet to a point on the existing and required westerly right of way line of State Project No. 700-02-54, thence South 09 deg. 35 min. West, a distance of 679.51 feet to a point of beginning containing a total area of 4.063 acres.

Being the same portion of the property acquired by the Police Jury from the Department of Highways by the Act of Exchange No. 429713, recorded in Conveyance Book E-28, at page 271, records of the Clerks Office of the Parish of Lafayette, LA."

AMENDMENT NO. 3

On page 2, line 13, after "property" insert "to be transferred" and after "six" delete the remainder of the line in its entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 14, delete "hundredths"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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.

Senator Lambert in the Chair

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.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1061 by Senator Romero

AMENDMENT NO. 1

On page 1, line 7, following "office" and before "hereby" insert "is"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Fields, W, Malone; Barham, Fontenot, Marionneaux; Bean, Gautreaux, McPherson; Boissiere, Heitmeier, Michot; Cain, Hines, Mount

June 12, 2001

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

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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

**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.

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 Reengrossed Senate Bill No. 1064 by Senator Hainkel

AMENDMENT NO. 2

On page 1, line 3, between "allowance" and "in" insert "for members of the Senate"

AMENDMENT NO. 3

On page 1, line 4, between "provide" and "an" insert "for vouchered expenses for members of the House of Representatives; to provide"

AMENDMENT NO. 4

On page 1, at the end of line 9, insert a semicolon ";" and "Senate"

AMENDMENT NO. 5

On page 4, delete lines 9 through 12 in their entirety and insert the following:

"§31.11. Additional vouchered expenses; House of Representatives

In addition to the salary, compensation, and all other allowances provided by law for members of the legislature, the House of Representatives may provide by rule for additional vouchered expenses of its members."

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President  
Total—2

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

**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.

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. 1072 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "repeal R.S. 17:71.3(E)(2)(d) and (3)," and insert the following:

"amend and reenact R.S. 17:71.3(E)(2) and to repeal R.S. 17:71.3(E)(3),"

AMENDMENT NO. 2

On page 1, line 3, delete "boards," and insert "boards; to provide for the subdivision of precincts in certain circumstances;"

AMENDMENT NO. 3

On page 1, line 4, after "board" delete the remainder of the line and delete line 5 in its entirety and insert the following: "districts in parishes having a population of ten thousand or fewer persons; and to provide"

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete the remainder of the line and insert the following

"R.S. 17.71.3(E)(2) is hereby reenacted as follows:

"§71.3. Procedure for accomplishing reapportionment, special election districts; effective date of same

\* \* \*

E.

\* \* \*

(2)(a) Notwithstanding the provisions of R.S. 17:71.3(E)(1) or any other law to the contrary, if a school board is unable to meet the federal guideline of plus or minus five percent deviation in the creation of its reapportionment plan through the use of whole precincts, the school board may, in the creation of its reapportionment plan, divide a precinct into portions which are bounded by visible features which are census tabulation boundaries. No such precinct shall be divided into more than two school board districts. No school board district shall contain more than two divided precincts.

(b) The provisions of this Paragraph shall be applicable only in cases in which the number of members of the school board is not equal to the number of members of the parish governing authority of the parish in which the school board is domiciled.

(c) The provisions of this Paragraph shall not be construed as authority for a school board which has adopted or accomplished reapportionment or is able to reapportion itself using whole precincts to divide precincts. Any plan adopted by a school board in contravention of this Subsection shall be null and void.

(d) ~~The provisions of this Paragraph shall become null and void on December 31, 1992, unless a school board receives an objection letter to its reapportionment plan from the Department of Justice. In such event the school board shall use the provisions of this Paragraph to satisfy the objections of the Department of Justice if said objections would require a precinct to be divided and the provisions of this Paragraph shall be null and void after such reapportionment is complete. In the event that a school board is denied preclearance of its reapportionment plan pursuant to the Voting Rights Act and the defect which serves as the basis for that denial can be remedied by the subdivision of precincts, the school board shall use the provisions of this Paragraph to remedy such defect.~~

AMENDMENT NO. 5

On page 1, after line 8, insert the following:

"Section 2. R.S. 17:71.3(E)(3) is hereby repealed."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreux	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	Ullio
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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

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.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture to Reengrossed Senate Bill No. 1073 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 11, change "January 1, 2002" to "September 1, 2001"

AMENDMENT NO. 2

On page 2, line 13, change "January 1, 2002" to "September 1, 2001"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Mr. President

Total—1

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

SENATE BILL NO. 1104 (Substitute for Senate Bill 666 by Senator B. Jones, et Al)—

BY SENATORS B. JONES, DARDENNE AND GAUTREUX 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.

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. 1104 by Senator B. Jones, et al.

AMENDMENT NO. 1

On page 1, line 16, change "Paragraph" to "Subsection"

AMENDMENT NO. 2

On page 3, line 13, after "bond" and before "from" insert "cash or securities"

AMENDMENT NO. 3

On page 4, line 3, after "shall" delete the remainder of the line, and insert the following:

"have a right of first refusal for all accounts the secretary decides to send to a collection contractor. A list of such accounts shall be compiled by the secretary and forwarded to the attorney general for the exercise of his right of first refusal. The right of first refusal shall be exercised within thirty days of the date of mailing or electronic transmission of the list. If the attorney general fails to exercise his right of first refusal within thirty days, the secretary may send the accounts to any collection contractor meeting the requirements of Paragraph A(3) of this Section. When the attorney general accepts an account for collection, the collection fee shall not exceed fifteen percent of the total liability. If the attorney general refuses to accept an account, then the secretary may send the accounts to any collection contractor meeting the requirements of Paragraph A(3) of this Section.

AMENDMENT NO. 4

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Mr. President

Total—1

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

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

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 247— BY SENATOR SCHEDLER

AN ACT

To enact R.S. 17:421.7, relative to public school counselors; to provide a salary supplement for certain public school counselors that have acquired certain certification by the National Board for Certified Counselors; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; 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. 247 by Senator Schedler

AMENDMENT NO. 1

On page 2, at the end of line 6, add the following:

"To receive the salary supplement provided by this Section, an otherwise eligible person shall have been awarded the initial credential issued by the National Board for Certified Counselors prior to July 1, 2007."

AMENDMENT NO. 2

On page 2, delete line 7 and at the beginning of line 8, change "for" to "For"

AMENDMENT NO. 3

On page 3, at the end of line 1, change "beginning with" to "for the fall school term of"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 247 by Senator Schedler

AMENDMENT NO. 1

In House Committee Amendment No. 2, proposed by the House Committee on Education and adopted on May 31, 2001, on line 8, following "page 2," change "delete line 7" to "line 7, following "B.(1)" delete the remainder of the line"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Total—38; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini; Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Mr. President Total—1

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.

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

June 12, 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. 560 by Senator Hines:

Representatives Durand, R. Alexander and Riddle.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 12, 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. 730 by Senator Hines:

Representatives Townsend, R. Alexander and Welch.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 111 by Representative Nevers, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Nevers, Crane and Jane Smith.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 180 by Representative Futrell, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Futrell, Lancaster and Diez.

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

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. 1899— BY REPRESENTATIVE M. JACKSON AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

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



**HOUSE BILL NO. 1901—**

BY REPRESENTATIVE MCDONALD

**AN ACT**

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

**Floor Amendments Sent Up**

Senator Theunissen sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1901 by Representative McDonald

AMENDMENT NO. 1

On page 4, line 27, change "20 U.S.C. 1087 (II)" to "20 U.S.C. 1087II"

On motion of Senator Theunissen, the amendments were adopted.

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W. Fields to Reengrossed House Bill No. 1901 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3048.1(A)(1)(a)(iii)" and before "and" insert ", (2)," and before "(C)(2)(f)" insert "(B)(2)(a),"

AMENDMENT NO. 2

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Education and adopted by the Senate on May 29, 2001, on page 1, line 3, after "R.S. 17:3048.1" and before "(P)(5)" insert "(A)(1)(b)(iii),"

AMENDMENT NO. 3

On page 1, line 4, after "Students;" insert "to provide for alternate eligibility criteria for certain students who graduate from Louisiana public and approved nonpublic high schools to qualify for the Opportunity and TOPS-Tech awards beginning with the 2001-2002 graduates;"

AMENDMENT NO. 4

On page 1, line 14, after "R.S. 17:3048.1(A)(1)(a)(iii)" and before "and" insert ", (2)," and before "(C)(2)(f)" insert "(B)(2)(a),"

AMENDMENT NO. 5

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Education and adopted by the Senate on May 29, 2001, on page 1, line 19, after "R.S. 17:3048.1" and before "(P)(5)" insert "(A)(1)(b)(iii),"

AMENDMENT NO. 6

On page 3, between lines 14 and 15, insert as follows:

"(b)

\* \* \*

(iii) Beginning with the 2001-2002 school year and thereafter, any student who has been certified as provided in Subsection D of this Section to have graduated from a Louisiana public high school or an approved nonpublic high school and otherwise meets the requirements of this Subparagraph but fails to earn the required minimum grade point average or fails to complete the core curriculum defined in Subparagraph (e) of this Paragraph, but who has a composite score on the 1990 version of the American College Test which is at least three points higher than that otherwise required by this Section or an equivalent concordant value on an enhanced or revised version of such test or the Scholastic Aptitude Test shall also be deemed to meet the requirements of this Subparagraph for the purposes of this program.

\* \* \*

(2) Any student who applies for an Opportunity Award in accordance with Subparagraph (A)(1)(b), who enrolled in any public college or university in the state to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications enumerated in Subparagraphs (A)(1)(a), (e) except as otherwise provided for in (b), and (f), shall be awarded by the state an amount determined by the administering agency to equal the tuition charged by the public college or university attended in the state. For any student who meets such qualifications and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level or an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities who are enrolled in the permitted skill or occupational training, as may be applicable.

\* \* \*

AMENDMENT NO. 7

On page 4, between lines 17 and 18, insert as follows:

"B.

\* \* \*

June 12, 2001

(2) As part of the Louisiana Tuition Opportunity Program for Students, the state shall award an amount determined by the administering agency to equal the actual cost of tuition of any student who enrolls on a full-time basis in a Louisiana public postsecondary institution to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the following qualifications and all other applicable qualifications of this Chapter:

(a)(i) Complies with the provisions of Subparagraphs (A)(1)(a) and (b) of this Section, except that enrollment shall be in a Louisiana public postsecondary institution and except that the student shall have a composite score on the specified American College Test of nineteen or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test.

(ii) Beginning with the 2001-2002 school year and thereafter, any student who has been certified as provided in Subsection D of this Section to have graduated from a Louisiana public high school or an approved nonpublic high school and otherwise meets the requirements of this Subparagraph but fails to earn the required minimum grade point average or fails to complete the core curriculum defined in this Paragraph, but who has a composite score on the 1990 version of the American College Test which is at least three points higher than that otherwise required by this Subparagraph or an equivalent concordant value on an enhanced or revised version of such test or the Scholastic Aptitude Test shall also be deemed to meet the requirements of this Subparagraph for the purposes of this program.

\* \* \*

Senator W. Fields moved adoption of the amendments.

Senator Theunissen objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields, C	Jones, C
Boissiere	Fields, W	Lentini
Cain	Fontenot	Malone
Campbell	Heitmeier	Marionneau
Chaisson	Hines	McPherson
Cravins	Irons	Romero
Dupre	Johnson	Thomas
Total—21		

**NAYS**

Barham	Hollis	Schedler
Bean	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Lambert	Theunissen
Ellington	Michot	Ullo
Gautreaux	Mount	
Total—17		

**ABSENT**

Mr. President  
Total—1

The Chair declared the amendments were adopted.

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

**HOUSE BILL NO. 2012—**

BY REPRESENTATIVE DANIEL

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—2

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. 2040 (Substitute for House Bill No. 1200 by Representative Jack Smith)—**

BY REPRESENTATIVE JACK SMITH

**AN ACT**

To amend and reenact R.S. 34:334.37, relative to public bids for port, harbor, and terminal districts; provides relative to work to be let

by contract by the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

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

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

Total—37

NAYS

Total—0

ABSENT

Mr. President Fontenot

Total—2

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. 2053 (Substitute for House Bill 1009 by Representative Pinac) BY REPRESENTATIVE PINAC

AN ACT

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

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. 2053 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 32:387(C)(3)(f)(ii) and to"

AMENDMENT NO. 2

On page 1, line 4, between "limitations;" and "and" insert "to provide special permits for vehicles or combination of vehicles operating at the maximum authorized axle weights for overweight permit loads on any state-maintained highway except the interstate system, when used to transfer recyclable waste paper sludge;"

AMENDMENT NO. 3

On page 1, line 7, between "Section 1." and "R.S." insert "R.S. 32:387(C)(3)(f)(ii) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 12, insert the following:

§387. Special permits
(C)
(3)
(f)

(ii) In addition, upon application of the owner or operator of any vehicle or combination of vehicles which has a minimum of eighteen wheels used to transfer bundled or bailed recyclable waste paper products or recyclable waster paper sludge and upon payment of a fee of one thousand dollars, the secretary shall issue a special permit authorizing the vehicle or combination of vehicles to operate at the maximum axle weights provided under the Department of Transportation and Development's regulations for overweight permit loads on any state-maintained highway except the interstate system. Such vehicles or the loads thereon shall not exceed a width of ten feet. The permit shall be valid for one year. Except as otherwise provided in this Subparagraph, all the provisions of this Paragraph shall apply to permits issued under the provisions of this Subparagraph and to vehicle or combinations of vehicles for which permits are issued under the provisions of this Subparagraph. The provisions of this Item shall include the equipment necessary for the loading or unloading of the load.

\* \* \*

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dupre, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen

June 12, 2001

Ellington Fields, W Total—36	Lambert Lentini	Thomas Ullo
	NAYS	
Dean Total—1	ABSENT	
Mr. President Total—2	Fields, C	

The Chair declared the amended 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 Chaisson asked for and obtained a suspension of the rules for the purpose of advancing to the order of

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

The following House 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 Chaisson asked that House Bill No. 1727 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1727—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator CFields to Reengrossed House Bill No. 1727 by Representative Diez

AMENDMENT NO. 1

On page 1, line 13, after "notice" insert "by certified mail"

AMENDMENT NO. 2

On page 4, line 18, after "notice" insert "by certified mail"

AMENDMENT NO. 3

On page 5, line 13, after "Notice" insert "by certified mail"

AMENDMENT NO. 4

On page 5, line 14, after "notice" insert "by certified mail"

AMENDMENT NO. 5

On page 6, line 20, after "final notice" insert "by certified mail"

AMENDMENT NO. 6

On page 6, line 22, after "notice" insert "by certified mail"

AMENDMENT NO. 7

On page 7, line 1, after "notice" insert "by certified mail"

AMENDMENT NO. 8

On page 7, line 14, after "notices" insert "by certified mail"

AMENDMENT NO. 9

On page 7, line 20, after "notice" insert "by certified mail"

AMENDMENT NO. 10

On page 7, line 22, after "notice" insert "by certified mail" and delete the remainder of the line and delete lines 23 through 25

AMENDMENT NO. 11

On page 9, line 15, after "notice" insert "by certified mail"

AMENDMENT NO. 12

On page 10, line 17, after "notice" insert "by certified mail"

AMENDMENT NO. 13

On page 10, line 26, after "notice" insert "by certified mail"

AMENDMENT NO. 14

On page 13, line 17, after "notice" insert "by certified mail"

AMENDMENT NO. 15

On page 14, line 1, after "notice" insert "by certified mail"

AMENDMENT NO. 16

On page 14, line 25, after "Notice" insert "by certified mail"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, W, Marionneaux. Lists names like Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Irons. Mr. President Total—2

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

Called from the Calendar

Senator Fontenot asked that House Bill No. 757 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 757—

BY REPRESENTATIVE PERKINS AN ACT

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

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

Table with 3 columns: Name, Fields, W, Lentini, Malone, McPherson. Lists names like Bajoie, Barham, Bean.

Table with 3 columns: Name, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo. Lists names like Boissiere, Cain, Campbell, Chaisson, Dardenne, Dean, Dupre, Ellington, Fields, C.

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Cravins, Marionneaux. Mr. President Total—3

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

Called from the Calendar

Senator Cravins asked that House Bill No. 1178 be called from the Calendar at this time for its final passage.

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

Delete Senate Floor Amendment No.1 proposed by Senator Dardenne and adopted by Senate on June 11, 2001.

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

June 12, 2001

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

NAYS

Cain	Hoyt	Jones, B
Total—3		

ABSENT

Mr. President  
Total—1

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

**Personal Privilege**

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1178. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**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. 107—**

BY REPRESENTATIVE SALTER

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President	Hines	Schedler
Total—3		

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

**HOUSE BILL NO. 134—**

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

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Mr. President Jones, B Schedler
Hines Marionneaux
Total—5

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. 312—
BY REPRESENTATIVE PITRE

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President
Total—1

The Chair declared the 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. 382—
BY REPRESENTATIVE MARTINY

AN ACT

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

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

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
Bean 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
Fields, C Lentini
Fields, W Malone
Total—37

NAYS

Total—0

ABSENT

Mr. President Campbell
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. 602—
BY REPRESENTATIVE DANIEL

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 12, 2001

Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Thomas
Total—2	

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

**HOUSE BILL NO. 762—**

BY REPRESENTATIVE MARTINY

AN ACT

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

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 762 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "27:311(J)" insert "and to enact R.S. 27:25.1"

AMENDMENT NO. 2

On page 1, line 5, after "unsuitability;" insert "to prohibit the assessment of costs for an administrative proceeding on a prevailing party;"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 27:25.1 is hereby enacted"

AMENDMENT NO. 4

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

"§25.1. Costs for administrative proceedings: prevailing party

Notwithstanding any law to the contrary, no person who prevails at a hearing before a hearing officer or on appeal to the full

board pursuant to this Title shall be required to pay costs associated with or involving the hearing or appeal."

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Cain	Fontenot
Dean	Michot
Total—4	

ABSENT

Mr. President	Lambert	McPherson
Total—3		

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

**HOUSE BILL NO. 766—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

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

**HOUSE BILL NO. 776—**

BY REPRESENTATIVE TOWNSEND

AN ACT

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



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. 776 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 11, after "performing" insert "professional"

Senator Campbell moved adoption of the amendments.

Senator B. Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Ellington, Total—27; Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons; Johnson, Jones, C, Lambert, Malone, Marionneaux, Romero, Smith, Tarver, Theunissen

NAYS

Table with 3 columns of names: Cain, Dean, Dupre, Total—8; Jones, B, Lentini, Michot; Mount, Schedler

ABSENT

Table with 2 columns of names: Mr. President, McPherson, Total—4; Thomas, Ullo

The Chair declared the amendments were adopted.

Personal Privilege

Senator Thomas asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on the amendment by Senator Campbell to House Bill No. 776. He had intended to vote yea on the amendment. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 776 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 4, after "musician;" insert "prohibits any elected official or his spouse from having any economic interest in any casino gaming establishment"

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

"(2) No elected public official or his spouse as defined in R.S. 42:1 shall have any economic interest in a casino gaming establishment."

On motion of Senator Malone, 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

Table with 3 columns of names: Bajoie, Bean, Boissiere, Campbell, Chaisson, Cravins, Fields, C, Total—20; Fields, W, Heitmeier, Irons, Johnson, Jones, C, Lambert, Malone; McPherson, Michot, Romero, Tarver, Thomas, Ullo

NAYS

Table with 3 columns of names: Barham, Cain, Dardenne, Dean, Dupre, Ellington, Total—16; Fontenot, Gautreaux, Hollis, Hoyt, Jones, B, Lentini; Marionneaux, Mount, Schedler, Theunissen

ABSENT

Table with 3 columns of names: Mr. President, Total—3; Hines, Smith

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

June 12, 2001

HOUSE BILL NO. 777—

BY REPRESENTATIVE TRICHE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Hoyt, Tarver. Total—3

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

HOUSE BILL NO. 778—

BY REPRESENTATIVES TRICHE, DANIEL, AND JOHNS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Table with 2 columns: Dean, Ullo. Total—2

ABSENT

Table with 2 columns: Mr. President, Malone. Total—2

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

HOUSE BILL NO. 855—

BY REPRESENTATIVE MARTINY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Dardenne, Dean, Dupre, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver.

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

NAYS

Cain  
Total—1

ABSENT

Mr. President Total—2	Cravins
--------------------------	---------

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. 914—**

BY REPRESENTATIVE DANIEL

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Total—3	Cravins	Tarver
--------------------------	---------	--------

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

**HOUSE BILL NO. 974—**

BY REPRESENTATIVE MARTINY

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President Total—3	Cravins	Dupre
--------------------------	---------	-------

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. 1005—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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

June 12, 2001

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins
Total—2	

The Chair declared the 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. 1028—**

BY REPRESENTATIVES DANIEL AND SCHNEIDER AND SENATOR MICHOT

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Fontenot	Lentini
Bean	Gautreaux	Malone
Boissiere	Heitmeier	Marionneaux
Cain	Hines	McPherson
Campbell	Hollis	Michot

Chaisson	Hoyt	Mount
Cravins	Irons	Romero
Dardenne	Johnson	Schedler
Ellington	Jones, B	Smith
Fields, C	Jones, C	Thomas
Fields, W	Lambert	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Dean	Tarver
Bajoie	Dupre	Theunissen
Total—6		

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

**HOUSE BILL NO. 1030—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

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

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

**NAYS**

Total—0

**ABSENT**

Mr. President	
Total—1	

The Chair declared the 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. 1031—

BY REPRESENTATIVE LEBLANC

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the 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. 1034—

BY REPRESENTATIVE LEBLANC

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the 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. 1131—

BY REPRESENTATIVE DEWITT

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler

June 12, 2001

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

NAYS

Total—0

ABSENT

Mr. President	Fields, W
Total—2	

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

**HOUSE BILL NO. 1175—**

BY REPRESENTATIVE HEBERT

AN ACT

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

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

Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Chaisson	Hoyt	Mount
Cravins	Irons	Romero
Dardenne	Johnson	Schedler
Dean	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Thomas
Fields, W	Lentini	Ullo
Total—30		

NAYS

Cain	Fontenot	Smith
Total—3		

ABSENT

Mr. President	Campbell	Hollis
Bajoie	Dupre	McPherson
Total—6		

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

**HOUSE BILL NO. 1186—**

BY REPRESENTATIVE ALARIO

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	
Total—1	

The Chair declared the 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. 1258—**

BY REPRESENTATIVE PINAC

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—1

The Chair declared the 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. 1261—**

BY REPRESENTATIVE MARTINY

**AN ACT**

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

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	Ellington	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Campbell	Hoyt	Romero
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo

Dupre  
Total—29

Lentini

**NAYS**

Cain  
Fields, C  
Total—5

Fields, W  
Michot  
Smith

**ABSENT**

Mr. President  
Fontenot  
Total—5

Hollis  
Irons  
Schedler

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. 1276—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

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

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

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—2

Schedler

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.

June 12, 2001

HOUSE BILL NO. 1287—

BY REPRESENTATIVE HOLDEN AND SENATOR ROMERO
AN ACT

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

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

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

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Dean, Schedler; 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. 1331—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:87.2(B) and (C), 87.3(A)(introductory paragraph) and (E), and 87.4(A)(3) and to enact R.S. 24:653(J), relative to performance-based budgeting; to authorize the Joint Legislative Committee on the Budget to establish a subcommittee for the purposes of performance-based budgeting; to provide for duties of the subcommittee; to provide for the categorization of performance data based on inclusion in certain budget documents; to provide for the circumstances

under which performance data may be adjusted during the budget year; to provide for planning, evaluation, and reporting of agency capacity to monitor and report performance; and to provide for related matters.

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

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Schedler; Total—2

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. 1339—

BY REPRESENTATIVES SCHNEIDER AND THOMPSON AND SENATOR BOISSIERE
AN ACT

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



**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1339 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 7, line 16, at the beginning of the line, change "sixty" to "seventy"

AMENDMENT NO. 2

On page 7, at the end of line 16, insert the following: "This limit of seventy thousand dollars shall be increased each year by any increase in the Consumer Price Index for the preceding year."

On motion of Senator Boissiere, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1339 by Representative Schneider

AMENDMENT NO. 1

On page 7, at the beginning of line 17, delete "Section 2." and insert "Section 2-A."

AMENDMENT NO. 2

On page 7, between lines 21 and 22, insert:

"B. Accountability Provisions. (1) The legislature does hereby acknowledge that the primary legislative intent in the passage of the Act which originated as House Bill No. 1339 of the 2001 Regular Session of the Legislature is that the actuarial costs of implementing the Act shall be funded solely from funds contained in the "employee experience account" of the Teachers' Retirement System and that no state general funds or local funds shall be used for funding the actuarial costs of implementing the Act.

(2) In furtherance of the legislative intent as expressed in this Section, the Public Retirement Systems' Actuarial Committee shall report on an annual basis all of the following information with regard to implementing the Act which originated as House Bill No. 1339 of the 2001 Regular Session of the Legislature:

(a) Whether all funds that are being used to fund the Act are being debited from the employee experience account.

(b)(i) Whether the employer contribution rate which is set forth in the actuarial valuation for the Teachers' Retirement System, as the valuation is being considered for each upcoming plan year, contains any state general funds or local funds that are being used for the purpose of funding the Act.

(ii) If any state general funds or local funds are being used to fund the Act, then the report shall set forth, as a separate line item, the total amount of such funds being used for that purpose.

(c) Whether it is reasonably foreseeable that state general funds or local funds will be necessary to fund the Act as stated annually but applicable to rolling five-year increments."

On motion of Senator Hollis, the amendments were adopted.

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

**HOUSE BILL NO. 1343—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

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

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

**HOUSE BILL NO. 1355—**

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

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lambert
Barham	Fields, W	Lentini
Bean	Fontenot	Malone
Boissiere	Gautreaux	Marionneaux

June 12, 2001

Cain	Heitmeier	McPherson
Campbell	Hines	Michot
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Mount	Schedler
Total—3		

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

**HOUSE BILL NO. 1393—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

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

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1393 by Representative Schneider

AMENDMENT NO. 1

On page 3, between lines 6 and 7, insert:

"Section 2. Accountability Provisions. (A) The legislature does hereby acknowledge that the primary legislative intent in the passage of the Act which originated as House Bill No. 1393 of the 2001 Regular Session of the Legislature is that the actuarial costs of implementing the Act shall be funded solely from funds contained in the "employee experience account" of the Louisiana State Employees' Retirement System and that no state general funds shall be used for funding the actuarial costs of implementing the Act.

(B) In furtherance of the legislative intent as expressed in this Section, the Public Retirement Systems' Actuarial Committee shall report on an annual basis all of the following information with regard to implementing the Act which originated as House Bill No. 1393 of the 2001 Regular Session of the Legislature:

(1) Whether all funds that are being used to fund the Act are being debited from the employee experience account.

(2)(a) Whether the employer contribution rate which is set forth in the actuarial valuation for the Louisiana State Employees'

Retirement System, as the valuation is being considered for each upcoming plan year, contains any state general funds that are being used for the purpose of funding the Act.

(b) If any state general funds are being used to fund the Act, then the report shall set forth, as a separate line item, the total amount of such funds being used for that purpose.

(3) Whether it is reasonably foreseeable that state general funds will be necessary to fund the Act as stated annually but applicable to rolling five-year increments."

AMENDMENT NO. 2

On page 3, at the beginning of line 7, delete "Section 2." and insert "Section 3."

On motion of Senator Hollis, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Schedler
Total—2	

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

**HOUSE BILL NO. 1442—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Mr. President Schedler
Total—2

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. 1489—

BY REPRESENTATIVE TOWNSEND
AN ACT

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

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

HOUSE BILL NO. 1522—

BY REPRESENTATIVES DANIEL AND SCHNEIDER
AN ACT

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

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1522 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 11:2178(K)(1) and to"

AMENDMENT NO. 2

On page 1, line 5, between "service;" and "to" insert "to further provide with respect to cost-of-living adjustments and the maximum limit applicable to monthly adjustments to increase the minimum monthly adjustment payable;"

AMENDMENT NO. 3

On page 1, line 11, between "Section 1." and "R.S. 11:2174.2" insert "R.S. 11:2178(K)(1) is hereby amended and reenacted and"

AMENDMENT NO. 4

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

"§2178. Disability, retirement and death benefits
\* \* \*

K. The board of trustees is authorized to use interest earnings on investments of the fund in excess of normal requirements as determined by the actuary, and approved by the board of trustees, to provide a cost-of-living increase for retired and disabled members and survivors who have been receiving benefits from the fund for one full calendar year prior to the granting of the cost-of-living increase, as follows:

(1) The cost-of-living increase shall be three percent of the normal monthly benefit payable to the retiree, disability recipient, or survivor on the date the increase is granted, but shall not be less than twenty fifty dollars per month, nor more than one hundred dollars per month.
\* \* \*

On motion of Senator Boissiere, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

June 12, 2001

Total—37

NAYS

Total—0

ABSENT

Mr. President

Ellington

Total—2

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

HOUSE BILL NO. 1563—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 4:702(C)(1), 704(D), 707(C)(4) and (5), (D)(1)(a), (2), (3), and (4), 710(A), 715(B), 720(B), 721(B)(4), 724(B)(2), 726(A)(1) and (D), and 735(B)(7), and to enact R.S. 4:708(A)(9) and 718(H), and to repeal R.S. 4:720(C), 728, 732(F) and (G), and 733(J), relative to charitable gaming; to provide with respect to commercial lessors; to correct internal citations; to provide criteria for the issuance of special licenses; to provide with respect to personnel conducting charitable gaming; to provide for the revocation, suspension, or condition of any charitable gaming license; to provide for the maximum payout on electronic video bingo games; to repeal duplicative language; to repeal provision of law allowing only one parent-teacher association or booster club for each school; to repeal provision of law prohibiting any licensed charitable organization operating more than fifteen electronic pull-tab devices from offering pull-tabs; to repeal provision regarding the use of monies derived from enforcement of bingo regulations in Livingston Parish; to repeal provision requiring mega jackpot progressive bingo and progressive blackout bingo be mutually exclusive; to repeal population limitations for networking or linking progressive mega jackpot bingo games; and to provide for related matters.

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

HOUSE BILL NO. 1610—

BY REPRESENTATIVES DANIEL AND SCHNEIDER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Mr. President

Jones, C

Total—2

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

HOUSE BILL NO. 1643—

BY REPRESENTATIVES GLOVER AND HOPKINS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dean	Jones, B	Theunissen

Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Fields, W
Dardenne	Schedler
Total—4	

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

**HOUSE BILL NO. 1803—**

BY REPRESENTATIVE DEWITT

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President
Total—1

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

**HOUSE BILL NO. 1833—**

BY REPRESENTATIVE BRUNEAU

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Mr. President	Bajoie
Total—2	

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. 1904—**

BY REPRESENTATIVE DARTEZ

AN ACT

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

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

June 12, 2001

**ROLL CALL**

The roll was called with the following result:

YEAS		
Chaisson	Gautreaux	Johnson
Cravins	Heitmeier	Jones, C
Dean	Irons	Romero
Total—9		
NAYS		
Barham	Fields, W	Michot
Bean	Fontenot	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Campbell	Jones, B	Theunissen
Dardenne	Lentini	Thomas
Dupre	Malone	Ullo
Ellington	Marionneaux	
Fields, C	McPherson	
Total—25		
ABSENT		
Mr. President	Hines	Tarver
Bajoie	Lambert	
Total—5		

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

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

**HOUSE BILL NO. 1920—**

BY REPRESENTATIVE DOWNER

AN ACT

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

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

**HOUSE BILL NO. 1981—**

BY REPRESENTATIVE DURAND

AN ACT

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

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		
Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		
NAYS		
Total—0		
ABSENT		
Mr. President		
Total—1		

The Chair declared the 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. 2020—**

BY REPRESENTATIVES MORRELL AND MURRAY

AN ACT

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

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

**HOUSE BILL NO. 103—**

BY REPRESENTATIVE POWELL

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Hines, Total—4; Irons, Jones, B.

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. 181—

BY REPRESENTATIVE RIDDLE

AN ACT

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

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Reengrossed House Bill No. 181 by Representative Riddle

AMENDMENT NO. 1

On page 12, at the end of line 17, insert the following:

"Furthermore, the state of Louisiana formally recognizes the following tribes as Indian tribes of the state, which shall automatically be granted state recognition by the office:

- (1) The Avogel (Avoyel) Tribe of Louisiana.
(2) The Grand Caillou/Dulac Band of Biloxi-Chitimachas.
(3) The Isle de Jean Charles Bank of Biloxi-Chitimachas.
(4) The Bayou Lafourche Band of Biloxi-Chitimachas.
(5) The Point-aux-Chenes."

Senator Gautreaux moved adoption of the amendments.

Senator Malone objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Bean, Boissiere, Chaisson, Total—12; Cravins, Dupre, Gautreaux, Hines; Irons, Johnson, Romero, Schedler.

NAYS

Table with 3 columns: Barham, Cain, Dardenne, Dean, Ellington, Fields, C, Total—18; Fields, W, Fontenot, Hollis, Hoyt, Jones, B, Lentini; Malone, Mount, Smith, Tarver, Theunissen, Thomas.

ABSENT

Table with 3 columns: Mr. President, Campbell, Heitmeier, Total—9; Jones, C, Lambert, Marionneaux; McPherson, Michot, Ullo.

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 181 by Representative Riddle

AMENDMENT NO. 1

June 12, 2001

On page 7, line 16, after "and the" change "nonmembers" to "nonresident members"

AMENDMENT NO. 2

On page 7, line 17, after "with" insert "resident"

AMENDMENT NO. 3

On page 7, delete lines 18 and 19 and on line 20, change "(c)" to "(b)"

On motion of Senator Dupre, 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	Fields, C	Jones, C
Boissiere	Fields, W	McPherson
Cain	Gautreaux	Mount
Campbell	Heitmeier	Romero
Chaisson	Hines	Tarver
Dupre	Johnson	Thomas
Total—18		

NAYS

Barham	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Jones, B	Theunissen
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—14		

ABSENT

Mr. President	Irons	Michot
Bean	Lambert	
Cravins	Marionneaux	
Total—7		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 226—

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Cravins	Lambert
Total—4	

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

HOUSE BILL NO. 278—

BY REPRESENTATIVE MONTGOMERY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero



Chaisson	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	Cravins	McPherson
Total—3		

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

**HOUSE BILL NO. 331—**

BY REPRESENTATIVE PERKINS

AN ACT

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

**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. 331 by Representative Perkins

AMENDMENT NO. 1

On page 2, line 4, between "(6)" and "food" change "This shall not apply to any" to "Any"

AMENDMENT NO. 2

On page 2, line 6, between "annually" and "until" insert "shall not be required to comply with this Subsection"

On motion of Senator Dardenne, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	Marionneau
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	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Lambert	Thomas
Total—3		

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

**HOUSE BILL NO. 357—**

BY REPRESENTATIVE STRAIN

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	
Total—1	

June 12, 2001

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. 363—

BY REPRESENTATIVES CROWE, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS CAIN, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HOYT, IRONS, LENTINI, MICHOT, ROMERO, SCHEDLER, SMITH, THEUNISSEN, THOMAS, AND ULLO

AN ACT

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

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

Table with 3 columns: Name, Fields, W, Malone. Lists names of senators and their counts for the 'YEAS' vote.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Mount. Lists Mr. President and the count for the 'ABSENT' vote.

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. 422—

BY REPRESENTATIVE FARRAR

AN ACT

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

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

Table with 3 columns: Name, Fields, W, Malone. Lists names of senators and their counts for the 'YEAS' vote.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Total—1. Lists Mr. President and the count for the 'ABSENT' vote.

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. 601—

BY REPRESENTATIVE DANIEL

AN ACT

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

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 601 by Representative Daniel

AMENDMENT NO. 1

In Senate Committee Amendments Nos. 1 and 3 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2001, on page 1, lines 3 and 9, change "(37)" to "(38)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 31, 2001, on page 1, after line 19, insert the following:

"(38) The president of the Louisiana State Nurses Association, or his designee."

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

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

HOUSE BILL NO. 612—

BY REPRESENTATIVE DURAND

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Boissiere, Total—2

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. 622—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 14:102.12 through 102.17, relative to offenses affecting the public sensibility; to provide for the crime of owning dangerous and vicious dogs; to provide definitions; to provide for a hearing to determine if a dog is dangerous or vicious; to provide for penalties; to provide for the assessment of fees; to provide for posting requirements; to provide for the seizure of dangerous or vicious dogs; to provide that vicious dogs be euthanized; to provide that dangerous dogs be euthanized under certain circumstances; to provide for applicability; to provide exceptions; and to provide for related matters.

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

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Campbell, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Marionneaux, McPherson, Michot, Mount, Romero

June 12, 2001

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	Boissiere
Total—2	

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. 658—**

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

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Ellington	Irons
Boissiere	Hines	Smith
Total—6		

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

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE LAFLEUR

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	
Total—1	

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

**HOUSE BILL NO. 704—**

BY REPRESENTATIVE K. CARTER

AN ACT

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

**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. 704 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 3, after "(C)" insert "and (D)"

AMENDMENT NO. 2

On page 1, line 5, after "notification;" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 9, after "(C)" delete "is" and insert "and (D) are"

AMENDMENT NO. 4

On page 1, line 14, after "state" delete "by a person" and insert "or a political subdivision by any person"

AMENDMENT NO. 5

On page 1, delete line 15 and on line 16, delete "died in such facility,"

AMENDMENT NO. 6

On page 2, line 4, delete "within"

AMENDMENT NO. 7

On page 2, line 5, change "one month." to "as follows:"

AMENDMENT NO. 8

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

"(a) Within thirty days if the owner was discharged from the hospital or died in such facility.

"(b) Within one hundred thirty days if the owner is anyone other than a person who was discharged from the hospital or died in such facility."

AMENDMENT NO. 9

On page 2, line 7, change "one month" to "the time specified in Paragraph (1) of Subsection A"

AMENDMENT NO. 10

On page 2, after line 11, insert the following:

"D. "Owner", "person", and "property", for purposes of this Section, shall have the same meaning as defined in R.S. 9:153(11), (12), and (13) respectively."

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

Bajoie	Fields, W	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson

Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	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	Cravins	Hollis
Total—3		

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.

**HOUSE BILL NO. 738—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Schedler
Total—2	

June 12, 2001

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. 743—

BY REPRESENTATIVE ANSARDI

AN ACT

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

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

NAYS

Dean  
Total—1

ABSENT

Mr. President  
Total—1

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. 767—

BY REPRESENTATIVE MARTINY

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	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  
Total—3

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. 819—

BY REPRESENTATIVES MCMAINS, DIEZ, AND SHAW

AN ACT

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

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
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith

Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

The Chair declared the 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. 860—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President  
Total—1

The Chair declared the 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. 881—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

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

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

**HOUSE BILL NO. 908—**  
BY REPRESENTATIVE HEBERT  
AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President  
Total—2

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

**HOUSE BILL NO. 921—**  
BY REPRESENTATIVE M. JACKSON  
AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701 through 2711, relative to consumer protection; to provide for definitions; to provide for a listing of unsafe children's products; to prohibit the use of certain unsafe children's products; to prohibit child care facilities

June 12, 2001

from using or having on the facility premises certain unsafe children's products; to provide for the revocation or refusal to renew certain licenses or certificates of registration; to prescribe penalties for violations; to provide for enforcement actions and other remedies; to provide for the adoption of rules; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Thomas	Ullo
Total—3		

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

**HOUSE BILL NO. 1148—**

BY REPRESENTATIVES FAUCHEUX, DARTEZ, DEVILLIER, AND QUEZAIRE

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
--------	-----------	--------

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

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the 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. 1243—**

BY REPRESENTATIVE TOWNSEND

AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0



ABSENT

Mr. President  
Total—1

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

**HOUSE BILL NO. 1299—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

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

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	Marionneau
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

The Chair declared the 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. 1306—**  
BY REPRESENTATIVE PINAC AND SENATOR HOLLIS  
AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President  
Total—2  
Cravins

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. 1314—**  
BY REPRESENTATIVES PINAC AND CRANE AND SENATOR FONTENOT  
AN ACT

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

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	Marionneau
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith

June 12, 2001

Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

The Chair declared the 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. 1349—**

BY REPRESENTATIVE PRATT

AN ACT

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

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
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Mr. President  
Total—1

The Chair declared the 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. 1391—**

BY REPRESENTATIVE DANIEL

AN ACT

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

**Senator Barham in the Chair**

**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. 1391 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, after "331(C)" insert the following: "and to enact R.S. 47:301(3)(h), (10)(t), (13)(g), and (18)(h)"

AMENDMENT NO. 2

On page 8 before line 1 insert the following:

"Section 6. R.S. 47:301(3)(h), (10)(t), (13)(g) and (18)(h) are hereby enacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(3) \* \* \*

(h) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "cost price" shall mean the actual amount paid by the dealer for the item or article of equipment, accessories, fixtures or other tangible personal property.

\* \* \*

(10) \* \* \*

(t)(i) For taxable periods that end prior to July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by any political subdivision, school board or other taxing entity in this state, in the case of the sale or other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, the term "retail sale" or "sale at retail" shall mean and include the sale or any other disposition of each such item or article of equipment, accessories, fixtures and other tangible personal property by the dealer to the purchaser, but shall

not mean or include the withdrawal, use, distribution, consumption, storage, donation or any other disposition of any such item or article of equipment, accessories, fixtures or other tangible personal property. For purposes of this Section, the term "mobile telecommunications services" shall have the same meaning as that term has in R.S. 47:301(14)(i)(ii)(bb).

(ii) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the sale or any other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "retail sale" or "sale at retail" shall mean and include the sale, withdrawal, use, distribution, consumption, donation or any other disposition of each such item or article of equipment, accessories, fixtures and other tangible personal property by the dealer.

(13) \* \* \*

(g)(i) For taxable periods that end prior to July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "sales price" shall mean and include only the amount of money, if any, actually received by the dealer from the purchaser for each such item or article of equipment, accessories, fixtures and other tangible personal property, but shall not include (1) any amount received by the dealer from the purchaser for providing mobile telecommunications services and (2) any commissions, fees, rebates or other amounts received by the dealer from any source other than the purchaser as a result of or in connection with the sale of the item or article of equipment, accessories, fixtures or other tangible personal property.

(ii) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "sales price" shall mean the greater of (1) the "sales price," as defined in R.S. 47:301(13)(g)(i), or (2) the "cost price," as defined in R.S. 47:301(3)(h).

(18) \* \* \*

(h) For purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the sale or any other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "use" shall not include the withdrawal, use, distribution, consumption, storage, donation or any other disposition of any such item or article of equipment, accessories, fixtures or other tangible personal property by the dealer.

\* \* \*

AMENDMENT NO. 3

In Senate Committee Amendment No. 44 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001, on line 12, change "Section 6" to "Section 7"

AMENDMENT NO. 4

On page 8 after line 4 insert the following:

"Section 8. Section 6 of this Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, Section 6 of this Act shall become effective on July 1, 2001. The provisions of Section 6 of this Act shall apply to taxable periods that end prior to July 1, 2001 and shall be remedial and shall be applied retroactively."

On motion of Senator Ellington, the amendments were adopted.

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. 1391 by Representative Daniel

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001:

On page 3, line 39, after "(VIII)" insert "(aaa)" and at the end of the line delete the colon ":"

On page 3, line 40, change "(aaa) That" to "that"

On page 3, line 44, after "network" delete the semicolon ";"

On page 3, line 45, change "(bbb) For" to "for"

On page 3, line 46, after "Commission." insert "(bbb)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 41, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001, delete "R.S."

AMENDMENT NO. 3

In Senate Committee Amendment No. 42, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001:

On page 12, line 7, after "then" insert: "the provisions enacted by such Sections shall be repealed, and"

On page 12, line 8, after "effective" insert ", all"

On motion of Senator Ellington, the amendments were adopted.

June 12, 2001

Mr. President in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dupre, Ellington, Fields, C, Total—35

NAYS

Dean Total—1

ABSENT

Mr. President Fontenot Lambert Total—3

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

HOUSE BILL NO. 1438—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS AN ACT

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

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

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—38

NAYS

Total—0

ABSENT

Fontenot 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. 1468—

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

AN ACT

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

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. 1468 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, change "33:1565(B)(1)" to "33:1563(E) and 1565(B)(1)"

AMENDMENT NO. 2

On page 1, line 8, change "33:1565(B)(1) is" to "33:1563(E) and 1565(B)(1) are"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert the following:

"§1563. Duty to hold autopsies, investigations, etc. \* \* \* E. \* \* \*

(3) The cause of death, and the manner or mode in which the death occurred, as ~~rendered by the coroner and~~ incorporated in the death certificate as provided in the Vital Statistics Laws, R.S. 40:32, et seq., filed with the division of vital records of the Department of Health and Hospitals, shall be the legally accepted cause of death, unless the court of the parish in which the death occurred, after a hearing, directs ~~the coroner to change his decision as to the cause, manner, or mode of death otherwise.~~

On motion of Senator McPherson, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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

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

**Rules Suspended**

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

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

The following House 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 Boissiere asked that House Bill No. 495 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 495—**

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

**AN ACT**

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

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 495 by Representative Schneider

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 5 through 10 proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001.

AMENDMENT NO. 2

On page 4, line 6, between "Section 2." and "hereby" delete "R.S. 22:1419(A)(3) is" and insert in lieu thereof "R.S. 22:1419(A)(3) and (4) are"

AMENDMENT NO. 3

On page 4, delete lines 11 through 24 in their entirety and delete pages 5 and 6 in their entirety and on page 7, delete lines 1 through 8 in their entirety and insert in lieu thereof:

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

(a)(i) First, the assessment shall be used for funding of mergers of local retirement systems with these statewide retirement systems.

such mergers to be funded over a period of thirty years, unless the Public Retirement Systems' Actuarial Committee deems a shorter period appropriate. Such shorter period shall not use more than five percent of the total assessment in any one year, nor shall the aggregate of all mergers being funded in any one year use more than twenty-five percent of the total assessment in any one year.

(ii) One million five hundred thousand dollars of the twenty-five percent of the total assessment which is allocated for the purpose of mergers shall be expended first to fund the annual actuarial cost incurred by the State Police Pension and Retirement System with regard to implementation of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature, and this one million five hundred thousand dollars shall be expended prior to the funding of any mergers.

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

(ii)(aa) Any funds that remain after the allocations provided for in Subparagraph (3)(a) of this Paragraph shall be divided into three thirds and, then, a one-third portion shall be allocated separately to each of the three systems. Except as otherwise provided in this Item, each such system shall not receive a greater portion than one-third.

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

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

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

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

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

\* \* \*

Section 3.(A) The provisions of R.S. 11:1307(A) as set forth in Section 1 of this Act shall not be applicable to those persons who retired from or became beneficiaries of the Louisiana State Police Pension and Retirement System on or before June 30, 2001. The provisions of R.S. 11:1307(A) shall apply to any such person as R.S. 11:1307(A) was in effect at the time of such person's retirement.

(B)(1) However, notwithstanding any other provision of law to the contrary, with regard to any person who participated in the Deferred Retirement Option Plan on or before June 30, 2001, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remains in such continuous employment on July 1, 2001, the monthly retirement benefit payable to such person shall be the sum of three and one-third percent, multiplied by his monthly average salary, and further multiplied by the years of service credited to his account prior to the effective date of his participation in the Deferred Retirement Option Plan, but his total annual benefit shall not exceed one hundred percent of his average annual salary.

(2)(a) Notwithstanding any other provision of law to the contrary and specifically the provisions of R.S. 11:1310, the phrase "average salary" as used in this Subsection for the purpose of computing the regular retirement benefits of any member who entered the Deferred Retirement Option Plan based on less than twenty-five years of service shall mean the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the Civil Service Commission or the State Police Civil Service Commission for any twelve month period of service occurring while a member of this system, but limited to the first twenty-five years of state trooper service, regardless of whether such state trooper service occurred before, during, or after participation in the Deferred Retirement Option Plan. The phrase "average salary" as defined by this Subparagraph shall be used for purposes of computing the regular retirement benefit that is payable based on all service occurring prior the member's effective date of participation in the Deferred Retirement Option Plan.

(b) Any supplemental regular retirement benefit which is payable based on service which occurs after the member's termination of participation in the Deferred Retirement Option Plan shall be based on the greater of the average salary as determined in Subparagraph (a) of this Paragraph or the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the Civil Service Commission or the State Police Civil Service Commission for any twelve month period of service occurring while a member of this system, but limited to the years of service which are attributable to twenty-five or more years of state trooper service.

(c) For purposes of this Section, "state trooper service" shall not include any service credited to the member's account based on the purchase of credit for military service or credit based on a transaction executed pursuant to R.S. 11:142, 143, or 158.

(d) For purposes of this Section, "average salary" shall not include overtime, expenses, clothing allowances, or any remuneration resulting from military service.

(3) Any member who is covered by the provisions of this Section and who is either participating in or who has terminated his participation in the Deferred Retirement Option Plan on or before July 1, 2001, shall not have the benefits that are either being credited to or have been credited to his Deferred Retirement Option Plan account recomputed. The Deferred Retirement Option Plan benefits that are either currently being credited to or have been credited to such member's Deferred Retirement Option Plan account shall be the same as they were upon the member's effective date of entry into the Deferred Retirement Option Plan.

(4) Any member whose regular or supplemental retirement benefits, or any combination of regular or supplemental retirement benefits, would be reduced because of the application of the provisions of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature, shall receive the highest combination of any such benefits."

On motion of Senator Boissiere, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Total—0

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

**Called from the Calendar**

Senator Boissiere asked that House Bill No. 496 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 496—**

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

**AN ACT**

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Total—0

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.

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 461 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Daniel, Donelon and Winston.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1041 by Representative McMains, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives McMains, Green and Strain.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1140 by Representative Clarkson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Clarkson, Donelon and Ansardi.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1216 by Representative Frith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Frith, R. Alexander and Devillier.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1556 by Representative Kennard, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Kennard, Damico and Durand.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1682 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:



Representatives Townsend, Toomy and Winston.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1886 by Representative Johns, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Johns, Lancaster and R. Alexander.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 12, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2051 by Representative Pinac, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Pinac, Doerge and Tucker.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 12, 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. 718—**  
BY SENATOR HOYT

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.570, relative to economic development in Vermilion Parish; to create and comprehensively provide relative to the Vermilion Parish Economic Development District; to provide for the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and parcel fees and the issuance of debt; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 725—**  
BY SENATOR HINES

AN ACT

To enact R.S. 33:2012, relative to municipalities and parishes; to provide with respect to firemen and policemen; to provide for occupational diseases or infirmities; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 742—**  
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 40:1502.14, relative to fire protection districts; to continue exemption from having proof of a current service charge receipt; to obtain reduced insurance premium rate in certain fire protection districts; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1006—**  
BY SENATOR HOYT

AN ACT

To authorize the Vermilion Parish Police Jury to lease a portion of a public building to the previous owner of the building; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1016—**  
BY SENATOR LENTINI

AN ACT

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

Reported without amendments.

June 12, 2001

**SENATE BILL NO. 1080—**

BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and (F), relative to trial courts of limited jurisdiction; to provide for civil jurisdiction for certain city courts; to increase the jurisdictional amount in dispute and value of properties involved in civil suits; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1028—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to criminal history checks conducted by the office of state police, or other authorized agencies, on certain nonlicensed persons and licensed ambulance personnel; to authorize the office of state police or other authorized agency to provide the criminal history records of such persons to certain employers if the records reveal conviction of certain acts; to prohibit such employers from hiring or contracting with such a person if he has been convicted of such offense; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 50—**

BY SENATOR MARIONNEAUX

AN ACT

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

Reported without amendments.

**SENATE BILL NO. 1032—**

BY SENATOR MALONE

AN ACT

To authorize school boards in parishes with a population between two hundred fifty-one thousand and two hundred fifty-three thousand to rename stadiums and buildings within those parishes; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 512—**

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 33:2955(A)(1)(h), relative to investments by political subdivisions; to authorize investment in certain additional investment instruments; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1036—**

BY SENATOR BAJOEIE

AN ACT

To amend and reenact R.S. 40:2133(A) and 2136, relative to ambulatory surgical centers; to expand the definition of "ambulatory surgical center"; to provide for promulgation of rules, regulations, and minimum standards; to provide an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 624—**

BY SENATOR MOUNT (BY REQUEST) AND REPRESENTATIVES JOHNS AND STELLY

AN ACT

To enact R.S. 33:2481.2, relative to the office of police chief of the city of Lake Charles; to provide a specified term for the office; to provide for the applicability of civil service provisions to the office; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 755—**

BY SENATORS C. JONES AND CRAVINS

AN ACT

To amend and reenact R.S. 33:2737.73(A), relative to school boards; to continue the authority of school boards in certain parishes to levy a sales tax; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 592—**

BY SENATOR MICHOT

AN ACT

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

Reported without amendments.

**SENATE BILL NO. 732—**

BY SENATOR HINES AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 40:1300.144(A)(2), relative to the Rural Hospital Preservation Act; to provide for reimbursement of rural hospitals under the medical assistance program; to provide for rules and regulations related thereto; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 792—**

BY SENATOR IRONS

AN ACT

To enact R.S. 17:282.3, relative to a program of youth suicide prevention; to establish a program of youth suicide prevention administered by the state Department of Education in cooperation with state and local agencies; to require the State Board of Elementary and Secondary Education to adopt rules and regulations for the development of a state plan; to provide relative to services provided to students under a program; to authorize local programs; to provide for funding; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 816—**

BY SENATOR MOUNT

## AN ACT

To amend and reenact R.S. 46:56(F)(5), relative to confidential child welfare information; to provide authorization for the Department of Social Services to release confidential child welfare information to certain researchers; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1007—**

BY SENATORS BEAN AND HINES

## 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 Practical Nurse Examiners from the public records law; to provide for public access to certain records; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1018—**

BY SENATOR SCHEDLER

## AN ACT

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

Reported with amendments.

**SENATE BILL NO. 1000—**

BY SENATOR C. JONES

## AN ACT

To amend and reenact R.S. 11:565 relative to Louisiana State Employees Retirement System; to authorize judge to purchase credit for service with Capital Area Legal Services Corporation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1047—**

BY SENATOR MCPHERSON

## AN ACT

To enact Part III of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1081 through 1083, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1011—**

BY SENATOR LENTINI

## AN ACT

To enact R.S. 15:571.35, relative to incarceration; to require the Department of Public Safety and Corrections to establish a pilot program of home incarceration and electronic monitoring; to

provide criteria for eligibility for participation in such program; to require the promulgation of rules and regulations for the implementation and administration of such program; to require compliance with administrative procedures; to require the inclusion of certain conditions within such rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 252—**

BY SENATOR CRAVINS

## AN ACT

To enact R.S. 33:2476.2, relative to civil service; to provide with respect to fire and police civil service boards; to provide relative to compensation of members of the fire and police civil service board in the municipality of Opelousas; to authorize compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 751—**

BY SENATOR MOUNT

## AN ACT

To enact Chapter 15 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1451 through 1459, relative to the establishment of residences for transitional youth; to establish a system of licensure for such residences; to provide for the adoption of regulations; to establish fees and provide for inspections; to provide for penalties for operation without a license or in violation of regulations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1042—**

BY SENATOR SCHEDLER

## AN ACT

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

individuals from serving as representatives and from serving as witnesses; to provide for withdrawal of representatives and rescinding the withdrawal; to provide for a form; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 451—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(8)(b) and (c), 209(B) and (C), 1902(14), 1928(A) and (B), 1936(A), 1937, 1938(F) and (J)(1), 1946, 1961(2), 1962, 1963, 1965(A), 1966, 1971(2), 1972, 1973, 1975(A), and 1976, to enact R.S. 11:1941(4), 1961(3), 1971(3), and to repeal R.S. 11:1947 and 1967, relative to the Parochial Employees' Retirement System of Louisiana; to increase employee contributions for Plan B and Plan C; to provide with respect to the number of years of creditable service required for a member in Plan B and Plan C to receive disability benefits; to provide with respect to the allowable increases in earnings benefits calculation purposes; to provide with respect to vesting schedules; to provide with respect to cost-of-living adjustments; to provide with respect to earnings on accumulated Deferred Retirement Option Plan Fund balances; to provide with respect to offsets against final compensation; to provide with respect to survivor benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1052—**  
BY SENATORS SMITH AND ELLINGTON  
AN ACT

To enact R.S. 17:105.1, relative to the assignment, transfer, and continuance of pupils; to provide for the transfer of a pupil to a school system adjoining the one in which he resides under certain circumstances; to provide certain limitations and restrictions; to provide for the transfer of certain funding; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 621—**  
BY SENATOR HAINKEL  
AN ACT

To enact R.S. 40:1498(F), relative to fire protection districts; to provide for an increase in per diem for governing board members of a fire protection district with a population of more than one hundred thousand persons; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 653—**  
BY SENATOR DUPRE  
AN ACT

To amend and reenact Code of Civil Procedure Art. 4912, relative to trial courts of limited jurisdiction; to provide with respect to justice of the peace courts; to provide with respect to possession or ownership of movable property; to increase the jurisdictional amounts in certain instances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 833—**  
BY SENATOR HOYT  
AN ACT

To amend and reenact R.S. 11:2258(B)(1), relative to the Firefighters' Retirement System; to provide with respect to disability retirement benefits, including but not limited to the conversion of regular retirement benefits to disability benefits, the standard of evidence used to demonstrate a disability, and the required actuarial neutrality of the transaction; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 933—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 11:1503(4) and to enact R.S. 11:1503(11), 1521.1 and 1562(D), relative to Louisiana Clerks' of Court Retirement System and Relief Fund; to define "per-page transcription"; to provide for retirement benefits for court reporters; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 979—**  
BY SENATOR BOISSIERE  
AN ACT

To amend and reenact R.S. 13:2571(A) and (B), relative to administrative adjudication of parking violations; to authorize the Board of Commissioners of the Port of New Orleans to prescribe civil fines for violation of ordinances under certain conditions; to authorize the commissioners to establish an administrative adjudication hearing procedure; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 695—**  
BY SENATOR HOYT  
AN ACT

To amend and reenact R.S. 33:2955(A)(1)(d), relative to investments by political subdivisions; to remove the minimum interest rate requirement for certain time certificates of deposit; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 898—**  
BY SENATOR C. FIELDS  
AN ACT

To amend and reenact Code of Civil Procedure Art. 5001, and Code of Criminal Procedure Art. 912.1(B), relative to appeals; to provide for certain appeals from certain city courts to be taken to the parish district court of original jurisdiction; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 956—**

BY SENATOR MICHOT

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 1017—**

BY SENATOR LENTINI

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 770—**

BY SENATOR GAUTREAU

AN ACT

To amend and reenact R.S. 26:493.1, relative to alcoholic beverages; to provide relative to municipal authority to regulate the closing time at bars in certain parishes; to decrease the required population of a parish in which a municipality shall be authorized to enact ordinances relative to such regulations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 911—**

BY SENATOR BOISSIERE

AN ACT

To amend R.S. 34:25, relative to navigation and shipping; to provide with respect to ports and harbors; to provide for the force and effect of ordinances of New Orleans passed by the Board of Commissioners of the Port of New Orleans; to limit the jurisdiction of certain courts over the trial and punishment of certain violations of ordinances passed by the board; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 978—**

BY SENATOR THOMAS AND REPRESENTATIVE STRAIN

AN ACT

To enact Part V-D of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:727, relative to the revocation, sale or exchange of certain immovable property in the town of Abita Springs; to establish the procedure for disposition of such property; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 438—**

BY SENATORS DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(B)(2)(a), the introductory paragraph of (b), (c), and (d), and to enact R.S. 17:3048.1(B)(2)(e), relative to the Tuition Opportunity Program for Students; to provide for initial eligibility requirement for the TOPS-Tech Award; to provide relative to the core curriculum requirements; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 722—**

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To enact R.S. 40:1058.3(C), relative to certification of substance abuse/addiction treatment facilities; to declare a moratorium on the certification of methadone maintenance clinics; to prohibit such certification during the moratorium; to authorize certification of such clinics approved prior to the effective date of the moratorium; to require the Department of Health and Hospitals to study the need for and the criteria for such clinics during the moratorium; to provide an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 884—**

BY SENATOR MARIONNEAUX

AN ACT

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

Reported with amendments.

**SENATE BILL NO. 525—**

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 36:477(C)(1) and to enact R.S. 40:600.6(A)(24), relative to the transfer of the authority to administer the federal grants for energy assistance and weatherization services for low income persons; to transfer that authority from the Department of Social Services to the Louisiana Housing Finance Agency; to authorize the transfer of all books, records, money, and other property used by the Department of Social Services in the administration of the program to the Louisiana Housing Finance Agency; and to provide for related matters.

Reported with amendments.

June 12, 2001

**SENATE BILL NO. 974—**  
BY SENATOR ULLO

AN ACT

To repeal Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:559 through 559.11, Part IV of Chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950, comprised of R.S. 4:250 through 265, R.S. 17:10.1(C), (D) and (E), R.S. 17:1903 and 1904, R.S. 18:1907, Chapter 12 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:2001 through 2008, Chapter 4-B of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:321 through 322, Chapter 14 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:671 through 675, R.S. 30:2005, R.S. 30:2523, R.S. 33:2740.20, R.S. 33:4567.1 through 4567.5, Chapter 25-A of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:8031 through 8037, Chapter 16 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1851 through 1857, Chapter 22 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2151 through 2157, Chapter 39 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3201 through 3208, Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3351 through 3356, R.S. 36:651(G)(3), Chapter 16-A of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1391 through 1401, Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2861 through 2887, Chapter 15 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3201, Chapter 19 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3361 through 3369, R.S. 40:2194.2(2), R.S. 40:2194.3, R.S. 40:2194.4, Chapter 8-D of Title 45 of the Louisiana Revised Statutes of 1950, comprised of R.S. 45:835 through 838, R.S. 46:153.3(C), Chapter 11 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1501 through 1515, Chapter 14 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1631 through 1644, Chapter 21 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1811 through 1814, Chapter 22 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1821 through 1827, Subpart G-3 of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:580.1 through 580.6, all relative to boards and commissions in state government; to abolish certain inactive boards and commissions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 633—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:752(7), 753(G), 760(A)(1) and (9), 761(A)(1) and (4), 764(A)(2) and (5), 766, 767, 774, 777(A)(24), 780(B)(2), 781(A), 782, 783(B) and (C), 785, 789(A) and (B), 793(A)(1)(d) and (e), (D)(1) and (3), (E), and (G)(2), to enact R.S. 37:760(C), and to repeal R.S. 37:788(D), relative to the practice of dentistry; to provide for definitions; to provide for appointments and powers and duties of the Louisiana State Board of Dentistry; to provide for requirements for applicants for dental and dental hygienist license; to provide for employment of a dental hygienist; to provide for disclosure

of name of a licensee; to provide for a board hearing, notice, penalty and charges; to provide relative to the issuance of subpoenas; to provide for criminal actions and injunctions simultaneous with proceedings before the board; to provide for violations and penalties; to provide for administration of nitrous oxide inhalation analgesia, conscious sedation with parenteral drugs, deep sedation, general anesthesia and for definitions, reporting, permits, fees for permits, limitations and exceptions thereof; to make certain technical changes to correct citations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 866—**  
BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 14:102.5(C) and to enact R.S. 14:102.5(A)(7) and (E), relative to dogfighting; to define the crime of dog fighting; to provide for prima facie evidence of dogfighting; to provide exceptions; and to provide for related matters.

Reported with amendments.

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

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 48—**  
BY SENATOR HOYT

A RESOLUTION

To urge and request the State Licensing Board for Contractors and the Louisiana Data Base Commission to study the feasibility and practicality of issuing building permits electronically, to coordinate such study with the Louisiana Municipal Association, the Louisiana Home Builders Association, the Building Officials Association of Louisiana, the Associated General Contractors, and the Associated Builders and Contractors, and to report their findings to the legislature prior to the convening of the 2003 Regular Session.

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

**SENATE RESOLUTION NO. 49—**  
BY SENATOR MICHOT

A RESOLUTION

To urge and request the office of motor vehicles to study the feasibility of the issuance of rules concerning licensed persons who have epileptic seizures and drive and to promulgate such rules as determined appropriate after such study.

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

SENATE CONCURRENT RESOLUTION NO. 162—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To recognize and commend the Zephyr Field officials, all staff and crew, the Jefferson Parish Sheriff's Office, and any other person who worked at the field and contributed to making the 2001 Super Regional series between Tulane University and Louisiana State University one of the most successful regionals in the nation.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of senators and their counts for YEAS. Includes Mr. President, Bajoue, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—39.

NAYS

Total—0

ABSENT

Total—0

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

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT

Senate Bill No. 239 by C. Jones

June 12, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 239 by C. Jones recommend the following concerning the reengrossed bill:

- 1. That House Committee Amendments Nos. 1 through 25 and Nos. 27 through 43 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on May 29, 2001 be adopted.
2. That House Committee Amendment No. 26 proposed by House Committee Administration of Criminal Justice and adopted by the House of Representatives on May 29, 2001 be rejected.
3. That House Floor Amendment No. 1 proposed by Representative Hunter and adopted by the House of Representatives on June 7, 2001 be adopted.
4. That House Floor Amendments Nos. 1, 2, 3, and 4 proposed by Representative Martiny and adopted by the House of Representatives on June 7, 2001 be adopted, except that the date of adoption of the amendments proposed by the House Committee on Administration of Criminal Justice is changed from May 24, 2001 to May 29, 2001.
5. That House Floor Amendments Nos. 1, 2, and 3 proposed by Representative Futrell and adopted by the House of Representatives on June 7, 2001 be adopted.
6. That House Floor Amendments Nos. 1, 2, and 3 proposed by Representative Walsworth and adopted by the House of Representatives on June 7, 2001 be adopted.
7. That House Floor Amendments Nos. 1 through 6 proposed by Representative Hunter and adopted by the House of Representatives on June 7, 2001 be adopted.
8. That House Floor Amendments Nos. 1, 2, and 3 proposed by Representative Bruneau and adopted by the House of Representatives on June 7, 2001 be adopted, except that the date of adoption of the amendments proposed by the House Committee on Administration of Criminal Justice is changed from May 24, 2001 to May 29, 2001.
9. That House Floor Amendment No. 4 proposed by Representative Bruneau and adopted by the House of Representatives on June 7, 2001 be rejected.
10. That House Floor Amendment No. 1 proposed by Representative Devillier and adopted by the House of Representatives on June 7, 2001 be rejected.
11. That House Floor Amendments Nos. 1, 2, and 3 proposed by Representative Perkins and adopted by the House of Representatives on June 7, 2001 be adopted.
12. That House Floor Amendment No. 1 proposed by Representative Fruge and adopted by the House of Representatives on June 7, 2001 be adopted.

June 12, 2001

13. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 16, delete lines 3 through 8 in their entirety and insert the following:

"G. The panel shall have the duty to evaluate the risk of danger to society which each person who has been convicted of a non-violent crime not defined or enumerated as a crime of violence in R.S. 14:2(13), and who is confined in a prison facility of any kind, may present if released from confinement. However, the panel shall not evaluate the risk of danger to society presented by:

(1) A 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.

(2) A person convicted of a violation of the Uniform Controlled Dangerous Substances Law except for any of the following:

(a) Possession as defined in R.S. 40:966(C), 967(C), 968(C), 969(C) or 970(C).

(b) Distribution or possession with the intent to distribute cocaine where the offense of conviction involves less than twenty-eight grams of cocaine.

(c) Distribution or possession with the intent to distribute marijuana where the offense of conviction involves less than one pound of marijuana.

(3) A person sentenced as a habitual offender under R.S. 15:529.1 where one or more of the crimes for which the person was convicted and sentenced under R.S. 15:529.1 is a crime of violence defined or enumerated in R.S. 14:2(13)."

Respectfully submitted,

Senators: Donald R. Cravins John Hainkel Charles D. Jones

Representatives: Emile "Peppi" Bruneau Willie Hunter, Jr. Daniel R. Martiny

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields, C Marionneaux
Bajoie Fields, W McPherson
Barham Gautreaux Michot
Bean Heitmeier Mount
Boissiere Hines Romero
Campbell Hollis Schedler
Chaisson Hoyt Smith
Cravins Irons Tarver

Dardenne Johnson Theunissen
Dean Jones, B Thomas
Dupre Jones, C
Ellington Lambert
Total—34

NAYS

Cain Lentini Ullo
Fontenot Malone
Total—5

ABSENT

Total—0

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 501 by Senator Fontenot

June 11, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 501 by Senator Fontenot recommend the following concerning the Engrossed bill:

- 1. That House Committee Amendment No. 1 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 24, 2001 be adopted.
2. That the following amendments be adopted to the engrossed bill:

AMENDMENT NO. 1

On page 1, line 13, delete "be"

AMENDMENT NO. 2

On page 1, line 14, change "registered" to "register"

AMENDMENT NO. 3

On page 2, line 1, after "card" insert "by indicating on his application that he grants the authority to the office of motor vehicles to transmit the necessary information"

AMENDMENT NO. 4

On page 2, line 2, after "shall" insert "provide for the applicant to indicate on the face of his application that he grants the authority to the office of motor vehicles to transmit the necessary information, and, upon such authorization shall"

AMENDMENT NO. 5

On page 2, line 5, after "System." delete the remainder of the line and delete lines 6 through 12

Respectfully submitted,



Senators:
Heulette "Clo" Fontenot
Francis Heitmeier
Gerald Theunissen

Representatives:
John "Juba" Diez
Henry "Tank" Powell
Jim Tucker

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 560 by Hines

June 12, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 560 by Senator Hines recommend the following concerning the Engrossed bill:

- 1. That House Floor Amendments proposed by Representative Durand and adopted by the House of Representatives on June 7, 2001 be rejected.

Respectfully submitted,

Senators:
Donald E. Hines
Tom Schedler
Ron Bean

Representatives:
Rodney Alexander
Sydnie Mae M. Durand
Charles Riddle III

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 704 by Senator Fontenot

June 12, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 704 by Senator Fontenot recommend the following concerning the engrossed bill:

June 12, 2001

1. That all House Committee Amendments proposed by the House Committee on Commerce and adopted by the House of Representatives on May 23, 2001 be adopted.
2. That all Legislative Bureau Amendments proposed by the Legislative Bureau and adopted by the House of Representatives on May 23, 2001 be adopted.
3. That all House Floor Amendments proposed by Representative Alario and adopted by the House of Representatives on May 31, 2001 be rejected.
4. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 16, line 19, change "Five" to "Three"

AMENDMENT NO. 2

On page 16, line 20, change "ten" to "six"

AMENDMENT NO. 3

On page 16, line 24, change "two" to "four"

AMENDMENT NO. 4

On page 36, line 10, delete "per installation permit sticker"

Respectfully submitted,

Senators:  
 Heulette "Clo" Fontenot  
 Ken Hollis  
 Michael J. Michot

Representatives:  
 John A. Alario, Jr.  
 William B. Daniel  
 Gillis J. Pinac

**Rules Suspended**

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

**ROLL CALL**

The roll was called with the following result:

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

NAYS

Total—0

ABSENT

Total—0

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

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 730 by Hines

June 12, 2001

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 730 by Senator Hines recommend the following concerning the Engrossed bill:

1. That House Committee Amendments Nos. 1 and 2 proposed by the House Committee on Health and Welfare and adopted by the House of Representatives on May 24, 2001 be adopted.
2. That Legislative Bureau Amendments Nos. 1, 2, and 3 proposed by the Legislative Bureau and adopted by the House of Representatives on May 24, 2001 be adopted.
3. That Legislative Bureau Amendment No. 4 proposed by the Legislative Bureau and adopted by the House of Representatives on May 24, 2001 be rejected.
4. That the following amendment to the engrossed bill be adopted.

AMENDMENT NO. 1

On page 4, line 13, after "Practitioners," insert "the Louisiana State Nurses Association,"

Respectfully submitted,

Senators:  
 Donald E. Hines  
 Tom Schedler  
 Joel T. Chaisson, II

Representatives:  
 Rodney Alexander  
 T. Taylor Townsend  
 Yvonne Welch

**Rules Suspended**

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

Rules Suspended

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

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

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 417 be called from the Calendar at this time.

SENATE BILL NO. 417—

BY SENATORS SCHEDLER, GAUTREAU, HOYT, MARIONNEAU, 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 417 by Senator Schedler, et al

AMENDMENT NO. 1

On page 1, line 2, delete "(C)(6)" and insert "(A)(8), (B), (C)(1), (2), (4), and (6)"

AMENDMENT NO. 2

On page 1, line 2, after "(H)" and before "and" insert "(introductory paragraph)"

AMENDMENT NO. 3

On page 1, delete line 3 in its entirety and insert the following: "39:1595(A)(3), and (4), (B), (C)(1), (2), (4), (6), and (7), and (D) through (H)(introductory paragraph) and to enact R.S. 38:2251(C)(7) and (K) and R.S. 39:1595(J), relative to certain Public Bid Law and"

AMENDMENT NO. 4

On page 1, line 7, after "2251" delete "(C)(6)" and insert "(A)(8), (B), (C)(1), (2), (4), (6)"

AMENDMENT NO. 5

On page 1, line 7, after "(H)" and before "are" insert "(introductory paragraph)"

AMENDMENT NO. 6

On page 1, line 8, after "reenacted" and before "to" insert "and R.S. 38:2251(C)(7) and (K) are enacted"

AMENDMENT NO. 7

On page 1, delete line 11 in its entirety and insert the following:

"A. As used in this Section, the following terms shall have the following meanings ascribed to them:

\* \* \*

(8) "Seafood" and "~~seafood products~~" means crawfish, catfish, other fish, shrimp, oysters, crabs, underutilized species, and other seafood and freshwater food.

B. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases agricultural or forestry products, including meat, seafood, produce, eggs, paper and paper products under the provisions of this Chapter shall procure or purchase Louisiana products provided all of the following conditions are met:

(1) The bidder ~~shall indicate~~ certifies in the bid submitted that the product ~~has met~~ meets the criteria of a Louisiana product.

(2) The product is equal or better than equal in quality to other products.

(3) The cost of the Louisiana product shall not exceed the cost of other products by more than ten percent except as otherwise provided in this Chapter as a specific exception."

AMENDMENT NO. 8

On page 1, between lines 14 and 15 insert the following:

June 12, 2001

"(1) Produce ~~shall be grown, canned, processed, or frozen shall be produced in Louisiana and produce products shall be produced and processed~~ in Louisiana.

(2) Eggs shall be laid in Louisiana ~~and egg products shall be processed from eggs laid in Louisiana.~~

\* \* \*

(4)(a) ~~Seafood and seafood products shall be produced from seafood which is:~~

~~(i) Harvested in Louisiana seas or other Louisiana waters; or~~

~~(ii) Harvested by a person who holds a valid appropriate commercial fishing license issued under R.S. 56:1 et seq.~~

~~(b) Products produced from such seafood shall be processed in Louisiana.~~

AMENDMENT NO. 9

On page 2, line 6, after "operation" delete the remainder of the line and delete lines 7 through 9 in their entirety and insert the following:

"For paper supplied in wrapped reams, each carton and each individual ream shall be clearly labeled with the name of the manufacturer or converter and the location within Louisiana where such paper is manufactured or converted. For paper and paper products supplied in bulk or in other forms, the smallest unit of packaging shall be clearly labeled with the name of the manufacturer or converter and the location within Louisiana where such paper or paper product is manufactured or converted.

(7) All other agricultural or forestry products shall be produced, manufactured, or processed in Louisiana."

AMENDMENT NO. 10

On page 3, line 12, after "H." and before "procurement" delete "Each" and insert "Except as otherwise provided in this Section, each"

AMENDMENT NO. 11

On page 3, delete lines 19 through 26 in their entirety

AMENDMENT NO. 12

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

AMENDMENT NO. 13

On page 4, between lines 5 and 6 insert the following:

"K. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase Louisiana products whose source is a clay which is mined or originates in Louisiana, and which is manufactured, processed, or refined in Louisiana for sale as an expanded clay aggregate form different than its original state, and which is equal in quality to such products manufactured, processed, or refined outside of Louisiana provided the cost of the Louisiana product does not exceed the cost of such product produced or processed outside of Louisiana by more than ten percent."

AMENDMENT NO. 14

On page 4, line 6, after "1595" and before "through" delete "(C)(7)" and insert "(A)(3), (4), (B), (C)(1), (2), (4), (6), (7) and (D)"

AMENDMENT NO. 15

On page 4, line 6, after "(H)" and before "are" insert "(Introductory paragraph)"

AMENDMENT NO. 16

On page 4, line 7, after "reenacted" and before "to" insert "and R.S. 39:1595(J) is enacted"

AMENDMENT NO. 17

On page 4, delete line 10 and insert the following:

"A. As used in this Section, the following terms shall have the following meanings ascribed to them:

\* \* \*

(3) "Seafood" ~~and "seafood products"~~ means crawfish, catfish, other fish, shrimp, oysters, crabs, underutilized species, and other seafood and freshwater food.

(4) "Processed" means ~~altered from its original state by cutting, slicing, or dicing the product~~ the alteration of any raw product altered from its original state to enhance its value or render it suitable for further refinement or marketing.

B. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases agricultural or forestry products, including meat, seafood, produce, eggs, paper or paper products under the provisions of this Chapter shall procure or purchase Louisiana products which are equal in quality to other products, provided the cost of the Louisiana products does not exceed the cost of other products by more than ten percent, provided all of the following conditions are met:

(1) The bidder certifies in the bid submitted that the product meets the criteria of a Louisiana product.

(2) The product is equal to or better than equal in quality to other products.

(3) The cost of the Louisiana product shall not exceed the cost of other products by more than ten percent, except as otherwise provided in this Chapter as a specific exception."

AMENDMENT NO. 18

On page 4, delete line 14 and insert the following:

"(1) Produce ~~shall be grown, canned, processed, or frozen shall be produced in Louisiana and produce products shall be produced and processed~~ in Louisiana.

(2) Eggs shall be laid in Louisiana ~~and egg products shall be processed from eggs laid in Louisiana.~~

\* \* \*

(4)(a) ~~Seafood and seafood products shall be produced from seafood which is:~~

~~(i) Harvested in Louisiana seas or other Louisiana waters; or~~

~~(ii) Harvested by a person who holds a valid appropriate commercial fishing license issued under R.S. 56:1 et seq.~~

~~(b) Products produced from such seafood shall be processed in Louisiana.~~

\* \* \*

(6) Paper and paper products shall be manufactured or converted in Louisiana. For the purposes of this Paragraph, "manufactured" shall mean the process of making a product suitable for use from raw materials by hand or by machinery, and "converted" shall mean the process of converting roll stock into a sheeted and fully packaged product in a full-time converting operation. For paper supplied in

wrapped reams, each carton and each individual ream shall be clearly labeled with the name of the manufacturer or converter and the location within Louisiana where such paper is manufactured or converted. For paper and paper products supplied in bulk or in other forms, the smallest unit of packaging shall be clearly labeled with the name of the manufacturer or converter and the location within Louisiana where such paper or paper product is manufactured or converted."

AMENDMENT NO. 19

On page 4, line 15, after "other" delete the remainder of the line and on line 16 delete "and" and insert "agricultural or forestry"

AMENDMENT NO. 20

On page 4, line 16, after "manufactured," delete "or assembled" and insert "or processed"

AMENDMENT NO. 21

On page 4, line 17, after "Louisiana." delete the remainder of the line and delete lines 18 through 20 in their entirety

AMENDMENT NO. 22

On page 6, line 6, after "H." and before "procurement" delete "Each" and insert "Except as otherwise provided in this Section, each"

AMENDMENT NO. 23

On page 6, line 11, after "in" and before the comma "," delete "Paragraph (C)(6) of this Section" and insert "R.S. 38:2251(A)"

AMENDMENT NO. 24

On page 6, delete lines 14 through 23 in their entirety

AMENDMENT NO. 25

On page 6, between lines 24 and 25 insert the following:

"I. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase Louisiana products whose source is a clay which is mined or originates in Louisiana, and which is manufactured, processed or refined in Louisiana for sale as an expanded clay aggregate form different than its original state, and which is equal in quality to such products manufactured, processed or refined outside of Louisiana provided the cost of the Louisiana product does not exceed the cost of such product produced or processed outside of Louisiana by more than ten percent."

Senator Schedler 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	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot

Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—36		

NAYS

Dean  
Total—1

ABSENT

Campbell  
Total—2

Marionneaux

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.

**Motion to Make Special Order**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1565, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, June 13, 2001 immediately following the Morning Hour.

**Motion to Make Special Order**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1871, which was just advanced to a third reading and final passage, Special Order of the Day No. 2 on Wednesday, June 13, 2001 immediately following the Morning Hour.

**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 12, 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:

June 12, 2001

**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.

**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.

**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.

**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.

**SENATE CONCURRENT RESOLUTION NO. 159—**

BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To express sincere condolences upon the death of Malcolm Dewitt Jones, Jr.

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 12, 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. 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 the Quarterhorse Racing Association of Louisiana; and to provide for related matters.

**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.

**SENATE BILL NO. 154—**

BY SENATORS HAINKEL AND ULLO AND REPRESENTATIVES FAUCHEUX AND HEATON

**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.

**SENATE BILL NO. 212—**

BY SENATORS IRONS, BAJOE AND JOHNSON AND REPRESENTATIVES L. JACKSON, PRATT, JANE SMITH AND WINSTON

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**SENATE BILL NO. 298—**

BY SENATOR SCHEDLER AND REPRESENTATIVES TRICHE AND WINSTON

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.

**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.

**SENATE BILL NO. 571—**

BY SENATOR ULLO AND REPRESENTATIVE ALARIO

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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

June 12, 2001

**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.

**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.

**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.

**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.

**SENATE BILL NO. 1043—**

BY SENATORS SCHEDLER, BAJOIE, CHAISSON, DEAN, HINES, B. JONES AND MOUNT AND REPRESENTATIVES R. ALEXANDER, R. CARTER, CLARKSON, CROWE, DOERGE, DURAND, HOLDEN, ILES, L. JACKSON, M. JACKSON, KATZ, MCCALLUM, McDONALD, PERKINS, ROMERO, SCHWEGMANN, SHAW, STRAIN AND WELCH

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.

**SENATE BILL NO. 280—**

BY SENATORS DARDENNE AND REPRESENTATIVES BRUNEAU AND DOWNER

AN ACT

To enact R.S. 17:1224(E), relative to the review of certain health and welfare trust funds; to provide for legislative oversight and legislative auditor's review; and to provide for related matters.

**SENATE BILL NO. 335—**

BY SENATORS B. JONES AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:34(A) and the introductory paragraph of (B), relative to vital records forms; to provide for electronic registration of vital records; to provide for promulgation of rules and regulations thereto; and to provide for related matters.

**SENATE BILL NO. 345—**

BY SENATORS DARDENNE AND SCHEDLER

AN ACT

To enact R.S. 14:40.3, relative to criminal offenses against the person; to create the crime of cyberstalking; to provide that such crime shall be the intentional harassing or threatening of another through the use of electronic mail or electronic communication; to provide for definitions; to apply for exceptions of peaceable, nonviolent, or nonthreatening activities for certain purposes; to provide for penalties; and to provide for related matters.

**SENATE BILL NO. 632—**

BY SENATOR DARDENNE AND REPRESENTATIVES HAMMETT, ALARIO, FAUCHEUX AND MONTGOMERY

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.

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 12, 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. 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 AND REPRESENTATIVE DOWNER  
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.

June 12, 2001

**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 AND REPRESENTATIVE MONTGOMERY  
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 AND REPRESENTATIVE CLARKSON  
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 AND REPRESENTATIVES BOWLER, CLARKSON, FRUGE, JOHNS, MONTGOMERY, MORRISH, WALSWORTH AND WINSTON  
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 or election of the members to the Board of Ethics be 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; and to provide for related matters.

**SENATE BILL NO. 702—**

BY SENATOR DARDENNE AND REPRESENTATIVES DOWNER AND WALSWORTH  
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 certain 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 AND REPRESENTATIVE MONTGOMERY

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; to provide for effectiveness; and to provide for related matters.

and they are hereby presented for executive approval.

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

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

June 12, 2001

To the Honorable Secretary of State:

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

**SENATE CONCURRENT RESOLUTION NO. 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, BAJOIE, B. JONES, MOUNT AND SCHEDLER

A CONCURRENT RESOLUTION

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

**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, BAJOIE, 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.

**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

June 12, 2001

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, GAUTREAU, 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, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend 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 GAUTREAU 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.

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 12, 2001

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVES DURAND, BAUDOIN, CAZAYOUX, DEVILLIER, FAUCHEUX, GUILLORY, JOHNS, MORRISH, PINAC, JACK SMITH, STELLY, BROOME, BRUCE, DOERGE, FRITH, M. JACKSON, LAFLEUR, SCHWEGMANN, GARY SMITH, AND SNEED AND SENATORS GAUTREAU, MICHOT, MOUNT, AND HOLLIS

**A CONCURRENT RESOLUTION**

To urge and request the Public Service Commission to seek answers and explanations as to why energy costs have risen to such astronomical levels.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVES LEBLANC AND DEWITT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to activate boards and committees involved in setting Medicaid drug policies and solicit their input on cost-saving measures.

**HOUSE CONCURRENT RESOLUTION NO. 64—**

BY REPRESENTATIVE HOLDEN AND SENATORS C. FIELDS AND C. JONES

**A CONCURRENT RESOLUTION**

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

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVE LAFLEUR

**A CONCURRENT RESOLUTION**

To declare the City of Melville in St. Landry Parish the "Atchafalaya River Catfish Capital of Louisiana".

**HOUSE CONCURRENT RESOLUTION NO. 115—**

BY REPRESENTATIVE R. ALEXANDER

**A CONCURRENT RESOLUTION**

To authorize and request the Louisiana State Law Institute to review certain statutory provisions and in all locations it deems appropriate change current references to the Department of Health and Human Resources and to the office of family services to the correct agency or office.

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect a board fence measuring eight feet in height and three hundred fifty feet in length along the western boundary property line of the Department of Transportation and Development's LaPlace maintenance construction facility.

**HOUSE CONCURRENT RESOLUTION NO. 135—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

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

**HOUSE CONCURRENT RESOLUTION NO. 143—**

BY REPRESENTATIVES BAUDOIN, R. CARTER, DURAND, FRITH, HILL, ILES, KENNEY, LAFLEUR, MORRISH, STRAIN, AND THOMPSON

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot compete.

**HOUSE CONCURRENT RESOLUTION NO. 144—**

BY REPRESENTATIVE HAMMETT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the signage system along Louisiana state highways in rural areas.

**HOUSE CONCURRENT RESOLUTION NO. 148—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

**A CONCURRENT RESOLUTION**

To provide that the Louisiana Advisory Commission on Intergovernmental Relations shall conduct a systematic and thorough study of the responsibilities of state and local government to furnish services to citizens and shall recommend those services that government should provide and the respective responsibilities of state and local government to fund such services and to provide them.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE ANSARDI

**A CONCURRENT RESOLUTION**

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

**HOUSE CONCURRENT RESOLUTION NO. 150—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To request the Department of Transportation and Development to undertake a planning study of the River Road between New Orleans and Baton Rouge and adjacent state routes to determine the best way to expand the capacity of roads in the Mississippi River corridor while at the same time maintaining the character of the River Road so as to support the growth of tourism in the region.

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE DIEZ

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to adopt legislation authorizing states to opt out of the federal-aid highway program.

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVE K. CARTER

**A CONCURRENT RESOLUTION**

To urge and request the Legislature of Louisiana to recognize the history, economic impact, and social benefits of Louisiana's music industry, to embark upon greater efforts to enshrine, memorialize, and develop historically significant music sites and areas, to urge state government to invest in strong music education and music history projects that will carry Louisiana's music legacy forward for future generations, and to declare parts of New Orleans as "The Birthplace of Jazz, New Orleans Rhythm and Blues, and Rock and Roll."

**HOUSE CONCURRENT RESOLUTION NO. 155—**

BY REPRESENTATIVE GUILLORY

**A CONCURRENT RESOLUTION**

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

**HOUSE CONCURRENT RESOLUTION NO. 198—**

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River.

**HOUSE CONCURRENT RESOLUTION NO. 210—**

BY REPRESENTATIVES PIERRE, BAUDOIN, DURAND, LAFLEUR, AND LEBLANC AND SENATOR CRAVINS

**A CONCURRENT RESOLUTION**

To commend and congratulate Reverend Alton E. Gatlin upon his becoming international superintendent of the Sunday School Department of the Church of God in Christ and to extend best wishes for success in his new position.

**HOUSE CONCURRENT RESOLUTION NO. 211—**

BY REPRESENTATIVES ANSARDI, ALARIO, E. ALEXANDER, R. ALEXANDER, 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, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Stanford Loftin Raborn.

**HOUSE CONCURRENT RESOLUTION NO. 212—**

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To recognize October 1, 2001, as World Peace Day in the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 213—**

BY REPRESENTATIVES GLOVER, BAYLOR, BROOME, BRUCE, K. CARTER, CURTIS, GALLOT, GREEN, GUILLORY, HOLDEN, HOPKINS, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MONTGOMERY, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, RICHMOND, SHAW, JANE SMITH, SWILLING, WADDELL, AND WELCH

**A CONCURRENT RESOLUTION**

To extend the condolences of the Legislature to the family of Hilry Huckaby III.

**HOUSE CONCURRENT RESOLUTION NO. 216—**

BY REPRESENTATIVES BAYLOR, R. ALEXANDER, BROOME, BRUCE, K. CARTER, CURTIS, DOERGE, GALLOT, GLOVER, GREEN, GUILLORY, HOLDEN, HOPKINS, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, RICHMOND, SALTER, SHAW, JANE SMITH, SWILLING, WADDELL, AND WELCH AND SENATORS TARVER, BAJOIE, BEAN, BOISSIERE, CRAVINS, C. FIELDS, W. FIELDS, IRONS, JOHNSON, C. JONES, LAMBERT, AND MALONE

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the death of Councilman Hilry Huckaby and to recognize his outstanding contributions to the city of Shreveport.

**HOUSE CONCURRENT RESOLUTION NO. 220—**

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI  
A CONCURRENT RESOLUTION

To commend Andrew Joseph Palermo of Kenner upon achieving the rank of Eagle Scout.

**HOUSE CONCURRENT RESOLUTION NO. 221—**

BY REPRESENTATIVES DOWNER AND SENATORS BARHAM AND HAINKEL

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Stanwood Richardson Duval, Sr. of Houma.

**HOUSE CONCURRENT RESOLUTION NO. 16—**

BY REPRESENTATIVES RICHMOND AND SWILLING

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to install lighting on the northern and southern sides of Chef Menteur Highway from Downman Road to Bullard Avenue in Orleans Parish.

**HOUSE CONCURRENT RESOLUTION NO. 65—**

BY REPRESENTATIVES MCDONALD, KATZ, AND TOWNSEND

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to donate at least twenty percent of reclaimed asphalt to local governments for use on local roads.

**HOUSE CONCURRENT RESOLUTION NO. 130—**

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana state police weights and standards mobile police force and the Louisiana Department of Agriculture to work together to increase the enforcement of weight limits imposed on sugarcane haulers using state roadways.

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 230—**

BY REPRESENTATIVES R. ALEXANDER, GALLOT, AND MCCALLUM AND SENATORS B. JONES AND SMITH

A CONCURRENT RESOLUTION

To recognize the Smurfit-Stone mill in Hodge for receiving the Smurfit-Stone Container Mill of the Year 2000 Award for the Containerboard Mill Division.

**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").

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 187—**

BY REPRESENTATIVES STRAIN, KENNEY, AND SCHNEIDER

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.

**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.

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 203—**

BY REPRESENTATIVES DAMICO, PERKINS, GARY SMITH, BAUDOIN, GALLOT, KENNEY, MORRISH, SHAW, JANE SMITH, STRAIN, WADDELL, AND WOOTON AND SENATORS CAIN, DEAN, FONTENOT, GAUTREAUX, AND MALONE

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.

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 209—**

BY 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, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS BARHAM, IRONS, B. JONES, LAMBERT, SMITH, THEUNISSEN, AND THOMAS

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Revenue to take every possible action within the boundaries of the law to ensure that no additional state tax burden is placed on the citizens of Louisiana as a result of the passage of federal income tax relief and the mailing of tax rebate checks.

**HOUSE CONCURRENT RESOLUTION NO. 214—**

BY REPRESENTATIVE GALLOT

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System to adhere without waiver to board policies and procedures relative to personnel actions to fill chief executive vacancies at institutions under its supervision and management.

**HOUSE CONCURRENT RESOLUTION NO. 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.

**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.

**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.

**HOUSE CONCURRENT RESOLUTION NO. 227—**

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Administration (FEMA) to expedite an emergency declaration in Louisiana by the President of the United States to make flood victims eligible for federal funds and to send additional personnel to affected areas of the state to assist flood victims in filing claims.

**HOUSE CONCURRENT RESOLUTION NO. 229—**

BY REPRESENTATIVES TRICHE, DOWNER, AND CHAISSON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Maxine Gros Giardina of Thibodaux.

June 12, 2001

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

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

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

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 12, 2001

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 3—**  
BY REPRESENTATIVES HAMMETT AND THOMPSON AND SENATOR BARHAM

AN ACT

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

**HOUSE BILL NO. 19—**  
BY REPRESENTATIVE THOMPSON AND SENATOR ULLO  
AN ACT

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

**HOUSE BILL NO. 111—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

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

**HOUSE BILL NO. 316—**  
BY REPRESENTATIVES ANSARDI AND MCMAINS  
AN ACT

To amend and reenact Children's Code Articles 303(7), 424.7(A), 438(C) and (D), 439(C), 443, 603(8), 619(C), 620(B), 624(C), (D), and (E), 626(B), 629, 630, 672, 672.1(D), 688, 702(C) through (G), 710(A)(introductory paragraph) and (C), 745(C), 776(A), 841(C), 1004(G), 1037.1, 1128, 1131(A), 1137(C), 1144(B), 1146(B) and (C), 1195(C), 1196(D), 1223(B)(4), 1223.1(C)(1)(A), 1243(A) and (C), and 1249 and Code of Civil Procedure Article 10(A)(1); to enact Children's Code Articles 438(E) and 439.1, 624(F), 710(D), and 1196(E); and to repeal Children's Code Articles 617(G) and (H), 618(G) and (H), and 702(H), relative to children; to provide for the continuous revision of the Children's Code; to provide for further implementation of the Adoption and Safe Families Act of 1999; to provide for children in need of care, court-appointed and court-approved administrative bodies, instanter orders, continued custody, informal adjustment agreements, assignment of custody of children, reunification efforts, and permanency hearings and orders; to provide for mediation in the Children's Code, selection and qualification of mediators, and preparation of mediation agreements; to provide for jurisdiction over children and minors; to provide for the effect of informal family services plan agreements, permanency planning reports, informal adjustment agreements, authorizations to file petitions for termination of parental rights, continued contact with biological relatives, notice of opposition to adoptions, fee disclosure, intrafamily adoptions, and service and jurisdiction in adoption proceedings; and to provide for related matters.

**HOUSE BILL NO. 318—**  
BY REPRESENTATIVES ANSARDI, CLARKSON AND MCMAINS  
AN ACT

To amend and reenact Children's Code Articles 668, 675(B)(4), 702(E) through (H), 1218, and 1240 and to enact Children's Code Articles 675(B)(5), 702(I), 1042(D), 1146(D), 1208(D), and Chapter 14-A of Title XII of the Children's Code, to be comprised of Articles 1269.1 through 1269.7, relative to adoption; to provide for continuing contact between a child and certain individuals in agency adoptions; to provide for continuing contact agreements and declarations, filings, court approval, effect, agreements confected after final decrees of adoption, enforcement, and modification; to provide for assessments of an adopted child's continuing contact with certain individuals in predisposition reports, case plans, permanency hearings, and reviews by counsel; to provide for hearings and the effect of a final decree of adoption, and to provide for related matters.

**HOUSE BILL NO. 330—**  
BY REPRESENTATIVE PERKINS  
AN ACT

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



**HOUSE BILL NO. 360—**

BY REPRESENTATIVES ANSARDI AND MCMAINS  
AN ACT

To amend Civil Code Articles 767, 1228, and 1829 and to repeal Civil Code Articles 337, 877, 878, and 879 and R.S. 9:1421, relative to successions; to eliminate references to benefit of inventory; to provide that until a successor accepts a succession confusion as to servitudes does not take place; and to provide for related matters.

**HOUSE BILL NO. 361—**

BY REPRESENTATIVES ANSARDI AND MCMAINS  
AN ACT

To enact Section 8 of Chapter 6 of Title II of Book III of the Louisiana Civil Code, to be comprised of Civil Code Articles 1617 through 1626, and R.S. 9:2502, relative to successions; to provide for disinheriton of forced heirs; to provide the formalities for disinheriton of forced heirs; to provide the grounds that constitute just cause for disinheriton; to provide grounds for which both parents and grandparents can disinherit forced heirs; to provide for reconciliation between the testator and the forced heirs; to provide for defenses for disinheriton; to provide for the retroactivity of these rules; and to provide for related matters.

**HOUSE BILL NO. 362—**

BY REPRESENTATIVE BOWLER  
AN ACT

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

**HOUSE BILL NO. 474—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 9:2799.5(B)(3), relative to limited liability for health care providers in community health care clinics; to provide for the treatment of patients who are not enrolled in public entitlement programs; and to provide for related matters.

**HOUSE BILL NO. 533—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To enact R.S. 33:441.1(B)(3), relative to the mayor's court in the city of Kenner; to authorize the clerk of court to utilize an electronic signature, stamp, or other such facsimile of the signature of the prosecuting attorney of that court; and to provide for related matters.

**HOUSE BILL NO. 568—**

BY REPRESENTATIVE KENNARD  
AN ACT

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

**HOUSE BILL NO. 610—**

BY REPRESENTATIVE DOWNER  
AN ACT

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

**HOUSE BILL NO. 626 (DUPLICATE OF SENATE BILL NO. 397)—**

BY REPRESENTATIVE FLAVIN AND SENATOR FONTENOT AND  
COAUTHORED BY SENATOR HOLLIS  
AN ACT

To enact R.S. 9:3518.3, relative to consumer credit transactions; to provide with respect to electronic printing of credit card receipts; to provide penalties for violations; and to provide for related matters.

**HOUSE BILL NO. 628—**

BY REPRESENTATIVE HUDSON  
AN ACT

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

**HOUSE BILL NO. 786—**

BY REPRESENTATIVE DIEZ  
AN ACT

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

**HOUSE BILL NO. 787—**

BY REPRESENTATIVE FRITH  
AN ACT

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

**HOUSE BILL NO. 794—**

BY REPRESENTATIVE THOMPSON AND SENATOR C. JONES  
AN ACT

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

**HOUSE BILL NO. 954—**

BY REPRESENTATIVE GUILLORY  
AN ACT

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

**HOUSE BILL NO. 967—**

BY REPRESENTATIVE MARTINY  
AN ACT

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

**HOUSE BILL NO. 969—**

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI  
AN ACT

To repeal R.S. 15:571.20, relative to the assignment of work units to probation and parole specialists; to repeal the provision of law providing for the assignment of work units to probation and parole specialists.

**HOUSE BILL NO. 970—**

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 15:824(B)(1)(a), relative to individuals committed to the Department of Public Safety and Corrections held in parish jails; to provide that the governing authority of a parish or the parish sheriff shall be paid by the department for housing and keeping individuals participating in a Blue Walters Substance Abuse Program; and to provide for related matters.

**HOUSE BILL NO. 971—**

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 15:574.4(B), relative to parole; to provide for notification of victim; and to provide for related matters.

**HOUSE BILL NO. 983—**

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI  
AN ACT

To amend and reenact R.S. 15:1171(A) and 1172(A), relative to corrections administrative remedy procedure; to provide that the procedures shall be adopted in accordance with the Administrative Procedure Act; to delete provisions requiring approval of the procedures by a federal court; to delete provisions requiring compliance with the Civil Rights of Institutionalized Persons Act; to provide that any administrative remedy in effect is in compliance with this Act; and to provide for related matters.

**HOUSE BILL NO. 1106—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

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

**HOUSE BILL NO. 1136—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

**HOUSE BILL NO. 1272—**

BY REPRESENTATIVE PIERRE  
AN ACT

To enact R.S. 49:191(12)(j) and to repeal R.S. 49:191(11)(g), relative to the Department of Natural Resources, including provisions for the re-creation of the Department of Natural Resources 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.

**HOUSE BILL NO. 1282—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN  
AN ACT

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

**HOUSE BILL NO. 1512—**

BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, GREEN, HUTTER, ODINET, TOOMY, TUCKER, WOOTON, ANSARDI, BAYLOR, BRUCE, K. CARTER, CROWE, GREEN, GUILLORY, JOHNS, LUCAS, MURRAY, NEVERS, PIERRE, PITRE, POWELL, ROMERO, SCHWEGMANN, STRAIN, WELCH, AND WINSTON AND SENATOR HEITMEIER  
AN ACT

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

**HOUSE BILL NO. 1609—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 47:463.4(A)(6), (B), (E)(3), (G)(5), and (J), to enact R.S. 47:463.4(E)(4), and to repeal R.S. 47:463.4(A)(7) and (H), relative to mobility-impaired license plates, hang tags, and identification cards; to provide relative to eligibility and renewal; and to provide for related matters.

**HOUSE BILL NO. 1634—**

BY REPRESENTATIVES BRUCE, GALLOT, RIDDLE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 40:2261 and 2264(A)(2) through (4), and to repeal R.S. 40:2264(A)(5), relative to the North Louisiana Criminalistics Laboratory Commission; to include the parishes of Vernon and Avoyelles in the commission; to provide for the collection of fees on certain nonmoving violations; and to provide for related matters.

**HOUSE BILL NO. 1824—**

BY REPRESENTATIVE THOMPSON  
AN ACT

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

**HOUSE BILL NO. 1865—**

BY REPRESENTATIVES TUCKER AND BROOME AND SENATOR JOHNSON

## AN ACT

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

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE RIDDLE

## AN ACT

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

**HOUSE BILL NO. 66—**

BY REPRESENTATIVE PITRE

## AN ACT

To amend and reenact Civil Code Article 938 and to enact R.S. 9:2502, relative to successions; to provide for the exercise of a successor's rights in a succession; to provide for the subordination of the successor's rights to the administration of the estate; to provide for the validity of an alienation, lease, or encumbrance of immovable property made prior to the effective date of the Act; to provide for retroactive effect; to provide for a preemptive period; and to provide for related matters.

**HOUSE BILL NO. 262—**

BY REPRESENTATIVE GREEN

## AN ACT

To amend and reenact R.S. 46:236.3(E), relative to income assignment orders; to provide for the termination of income assignment orders; and to provide for related matters.

**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.

**HOUSE BILL NO. 540 (Duplicate of Senate Bill No. 1050)—**

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

## AN ACT

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

**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.

**HOUSE BILL NO. 555—**

BY REPRESENTATIVE L. JACKSON AND SENATOR DUPRE

## 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.

**HOUSE BILL NO. 769—**

BY REPRESENTATIVES RIDDLE AND FUTRELL

## AN ACT

To amend and reenact R.S. 33:2218.2(A)(1) and (F)(2) and to enact R.S. 33:2218.2(F)(3), relative to supplemental compensation for certain law enforcement personnel; to authorize such compensation for Coshatta Indian tribal officers; to increase the number of Tunica-Biloxi tribal officers eligible for such additional compensation; to provide an effective date; and to provide for related matters.

**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.

**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.

**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.

**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.

**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.

**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.

**HOUSE BILL NO. 1219—**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 44:13(D), relative to limitations on the disclosure of certain records of a publicly funded library; to provide that information may be released to appropriate law enforcement officers investigating criminal activity in the library; to provide for the definition of "criminal activity in the library"; to provide for the definition of "information"; and to provide for related matters.

**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.

**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.

**HOUSE BILL NO. 1266—**

BY REPRESENTATIVE THOMPSON

AN ACT

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

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**HOUSE BILL NO. 191—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact Civil Code Articles 870 and 1611, to enact Civil Code Article 1484, and to repeal R.S. 9:2501, relative to successions; to provide relative to the law governing succession rights; to provide relative to the revocation of a legacy or testament; to provide for the legal effect of terms used in a testament; and to provide for related matters.

**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.

**HOUSE BILL NO. 254—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2413(A)(8) and to enact R.S. 30:2413(A)(9), relative to solid waste management facility fees; removes the authority of the secretary of the Department of Environmental Quality to adopt certain fees; to provide for fees necessary to administer waste tire activities; to provide for collection and distribution of data and information; and to provide for related matters.

**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.

**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.

**HOUSE BILL NO. 846—**

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact R.S. 9:1789, 1891(A), 1932, 1961(C), 2026(2), 2030, 2045 and 2088(A) and to enact R.S. 9:1784, relative to the Louisiana Trust Code; to provide for the removal of a trustee; to provide for class trusts; to provide for the donation of property; to provide for the interest of the income beneficiary; to provide for the termination or modification of a trust; to provide for combination and division of trusts; to provide for the delegation of the right to revoke a trust; to provide for accountings; to provide for jurisdiction over the trustee; and to provide for related matters.

**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.

**HOUSE BILL NO. 873—**

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 30:2014(A)(3) and to enact R.S. 30:2014.4, relative to permits; to provide for commercial hazardous waste facilities and landfills; to require disclosure of the transfer of commercial hazardous waste permits; to authorize permits for facilities used in shipping sulphur; and to provide for related matters.

**HOUSE BILL NO. 883—**

BY REPRESENTATIVE RIDDLE

AN ACT

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

**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.

**HOUSE BILL NO. 965—**

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI

AN ACT

To enact R.S. 15:574.22 through 574.35 and to repeal R.S. 15:574.14, relative to the supervision of adult offenders; to provide for the Interstate Compact for Adult Offender Supervision; to provide for its purpose; to provide for definitions; to create the Interstate Commission for Adult Offender Supervision and to provide for its membership and duties; to create the State Council and to provide for its membership and duties; to provide for the operation and activities of the Interstate Commission; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 968—**

BY REPRESENTATIVE MARTINY AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:574.8(B) and 574.9(E), relative to parole; to provide that parolees arrested for violation of parole conditions may be held in state prison; and to provide for related matters.

**HOUSE BILL NO. 980—**

BY REPRESENTATIVES TRICHE AND FRITH

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.

**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.

**HOUSE BILL NO. 1083—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
(On Recommendation of the Louisiana State Law Institute)  
AN ACT

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

**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.

**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.

**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.

**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.

**HOUSE BILL NO. 1254—**

BY REPRESENTATIVES CLARKSON, ALARIO, DAMICO, ODINET,  
TOOMY, AND TUCKER AND SENATOR ULLO  
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.

**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.

**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.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE JOHNS  
AN ACT

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

**HOUSE BILL NO. 1517—**

BY REPRESENTATIVES CLARKSON, BRUCE, AND MURRAY AND  
SENATOR BAJOE  
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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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.

**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, GAUTREAU, 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.

**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.

**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.

**HOUSE BILL NO. 328—**

BY REPRESENTATIVE KENNARD

AN ACT

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

**HOUSE BILL NO. 339—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact Code of Civil Procedure Article 376, relative to expert witnesses; to provide relative to the immunity of court-appointed expert witnesses; to provide a limitation of immunity for certain actions; and to provide for related matters.

**HOUSE BILL NO. 365—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:253(A) and (E) and 255(D)(2) and (3) and (F)(2) and to repeal R.S. 48:253(D), relative to the Department of Transportation and Development; to provide



relative to contracts for construction and maintenance projects; to provide relative to certain bonds and other guarantees relative to such contracts; to provide relative to companies which may write such bonds; to provide relative to issuance of work orders; and to provide for related matters.

**HOUSE BILL NO. 423—**

BY REPRESENTATIVE FAUCHEUX

## AN ACT

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

**HOUSE BILL NO. 569—**

BY REPRESENTATIVE MCCALLUM

## AN ACT

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

**HOUSE BILL NO. 721—**

BY REPRESENTATIVES MCMAINS AND ANSARDI

## AN ACT

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

**HOUSE BILL NO. 722—**

BY REPRESENTATIVES MCMAINS, ANSARDI, AND WALSWORTH

## AN ACT

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

**HOUSE BILL NO. 808—**

BY REPRESENTATIVE PITRE

## AN ACT

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

**HOUSE BILL NO. 935—**

BY REPRESENTATIVE DIEZ

## AN ACT

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

**HOUSE BILL NO. 937—**

BY REPRESENTATIVE DIEZ

## AN ACT

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

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE DIEZ

## AN ACT

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

**HOUSE BILL NO. 943—**

BY REPRESENTATIVE DIEZ

## AN ACT

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

**HOUSE BILL NO. 959—**

BY REPRESENTATIVES GUILLORY, BOWLER, CLARKSON, MURRAY, NEVERS, PERKINS, PITRE, POWELL, SCALISE, STELLY, AND TUCKER AND SENATOR C.JONES

## AN ACT

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

**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.

**HOUSE BILL NO. 1023—**

BY REPRESENTATIVE DIEZ

## AN ACT

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

June 12, 2001

**HOUSE BILL NO. 1384—**

BY REPRESENTATIVE RIDDLE

AN ACT

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

**HOUSE BILL NO. 1502—**

BY REPRESENTATIVE WADDELL

AN ACT

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

**HOUSE BILL NO. 1527—**

BY REPRESENTATIVE BROOME

AN ACT

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

**HOUSE BILL NO. 1613—**

BY REPRESENTATIVE GUILLORY

AN ACT

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

**HOUSE BILL NO. 1895—**

BY REPRESENTATIVE PIERRE

AN ACT

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

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

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

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

**Motion**

Senator Lentini moved that the committee on Health and Welfare be directed to report House Bill No. 1909 out of committee.

Senator Bajoie objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields, C	McPherson
Barham	Fontenot	Michot
Bean	Gautreaux	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—27		

**NAYS**

Bajoie	Johnson
Irons	Jones, B
Total—4	

**ABSENT**

Campbell	Fields, W	Marionneaux
Chaisson	Heitmeier	Tarver
Cravins	Malone	
Total—8		

The Chair directed the committee on Health and Welfare to report House Bill No. 1909 out of committee.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 1909 in the Committee on Health and Welfare without the required 24 hour notice.

**Adjournment**

Senator Lambert moved that the Senate adjourn until Wednesday, June 13, 2001, at 8:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 8:30 o'clock A.M. on Wednesday, June 13, 2001.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk