

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FORTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, June 13, 2001

The Senate was called to order at 8:30 o'clock A.M., by Hon.
John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fields, 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	Ullio
Total—39		

ABSENT

Total—0

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

Prayer

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

Reading of the Journal

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 13, 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. 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 without amendments.

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)(1), 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1640 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2001, on line 28, following "agency." delete the remainder of the line and delete line 29 in its entirety

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1641 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 6, following "373," and before "and" change "375(3)," to "375(A)(3),"

AMENDMENT NO. 2

On page 10, line 21, following "338," and before "and" change "R.S. 17:375(3)" to "R.S. 17:375(A)(3)"

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1665 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Finance and adopted by the Senate on June 12, 2001, between lines 29 and 30 insert asterisks " * * * "

AMENDMENT NO. 2

On page 1, line 9, change "75(A)" to "75(A),(C)(introductory paragraph), and (D)"

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 without 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 without 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 without amendments.

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 without amendments.

HOUSE BILL NO. 1817—

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

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 without 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1835 by Representative LeBlanc

AMENDMENT NO. 1

On page 46, line 27, following "and" and before "that" insert "provided"

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 without amendments.

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 without amendments.

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 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.

Senator Lambert in the Chair**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 13, 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. 1 by Representative LeBlanc, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 13, 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. 1105 (Substitute for Senate Bill 812 by Senator Schedler)—

BY SENATOR SCHEDLER

AN ACT

To enact Part XXV of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1131 through 1139, relative to professional employer organizations; to provide for regulation of insurance operations; to authorize professional employer organizations; to provide benefit plans under certain circumstances; to require workers' compensation insurance coverage on employees; to provide for licensing requirements; to provide for exemptions; and to provide for related matters.

Reported with amendments.

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

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

June 13, 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. 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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 147—

BY SENATOR HAINKEL AND REPRESENTATIVES L. JACKSON, MONTGOMERY AND WADDELL

A CONCURRENT RESOLUTION

To urge and direct the secretary of the Department of Economic Development to undertake a wet lab business incubator feasibility study that details issues related to establishing three wet lab incubators, one each in Shreveport, Baton Rouge, and New Orleans; to support emerging Louisiana biomedical, biotechnology, chemical and environmental science companies related to the Vision 2020 technology clusters; and to make recommendations to the legislature.

Reported with amendments.

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

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 13, 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. 231—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to submit a joint application with Arkansas to the Route Numbering Committee of the American Association of State Highway and Transportation Officials to request a route numbering change for certain portions of US 165.

HOUSE CONCURRENT RESOLUTION NO. 232—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend and congratulate the players, coaches, managerial personnel, and statisticians of the Sacred Heart High School Lady Trojans softball team upon its excellence during the 2000-2001 season that culminated in its winning the Class AA state softball championship.

HOUSE CONCURRENT RESOLUTION NO. 233—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the feasibility of a recreational cast netting license and the use of the fees collected for such license to construct and maintain restroom facilities near certain waterways.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 231—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to submit a joint application with Arkansas to the Route Numbering Committee of the American Association of State Highway and Transportation Officials to request a route numbering change for certain portions of US 165.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 232—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend and congratulate the players, coaches, managerial personnel, and statisticians of the Sacred Heart High School Lady Trojans softball team upon its excellence during the 2000-2001 season that culminated in its winning the Class AA state softball championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, C	McPherson
Bean	Fields, W	Michot
Cain	Fontenot	Mount
Chaisson	Hines	Romero
Dardenne	Hollis	Smith
Dean	Jones, C	Tarver
Dupre	Lentini	Thomas
Ellington	Malone	Ullo
Total—24		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Jones, B
Bajoie	Heitmeier	Lambert
Boissiere	Hoyt	Marionneaux
Campbell	Irons	Schedler
Cravins	Johnson	Theunissen
Total—15		

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

HOUSE CONCURRENT RESOLUTION NO. 233—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the feasibility of a recreational cast netting license and the use of the fees collected for such license to construct and maintain restroom facilities near certain waterways.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 50—

BY SENATOR DUPRE

A RESOLUTION

To memorialize the Louisiana Congressional delegation and the United States Congress to express its desire to the National Marine Fisheries Service that the pending charter boat moratorium in the Gulf of Mexico not be implemented.

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

Rules Suspended

Senator Ullo 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

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

HOUSE BILL NO. 1514—

BY REPRESENTATIVE DANIEL

AN ACT

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

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

Barham	Fields, W	Malone
Bean	Fontenot	McPherson
Cain	Hines	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Jones, B	Smith
Dupre	Jones, C	Tarver
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Total—27		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Johnson
Bajoie	Gautreaux	Marionneaux
Boissiere	Heitmeier	Schedler
Campbell	Irons	Theunissen
Total—12		

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. 1583—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 37:760(A)(14), relative to the powers and duties of the Louisiana State Board of Dentistry; to authorize the board to apply for warrants authorizing the seizure of dental health

records or controlled dangerous substance records in certain circumstances; to provide for the courts where such warrants may be applied for; to provide for court findings for a warrant; to provide for process of the warrant; to provide for copying dental records received; and to provide for related matters.

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. 1583 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact" and insert "amend and reenact" and after "37:760(A)" delete "(14)" and insert "introductory paragraph"

AMENDMENT NO. 2

On page 1, line 3, after "Dentistry;" delete the remainder of the line and delete lines 4, 5, 6, 7, and on line 8, delete "for copying dental records received;"

AMENDMENT NO. 3

On page 1, line 10, after "37:760(A)" delete "(14) is hereby enacted" and insert "introductory paragraph is hereby amended and reenacted"

AMENDMENT NO. 4

On page 1, line 13, after "duties" insert "described herein"

AMENDMENT NO. 5

On page 1, delete lines 15 through 17, and on page 2, delete lines 1 through 26, and on page 3, delete lines 1 through 6

Senator Heitmeier moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Marionneaux
Boissiere	Irons	McPherson
Fields, C	Johnson	Tarver
Fields, W	Jones, C	
Fontenot	Malone	
Total—13		

NAYS

Barham	Ellington	Michot
Bean	Gautreaux	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Dardenne	Hoyt	Theunissen
Dean	Jones, B	Thomas

Dupre	Lentini	Ullo
Total—21	ABSENT	
Mr. President	Cravins	Smith
Chaisson	Lambert	
Total—5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1583 by Representative Walsworth

AMENDMENT NO. 1

On page 2, line 5, after "board," delete the remainder of the line.

AMENDMENT NO. 2

On page 2, delete line 6 and insert in lieu thereof the following: "the board may apply"

Senator Lentini moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Bean	Heitmeier	Malone
Boissiere	Hollis	Marionneaux
Cain	Irons	Tarver
Dupre	Johnson	
Fields, C	Jones, C	
Total—16		

NAYS

Mr. President	Gautreaux	Mount
Barham	Hines	Romero
Campbell	Hoyt	Schedler
Dardenne	Jones, B	Smith
Dean	Lambert	Theunissen
Ellington	McPherson	Thomas
Fontenot	Michot	Ullo
Total—21		

ABSENT

Chaisson	Cravins
Total—2	

The Chair declared the amendments were rejected.

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

NAYS

Fontenot	Malone
Heitmeier	Marionneaux
Total—4	

ABSENT

Cravins	Jones, B
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. 1584—

BY REPRESENTATIVE K. CARTER

AN ACT

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

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1584 by Representative K. Carter

AMENDMENT NO. 1

On page 3, between lines 20 and 21, insert the following:

"(14) One person who shall be appointed by the state senator from the Fourth Senatorial District.

(15) One person who shall be appointed by the state senator from the Sixth Senatorial District."

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hollis
Total—1

ABSENT

Cravins	Jones, B
Total—2	

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. 1601—

BY REPRESENTATIVE SNEED

AN ACT

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

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

Bean	Fontenot	McPherson
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Boissiere	Hines	Michot
Cain	Hoyt	Mount
Chaisson	Jones, B	Romero
Dardenne	Jones, C	Smith
Dean	Lambert	Tarver
Dupre	Lentini	Ullo
Ellington	Malone	
Total—23		

NAYS

Total—0

ABSENT

Mr. President	Fields, W	Marionneaux
Bajoie	Gautreaux	Schedler
Barham	Heitmeier	Theunissen
Campbell	Hollis	Thomas
Cravins	Irons	
Fields, C	Johnson	
Total—16		

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. 1621—

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

AN ACT

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

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

NAYS

Malone

Total—1

ABSENT

Bajoie	Gautreaux	Lambert
Cravins	Jones, B	McPherson
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. 1637—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

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

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

Bean	Fields, C	Malone
Boissiere	Fields, W	McPherson
Cain	Fontenot	Michot
Chaisson	Hollis	Mount
Dardenne	Jones, B	Romero
Dean	Jones, C	Smith
Dupre	Lambert	Tarver
Ellington	Lentini	Ullo
Total—24		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Johnson
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Schedler
Campbell	Hoyt	Theunissen
Cravins	Irons	Thomas
Total—15		

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. 1655—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 12:32(A), 35(B)(1)(d), (2), and (3), 102(A)(introductory paragraph), 104(B)(1), 142(B)(2), 149(B), 164(B)(2) and (C)(1)(c), 205.1(A)(introductory paragraph), 236(C)(3), 238(A), 239.1(B)(1) and (3), 247.1(B)(2) and

(C)(1)(b), 250(C)(2), and 257(B), relative to officers and directors of certain business entities; to provide for powers and duties; and to provide for related matters.

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

HOUSE BILL NO. 1661—

BY REPRESENTATIVE DONELON

AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Heitmeier and Lentini to Reengrossed House Bill No. 1661 by Representative Donelon

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 and 2, proposed by Senate Committee on Judiciary C and adopted by the Senate on May 31, 2001

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

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

NAYS

Total—0

ABSENT

Mr. President	Cravins
Bajoie	Jones, B

Total—4

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. 1725—

BY REPRESENTATIVES SNEED, FRITH, SCHWEGMANN, AND SCHNEIDER

AN ACT

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

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

Barham	Fields, W	McPherson
Bean	Fontenot	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—28		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	Schedler
Campbell	Hines	Theunissen
Cravins	Johnson	
Total—11		

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. 1728—

BY REPRESENTATIVE WALSWORTH

AN ACT

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

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

NAYS

Dean
Total—1

ABSENT

Barham	Jones, B	Schedler
Total—3		

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

HOUSE BILL NO. 1734—

BY REPRESENTATIVE ANSARDI

AN ACT

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

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	McPherson
Bean	Fontenot	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler

Dardenne	Jones, B	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields, C	Malone	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Marionneaux
Barham	Heitmeier	Theunissen
Campbell	Hines	
Cravins	Johnson	
Total—10		

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

HOUSE BILL NO. 1767—

BY REPRESENTATIVE HOPKINS

AN ACT

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

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, C	Malone
Barham	Fields, W	McPherson
Bean	Fontenot	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Jones, B
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Campbell
Cravins
Total—9

Heitmeier
Johnson

Marionneaux
Theunissen

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. 1771—

BY REPRESENTATIVES PRATT AND WELCH
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Total—30

Fields, C
Fields, W
Fontenot
Hollis
Hoyt
Irons
Jones, B
Jones, C
Lambert
Lentini

Malone
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Campbell
Cravins
Total—9

Gautreaux
Heitmeier
Hines

Johnson
Marionneaux
Theunissen

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. 1790—

BY REPRESENTATIVE HEATON

AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1790 by Representative Heaton

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 31, 2001

AMENDMENT NO. 2

On page 1, line 2, change "(B)(1)" to "(A) and (B) and the introductory paragraph of R.S. 22:1065.1(B)(1) and R.S. 22:1065.1(B)(1)(a) and to enact R.S. 22:1065.1(B)(3)

AMENDMENT NO. 3

On page 1, line 3, change "Orleans Parish criminal court fund" to "collection of certain bail bond premium fees and the allocation of such fees in Orleans Parish"

AMENDMENT NO. 4

On page 1, line 9, change "(B)(1) is" to "(A) and (B) are"

AMENDMENT NO. 5

On page 1, delete line 12 and insert the following:

"A. There is hereby created an Orleans Parish administration of criminal justice fund which shall be maintained and supervised by the ~~Orleans Parish criminal district court judicial administrator~~ sheriff of the parish of Orleans for the purpose of collecting and distributing proceeds received from the annual licensing fee pursuant to R.S. 22:1065.1~~(E)~~."

AMENDMENT NO. 6

On page 1, after line 20, insert the following:

"Section 2. The introductory paragraph of R.S. 22:1065.1(B)(1) and R.S. 22:1065.1(B)(1)(a) are hereby amended and reenacted and R.S. 22:1065.1(B)(3) is hereby enacted to read as follows:

§1065.1. Criminal bail bond annual license fee

* * *

B.(1) ~~At~~ Except as otherwise provided in this Subsection, all premium fees collected by the sheriff shall be remitted within sixty days after receipt as follows:

(a) Twenty-five percent to the judicial court fund or its equivalent; ~~in the parish of Orleans, to the judicial administrator for the Criminal District Court.~~

* * *

(3) In Orleans Parish, all premium fees collected by the sheriff shall be maintained, supervised, and distributed as provided in R.S. 13:1381.5."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Malone
Bean	Fields, W	McPherson
Boissiere	Fontenot	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, C	Tarver
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Johnson
Barham	Heitmeier	Marionneaux
Cravins	Hines	Theunissen
Total—9		

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

HOUSE BILL NO. 1847—

BY REPRESENTATIVE HOLDEN

AN ACT

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

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, C	McPherson
Bean	Fields, W	Michot
Boissiere	Fontenot	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith

Dardenne
Dean
Dupre
Ellington
Total—30

Jones, B
Jones, C
Lambert
Malone

Tarver
Theunissen
Thomas
Ullo

NAYS

Lentini
Total—1

ABSENT

Mr. President	Gautreaux	Johnson
Barham	Heitmeier	Marionneaux
Cravins	Hines	
Total—8		

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

HOUSE BILL NO. 1849—

BY REPRESENTATIVES STRAIN AND BRUNEAU

AN ACT

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

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

HOUSE BILL NO. 1855—

BY REPRESENTATIVE RICHMOND

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	Michot
Bean	Fontenot	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Tarver
Cravins	Jones, C	Theunissen

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Dardenne
Dean
Dupre
Ellington
Total—31

Lambert
Lentini
Malone
McPherson

Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Fields, C
Total—8

Gautreaux
Heitmeier
Hines

Irons
Marionneaux

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. 1881—
BY REPRESENTATIVE SHAW

AN ACT

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

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

Barham
Bean
Boissiere
Cain
Campbell
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fields, C
Total—31

Fields, W
Fontenot
Gautreaux
Hines
Hollis
Irons
Johnson
Jones, B
Jones, C
Lambert
Malone

McPherson
Michot
Mount
Romero
Schedler
Smith
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Mr. President
Bajoie
Heitmeier
Total—7

Hoyt
Lentini
Marionneaux

Tarver

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. 1885—

BY REPRESENTATIVES HUNTER, BRUCE, MORRELL, AND ROMERO

AN ACT

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

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
Barham
Bean
Boissiere
Cain
Campbell
Chaisson
Dardenne
Dean
Dupre
Ellington
Total—31

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

McPherson
Michot
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Cravins
Fields, C
Total—8

Fields, W
Heitmeier
Jones, B

Marionneaux
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. 1985—

BY REPRESENTATIVE SHAW AND SENATOR MALONE

AN ACT

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

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed House Bill No. 1985 by Representative Shaw

AMENDMENT NO. 1

On page 2, between lines 14 and 15, insert the following:

"Section 2. The provisions of this Act shall be deemed procedural and shall apply to any contracts between the Louisiana State University Health Services Center and any group purchasing organization resulting from any request for proposal dated after July 1, 2001, notwithstanding the date of such contract."

AMENDMENT NO. 2

On page 2, line 15, change "Section 2" to "Section 3"

On motion of Senator Mount, the amendments were adopted.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Reengrossed House Bill No. 1985 by Representative Shaw

AMENDMENT NO. 1

On page 2, between lines 14 and 15, insert the following:

"Section 2. The provisions of this Act shall be deemed procedural and shall apply to any contracts between the Louisiana State University Health Sciences Center and any group purchasing organization resulting from any request for proposal, notwithstanding the date of such contract."

AMENDMENT NO. 2

On page 2, line 15, change "Section 2." to "Section 3."

AMENDMENT NO. 3

Delete Senate Floor Amendments Nos. 1 and 2 proposed by Senator Mount and adopted by the Senate on June 13, 2001.

On motion of Senator Malone, the amendments were adopted.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 1985 by Representative Shaw

AMENDMENT NO. 1

On page 2, line 7, change "one million" to "five hundred thousand"

On motion of Senator Michot, 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

Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	Marionneaux
Boissiere	Gautreaux	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—36		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	McPherson
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. 2005—

BY REPRESENTATIVE KENNARD

AN ACT

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

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	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver

Dardenne
Dean
Dupre
Ellington
Fields, C
Total—34

Jones, B
Jones, C
Lambert
Lentini
Malone

Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bajoie
Total—5

Fields, W
Heitmeier

McPherson

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. 2047 (Substitute for House Bill 966 by Representative Martiny)—

BY REPRESENTATIVES MARTINY AND FAUCHEUX
AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 2047 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 3, between "(B)(1)" and "(b)" insert "(a) and"

AMENDMENT NO. 2

On page 1, line 15, after "(B)(1)" change "(d)" to "(a) and (b)"

AMENDMENT NO. 3

On page 5, delete line 5, and insert the following:

"(a) At least one person in every residence or business within a one-mile radius in a rural area and ~~a three square block area~~ a three-tenths of a mile radius in an urban or suburban area of the address where the defendant will reside upon release."

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Reengrossed House Bill No. 2047 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 14:89(B),"

AMENDMENT NO. 2

On page 1, line 6, after "enact" insert "R.S. 14:89(C),"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"Section 1. R.S. 14:89(B) is hereby amended and reenacted and R.S. 14:89(C) are hereby enacted to read as follows:

§89. Crime against nature

* * *

B. Sexual acts not involving compensation committed by and between consenting adults in private, and not in a public place, including but not limited to public parks and public restrooms, shall not be deemed to be a crime against nature.

B: C. Whoever violates the provisions of this Section shall be fined not more than two thousand dollars, or imprisoned, with or without hard labor, for not more than five years, or both."

AMENDMENT NO. 4

On page 1, line 14, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 13, line 15, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 14, line 4, change "Section 3." to "Section 4."

AMENDMENT NO. 7

On page 19, line 6, change "Section 4." to "Section 5."

Senator C. Jones moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Bean
Boissiere

Dean
Fields, W
Gautreaux

Jones, B
Jones, C
Marionneaux

Campbell	Heitmeier	Romero
Chaisson	Hines	Ullo
Cravins	Irons	
Dardenne	Johnson	
Total—19		

NAYS

Barham	Hoyt	Smith
Cain	Lentini	Tarver
Dupre	Malone	Theunissen
Ellington	Michot	Thomas
Fontenot	Mount	
Total—14		

ABSENT

Mr. President	Hollis	McPherson
Fields, C	Lambert	Schedler
Total—6		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Johnson
Bean	Fields, C	Jones, B
Boissiere	Fields, W	Jones, C
Campbell	Gautreaux	Marionneaux
Chaisson	Heitmeier	Romero
Cravins	Hines	Tarver
Dardenne	Hollis	Ullo
Dean	Irons	
Total—23		

NAYS

Barham	Hoyt	Mount
Cain	Lentini	Smith
Ellington	Malone	Theunissen
Fontenot	Michot	Thomas
Total—12		

ABSENT

Mr. President	McPherson
Lambert	Schedler
Total—4	

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

HOUSE BILL NO. 2063 (Substitute for House Bill No. 1846 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Jones, C
Dean	McPherson
Total—4	

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

Appointment of Conference Committee on Senate Bill No. 905

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 905: Senators Hainkel, Ullo and Dardenne.

Appointment of Conference Committee on Senate Bill No. 1041

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1041: Senators Schedler, Boissiere and Lentini.

Appointment of Conference Committee on Senate Bill No. 1064

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1064: Senators Hainkel, Ullo and Dardenne.

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. 94—

BY REPRESENTATIVE SALTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Fields, C	Jones, B
Total—3		

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

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

BY REPRESENTATIVE POWELL AND SENATOR HAINKEL

AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 118 by Representative Powell

AMENDMENT NO. 1

On page 1, line 2, change "33:2481(B)(6)" to "33:2213(O)"

AMENDMENT NO. 2

On page 1, line 3, delete "chief of police for the"

AMENDMENT NO. 3

On page 1, line 3, change "Hammond" to "Kenner" and delete the rest of the line

AMENDMENT NO. 4

On page 1, line 4, change "unclassified service" to "may establish work periods for police department employees"

AMENDMENT NO. 5

On page 1, line 9, change "33:2481(B)(6)" to "33:2213(O)"

AMENDMENT NO. 6

On page 1 delete lines 10 through 17 in their entirety and insert the following:

§2213. Maximum hours; overtime or compensatory time;
exceptions for certain cities

* * *

O. Notwithstanding any other provision of law to the contrary, the city of Kenner may establish a work period not to exceed fourteen days for police department employees provided they are compensated at the rate of one and one-half times their regular rate of pay, or credited with compensatory time on a one and one-half time basis, for all hours in the work period that exceed an average of forty hours per week. Hours worked by an employee as a voluntary substitute for another employee shall be in compliance with the provisions of the federal Fair Labor Standards Act, as amended.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hoyt
Total—1

ABSENT

Mr. President	Jones, C
Jones, B	Thomas
Total—4	

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

HOUSE BILL NO. 137—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	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
Cravins	Schedler
Total—4	

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

HOUSE BILL NO. 230—

BY REPRESENTATIVE LAFLEUR

AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Heitmeier and Hainkel to Engrossed House Bill No. 230 by Representative LaFleur

AMENDMENT NO. 1

On page 1, at the end of line 2, before the comma "," insert "and to enact R.S. 13:5106(F)"

AMENDMENT NO. 2

On page 1, line 6, between "activities;" and "and" insert "to provide limitations of liability relative to certain public facilities;"

AMENDMENT NO. 3

On page 4, after line 15, add the following:

"Section 2. R. S. 13:5106(F) is hereby enacted to read as follows:

§5106. Limitations

* * *

(F)(1) As used in this Subsection:

(a) "Facility" means a facility with more than one million square feet of contiguous exhibit space on one level in one building which is owned or operated by the state, a state agency, or a political subdivision or its governing authority.

(b) "Owner or operator" means the state, a state agency, or a political subdivision or its governing authority which owns or operates a facility.

(2) Notwithstanding any other law to the contrary, every suit against an owner or operator of a facility for damages or personal injury occurring upon the premises of the facility and arising from or directly and proximately related to the tortious acts of a party to a contract for the use of the facility for an event, or by its officers, agents, employees, assigns, contractors, or invitees, shall be subject to the follow limitations:

(a) In all suits for personal injury to any one person, the total amount recoverable, including all derivative claims, shall not exceed one hundred thousand dollars.

(b) In all suits for wrongful death of any one person, the total amount recoverable, as provided in this Section, shall not exceed one hundred thousand dollars.

(c) If multiple claims arise from a single incident or occurrence, the owner or operator of the facility shall not be liable for more than two hundred thousand dollars on account of all claims arising from that incident or occurrence.

(d) The owner or operator of the facility may agree, however, within the limits of insurance coverage provided, to settle a claim made or a judgment rendered against it in excess of this statutory limit. The owner or operator shall not be deemed to have waived any defense or to have increased the limits of its liability as a result of its obtaining insurance coverage for tortious acts in excess of the one hundred thousand dollars or two hundred thousand dollars limit provided above.

(e) If the tortious act that gives rise to the claim or judgment is the result of an intentional act or the gross negligence of the owner or operator, then the limitation provided in this Subsection shall not apply."

Motion

Senator Hines moved to table the amendment.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Barham	Fields, W	Lentini
Bean	Fontenot	Malone
Cain	Gautreaux	Marionneaux
Campbell	Hines	McPherson
Chaisson	Hollis	Tarver
Dardenne	Irons	Thomas
Dean	Johnson	
Dupre	Jones, B	
Total—25		

NAYS

Mr. President	Hoyt	Smith
Boissiere	Michot	Theunissen
Ellington	Mount	Ullo

Heitmeier
Total—11

Romero

ABSENT

Cravins
Total—3

Lambert Schedler

The Chair declared the amendment was tabled.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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

Bajoie
Total—2

Schedler

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. 245—

BY REPRESENTATIVE BAYLOR

AN ACT

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

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

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	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler
Total—1

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. 263—

BY REPRESENTATIVE GLOVER

AN ACT

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

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, W	Lentini
Bajoie	Fontenot	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dupre	Jones, B	Theunissen

Ellington
Fields, C
Total—33

Jones, C
Lambert
Thomas
Ullo

NAYS

Total—0

ABSENT

Campbell	Dean	Marionneaux
Dardenne	Gautreaux	Schedler
Total—6		

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. 275—

BY REPRESENTATIVE MARTINY

AN ACT

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

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	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 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.

Senator C. Fields in the Chair

HOUSE BILL NO. 323— BY REPRESENTATIVE POWELL

AN ACT

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

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

HOUSE BILL NO. 400— BY REPRESENTATIVE FARRAR

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Lambert
Barham	Fields, W	Malone
Bean	Fontenot	Marionneaux
Boissiere	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
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 Lentini Schedler
Total—3

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. 436—

BY REPRESENTATIVE PINAC

AN ACT

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

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	Dupre	Jones, B
Barham	Ellington	Jones, C
Bean	Fontenot	Lambert
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Chaisson	Hollis	Tarver
Cravins	Hoyt	Theunissen
Dardenne	Irons	Thomas
Dean	Johnson	Ullo
Total—30		

NAYS

Fields, C	Lentini	Marionneaux
Fields, W	Malone	Mount
Total—6		

ABSENT

Mr. President McPherson Schedler
Total—3

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. 452—

BY REPRESENTATIVE WALSWORTH

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Schedler	Thomas
Total—3		

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. 456—

BY REPRESENTATIVE ALARIO

AN ACT

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

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed House Bill No. 456 by Representative Alario

AMENDMENT NO. 1

On page 1, line 2, after "5062(B)" insert "and to enact 33:4880"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" insert "certain public nuisances; to provide for"

AMENDMENT NO. 3

On page 1, line 6, after "himself;" insert "to provide for the authority of the governing authority of Orleans Parish to increase the fine for certain illegal dumping;"

AMENDMENT NO. 4

On page 1, line 9, after "reenacted" insert "and R.S. 33:4880 is hereby enacted"

AMENDMENT NO. 5

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

"§4880. Maximum penalty for dumping; Orleans Parish

Notwithstanding any other provision of law, the governing authority for the parish of Orleans may levy a fine not to exceed two thousand five hundred dollars for the violation of any ordinance which prohibits the dumping of trash, refuse, garbage, debris or other solid or liquid waste."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Fontenot	Schedler
Total—4	

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

HOUSE BILL NO. 595—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend and reenact Civil Code Article 395 and to repeal the provisions of Section 2 of Act No. 25 of the First Extraordinary Session of 2000 which amend and reenact Civil Code Article

1492 only, relative to incapacity of interdicts; to provide for capacity to make juridical acts; to retain existing provisions on proof of incapacity to donate; and to provide for related matters.

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Schedler
Total—3		

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

HOUSE BILL NO. 609—

BY REPRESENTATIVE DOWNER

AN ACT

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

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

Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero
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
Boissiere	Schedler
Total—4	

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.

Rules Suspended

Senator Ullo 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

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. 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.

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. 252 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "33:2476.2" delete the comma "," and insert "and 2587,"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "fire and police"

AMENDMENT NO. 3

On page 1, line 6, after "limitations;" and before "and to provide" insert "to provide for additional members of the City of Opelousas Municipal Civil Service Board;"

AMENDMENT NO. 4

On page 1, line 10, after "33:2476.2" delete "is" and insert "and 2587 are"

AMENDMENT NO. 5

On page 2, line 1, after "departments" insert a comma ","

AMENDMENT NO. 6

On page 2, between lines 4 and 5, insert the following:

* * *

§2587. City of Opelousas Municipal Civil Service Board; board membership

Notwithstanding any other provision of law to the contrary, the City of Opelousas Municipal Civil Service Board shall have two members who shall be selected by the classified employees of the city of Opelousas as provided in R.S. 33:2585 et seq. These two members shall be in addition to the membership of such board on the effective date of this Section.

Senator Cravins 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	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Lambert
Dean	Schedler
Total—4	

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

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.

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 Reengrossed Senate Bill No. 438 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and delete line 3 and insert in lieu thereof "17:3048.1(A)(1)(introductory paragraph), (B)(2)(introductory paragraph), (a), (b)(introductory paragraph), (c), and (d), and to enact R.S. 17:3048.1(B)(2)(e) and (f), relative to the"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." delete the remainder of the line and delete line 10 and insert in lieu thereof "R.S. 17:3048.1(A)(1)(introductory paragraph), (B)(2)(introductory paragraph), (a), (b)(introductory paragraph), (c), and (d) are hereby amended and reenacted and R.S. 17:3048.1(B)(2)(e) and (f) are"

AMENDMENT NO. 3

On page 1, between lines 13 and 14, insert the following:

"A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:"

AMENDMENT NO. 4

On page 2, line 2, after "agency" and before "of any" delete "to equal the actual cost of tuition" and insert in lieu thereof "in accordance with the provisions of Subparagraph (f) of this Paragraph on the behalf"

AMENDMENT NO. 5

On page 2, line 3, after "in" delete the remainder of the line and at the beginning of line 4 delete "institution" and insert in lieu thereof "an eligible college or university as defined in Subsection A of this Section"

AMENDMENT NO. 6

On page 2, line 4, after "training" and before "including" delete the comma "," and insert in lieu thereof "as defined by the Board of Regents."

AMENDMENT NO. 7

On page 5, between lines 19 and 20, insert the following:

(f)(i) For any student attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher, the amount shall equal the actual cost of tuition.

(ii) For any student attending an eligible college or university other than as provided for in Item (i) of this Subparagraph, the amount shall equal the weighted average of amounts paid pursuant to Item (i) of this Subparagraph.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crane to Reengrossed Senate Bill No. 438 by Senator Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendment No. 4, No. 5, and No. 6 proposed by the House Committee on Education and adopted by the House of Representatives on May 4, 2001.

AMENDMENT NO. 2

On page 2, line 1, after "Students," and before "the state" insert "for students graduating from high school through the 1999-2000 school year"

AMENDMENT NO. 3

On page 2, at the end of line 7, delete the colon ":" and insert the following: "and for students graduating from high school during the 2000-2001 school year and thereafter the state shall award an amount determined by the administering agency in accordance with the provisions of Subparagraph (f) of this Paragraph for any student who enrolls on a full-time basis in an eligible college or university as defined in Subsection A of this Section to pursue skill or occupational training as defined by the Board of Regents, 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:"

AMENDMENT NO. 4

On page 2, line 18, after "Section," delete the remainder of the line and delete line 19 and at the beginning of line 20 delete "and"

AMENDMENT NO. 5

On page 3, line 2, after "desired" and before "Except" change "public postsecondary institution." to "eligible college or university."

AMENDMENT NO. 6

On page 3, line 10, after "desired" and before "The core" change "public postsecondary institution." to "eligible college or university."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives K. Carter, Alario, and Daniel to Reengrossed Senate Bill No. 438 by Senators Dardenne, et al

AMENDMENT NO. 1

In Amendment No. 1 proposed by the House Committee on Education and adopted by the House on June 4, 2001, on page 1, line 5 after "R.S. 17:3048.1(B)(2)(e) and (f)" delete the comma "," and insert "and (V)"

AMENDMENT NO. 2

On page 1, line 6, after "requirements;" 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; to provide limitations;"

AMENDMENT NO. 3

In Amendment No. 2 proposed by the House Committee on Education and adopted by the House on June 4, 2001, on page 1, line 11, after "and (f)" insert "and (V)"

AMENDMENT NO. 4

On page 5, between lines 20 and 21, insert the following:

V.(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.

Motion

Senator Dardenne moved that the Senate reject the amendments proposed by the House.

Senator C. Fields moved as a substitute motion that the Senate concurs the amendments proposed by the House.

Senator Dardenne objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Bajoie	Fields, W	Malone
Boissiere	Heitmeier	Marionneaux
Campbell	Hines	McPherson
Chaisson	Irons	Tarver
Cravins	Johnson	Ullo
Fields, C	Jones, C	
Total—17		

NAYS

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

ABSENT

Dupre	Lambert
Total—2	

The Chair declared the Senate refused to concur in the amendments proposed by the House.

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

ROLL CALL

The roll was called on the original motion to reject the amendments proposed by the House with the following result:

YEAS

Mr. President	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Lambert	Theunissen
Ellington	Lentini	Thomas
Fontenot	Malone	Ullo
Total—27		

NAYS

Bajoie	Fields, C	Jones, C
Bean	Fields, W	Marionneaux
Cain	Hines	McPherson
Cravins	Irons	
Total—11		

ABSENT

Campbell
Total—1

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

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.

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. 451 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 3, following "1928(A) and (B)," and before "1936(A)" insert "the introductory paragraph of"

AMENDMENT NO. 2

On page 2, line 4, following "and(B)," and before "1936(A)" insert "the introductory paragraph of"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Reengrossed Senate Bill No. 451 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 5, between "R.S. 11:1941(4)," and "1961(3)," insert "1755(E),"

AMENDMENT NO. 2

On page 1, line 7, after "Louisiana" delete the semi-colon ";" insert in lieu thereof:

"and the Municipal Employees' Retirement System of Louisiana; 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;"

AMENDMENT NO. 3

On page 2, line 6, between "R.S. 11:1941(4)," and "1961(3)," insert "1755(E),"

AMENDMENT NO. 4

On page 3, between lines 21 and 22, insert:

"§1755. Creditable service; service certificate; adjusted service date; repayment of withdrawn contributions

* * *

E.(1)(a) The provisions of this Subsection are limited in scope and shall only apply to members of this system whose employing municipality irrevocably elects such coverage. The board of trustees shall cause to be promulgated all regulations necessary to govern the procedures for municipalities to irrevocably elect coverage under the provisions of this Subsection.

(b) All unused earned annual and sick leave which has been accrued and accumulated by an employee, except as hereinafter provided, and for which payment cannot be made in accordance with law, ordinance, or any civil service rule at the time of retirement, shall be credited at the time of retirement to the member on the following basis:

Days	Percentage of a Year
1- 26	10
27- 52	20
53- 78	30
79-104	40
105-130	50
131-156	60

157-182	70
183-208	80
209-234	90
235-260	100

(2) There shall be no limit on the amount of unused earned sick and annual leave that a member may convert to retirement credit on the basis of the above formula. No member, survivor, or beneficiary shall use any unused earned sick and annual leave to attain eligibility for any benefits provided by this Chapter.

(3) At the time the member retires, the employer shall submit to the board a report of unused earned sick and annual leave, computed in days only, plus unreported earnings and contributions.

(4) When extending credit for unused earned leave, fractional days of one-half or more shall be granted as one day and less than one-half day shall be disregarded. Any member who had previously terminated his employment for any period of time, but who later becomes reemployed as an active contributing member in this system, shall have contributed to the system for not less than eighteen months subsequent to his reemployment date before using converted unused earned sick and annual leave for purposes of benefit computation. Additional membership service obtained by conversion of unused earned sick and annual leave shall not be used in computation of average compensation.

(5) The annual actuarial cost of providing the conversion authorized by this Subsection shall be borne solely by and shall be paid by the municipality that employed the member.

* * *

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 451 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 3, delete "1938(F) and (J)(1)," and insert "1938(B), (F), and (J)(1),"

AMENDMENT NO. 2

On page 1, line 14, between "balances;" and "to" insert "to provide with respect to the use of reciprocally recognized credit for purposes of eligibility to participate in the Deferred Retirement Option Plan;"

AMENDMENT NO. 3

On page 2, line 4, delete "1938(F) and (J)(1)," and insert "1938(B), (F), and (J)(1),"

AMENDMENT NO. 4

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

"B.(1) For purposes of this Section, except as provided in Paragraph (2) of this Section, creditable service shall not include service credit reciprocally recognized under R.S. 11:142.

(2) Any member whose service in this system when combined with service in any other state or statewide public retirement system exceeds thirty years shall be eligible to include reciprocally recognized service credit for purposes of this Section.

* * *

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

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

SENATE BILL NO. 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.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 525 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 19, after "(24)" and before "the federal grants" delete "The administration of" and insert in lieu thereof "Administer"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Dean
Cravins	McPherson

Total—4

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

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.

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 Engrossed Senate Bill No. 621 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, after "of" and before "fire protection" delete "a" and insert "certain"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, change "district" to "districts;" and delete the remainder of the line

AMENDMENT NO. 3

On page 1, at the end of line 13 delete "more than" and on line 14, delete "one hundred thousand persons," and insert in lieu thereof "not less than one hundred ninety one thousand nor more than two hundred and twenty five thousand persons,"

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

NAYS

Total—0

ABSENT

Cravins	McPherson
Total—2	

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

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.

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. 633 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 8, following "stock" and before "or" insert "in"

AMENDMENT NO. 2

On page 13, between lines 19 and 20, insert asterisks " * * * "

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	McPherson	Schedler
Total—3		

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. 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.

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. 653 by Senator Dupre

AMENDMENT NO. 1

On page 2, at the beginning of line 3, change "(2)" to "(2)(a)"

AMENDMENT NO. 2

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

"(b) A judgment of ownership of a vehicle ordered by a justice of the peace court shall be recognized by the Office of Motor Vehicles of the Department of Public Safety and Corrections in accordance with the provisions of Chapter 4 of Title 32 of the Louisiana Revised Statutes of 1950."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre To Engrossed Senate Bill No. 653 by Senator Dupre

AMENDMENT NO. 1

On page 2, delete lines 3 through 6

AMENDMENT NO. 2

Delete House Committee Amendment No. 1 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 5, 2001.

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 5, 2001, on line 5, change "(b)" to "(2)"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Marionneaux
Barham	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

Fields, C
Fields, W
Fontenot
Total—34

Lambert
Lentini
Malone

NAYS

Bean
Total—1

ABSENT

Mr. President
Cravins
Total—4

Ellington
McPherson

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

SENATE BILL NO. 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.

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 Engrossed Senate Bill No. 695 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 3, after "subdivisions;" and before "the minimum" change "to remove" to "to provide for"

AMENDMENT NO. 2

On page 2, line 9, after "subdivision" insert a semi-colon ";" and delete lines 10 through 13 and insert: "however; the interest rate at the time of investment shall be a rate not less than the prevailing rate of interest on time certificates of deposit that is offered by the bank to its customers."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed Senate Bill No. 695 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:2955(A)(1)(d)" delete the remainder of the line and at the beginning of line 3, delete "political subdivisions;" and insert "and R.S. 39:1213, relative to funds of political subdivisions, including investments and deposits thereof;"

AMENDMENT NO. 2

On page 1, line 4, after "deposit" and before "and" delete the semicolon ";" and insert "and for such rates in certain districts; to

provide for the type of fiscal agencies designated for local depositing authorities;"

AMENDMENT NO. 3

On page 2, at the beginning of line 2, after "(d)" and before "Time" insert "(i)"

AMENDMENT NO. 4

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

"(ii) Notwithstanding any other provision of law to the contrary, the Southeast Water District Number Two of Vermillion Parish shall be entitled to a rate of interest on funds made available for investment in time certificates of deposits at a rate of not less than fifty basis points below the prevailing market interest rate on direct obligations of the United States Treasury with a similar length of maturity or the prevailing rate of interest on time certificates of deposit that are offered by the bank to its other customers, whichever is greater."

AMENDMENT NO. 5

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

"Section 2. R.S. 39:1213 is hereby amended and reenacted to read as follows:

§1213. Fiscal agencies designated

The fiscal agency with which funds are deposited shall be a bank stock owned federally insured depository institution organized under the laws of this state or of any other state of the United States, or under the laws of the United States, as may be selected by the depositing authority under the provisions of this Chapter."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
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	Ullio
Fields, W	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Fields, C
Cravins	McPherson
Total—4	

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. 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.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed Senate Bill No. 751 by Senator Mount

AMENDMENT NO. 1

On page 5, at the end of line 8, insert "The department shall not adopt any rule or regulation that would prohibit the placement of transitional youth in a faith-based transitional youth residence program that complies with R.S. 46:1455 and R.S. 46:1456."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
--------	-----------	--------

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

NAYS

Total—0

ABSENT

Mr. President	Cravins	Jones, B
Total—3		

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

SENATE BILL NO. 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.

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. 770 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 14 after "thousand" and before "persons" insert "according to the most recent federal decennial census"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Malone
Barham	Fields, W	Marionneaux
Bean	Fontenot	McPherson
Boissiere	Heitmeier	Michot

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

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	Jones, B
Total—3		

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 833 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:2258(B)(1)" delete the comma "," and insert "and to repeal R.S. 11:2218.1, 2254.1, and 2269,"

AMENDMENT NO. 2

On page 1, at the end of line 2, add "Retirement System and the Municipal Police Employees"

AMENDMENT NO. 3

On page 1, line 3, between "System;" and "to" insert "to repeal the provisions regarding the granting of credit for certain military service without cost to the employee or by the payment of employee contributions only and the provisions regarding the restoration of certain service credit based on the repayment of refunded contributions; to provide for the repayment of certain refunded contributions and the receipt of credit for certain military service; "

AMENDMENT NO. 3

On page 3, delete line 21 in its entirety and insert in lieu thereof:

"(iv) The authority of a retired member or a Deferred Retirement Option Plan participant to convert from a service retirement to a service connected disability retirement pursuant to the provisions of this Subparagraph shall cease on July 1, 2006. The Public Retirement Systems' Actuarial Committee shall publish a report as part of the actuarial valuation of this system and the report shall include the results of a study of the actuarial impact of all such conversions occurring between July 1, 2001, and July 1, 2006.

* * *

Section 2.(A)(1) Any member of the Firefighters' Retirement System who elects to repay a refund to the Firefighters' Retirement System based on the provisions of R.S. 11:2254.1 shall submit a written application for such repayment to the board of trustees of the Firefighters' Retirement System on or before August 31, 2001. Except as provided in Paragraph (2) of this Subsection, the authority for any repayment of refunds pursuant to the provisions of R.S. 22:2254.1 shall cease on September 1, 2001, and no such authority shall exist thereafter.

(2) Any member whose completed, written application for repayment of a refund pursuant to the provisions of R.S. 22:2254.1 is received by the board of trustees for the Firefighters' Retirement System on or before August 31, 2001, shall have until December 31, 2001, to complete the repayment of the refund. Any member who does not repay the total amount of such refunded contributions on or before December 31, 2001, shall not be eligible to repay such refund pursuant to the provisions of R.S. 22:2254.1 and shall not receive credit in the Firefighters' Retirement System pursuant to the provisions of R.S. 22:2254.1, notwithstanding that his application for such repayment was received by the board of trustees on or before August 31, 2001.

(B) Any member whose written application to repay a refund pursuant to the provisions of R.S. 22:2254.1 is not received by the board of trustees for the Firefighters' Retirement System on or before August 31, 2001, and any member whose application for such a repayment is received on or after September 1, 2001, shall not be eligible to repay any such refund pursuant to the provisions of R.S. 22:2254.1.

Section 3. Any person who is an active contributing member of the Firefighters' Retirement System on December 31, 2001, and who would otherwise be eligible for service credit in the Firefighters' Retirement System based on the provisions of R.S. 11:2269(A) is hereby deemed to have such service credited to his account.

Section 4. Any person who on or before December 31, 2001, has any service properly credited to his account based on the provisions of R.S. 11:2218.1, 2254.1, 2269, or any combination of those provisions, and who is otherwise eligible for such credit, shall be eligible to use such credit on or after January 1, 2002, for any purpose allowable by any applicable provision of Title 11 of the Louisiana Revised Statutes of 1950, notwithstanding the repeal of R.S. 11:2218.1, 2254.1, and 2269 pursuant to the provisions of Section 5 of this Act.

Section 5. The provisions of R.S. 11:2218.1, 2254.1, and 2269 are hereby repealed in their entirety. The provisions of this Section shall become effective on January 1, 2002."

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

NAYS

Total—0

ABSENT

Mr. President	Boissiere	Jones, B
Total—3		

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. 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.

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. 866 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 4, after "for" and before "evidence" change "prima facie" to "admissible"

AMENDMENT NO. 2

On page 1, line 15, after "be" and before "evidence" change "prima facie" to "admissible as"

AMENDMENT NO. 3

On page 3, line 6, after "altered" and before the period "." insert "for cosmetic purposes"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Hollis	McPherson
Total—4	

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

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.

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. 884 by Senator Marionneaux

AMENDMENT NO. 1

On page 4, line 3, change "twenty-five" to "fifty"

AMENDMENT NO. 2

On page 4, line 5, change "twenty-five" to "fifty"

AMENDMENT NO. 3

On page 5, line 15, change "twenty-five" to "fifty"

AMENDMENT NO. 4

On page 6, line 3, change "twenty-five" to "fifty"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed Senate Bill No. 884 by Senator Marionneaux

AMENDMENT NO. 1

On page 5, line 14, change "twenty-five" to "fifty"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Lentini
Total—1

ABSENT

Mr. President	Cravins	Jones, B
Bajoie	Gautreaux	Jones, C
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. 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.

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 Reengrossed Senate Bill No.898 by Senator C. Fields

AMENDMENT NO. 1

On page 2, delete lines 9 through 19 and insert the following:

B.(1) The defendant may appeal to the court of appeal from a judgment in a criminal case triable by jury, except as provided in Paragraph A or Subparagraph (B)(2) of this Article.

(2) An appeal from a judgment in a criminal case triable by jury from a city court located in the Nineteenth Judicial District, except as provided in Paragraph A of this Article, shall be taken to the Nineteenth Judicial District in the parish of East Baton Rouge."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Welch to Engrossed Senate Bill No. 898 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 3, after "Art. 912.1(B)" and before the comma ",", insert "and to enact R.S. 13:992.1"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "to provide" delete "appeals;" and insert in lieu thereof "the Nineteenth Judicial District Court"

AMENDMENT NO. 3

On page 1, line 5, after "jurisdiction;" and before "and to" insert "to provide with regard to the authorization of the Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District Court to impose additional costs of court and service charges in certain civil matters; to provide for collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds;"

AMENDMENT NO. 4

On page 2, after line 20, insert the following:

"Section 3. R.S. 13:992.1 is hereby enact to read as follows:

§992.1. Judicial building fund

A. The Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District are hereby authorized to impose

the following additional costs of court and service charges provided for in Subsection B of this Section in all cases over which the court has jurisdiction. The costs and charges may be up to and include the maximum amount set forth and shall be imposed on order of the judges en banc. Such costs and charges shall be paid to the clerk of court when the filing is made.

<u>B. Service Provided</u>	<u>Amount of Cost Authorized</u>
<u>(1) Recordings</u>	<u>Up to twenty dollars per recordation</u>
<u>(2) Civil Filings</u>	<u>Up to one hundred dollars per civil filing</u>
<u>(3) Jury Trials</u>	<u>Up to two hundred dollars per jury requested</u>
<u>(4) Class Actions</u>	<u>Up to two thousand five hundred dollars per class certified</u>

C. The monies generated pursuant to this Section shall be forwarded by the clerk of court to the Nineteenth Judicial District Court and placed in a separate account within the judicial expense fund created under the provisions of R.S. 13:992 and dedicated to the acquisition, construction, equipping, and maintenance of a new judicial facility for the Nineteenth Judicial District Court, the East Baton Rouge Family Court, the clerk of court of the Nineteenth Judicial District, and other ancillary agencies and for the maintenance and payment of any bond indebtedness on the new facility. For purposes of this Section, "equipping" shall include but not be limited to expenditures for the purchase and maintenance of computer software and hardware for the agencies housed in the judicial facility.

D. In the event that the state does not, before July 1, 2003, provide an appropriation, directly or indirectly, of state funds for the support of the purposes set forth in Subsection C of this Section, the authority to impose the additional fees provided in this Section shall cease effective July 1, 2003, with the funds remaining in the separate account in the judicial expense fund created pursuant to this Section being available for the maintenance, renovation, or equipping of the current facilities of the Nineteenth Judicial District Court, the East Baton Rouge Family Court, the clerk of court of the Nineteenth Judicial District, and any other ancillary agencies."

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

Motion

Senator Dardenne moved as a substitute motion that the amendments proposed by the House be rejected.

Senator C. Fields objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Mr. President	Heitmeier	Mount
Barham	Hines	Romero
Cain	Hollis	Schedler

Chaisson	Hoyt	Smith
Dardenne	Jones, B	Theunissen
Dean	Lambert	Thomas
Ellington	Malone	
Gautreaux	Michot	
Total—22		

NAYS

Bajoie	Fields, C	Lentini
Bean	Fields, W	Marionneaux
Boissiere	Fontenot	Tarver
Cravins	Johnson	Ullo
Dupre	Jones, C	
Total—14		

ABSENT

Campbell	Irons	McPherson
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator C. Fields moved to reconsider the vote by which the amendments were rejected 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 the motion by Senator Dardenne. He voted nay on the motion and had intended to vote yea. He asked that the Official Journal so state.

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.

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

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.

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 Retirement to Engrossed Senate Bill No. 933 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 1, between "clerk" and "and" insert a comma "," and "minute clerk."

AMENDMENT NO. 2

On page 2, at the end of line 5, add "Any court reporter from either Orleans Parish or East Baton Rouge Parish who was enrolled in the fund on or before July 1, 2001, shall be allowed to remain in the fund as a member or active member of the fund and to become eligible to receive retirement benefits as required by law."

AMENDMENT NO. 3

On page 3, at the end of line 1, add "Any court reporter from either Orleans Parish or East Baton Rouge Parish for which employee and employer contributions have been previously paid to the fund and are on deposit with the fund from per-page transcription payments occurring on or before July 1, 2001, shall receive credit for those years in which such reporters were paid per-page transcription payments and such payments shall be used to determine the additional monthly retirement benefit provided for in this Section."

AMENDMENT NO. 4

On page 3, line 18, between "July 1, 2001," and "an" insert "for which employee and employer contributions have not been previously paid to the fund,"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 933 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Retirement Committee and adopted by the House of Representatives on June 5, 2001, on line 5, between "reporter" and "either" delete "from" and insert "employed by"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Retirement Committee and adopted by the House of Representatives on June 5, 2001, on line 11, between "reporter" and "either" delete "from" and insert "employed by"

AMENDMENT NO. 3

In House Committee Amendment No. 3 proposed by the House Retirement Committee and adopted by the House of Representatives on June 5, 2001, on line 15, after "such" delete the remainder of the line and delete line 16 in its entirety and insert in lieu thereof "contributions were paid to the fund and the per-page transcription payments that were earned by such reporters shall be used for determining"

AMENDMENT NO. 4

Delete House Committee Amendment No. 4 proposed by the House Retirement Committee and adopted by the House of Representatives on June 5, 2001.

AMENDMENT NO. 5

On page 3, line 18, after "payments" delete the remainder of the line and insert in lieu thereof "earned by the reporter on or before July 1, 2001, for which employee and employer contributions have not been previously paid to the fund, an amount"

AMENDMENT NO. 6

On page 3, line 21, after "fund" delete the period and insert in lieu thereof "by the employee and employer."

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
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—35		

NAYS

Total—0

ABSENT

Mr. President	Fields, W
Bajoie	McPherson
Total—4	

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.

Rules Suspended

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

Appointment of Conference Committee on Senate Bill No. 438

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 438: Senators Dardenne, Theunissen and Hainkel.

Appointment of Conference Committee on House Bill No. 81

The President of the Senate appointed on the Conference Committee on House Bill No. 81 the following members of the Senate: Senators Hines, Heitmeier and Mount.

Appointment of Conference Committee on House Bill No. 590

The President of the Senate appointed on the Conference Committee on House Bill No. 590 the following members of the Senate: Senators Boissiere, Dupre and Gautreaux.

Appointment of Conference Committee on House Bill No. 1041

The President of the Senate appointed on the Conference Committee on House Bill No. 1041 the following members of the Senate: Senators Lambert, Ellington and Schedler.

Appointment of Conference Committee on House Bill No. 1216

The President of the Senate appointed on the Conference Committee on House Bill No. 1216 the following members of the Senate: Senators Hoyt, Schedler and Campbell.

Appointment of Conference Committee on House Bill No. 1556

The President of the Senate appointed on the Conference Committee on House Bill No. 1556 the following members of the Senate: Senators Fontenot, Cain and Malone.

Appointment of Conference Committee on House Bill No. 1682

The President of the Senate appointed on the Conference Committee on House Bill No. 1682 the following members of the Senate: Senators Lentini, McPherson and Heitmeier.

Appointment of Conference Committee on House Bill No. 1886

The President of the Senate appointed on the Conference Committee on House Bill No. 1886 the following members of the Senate: Senators Romero, Ullo and McPherson.

Messages from the House

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1796.

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 264.

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 1358.

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Concurrent Resolution No. 92.

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Concurrent Resolution No. 61.

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

Recess

On motion of Senator Ullo, the Senate took a recess until 1:15 o'clock P.M.

After Recess

The Senate was called to order at 1:15 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Total—0

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

Senate Business Resumed

Morning Hour Resumed

Senator Lambert in the Chair

Messages from the House

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 730.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 501.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 254.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 177.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 176.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 4.

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

Message from the House**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Concurrent Resolution No. 52.

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

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 13, 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. 18—

BY SENATORS HOLLIS AND BAJOEIE
AN ACT

To enact R.S. 51:293.1, relative to the name of the Superdome building; to require certain conditions in any agreement to transfer the right to designate and use a name for the stadium facility; and to provide for related matters.

Reported with amendments.

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

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

June 13, 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. 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.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 51—

BY SENATOR MARIONNEAUX

A RESOLUTION

To urge and request the Department of Environmental Quality to initiate a testing program to study the water quality in False River.

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

SENATE RESOLUTION NO. 52—

BY SENATOR MCPHERSON

A RESOLUTION

To adopt Senate Rule No. 1.2(H) of the Rules of Order of the Senate, relative to the Senate Chamber, to provide an area within the Senate Chamber for the exclusive use of the administration.

On motion of Senator McPherson, the resolution was read by title and withdrawn.

SENATE RESOLUTION NO. 53—

BY SENATOR SCHEDLER

A RESOLUTION

To direct the Department of Insurance to investigate reimbursement of the provider fee by insurance or third party payors to pharmacy providers as mandated in R.S. 46:2625 and to take whatever actions are necessary to ensure compliance with reimbursement of the provider fee by such insurance or third party payors.

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

ROLL CALL

The roll was called with the following result:

YEAS

June 13, 2001

Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Cain	Hines	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Romero
Bajoie	Fontenot	Tarver
Boissiere	Irons	
Campbell	McPherson	
Total—10		

The Chair declared the Senate had adopted the Senate Resolution.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

June 13, 2001

To the President and Members of the Senate:

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

HOUSE BILL NO. 1909—

BY REPRESENTATIVES DONELON AND RIDDLE
AN ACT

To amend and reenact R.S. 40:1299.35.1, 1299.35.2, 1299.35.4, 1299.35.10(A)(18), and 1299.35.12 and to enact R.S. 40:1299.35.3, relative to abortions; to provide for definitions; to require a determination of viability in certain circumstances; to enact the Born-Alive Infant Protection Act; to require a second attendant physician for abortions performed after viability; to prescribe the duties of that second attendant physician; to provide relative to ultrasound prints in the abortion report; to provide for emergency procedures; to provide for an emergency effective date; and to provide for related matters.

Reported without action.

Respectfully submitted,

TOM SCHEDLER
Chairman

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 1909—

BY REPRESENTATIVES DONELON AND RIDDLE
AN ACT

To amend and reenact R.S. 40:1299.35.1, 1299.35.2, 1299.35.4, 1299.35.10(A)(18), and 1299.35.12 and to enact R.S. 40:1299.35.3, relative to abortions; to provide for definitions; to require a determination of viability in certain circumstances; to enact the Born-Alive Infant Protection Act; to require a second attendant physician for abortions performed after viability; to prescribe the duties of that second attendant physician; to provide relative to ultrasound prints in the abortion report; to provide for emergency procedures; to provide for an emergency effective date; and to provide for related matters.

Reported without action by the Committee on Health and Welfare. On motion of Senator Lentini the bill was read by title and referred to the Legislative Bureau.

CONFERENCE COMMITTEE REPORT

Senate Bill No. 123 by Senator Malone

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 123 by Senator Malone recommend the following concerning the Engrossed bill:

1. That House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 21, 200 be rejected.

Respectfully submitted,

Senators:
Heulette "Clo" Fontenot
Max T. Malone
Chris Ullo

Representatives:
Roy Hopkins
Wayne Waddell

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Irons
Bajoie	Cravins	
Boissiere	Fontenot	
Total—7		

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 360 by Hainkel

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 360 by Hainkel recommend the following concerning the Engrossed bill:

1. That House Committee Amendments Nos. 1 and 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 21, 2001 be adopted.

Respectfully submitted,

Senators:
John Hainkel
Chris Ullo

Representatives:
Charles D. Lancaster, Jr.
Ben W. Nevers
Henry "Tank" Powell

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Cravins	Marionneaux
Boissiere	Fontenot	
Campbell	Irons	
Total—7		

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

Rules Suspended

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

Reconsideration

On motion of Senator Gautreaux, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, June 12, 2001 was reconsidered.

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.

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

Reconsideration

On motion of Senator Gautreaux, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, June 12, 2001 was reconsidered.

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.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Bean	Gautreaux	Marionneaux
Campbell	Heitmeier	McPherson
Chaisson	Hines	Michot
Cravins	Hollis	Schedler
Dardenne	Hoyt	Theunissen
Dean	Johnson	Thomas
Fields, C	Jones, C	Ullo
Total—24		

NAYS

Barham	Jones, B	Smith
Cain	Malone	Tarver
Dupre	Mount	
Total—8		

ABSENT

Mr. President	Fontenot	Romero
Boissiere	Irons	
Ellington	Lambert	
Total—7		

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

Rules Suspended

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

Special Order of the Day

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

HOUSE BILL NO. 1565—

BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, AND THOMPSON
AN ACT

To amend and reenact R.S. 9:3555(D), R.S. 17:354(A) and (B), 3129.6(A), and 4001(B), R.S. 30:136.3, R.S. 46:114.4(D), R.S. 47:299.20, 1061(B), 1838(4), and 2609(A), and R.S. 56:16(C) and to repeal R.S. 17:354(C) and (D), 3129.6(C), and 3921.2, R.S. 30:136.2, R.S. 47:2609(B) and (C), and R.S. 56.16, relative to special treasury funds; to provide for the deposit and use of monies in certain special treasury funds; to provide for the use of monies in the Charter School Start-Up Loan Fund, the Mineral Resources Audit and Collection Fund, the Section 201 Fund, the Fraud Detection Fund, the Higher Education Initiatives Fund, and the Telecommunications for the Deaf Fund; to establish the Academic Improvement Fund as a special fund in the state treasury; to repeal certain special treasury funds; to provide for the transfer of certain balances and amounts by the state treasurer; to provide for effective dates; and to provide for related matters.

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. 1565 by Representative LeBlanc

AMENDMENT NO. 1

Delete Amendment No. 18 of the set of 19 amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001.

AMENDMENT NO. 2

On page 11, delete lines 22 through 26 in their entirety and on page 12, delete lines 1 and 2 in their entirety and insert the following:

“Section 20. Effective July 1, 2001, any appropriation from the Center for Innovative Teaching and Learning Account, the Higher Education Distance Learning Account, and the Higher Education Library and Scientific Acquisitions Account within the Higher Education Initiatives Fund shall be deemed to be appropriated from the Higher Education Initiatives Fund.

Section 21. Section 5 of 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.

Section 22. Sections 10, 13, 17, 18, and 22 of this Act shall become effective July 1, 2002.

Section 23. Sections 1 through 4 and 6 through 10, 11, 12, 14, 15, 16, 19, 20, and 23 shall become effective on July 1, 2001; if vetoed by

the governor and subsequently approved by the legislature, Sections 1 through 4 and 6 through 10, 11, 12, 14, 15, 16, 19, 20, and 23 of this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Dardenne, the amendments were adopted.

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. 1565 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 13, after "referred to as" insert "the"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 13, change "State" to "state"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, at the beginning of line 14, delete "Treasury." and insert "treasury. After complying with the provisions of Article VII, Section 9(B) of the Constitution of Louisiana relative to the allocation of monies to the Bond Security and Redemption Fund, the treasurer shall make the deposits required by this Subsection."

AMENDMENT NO. 4

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, lines 15 and 21, change "Official Forecast" to "official forecast"

AMENDMENT NO. 5

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 20, delete "After Fiscal Year 2000-2001," and insert "For subsequent fiscal years,"

AMENDMENT NO. 6

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 26, after "Conference." insert "Monies in the fund shall only be appropriated or transferred for the purposes provided in this Section. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Except as otherwise provided in this Section, unexpended and unencumbered monies in the fund at the end of a fiscal year shall remain in the fund."

AMENDMENT NO. 7

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 33, delete "Paragraph (A)" and insert "Subsection B of this Section"

AMENDMENT NO. 8

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 35, delete "that"

AMENDMENT NO. 9

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, line 36, after "University" delete "System" and insert "Health Sciences Center" and at the end of line 36 delete the quotation mark

AMENDMENT NO. 10

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 1, change "Paragraphs (B) and (C)" to "Subsections B and C of this Section"

AMENDMENT NO. 11

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 4, line 1, change "Paragraph (B), (C), and (D)" to "Subsections B, C, and D of this Section" and on page 4, line 6, change "Paragraphs (B), (C), (D), and (E)" to "Subsections B, C, D, and E of this Section"

AMENDMENT NO. 12

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 4, line 9, after "University" delete "System" and insert "Health Sciences Center" and at the end of line 9 delete the quotation mark

AMENDMENT NO. 13

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 4, line 10, change "beginning" to "on and after"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1565 by Representative LeBlanc

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1, 3, and 19 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001.

AMENDMENT NO. 2

On page 1, line 6, after "56.16," insert "and to enact R.S. 39:137,"

AMENDMENT NO. 3

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

"Section 5. R.S. 39:137 is hereby enacted to read as follows:

§137. Deficit Elimination/Capital Outlay Escrow Replenishment Fund

A. The Deficit Elimination/Capital Outlay Escrow Replenishment Fund, hereafter referred to as fund, is hereby created in the State Treasury. The treasurer shall deposit into the fund the difference between the Official Forecast of revenue available for general purpose expenditures for Fiscal Year 2000-2001 adopted by the Revenue Estimating Conference on May 14, 2001, and actual collections of revenue available for general purpose expenditures in Fiscal Year 2000-2001 as promulgated by the Revenue Estimating Conference. After Fiscal Year 2000-2001, the treasurer shall deposit into the fund the difference between the Official Forecast of revenue available for general purpose expenditures for the fiscal year adopted by the Revenue Estimating Conference at its last meeting before the end of the fiscal year and actual collections of revenue available for general purpose expenditures for that fiscal year as promulgated by the Revenue Estimating Conference.

B. The treasurer shall first pay out of the fund the sum of Twenty-three Million and No/100 Dollars (\$23,000,000.00) to the Department of Education pursuant to the appropriation in Section 7.1 of the Act which originated as House Bill 1870 of the 2001 Regular Session of the Legislature to provide a salary increase to listed employees employed according to object and function codes provided as reported to the state Department of Education and reported annually by the department in the Summary of Reported Personnel and District Salaries:

Education media services personnel in function code 2259, contained in object code 110; food service personnel in function code 3100, contained in object code 111; all clerical and secretarial and other personnel in all function codes, except 2620 and 2844, contained in object code 114; all aides and other personnel in all function codes, except 1310 and 2211, contained in object code 115; all transportation, service workers, janitors, lunchroom workers, and other personnel in all function codes, except 1110, 2113, and 3300, contained in object code 116; all craftsman and mechanics and other employees in all function codes, except 2250, 2253, 2259, 2530, 2610, 2660, 2690, and 4500 contained in object code 117; all personnel in all function codes, except function codes 1210, 1300, 1600, 2113, 2122, 2123, 2134, 2144, 2190, 2220, 2252, 2253, 2254, 2255, 2259, 2290, 2312, 2510, 2520, 2640, 2710, 2830, 2839, 2840, 2844, 2849, 3200, and 4500, contained in object code 119. However no such employee whose entire salary on June 30, 2001 is paid exclusively out of federal funds shall receive a salary increase as provided for herein.

C. The treasurer shall then reserve Sixty-two Million and No/100 Dollars (\$62,000,000.00) of the revenue deposited into the fund for Fiscal Year 2000-2001 for the purpose of paying any deficit incurred by current and prior year operations of the State Group Benefits Program.

D. If a positive balance remains in the fund after satisfying the requirements of Subsections B and C, the treasurer shall reserve Ten Million and No/100 (\$10,000,000.00) Dollars as partial satisfaction of the debt owed to that the State General Fund by the Health Care Service Division of the Louisiana State University System.

E. If a positive balance remains in the fund after satisfying the requirements of Subsections B, C, and D, such balance shall be available to finance projects for which an appropriation is made in Priority 1 of the Act that originated as House Bill 2 of the 2001 Regular Session as follows:

Schedule 06-262, Office of the State Library for State Library Expansion, Construction, and Equipment in East Baton Rouge Parish \$140,000; Schedule 07-274, Public Improvements for Morganza to the Gulf of Mexico Flood Control Feasibility Study Planning, Design, Right of Way, and Construction of Levees, Floodgates and Other Flood Control Systems (\$61,870,000 Federal Match) in the parishes of Ascension, Assumption, St. Mary, Terrebonne, West Baton Rouge, Iberia, Iberville, Lafourche, Pointe Coupee and St. Martin \$40,000; Schedule 07-276, Office of Engineering, District 2 Headquarters and Sub-District Headquarters Relocation, Acquisition of Sites and Buildings, Planning, Renovation, and Construction in Lafourche and Terrebonne parishes \$500,000; Schedule 08-401, Phelps Correctional Center for Waste Water Systems and Lift Station Construction in Beauregard Parish \$625,000; Schedule 08-402, Louisiana State Penitentiary for Electrical Distribution System Upgrade Construction in West Feliciana Parish \$960,000; Schedule 50-N05 Ernest N. Morial Convention Center, Phase 3 Expansion, Engineering, Design, Site Development, and Construction (\$12,000,000 Local Match) (Provided, however, that no resolution or ordinance adopted by the New Orleans City Council is in effect nor is any resolution or ordinance or other action taken by the said Council which would prevent the completion and/or utilization of this project and the property upon which it is located for and in accordance with the intended use of this project as set forth in the capital outlay request and feasibility study for this project; the property expropriated for this project is used (a) for the purposes for which it was expropriated, including truck marshaling, and/or future development, or (b) as all or part of the consideration granted by the Ernest N. Morial – New Orleans Exhibition Hall Authority acquires other property in that part of the City of New Orleans bounded by Thalia Street, Tchoupitoulas Street, Race Street, and the Mississippi River to be used for the same purposes as described above; and the cooperative endeavor agreement for this project between the state and the Ernest N. Morial – New Orleans Exhibition Hall Authority will require that any contract for this project executed by the authority pursuant to a non-cash line of credit shall be in accordance with the terms hereof \$18,400,000; Schedule 08-403C, Office of Youth Development-Bridge City for Plumbing/Mechanical/Electrical Renovations, Construction in Jefferson Parish \$515,000; Schedule 08-414, Wade Correctional Center for Caddo Detention Center Renovation, Construction in Caddo Parish \$190,000; Schedule 19-616 Southern University Baton Rouge for Site Improvement, Implementation of Master Plan, Planning and Construction in East Baton Rouge Parish \$35,000; Schedule 19-623, Grambling State University for Stadium Support Facility Construction in Lincoln Parish \$1,015,000; Schedule 19-629, University of Louisiana at Monroe for New Library Building, Construction, Equipment in Ouachita Parish \$30,000; Schedule 19-662, La. Educational T.V. Authority for KLTm Monroe, Transmitter, Transmission Line and Antenna Replacement, Planning and Construction in Ouachita Parish \$230,000; Schedule 19-698 Education Support Services for Bunkie Youth Center Acquisitions, Renovations and Major Repairs, Planning and Construction in Avoyelles Parish \$25,000; Schedule 36-L08, Lake Borgne Basin Levee District for Tidal Flood Protection for Reggio/Florissant Area in St. Bernard Parish \$15,000; Schedule 36-

P06, Twin Parish Port Commission for Bulkheading and Site Improvements in Iberia Parish \$500,000; Schedule 36-P38, Natchitoches Parish Port for Relocation of La. Highway 486 at the Natchitoches Parish Port near its Intersection with La. Highway 6 (0.8 Miles) in Natchitoches Parish \$135,000; Schedule 50-J02, Allen Parish for Parish Health Units, Planning, Acquisition and Construction in Allen Parish \$590,000; Schedule 50-J09, Caddo Parish for Caddo Pine Island Oil and Historical Society Museum Construction in Caddo Parish \$100,000; Schedule 50-J16, Desoto Parish for Keatchie Four Forks Road Improvements in Desoto Parish \$160,000; Schedule 50-J26, Jefferson Parish for Bayou Segnette Pump Station and Floodwall, Planning and Construction (\$325,000 Local Match) in Jefferson Parish \$535,000; Schedule 50-J26, Jefferson Parish for Jefferson Highway Drainage Improvements in Jefferson Parish \$5,000; Schedule 50-J26, Jefferson Parish for Sports Complex/Airline Highway Improvements (Lasalle Tract) in Jefferson Parish \$200,000; Schedule 50-J27, Jefferson Davis Parish for Police Jury Annex, Planning and Construction in Jefferson Davis Parish \$395,000; Schedule 50 J28, Lafayette Parish for Acadiana recovery Center, Planning and Construction in Lafayette Parish \$1,000,000; Schedule 50-J54, Tensas Parish for Fertilizer Plant Road Construction in Tensas Parish \$60,000; Schedule 50-M54, Cotton Valley for Water System Improvements in Webster Parish \$50,000; Schedule 50-MG3, Leesville for Northside Industrial Park Building in Vernon Parish \$385,000; Schedule 50-ML4, New Roads for Morrison Parkway, Retaining Wall Rehabilitation and Other Improvements (\$100,000 non-state match) in Pointe Coupee Parish \$160,000; Schedule 50-MN9, Pollock for Access Road for US Federal Correctional Complex, Land Acquisition, Planning and Construction in Grant Parish \$575,000; Schedule 50-MQ5, St. Martinville for The Acadian Memorial Renovations in St. Martin Parish \$45,000; Schedule 50-MR1, Shreveport for Sci-Port Discovery Center/Theater, Construction and Exhibit Acquisition (\$3,200,000 Local Match) in Caddo Parish \$3,965,000; Schedule 50-N17, South Terrebonne Tidewater and Conservation District for Hurricane Protection System, Construction, Equipment and Acquisition of Flood Gates in Terrebonne Parish \$95,000; Schedule 50-N18, Iberia Parish Airport Authority for Aircraft Maintenance and Paint Hangar to Serve 747 Aircraft, Planning and Construction in Iberia Parish \$320,000; Schedule 50-N22 North West La. Juvenile Detention Center Authority for Northwest Louisiana Detention Center and Ware Youth Center Vocational Training Center and Support Buildings, Construction in Red River Parish \$910,000; Schedule 50-N83, Rapides Parish Airport Authority for Roof and Wall Panel Replacement, Planning and Construction in Rapides Parish \$5,000; Schedule 50-N98 Kingsley House for Kingsley House Renovation and Expansion Planning and Construction in Orleans Parish \$10,000; Schedule 50-NA2, Lafayette Airport Commission for Major Infrastructure Improvements Planning and Construction (\$265,000 Local Match) in Lafayette Parish \$545,000.

F. If a positive balance remains in the fund after satisfying the requirements of Subsections B, C, D, and E, the treasurer shall reserve an amount sufficient to eliminate any deficit that occurs in the State Group Benefits Program from operations in Fiscal Year 2001-2002

G. Any monies remaining in the Deficit Elimination/Capital Outlay Escrow Replenishment Fund after satisfying the requirements of Subsections B, C, D, E, and F shall be transferred to the State General Fund for satisfaction of any remaining debt owed to the State

General Fund by the Health Care Service Division of the Louisiana State University System.

H. This Section shall be null and void and of no effect beginning July 1, 2003."

AMENDMENT NO. 4

On page 12, delete lines 1 and 2 in their entirety.

Senator Hines moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Lentini
Bean	Fontenot	Malone
Boissiere	Gautreaux	Marionneaux
Campbell	Heitmeier	McPherson
Chaisson	Hines	Romero
Cravins	Irons	Tarver
Dupre	Johnson	Thomas
Total—21		

NAYS

Mr. President	Fields, C	Mount
Barham	Hollis	Schedler
Cain	Hoyt	Smith
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Ellington	Michot	
Total—17		

ABSENT

Jones, C
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.

Mr. President in the Chair

Rules Suspended

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

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.

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. 1870 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 11, before "\$300" insert "no less than"

AMENDMENT NO. 2

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 23, before "\$300" insert "no less than"

AMENDMENT NO. 3

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 24, change "formula" to "formulae"

AMENDMENT NO. 4

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 25, before "\$300" insert "no less than"

AMENDMENT NO. 5

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 27, change "2001-2002" to "2000-2001"

AMENDMENT NO. 6

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, delete line 32 and 33 and insert the following: "appropriations in this Section shall not be used to pay one-time salary supplements for school personnel whose salaries are paid exclusively from federal funds."

On motion of Senator Dardenne, the amendments were adopted.

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. 1870 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, after line 23, insert the following:

"01-124 LOUISIANA STADIUM AND EXPOSITION DISTRICT

Payable out of the State General Fund by Fees and Self-generated Revenue from the Louisiana Stadium and Exposition District or from the hotel occupancy tax authorized by LSA-Const. Art. 14:47 for operation and maintenance related to New Orleans Saints inducements and related projects	\$4,000,000"
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Senator W. Fields asked for a ruling from the Chair as to whether the bill would have to be recommitted to the Committee on Finance if the amendment is adopted.

The parliamentarian ruled that under Senate Rule 13.5.1 if the amendment is adopted the bill does not have to be recommitted to the Committee on Finance.

The Chair upheld the ruling of the parliamentarian.

Senator Dardenne moved adoption of the amendments.

Senator W. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Bajoie	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

Fields, W
Total—1

ABSENT

Barham
Total—1

The Chair declared the amendments were adopted.

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. 1870 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 11, before "\$300" insert "no less than"

AMENDMENT NO. 2

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, between lines 22 and 23, insert the following:

"Provided that the funds appropriated herein shall be allocated to local school systems and the state agencies listed herein and the eligible nonpublic entities to implement the proposed pay salary supplement."

AMENDMENT NO. 3

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 23, before "\$300" insert "no less than"

AMENDMENT NO. 4

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 24, change "formula" to "formulae"

AMENDMENT NO. 5

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 25, before "\$300" insert "no less than"

AMENDMENT NO. 6

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, line 27, change "2001-2002" to "2000-2001"

AMENDMENT NO. 7

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 2, delete line 32 and 33 and insert the following: "appropriations in this Section shall not be used to pay one-time salary supplements for school personnel whose salaries are paid exclusively from federal funds."

On motion of Senator Dardenne, the amendments were adopted.

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. 1870 by Representative LeBlanc

AMENDMENT NO. 1

In Amendment No. 1 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001, on page 1, delete lines 3 and 4 in their entirety, and insert the following: "20-XXX FUNDS"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1870 by Representative LeBlanc

AMENDMENT NO. 1

On page 7, between lines 38 and 39, insert the following:

"Section 7.1. The sum of Twenty-three Million and No/100 (\$23,000,000.00) Dollars is hereby appropriated out of the Deficit Elimination/Capital Outlay Escrow Replenishment Fund, for the fiscal year commencing July 1, 2001 and ending June 30, 2002, to the Department of Education to provide a salary increase to listed employees employed according to object and function codes provided as reported to the state Department of Education and reported

annually by the department in the Summary of Reported Personnel and District Salaries:

Education media services personnel in function code 2259, contained in object code 110; food service personnel in function code 3100, contained in object code 111; all clerical and secretarial and other personnel in all function codes, except 2620 and 2844, contained in object code 114; all aides and other personnel in all function codes, except 1310 and 2211, contained in object code 115; all transportation, service workers, janitors, lunchroom workers, and other personnel in all function codes, except 1110, 2113, and 3300, contained in object code 116; all craftsman and mechanics and other employees in all function codes, except 2250, 2253, 2259, 2530, 2610, 2660, 2690, and 4500 contained in object code 117; all personnel in all function codes, except function codes 1210, 1300, 1600, 2113, 2122, 2123, 2134, 2144, 2190, 2220, 2252, 2253, 2254, 2255, 2259, 2290, 2312, 2510, 2520, 2640, 2710, 2830, 2839, 2840, 2844, 2849, 3200, and 4500, contained in object code 119. However no such employee whose entire salary on June 30, 2001 is paid exclusively out of federal funds shall receive a salary increase as provided for herein."

Senator Hines moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Fontenot	Malone
Campbell	Gautreaux	Marionneaux
Cravins	Hines	McPherson
Dupre	Jones, C	Romero
Fields, W	Lentini	Thomas
Total—15		

NAYS

Mr. President	Fields, C	Mount
Barham	Heitmeier	Schedler
Boissiere	Hollis	Smith
Cain	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Ullo
Ellington	Michot	
Total—20		

ABSENT

Bajoie	Hoyt
Chaisson	Irons
Total—4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Reengrossed House Bill No. 1870 by Representative LeBlanc

AMENDMENT NO. 1

On page 7, between lines 38 and 39, insert the following:

"Section 7.1. The sum of Seventeen Thousand Five Hundred Eighty-eight and 51/100 (\$17,588.51) Dollars is hereby appropriated to the Attorney General's Office out of the General Fund of the state of Louisiana for Fiscal Year 2000-2001 to be used to pay the final judgment in the suit originally filed in the Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana entitled "State ex rel. Riverboat Gaming Com'n v. State Police Riverboat Gaming Enforcement Division", the final judgment of which bears docket number 99 CA 2038 of the First Circuit Court of Appeal for the State of Louisiana."

Senator Dean moved adoption of the amendments.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Schedler
Dardenne	Lentini	Smith
Dean	Malone	Theunissen
Dupre	Marionneaux	
Total—17		

NAYS

Barham	Heitmeier	Lambert
Bean	Hines	Romero
Boissiere	Irons	Tarver
Cravins	Johnson	Thomas
Fields, C	Jones, B	Ullo
Gautreaux	Jones, C	
Total—17		

ABSENT

Bajoie	Ellington	McPherson
Chaisson	Fields, W	
Total—5		

The Chair declared the amendments were rejected.

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	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	Michot
Bean	Gautreaux	Mount
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

Hines	McPherson
Total—2	

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.

Regular Order of the Day Resumed

**Senate Resolutions
on Second Reading to be Referred**

The following Senate Resolutions were taken up and acted upon 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.

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

**Senate Concurrent Resolutions
on Second Reading to be Referred**

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

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. Senator Irons moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the Senate had 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

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 623.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 627.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 704.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 560.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 239.

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

Message from the House

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

June 13, 2001

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 776.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 389 by Representative Scalise, 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 Scalise, Crane and Pratt.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 855 by Representative Martiny, 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 Martiny, Heaton and LaFleur.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 914 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, Schneider and Doerge.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 953 by Representative Guillory, 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 Guillory, Scalise and Nevers.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 963 by Representative Diez, 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 Diez, Downer and Powell.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 1178 by Representative Martiny, 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 Martiny, Townsend and Hebert.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 1721 by Representative Donelon, 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 Donelon, Bowler and Diez.

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

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

June 13, 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. 1727 by Representative Diez, 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 Diez, Tucker and Quezaire.

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

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

June 13, 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. 1864 by Representative Diez, 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 Diez, Tucker and Quezaire.

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

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

June 13, 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. 1925 by Representative Damico, 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 Damico, R. Carter and Morrish.

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

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

June 13, 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. 2053 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, Diez and Hopkins.

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

Message from the House**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 13, 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. 532—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(1), 1422(A), and 1481(2)(a), to enact R.S. 11:106, and to repeal R.S. 11:1422(B), relative to the Louisiana Assessors' Retirement Fund; to authorize an increase in the employer contribution rate; to increase the employee contribution rate; to provide relative to the accrual rate for the computation of normal retirement benefits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 110—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 47:463.18(A) and (C)(1), relative to motor vehicle license plates; to authorize motorcycles to have a veteran's license plate; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 803—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 4:732(G), relative to amusements and sports; to continue the applicability of progressive mega jackpot bingo games in certain parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 731—

BY SENATOR HINES

AN ACT

To enact R.S. 37:930(E), relative to registered nurses; to provide for the administration of anesthetics; to clarify that certain advanced practice registered nurses may administer a digital block or a pudendal block under certain conditions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 922—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Civil Code Art. 113, relative to interim periodic spousal support; to provide for interim spousal support allowance to terminate upon final judgment or specific period of time thereafter; to provide for an extension of interim spousal support upon proof of good cause; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 281—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 13:995.1, relative to district courts; to provide with respect to judicial expense funds; to provide for the judicial building fund of the Twenty-Fourth Judicial District Court; to provide for an increase in the service charge collected

in civil and criminal matters; to provide for dedication and disbursement of such funds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 364—

BY SENATORS ELLINGTON AND LAMBERT

AN ACT

To amend and reenact R.S. 13:844(A) and (D) and to repeal R.S. 13:844(F), relative to clerks of court; to increase certain fees for filing, recording, or copying documents; to delete provisions requiring the payment of certain fees; to provide for the form of documents and noncompliance fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 365—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:5217, relative to multiple indebtedness mortgages; to provide for the fees charged by clerks of court for recording those mortgages; to provide for the form of those mortgages; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 263—

BY SENATORS LENTINI AND SCHEDLER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 648(B)(3), relative to mental incapacity of a defendant; to provide for the dismissal of charges against an unrestorable incompetent defendant; to require that such dismissal not exceed the expiration date of his possible maximum sentence or five years from his arrest; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 807—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 22:3077(A), relative to procedures for making medical necessity determinations; to prohibit denial of coverage of services on the basis of technical non-compliance with claims requirements when the order for such service meets certain criteria; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 182—

BY SENATOR MICHOT

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle license plates; to provide for a special prestige license plate for the Camp Woodmen; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 53—

BY SENATOR LAMBERT (BY REQUEST)

AN ACT

To enact R.S. 47:463.83, relative to prestige plates; to authorize the issuance of a special prestige license plate for Beta Sigma Phi; to provide for the design of the plate and a contract regarding the payment of a royalty fee to Beta Sigma Phi for use of its logo; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 390—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 47:463.83 and 463.84, relative to license plates; to provide for the creation of a special prestige license plate for the Benevolent Protective Order of Elks and the Improved Benevolent Protective Order of Elks of the World; to provide for the creation of a special prestige plate for the Upper Room Bible Church; to provide for a charge for the license plate; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 152—

BY SENATORS SCHEDLER AND HINES

AN ACT

To enact R.S. 47:463.83, relative to motor vehicle license plates; to provide for a special prestige license plate for the Louisiana Nursing Foundation; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 779—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:463.83, relative to license plates; to establish a special prestige license plate for "Unlocking Autism"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 119—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 38:2248, relative to public contracts; to provide for issuance of bonds for public works projects; to authorize contractors on public works projects to elect to furnish a retainage bond in lieu of the contracting agency withholding payment on the contract; to place restrictions on the values used in punch lists on public works projects; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 500—

BY SENATORS W. FIELDS AND C. JONES

AN ACT

To enact R.S. 47:463.72(E), relative to special prestige license plates; to provide for the distribution of certain fees for the prestige license plate for Alpha Phi Alpha; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 822—

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To amend and reenact R.S. 13:621.22, 719(D), (E), and (F) and 720(E) and to repeal R.S. 13:719(G) and R.S. 13:720(I), relative to the Twenty-Second Judicial District Court; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; to provide for the office of commissioner for the Twenty- Second Judicial District Court in criminal matters; to provide relative to the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for a written report of the commissioner's findings; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal termination provisions for the office of commissioner; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1046—

BY SENATORS ELLINGTON AND HINES

AN ACT

To amend and reenact R.S. 47:1856(D)(3), (E), and (F), 1857(B)(1)(c) and (2), 1998(A)(1)(b)(ii), and 2110(A)(2), (C), and (E), relative to the ad valorem property tax assessment of public service properties; to require full payment of all taxes as a condition of appeal; to eliminate refunds from escrow accounts and provide for certain credits against future taxes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**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:

June 13, 2001

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.

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 Engrossed Senate Bill No. 956 by Senator Michot

AMENDMENT NO. 1

On page 3, at the end of line 24 change "August" to "July" and at the beginning of line 25 change "15, 2001," to "1, 2001,"

Senator Michot 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	Hines	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	Hollis
Total—2	

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.

Senator Lambert in the Chair

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.

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

Rules Suspended

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

Called from the Calendar

Senator Dardenne asked that House Bill No. 18 be called from the Calendar at this time.

HOUSE BILL NO. 18—

BY REPRESENTATIVES BRUNEAU, FAUCHEUX, LANCASTER, SCALISE, HOPKINS, PITRE, SNEED, AND WELCH AND SENATORS HOLLIS, DUPRE, AND ELLINGTON

AN ACT

To amend and reenact Part I of Chapter 2 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:18 through 20, R.S. 18:23(A)(4) and (E)(1), 31, 44(B)(introductory paragraph) and (2), 45(A), 431.1(B), 552(A)(1), 574(A)(3), 1302(3), 1353, 1372, 1392(B), 1400.6(B) and (C), and 1402(C), R.S. 36:741(C), R.S. 42:62(6), and R.S. 44:4(23); to enact R.S. 36:744(R); and to repeal R.S. 36:4(A)(15) and 8(E)(2)(d), Chapter 16 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:661 through 663, R.S. 39:291(C)(4)(c), and R.S. 49:191(11)(i) and 968(B)(7), relative to the commissioner of elections and the Department of Elections and Registration; to provide for the appointment in lieu of election of the commissioner of elections; to provide, pursuant to Article IV, Section 20 of the Constitution of Louisiana, for the merger and consolidation of the Department of Elections and Registration with the Department of State and for the transfer of such department and its powers, duties, functions, and responsibilities to the Department of State; to provide for implementation; and to provide for related matters.

Motion

On motion of Senator Dardenne, House Bill No. 18 was made Special Order of the Day, No. 1 on Thursday, June 14, 2001 immediately following the Morning Hour.

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

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. 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.

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 Engrossed Senate Bill No. 978 by Senator Thomas and Representative Strain

AMENDMENT NO. 1

On page 2, line 18, after "advertising" delete "a summary of"

Senator Thomas 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	Malone
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	
Total—38		

NAYS

Total—0

ABSENT

Cravins
Total—1

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

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.

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. 979 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 21, after "enforced by" delete the remainder of the line and insert in lieu thereof "a city court located in Orleans Parish, a parish court located in Jefferson Parish, or a justice of the peace court located in St. Bernard Parish"

AMENDMENT NO. 2

On page 2, line 22, before "of the municipality" delete "parish court or justice of the peace court"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 979 by Senator Boissiere

AMENDMENT NO. 1

Delete House Committee Amendments No. 1 and 2 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 5, 2001.

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 13:2571(A) and (B)" to "R.S. 34:25(D) and to enact R.S. 13:2571.1"

AMENDMENT NO. 3

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

"Section 1. R.S. 13:2571.1 is hereby enacted to read as follows:

§2571. Port of New Orleans; parking violations; administrative adjudication; procedure; appeal; penalties

R.S. 13:2571.1 is all proposed new law.

A. The board of commissioners of the Port of New Orleans may prescribe civil fines for violation of ordinances prohibiting parking, stopping, or standing in certain areas of the jurisdiction of the port pursuant to the procedures for administrative adjudication provided in this Chapter.

B. The board may adopt an ordinance establishing an administrative adjudication hearing procedure under this Chapter. Each ordinance shall provide a time period for persons charged with violating a parking, stopping, or standing ordinance to have a hearing under this Chapter. The ordinance shall provide for appointment of hearing officers who shall have been licensed to practice law in Louisiana for five years and who may administer oaths and affirmations and to issue orders compelling the attendance of witnesses and the production of documents. Any order compelling the attendance of witnesses or the production of documents may be enforced by the appellate court in the parish in which the violation is alleged to have occurred.

C.(1) If the ordinance provides for an instant hearing at any time within fifteen days of the alleged violation for those denying liability for the violation, then the ticket or summons shall inform the person ticketed of the right to and place of such instant hearing; however, the officer issuing the summons or ticket need not be present and the ticket shall be prima facie proof of its contents.

(2) The ticket or summons shall also provide information as to the time and place of an administrative adjudication hearing, at which the officer issuing the summons, citation, or ticket is present. The failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation. The original summons, citation, ticket, or any carbon, machine, or true copy thereof is a record kept in the ordinary course of business of the port, and shall be rebuttable proof of the facts contained therein. D. Any administrative adjudication hearing held under this Chapter shall be conducted in accordance with the rules of evidence of the Administrative Procedure Act. Testimony by any person shall be taken under oath or by affirmation. The person charged with the

ordinance violation may present any relevant evidence and testimony at such hearing; however, his physical presence shall not be required at the hearing if documentary evidence is submitted to the hearing officer prior to the date of the hearing.

E. The hearing officer shall issue an order stating whether or not the person charged is liable for violation of the parking, stopping, or standing ordinance and the amount of any fine, penalty, costs, or fee assessed against him, which order may be filed with the port. Any such order filed with this port may be enforced by immobilization of the offending vehicle.

F. Any order or decision of the hearing officer filed under this Chapter with the port shall be maintained in a separate index and file. These orders or decisions may be recorded utilizing computer printouts, microfilm, microfiche, or other similar data processing techniques.

G. The ordinance shall provide for the amount and disposition of fines, penalties, costs and fees.

H. Any person determined by the hearing officer to be in violation of a parking, stopping, or standing ordinance may appeal this determination to the appellate court in the parish in which the violation is alleged to have occurred. The appeal shall be instituted by filing, within thirty days of the filing of the hearing officer's order, a petition with the clerk along with payment of such reasonable costs as may be required by the clerk. After filing a petition for appeal, the clerk shall schedule a hearing and notify all parties of the date, time, and place of such hearing. Service of notice of appeal under this Subsection shall not stay the enforcement and collection of the judgment unless the person who files the appeal posts bond prior to filing notice of appeal with the agency of the port designated by ordinance to accept payments of violations of parking, stopping, or standing ordinances.

I. As used in this Section:

(1) "Appellate court" means a city court in Orleans Parish, a parish court in Jefferson Parish, or a justice of the peace court in St. Bernard Parish.

(2) "Clerk" means the clerk of a city clerk on Orleans Parish, the clerk of a parish court in Jefferson Parish, and the justice of the peace in St. Bernard Parish."

AMENDMENT NO. 4

On page 1, line 10, change "Section 1. R.S. 13:2571(A) and (B) are" to "Section 2. R.S. 34:25(D) is"

AMENDMENT NO. 5

On page 1, delete lines 12 through 16, delete page 2 in its entirety, on page 3, delete lines 1 through 7, and insert the following:

"§25. Ordinances of New Orleans; force and effect; enforcement of ordinances of board

* * *

D. **The Except as provided in R.S. 13:2571.1.** Criminal District Court for the parish of Orleans or the municipal or traffic court of the city of New Orleans shall have jurisdiction of the trial and punishment of all violations of the ordinances passed by the board committed within the parish of Orleans; and the district courts of the parishes within the limits of the Port of New Orleans shall have jurisdiction of the trial and punishment of all violations of such ordinances committed within their respective districts."

Senator Boissiere 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	Malone
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	
Total—38		

NAYS

Total—0

ABSENT

Cravins
Total—1

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

SENATE BILL NO. 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.

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 Retirement to Engrossed Senate Bill No. 1000 by Senator C. Jones

AMENDMENT NO. 1

On page 2, line 3, delete "2002," and insert "2003."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Schneider, K. Carter, and Montgomery to Engrossed Senate Bill No. 1000 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 11:565" and insert in lieu thereof "R.S. 11:444(A) and 565 and to enact R.S. 11:62(5)(b) and Subpart C of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:601 through 606,"

AMENDMENT NO. 2

On page 1, line 4, between "Corporation" and "and" insert "to further provide with respect to the creation of a component within the system, including but not limited to participation in the component by correctional officers and probation and parole officers, the criteria used for determining eligibility for participation, contributions and benefits, and transfers of service credit; to provide an effective date;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 11:444(A) and 565 are hereby amended and reenacted and R.S. 11:62(5)(b) and Subpart C of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:601 through 606 are hereby enacted to read as"

AMENDMENT NO. 4

On page 1, between lines 9 and 10 insert:

"62. Employee contributions established

Employee contributions to state and statewide public retirement systems shall be as follows:

* * *

(5) Louisiana State Employees' Retirement System:

* * *

~~(b)(i) Correction officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections -- nine percent.~~

~~(ii) Correction officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections who have terminated participation in the deferred retirement option plan but not employment -- seven and one-half percent.~~

(b) Public Safety Service employees as those employees are referred to as "member" or "members" in R.S. 11:601(B) -- 9%.

* * *

§444. Computation of retirement benefit

A.(1)(a) A member who retires effective July 1, 1973 and thereafter shall receive a maximum retirement allowance equal to two and one-half percent of average compensation, as determined under R.S. 11:231, for every year of creditable service, plus three hundred dollars.

~~(b) The referenced additional sum of three hundred dollars referenced in Subparagraph (a) of this Paragraph shall only be applicable with respect to persons becoming members apply to a person who became a member prior to July 1, 1986.~~

(2) Public Safety Service employees as those employees are referred to as "member" or "members" in R.S. 11:601(B) shall receive a retirement allowance computed in accordance with R.S. 11:602.

(3) In computing retirement allowances, any fractional period of service shall be taken into account and a proportionate amount of such retirement allowance, annuity, or benefit shall be granted. The retirement benefits provided herein pursuant to the provisions of this

Chapter shall not exceed one hundred ~~percentum~~ percent of the member's average compensation.

* * *

AMENDMENT NO. 5

On page 2, after line 8, add:

"* * *

SUBPART C. PUBLIC SAFETY SERVICES

§601. Application; definitions

A.(1) There is hereby created a retirement component for public safety services which is a component of the Louisiana State Employees' Retirement System.

(a) The provisions of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, excluding this Subpart, shall be referred to as the "primary component".

(b) The provisions of this Subpart shall be referred to as the "secondary component".

(2) Notwithstanding any other provision of law to the contrary, and specifically the provisions of the primary component, the retirement of public safety services employees shall be governed by the provisions of the secondary component provided that, with respect to matters not specifically covered by the provisions of the secondary component, the applicable provisions of the primary component shall prevail.

B. For purposes of the secondary component, the words "member" or "members" shall mean wardens, correctional officers, probation and parole officers, and security personnel who are employed by the Department of Public Safety and Corrections and who are or who upon enrollment as an employee would be members of the primary component, but shall not include any other members of the primary component or members of any other retirement system to which the state makes contributions.

§602. Eligibility for membership

A. A member shall be eligible for retirement if he has attained at least twenty-five years of service credit, regardless of age.

B. A member shall receive a maximum retirement allowance equal to three and one-third percent of average compensation for every year of creditable service, not to exceed one hundred percent of the member's average compensation.

§603. In line of service disability

A. Upon approval of a member's retirement based upon a total and permanent disability resulting solely from injuries sustained in the performance of his official duties, a member shall receive a disability benefit equal to forty percent of his average compensation regardless of years of service.

B. If a member would have otherwise been eligible for a disability retirement under R.S. 11:461, then he shall receive the greater of either:

(1) Forty percent of his average compensation; or

(2) The amount that he would have received under the regular disability provisions of the primary component, except the accrual rate of the secondary component shall apply to the member's eligible earned service credit.

C. The procedures that apply to members of the primary component when applying for disability benefits as a result of an injury which occurred in the line of duty, the procedures for certifying the continuing eligibility for such benefits, the authority of the board of trustees to modify such benefits, and the procedures governing the restoration to active service of a formerly disabled

employee, all as provided in the primary component, shall also be applicable to members of the secondary component.

D. If a member's disability occurs for reasons other than in the performance of his duties, then the member shall be entitled to the same rights and benefits to which he would have been entitled if he had been a member of the primary component, except the accrual rate of the secondary component shall apply to the member's eligible earned service credit.

§604. Survivor's benefit for members killed in the line of duty

A. If a member's death occurs in the line of duty or is a direct result of an injury sustained while in the line of duty, then survivor benefits shall be payable to qualified survivors as provided for in this Section, except that a survivor shall be eligible for benefits under this Section without regard to the amount of time that the surviving spouse was married to the deceased officer and without regard to the amount of time that the deceased officer was a member of this system. This benefit is only payable if the injury or injuries were sustained while on active duty status.

B. When there is a surviving minor, handicapped, or mentally incapacitated child or children, the amount of the total benefit shall equal:

(1) Seventy-five percent of the member's average compensation if the member had twenty-five or more years of service credit.

(2) Sixty percent of the member's average compensation if the member had less than twenty-five years of service credit.

C. When there is a surviving spouse and no surviving child or children, the total benefit shall equal:

(1) Seventy-five percent of the member's average compensation if the member had twenty-five or more years of service credit.

(2) Sixty percent of the member's average compensation if the member had less than twenty-five years of service credit.

D. If there is a surviving spouse and a surviving child or children, one-third of the benefit shall be designated to the spouse and two-thirds shall be designated to the minor, handicapped, or mentally incapacitated child or children.

E. The surviving spouse or children of any member whose death occurs other than in the performance of his duties shall have the same pension rights as provided for survivors of members of the primary component.

§605. Transfer of other service credit

A. Any member of the primary component who would otherwise be eligible for benefits from the secondary component, except that he was employed prior to January 1, 2002, shall have the right to irrevocably elect to become a member of the secondary component by submitting an application to the board of trustees in the same manner as members who transfer from another retirement system.

B.(1) Any member who elects to transfer from the primary component to the secondary component pursuant to Subsection A of this Section shall have the option of transferring his service credit on an actuarial basis as if he was transferring service from another retirement system in accordance with R.S. 11:143 or he shall be given the option to transfer the service credit at the accrual rate earned in the primary component prior to the transfer and, thereafter, to begin earning the accrual rate and contributing at the employee contribution rate established for the secondary component, but only applicable to the years credited to his account after the transfer.

(2)(a) Anyone who becomes a member of the secondary component, whether or not by actuarial transfer, shall be eligible to retire pursuant to the provisions of R.S. 11:602, if he is otherwise

eligible, and based on the service credit acquired. However, the retirement benefit will be calculated on the applicable accrual rate if the service credit is not actuarially transferred.

(b) A member shall be eligible to upgrade any service credit that was not actuarially transferred by paying the actuarial cost to upgrade any such service credit to the accrual rate established in the secondary component anytime prior to submitting an application to retire.

C. An employee who would otherwise be eligible to become a member of the secondary component by virtue of accepting a position which would otherwise qualify him for such membership after January 1, 2002, may irrevocably elect, in writing, not to participate in the secondary component as a result of the employee having service credit in the primary component or another state or statewide system. The employee may only elect to remain a member of that system in which he has existing service credit.

§606. Deferred Retirement Option Plan participation

A. A member cannot transfer into the secondary component while participating in the Deferred Retirement Option Plan, but must complete his participation in the Deferred Retirement Option Plan under the conditions existing at the time he commenced his Deferred Retirement Option Plan participation and will not have the option to upgrade any service that was credited to his account prior to his commencement of participation in the Deferred Retirement Option Plan.

B.(1) If the member terminates his participation in the Deferred Retirement Option Plan on or after January 1, 2002, then his supplemental benefit shall accrue at the rate established in the secondary component at the employee contribution rate established for members of the secondary component.

(2) If a member has completed his participation in the Deferred Retirement Option Plan prior to January 1, 2002, then that member will have the same option that a member has under R.S. 11:605, but only as to the service credited to his account after his participation in the Deferred Retirement Option Plan. No service that was credited to a member's account prior to the commencement of his participation in the Deferred Retirement Option Plan can be upgraded under the provisions of this Subpart.

Section 2. The provisions of R.S. 11:62(5)(b), 444(A), 565, and Subpart C of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, which is comprised of R.S. 11:601 through 606, all as set forth in Section 1 of this Act, shall become effective on December 31, 2001."

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	Fields, W	Marionneaux
Barham	Fontenot	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Campbell	Irons	Smith
Chaisson	Johnson	Tarver

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

NAYS

Total—0

ABSENT

Mr. President	Gautreaux	McPherson
Cravins	Hoyt	
Total—5		

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. 1011—

BY SENATOR LENTINI

AN ACT

To enact R.S. 15:571.35, relative to incarceration; to require the Department of Public Safety and Corrections to establish a pilot program of home incarceration and electronic monitoring; to provide criteria for eligibility for participation in such program; to require the promulgation of rules and regulations for the implementation and administration of such program; to require compliance with administrative procedures; to require the inclusion of certain conditions within such rules and regulations; to require an evaluation of the program and a report regarding the program to be provided to certain legislative committees; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed Senate Bill No. 1011 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 15:571.35," and insert "amend and reenact R.S. 14:98(D)(1), (E)(1), and (3), (G), (I), (J), and (K) and Code of Criminal Procedure Article 894.2(J) and to enact Code of Criminal Procedure Article 894.2(K) and R.S. 14:98(D)(3) and (E)(4) and 15:571.35,"

AMENDMENT NO. 2

On page 1, at the end of line 10, insert "to require substance abuse treatment for certain DWI offenders; to require home incarceration for certain DWI offenders; to provide for the specific requirements of home incarceration for such offenders, to require the installation of interlock devices and to provide for the issuance of restricted driver's licenses in certain circumstances; to provide for the payment of costs of substance abuse treatment, home incarceration court-approved driver improvement programs; "

AMENDMENT NO. 3

On page 4, after line 6, insert the following:

"Section 2. R.S. 14:98(D)(1), (E)(1) and (3), (G), (I), (J), and (K) are hereby amended and reenacted and R.S. 14:98(D)(3) and (E)(4) are hereby enacted to read as follows:

"§98. Operating a vehicle while intoxicated

* * *

D.(1) On a conviction of a third offense, notwithstanding any other provision of law to the contrary and regardless of whether the offense occurred before or after an earlier conviction, the offender shall be imprisoned with or without hard labor required to undergo an evaluation to determine the nature and extent of the offender's substance abuse disorder. The treatment professional performing the evaluation shall recommend appropriate treatment modalities which shall include substance abuse treatment at an inpatient facility recommended by the Department of Health and Hospitals, office for addictive disorders and approved by the Department of Public Safety and Corrections for a period of not less than four weeks nor more than six weeks. The offender may be sentenced to additional follow-up substance abuse treatment services to meet the offender's needs if determined to be necessary by the offender's treating physician, for a period not to exceed twelve months. The follow-up treatment shall be provided in a manner to gradually decrease the intensity of treatment services. Upon successful completion of the inpatient substance abuse treatment required by this Paragraph, the offender shall be sentenced to home incarceration for not less than one year nor more than five years as provided in Paragraph (3) of this Subsection and shall be fined two thousand dollars. If the offender fails to complete the substance abuse treatment required by the provisions of this Paragraph or violates any condition of home incarceration, he shall be imprisoned with or without hard labor for not less than one year nor more than five years. At least six months of the sentence of imprisonment imposed shall be without benefit of probation, parole, or suspension of sentence. If a portion of the sentence is imposed with benefit of probation, parole, or suspension of sentence, the court shall require the offender to participate in a court-approved substance abuse program and participate in a court-approved driver improvement program at the expense of the offender.

* * *

(3)(a) An offender sentenced to home incarceration shall be supervised and shall be subject to any of the conditions of probation. The court shall specify the conditions of home incarceration which shall include but shall not be limited to the following:

(i) Electronic monitoring.

(ii) Curfew restrictions.

(iii) Home visitation at least once per month by the Department of Public Safety and Corrections.

(b) The court shall also require the offender to obtain employment and to participate in a court-approved driver improvement program at his expense. The activities of the offender outside of his home shall be limited to traveling to and from work, church services, Alcoholics Anonymous meetings, or a court-approved driver improvement program.

(c) In the event that the offender fails to complete substance abuse treatment or violates a provision of home incarceration required under the provisions of this Section and is subsequently sentenced to a term of imprisonment, the offender shall not receive credit for time served under home incarceration.

(d) Offenders sentenced to home incarceration required under the provisions of this Section shall be subject to all other applicable provisions of Code of Criminal Procedure Article 894.2.

E.(1) ~~On~~ Except as otherwise provided in Subparagraph (4)(b) of this Subsection, on a conviction of a fourth or subsequent offense, notwithstanding any other provision of law to the contrary and regardless of whether the fourth offense occurred before or after an earlier conviction, the offender shall be sentenced to imprisonment at hard labor required to undergo an evaluation to determine the nature and extent of the offender's substance abuse disorder. The treatment professional performing the evaluation shall recommend appropriate treatment modalities, which shall include substance abuse treatment at an inpatient facility recommended by the Department of Health and Hospitals, office for addictive disorders and approved by the Department of Public Safety and Corrections for a period of not less than four weeks nor more than six weeks. The offender may be sentenced to additional follow-up substance abuse treatment services to meet the offender's needs if determined to be necessary by the offender's treating physician, for a period not to exceed twelve months. The follow-up treatment shall be provided in a manner to gradually decrease the intensity of treatment services. Upon successful completion of the inpatient substance abuse treatment required by this Paragraph, the offender shall be sentenced to home incarceration for not less than ten one nor more than thirty five years in accordance with Paragraph (3) of this Subsection and shall be fined five thousand dollars. If the offender fails to complete the substance abuse treatment required by the provisions of this Paragraph or violates any condition of home incarceration, he shall be imprisoned in accordance with Paragraph (4) of this Subsection.

* * *

(3)(a) An offender sentenced to home incarceration shall be supervised and shall be subject to any of the conditions of probation. The court shall specify the conditions of home incarceration which shall include but shall not be limited to the following:

(i) Electronic monitoring.

(ii) Curfew restrictions.

(iii) Home visitation at least once per month by the Department of Public Safety and Corrections.

(b) The court shall also require the offender to obtain employment and to participate in a court-approved driver improvement program at his expense. The activities of the offender outside of his home shall be limited to traveling to and from work, church services, Alcoholics Anonymous meetings, or a court-approved driver improvement program.

(c) In the event that the offender fails to complete substance abuse treatment or violates a provision of home incarceration required under the provisions of this Section and is subsequently sentenced to a term of imprisonment, the offender shall not receive credit for time served under home incarceration.

(d) Offenders sentenced to home incarceration required under the provisions of this Section shall be subject to all other applicable provisions of Code of Criminal Procedure Article 894.2.

~~(3)(4)(a)~~ If the offender violates any of the conditions of home incarceration or fails to complete the substance abuse treatment required by the provisions of this Subsection, or has previously been required to participate in substance abuse treatment and home incarceration for a third or subsequent offense, then he shall be imprisoned at hard labor for not less than ten nor more than thirty years. At least two years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. In the

discretion of the court, any additional portion or all of the sentence may be imposed without benefit of suspension of sentence, probation, or parole. If a portion of the sentence is imposed with benefit of suspension of sentence, probation, or parole, the court shall require the offender to participate in a court-approved substance abuse program and a court-approved driver improvement program at the expense of the offender.

(b) If the offender has previously been required to participate in ~~either or both of such programs~~ substance abuse treatment and home incarceration pursuant to Subsection D of this Section, the offender shall not be sentenced to substance abuse treatment and home incarceration for a fourth or subsequent offense, but shall be imprisoned at hard labor for not less than ten nor more than thirty years, and at least three years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole.

(c) ~~If the offender has previously been required to participate in either or both of such programs under Subsection B or C of this Section, but not under Subsection D, at least two years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole.~~

~~(c)~~(c) If the offender has previously received the benefit of suspension of sentence, probation, or parole as a fourth offender, no part of the sentence may be imposed with benefit of suspension of sentence, probation, or parole, and no portion of the sentence shall be imposed concurrently with the remaining balance of any sentence to be served for a prior conviction for any offense.

* * *

G. The legislature hereby finds and declares that conviction of a third or subsequent DWI offense is presumptive evidence of the existence of a substance abuse disorder in the offender posing a serious threat to the health and safety of the public. Further, the legislature finds that there are successful treatment methods available for treatment of addictive disorders. Court-approved substance abuse programs provided for in Subsections B, C, and D of this Section shall include a screening procedure to determine the portions of the program which may be applicable and appropriate for individual offenders and shall assess the offender's degree of alcohol abuse.

* * *

I. An offender ordered to participate in a substance abuse program required by the provisions of this Section shall pay the cost incurred in participating in the program. Failure to make such payment shall subject the offender to revocation of probation, unless the court determines that the offender is unable to pay. If the court determines that the offender is unable to pay, the state shall pay for the cost of the substance abuse treatment required by this Section. An offender sentenced to home incarceration and to participate in a driver improvement program shall pay the cost incurred in participating in home incarceration and a driver improvement program unless the court determines that the offender is unable to pay.

J. This Subsection shall be cited as the "Child Endangerment Law". When the state proves in addition to the elements of the crime as set forth in Subsection A of this Section that a minor child twelve years of age or younger was a passenger in the motor vehicle, aircraft, watercraft, vessel, or other means of motorized conveyance at the time of the commission of the offense, of the sentence imposed by the court, the execution of the minimum mandatory sentence provided by Subsection B; ~~or C; or D~~ of this Section, as appropriate, shall not be suspended. If imprisonment is imposed pursuant to the

provisions of Subsection D, the execution of the minimum mandatory sentence shall not be suspended. For the fourth conviction, If imprisonment is imposed pursuant to the provisions of Subsection E, at least two years of the sentence shall be imposed without benefit of suspension of sentence.

K.(1) In addition to any penalties imposed under this Section, upon conviction of a second ~~or subsequent~~ offense, any vehicle, while being operated by the offender, shall be equipped with a functioning ignition interlock device in accordance with the provisions of R.S. 15:306. This requirement shall remain in effect for a period of not less than six months. In addition, the device shall remain installed and operative during any period that the offender's operator's license is suspended under law and for any additional period as determined by the court.

(2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection and R.S. 32:414(D)(1)(b), upon conviction of a third or subsequent offense of the provisions of this Section, any motor vehicle, while being operated by the offender, shall be equipped with a functioning ignition interlock device in accordance with the provisions of R.S. 15:306. The ignition interlock device shall remain installed and operative until the offender has completed the requirements of substance abuse treatment and home incarceration under the provisions of Subsections D and E of this Section.

(b) Any offender convicted of a third or subsequent offense of the provisions of this Section shall after one year of suspension required by R.S. 32:414(D)(1)(a), upon proof to the Department of Public Safety and Corrections that the motor vehicles being operated by the offender are equipped with functioning interlock devices, be issued a restricted driver's license. The restricted license shall be effective for the period of time that the offender's driver's license is suspended. The restricted license shall entitle the offender to operate the vehicles equipped with a functioning interlock device in order to earn a livelihood and to travel to and from the places designated in Paragraphs (D)(3) and (E)(3) of this Section.

(3) The provisions of this Subsection shall not require installation of an ignition interlock device in any vehicle described in R.S. 32:378.2(I).

Section 3. Code of Criminal Procedure Article 894.2(J) is hereby amended and reenacted and Code of Criminal Procedure Article 894.2(K) is hereby enacted to read as follows:

Art. 894.2. Home incarceration; requirements

* * *

J. The provisions of this Article shall not be applicable to a defendant who has been convicted of any second ~~or subsequent~~ violation of any state or local driving-while-intoxicated law committed within five years of the commission of any prior driving-while-intoxicated violation until the defendant has first served a minimum of forty-eight consecutive hours of imprisonment.

K. Paragraphs A and G of this Article shall not apply to a defendant who has been convicted of any third or subsequent violation of any state law or local ordinance prohibiting driving while intoxicated committed within five years of the commission of any prior driving while intoxicated violation. Such defendants shall be subject to home incarceration as provided for in R.S. 14:98.

Section 4. Nothing contained in this Act shall be construed to limit the authority of the Department of Public Safety and Corrections in recommending those persons incarcerated on or before

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41st DAY'S PROCEEDINGS

August 15, 2001 to participate in home incarceration in accordance with Code of Criminal Procedure Article 894.2."

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

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
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Cravins	Thomas
Total—2	

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

SENATE BILL NO. 1017—

BY SENATOR LENTINI

AN ACT

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

The bill was read by title. 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.1017 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 12, change "paper" to "document"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Engrossed Senate Bill No. 1017 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:2562.25" and before the comma "," insert "and R.S. 33:441.28 and 441.29"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "courts;" delete "parish" and insert in lieu thereof "certain"

AMENDMENT NO. 3

On page 1, at the end of line 4, after "actions;" insert "to provide with respect to the mayors' courts in Lutchet and Gramercy; to authorize the appointment of a court magistrate;

AMENDMENT NO. 4

On page 2, between lines 19 and 20, insert the following:

"Section 2. R.S. 33:441.28 and 441.29 are hereby enacted to read as follows:

§441.28. Town of Lutchet: appointment of court magistrate: duties; salary

The board of aldermen of the town of Lutchet shall, upon request of the mayor, appoint an attorney who shall be designated as court magistrate and who shall serve at the pleasure of the mayor and may from time to time be designated by the mayor to serve in his stead as the presiding official over the mayor's court. Whenever the magistrate is so designated by the mayor to preside over the mayor's court, he shall exercise the powers and authority of the mayor over said court. The magistrate shall receive a salary fixed and paid by the board of aldermen.

§441.29. Town of Gramercy: appointment of court magistrate: duties; salary

The board of aldermen of the town of Gramercy shall, upon request of the mayor, appoint an attorney who shall be designated as court magistrate and who shall serve at the pleasure of the mayor and may from time to time be designated by the mayor to serve in his stead as the presiding official over the mayor's court. Whenever the magistrate is so designated by the mayor to preside over the mayor's court, he shall exercise the powers and authority of the mayor over said court. The magistrate shall receive a salary fixed and paid by the board of aldermen.

* * *

AMENDMENT NO. 5

On page 2, line 20, change "Section 2" to "Section 3"

Senator Lentini 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	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Hines	Thomas
Total—2	

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

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.

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. 1018 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 29:727(D)" delete the comma "," and delete "(E), and (F)(2) and (6)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "R.S. 29:737," to "R.S. 29:730.2 and 737,"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 29:727(D)" delete the comma "," and delete "(E), and (F)(2) and (6) are" and insert "is"

AMENDMENT NO. 4

On page 1, line 9, change "R.S. 29:737 is" to "R.S. 29:730.2 and 737 are"

AMENDMENT NO. 5

On page 2, delete lines 16 through 27 and on page 3, delete lines 1 through 8

AMENDMENT NO. 6

On page 3, line 25, after "executive" and before "of the" change "authority" to "officer"

AMENDMENT NO. 7

On page 3, line 25, after "determines" and before "immediate" change "that" to "requires"

AMENDMENT NO. 8

On page 3, line 26, after "action" and before "to preserve" delete "is required"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Reengrossed Senate Bill No. 1018 by Senator Schedler

AMENDMENT NO. 1

On page 3, line 16, after "disaster." delete the remainder of the line and delete lines 17 through 19 in their entirety

AMENDMENT NO. 2

On page 4, line 13, after "any" insert "municipal"

AMENDMENT NO. 3

On page 4, delete lines 24 through 26 in their entirety

AMENDMENT NO. 4

On page 4, line 27, change "(5)" to "(4)"

AMENDMENT NO. 5

On page 5, line 3, change "(6)" to "(5)"

AMENDMENT NO. 6

On page 5, line 5, change "(7)" to "(6)"

AMENDMENT NO. 7

On page 5, line 8, change "(8)" to "(7)"

AMENDMENT NO. 8

On page 5, delete lines 10 through 14 in their entirety and insert in lieu thereof the following:

C. The state of emergency shall continue until the mayor or chief executive officer finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist. The state of emergency may be terminated by executive order or proclamation, but no state of emergency may continue for longer than thirty days unless extended by the mayor or chief executive officer. The state of emergency or disaster may be terminated by the governor, parish president, a petition signed by a majority of the surviving members of either house of the legislature, a majority of the surviving members of the parish governing authority or a majority of the surviving members of the municipal governing authority. The document terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued. All executive orders or proclamations issued

under this Subsection shall indicate the nature of the emergency, the area or areas which are or may be affected, and the conditions which brought it about. Any order or proclamation declaring, continuing, or terminating a local disaster or emergency shall be given prompt and general publicity and shall be filed promptly with the state and local office of emergency preparedness and the office of the clerk of court.

D. Notwithstanding any other provision of this Chapter, when the mayor or chief executive officer declares a local disaster or emergency within such subdivision the mayor or chief executive officer shall carry out the provisions of this Chapter. Nothing contained herein shall be construed to confer upon the mayor or chief executive officer any authority to control or direct the activities of any state or parish agency. When the disaster or emergency is beyond the capabilities of the local government, the mayor or chief executive officer shall request assistance from the state or local office of emergency preparedness. The declaration of a local emergency will serve to activate the response and recovery program of the local government.

E. No organization for emergency preparedness established under this Chapter shall be employed directly or indirectly for political purposes.

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	Hines	Romero
Campbell	Hollis	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	Hoyt
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. 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.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Fauchaux to Reengrossed Senate Bill No. 1042 by Senator Schedler (Duplicate of H.B. No. 2070)

AMENDMENT NO. 1

On page 1, line 3, change "236" to "237"

AMENDMENT NO. 2

On page 1, at the beginning of line 14, change "criterion" to "criteria"

AMENDMENT NO. 3

On page 2, line 1, after "to provide" insert "for"

AMENDMENT NO. 4

On page 2, line 10, after "1950," delete "to be" and change "236" to "237"

AMENDMENT NO. 5

On page 2, at the end of line 23, delete "the presence of" and at the beginning of line 24, delete "two qualified witnesses," and insert "accordance with the requirements of this Part,"

AMENDMENT NO. 6

On page 2, between lines 26 and 27, insert the following:

"(3) "Director" or "superintendent" means a person in charge of a treatment facility or his deputy."

AMENDMENT NO. 7

On page 2, at the beginning of line 27, change "(3)" to "(4)"

AMENDMENT NO. 8

On page 3, at the beginning of line 3, change "(4)" to "(5)"

AMENDMENT NO. 9

On page 3, line 4, delete the comma "," after "includes" and "limited to"

AMENDMENT NO. 10

On page 3, line 7, delete "'Mental'" and insert "However, 'mental'"

AMENDMENT NO. 11

On page 3, at the beginning of line 10, change "(5)" to "(6)"

AMENDMENT NO. 12

On page 3, at the beginning of line 12, change "(6)" to "(7)"

AMENDMENT NO. 13

On page 3, at the beginning of line 14, change "(7)" to "(8)"

AMENDMENT NO. 14

On page 3, at the beginning of line 16, change "(8)" to "(9)"

AMENDMENT NO. 15

On page 3, between lines 16 and 17, insert the following:

"(10) 'Psychologist' means a clinical psychologist who is licensed to practice psychology in Louisiana."

AMENDMENT NO. 16

On page 3, at the beginning of line 17, change "(9)" to "(11)"

AMENDMENT NO. 17

On page 3, at the beginning of line 20, change "(10)" to "(12)"

AMENDMENT NO. 18

On page 3, at the beginning of line 22, change "(11)" to "(13)"

AMENDMENT NO. 19

On page 4, at the end of line 27, insert a semicolon ";" and "mental status examination"

AMENDMENT NO. 20

On page 5, line 3, after "competent" delete "adult" and after "witnesses" delete the period "." and insert the following: "and accompanied by a written mental status examination performed by a physician or psychologist attesting to the principal's ability to make reasoned decisions concerning his mental health treatment."

AMENDMENT NO. 21

On page 5, at the beginning of line 6, delete "incapable" and insert "unable to make reasoned decisions concerning his mental health treatment"

AMENDMENT NO. 22

On page 5, at the end of line 7, insert the following: "In determining the principal's ability, the physician or psychologist should consider (1) whether the principal demonstrates an awareness of the nature of

his illness and situation; (2) whether the principal demonstrates an understanding of treatment and the risks, benefits, and alternatives; and (3) whether the principal communicates a clear choice regarding treatment that is a reasoned one, even though it may not be in the person's best interest."

AMENDMENT NO. 23

On page 5, at the beginning of line 24, insert "A."

AMENDMENT NO. 24

On page 6, between lines 1 and 2, insert the following:

"B. The determination that the principal has regained his capacity while in the treatment facility shall be made by any licensed physician and entered in the principal's medical record. The principal automatically regains his capacity when he is discharged from the treatment facility."

AMENDMENT NO. 25

On page 6, line 21, after "directive and" delete "are"

AMENDMENT NO. 26

On page 6, line 23, change "interest" to "interests"

AMENDMENT NO. 27

On page 7, at the beginning of line 27, change "withdrawing," to "withdrawal",

AMENDMENT NO. 28

On page 8, at the end of line 12, insert a colon ":" and at the beginning of line 13, delete "in" and insert "(1) In"

AMENDMENT NO. 29

On page 8, line 16, after "imminent" insert "and significant"

AMENDMENT NO. 30

On page 8, delete lines 17 through 19 in their entirety and insert the following:

"(2) When the treating physician determines that psychotropic medication is essential and after compliance with the following procedures:

(a) When a principal's advance directive or his representative refuses medication that the treating physician believes is essential, the director of the treatment facility shall conduct an administrative review to determine whether the principal should be forcibly medicated contrary to his wishes.

(b) The director shall provide written notice to the principal, his representative, if any, and an attorney from the Mental Health Advocacy Service (MHAS) no less than forty-eight hours, excluding weekends and holidays, before the administrative review. The notice shall include the time and place of the administrative review, the diagnosis, and reasons why the physician believes the medication is necessary. The principal's expressed wishes shall be followed pending the administrative review. The administrative review shall be held no later than seventy-two hours after the time that the MHAS has been notified, excluding weekends and holidays, unless the patient and the facility agree to a continuance.

(c) The MHAS attorney shall represent the principal at the administrative review unless the principal chooses someone else to represent him.

(d) A principal may be medicated contrary to the wishes expressed in his advance directive if, based on a review of the advance directive and the reasons stated therein, the patient's medical chart, a personal examination of the patient, the wishes of the principal's representative, if any, and the recommendations of the treating physician, the director determines that the medication is medically essential. The director shall consider the following criterion in making that decision:

(i) The patient is mentally ill and is dangerous to himself or others or gravely disabled without the medication.

(ii) The medication is the least restrictive alternative.

(iii) The medication is the most medically appropriate.

(iv) The medication offers a significant likelihood of improvement in the patient's condition or a speedier recovery and his condition is of such severity that unless the medication is administered the patient's medical condition is very unlikely to improve.

(v) The expected benefits from the medication outweigh the known risks and potential side effects.

(vi) All other reasonable alternatives, including those set forth in the advance directive, have been exhausted.

(e) The director shall require the attendance of the patient at the hearing unless extraordinary circumstances exist precluding his attendance. The principal and the hospital have the right to present evidence and cross-examine witnesses.

(f) The director's decision shall be a writing, shall address each of the criteria, and shall give reasons for the decision. All of the criteria in Subparagraph (d) of this Paragraph shall be met in order to medicate the principal against his expressed wishes.

(g) The director's decision to administer medication contrary to the advance directive should specify the length of time the decision to medicate the principal is to remain valid. The decision shall be effective for no more than sixty days or termination of the principal's stay at the treatment facility, whichever occurs first, unless a new request for an administrative review is made prior to the expiration of the original order and the patient is still hospitalized. If at any time the director believes that the medication is no longer necessary, he shall order the measures discontinued.

(h) The director shall provide the principal, his representative, if any, and the attorney from the Mental Health Advocacy with a copy of the decision.

(i) For purposes of this Section, the director of a treatment facility must be a psychiatrist who is not involved in providing medication to the patient. If the director does not meet those criteria,

he shall designate a psychiatrist who is not involved in the medication of the patient.

B. An advance directive shall not limit the authority provided in R.S. 28:2 et seq. to take a principal into protective custody or to involuntarily admit or commit a principal to a treatment facility."

AMENDMENT NO. 31

On page 9, at the beginning of line 1, insert "who is not capable"

AMENDMENT NO. 32

On page 12, delete lines 11 through 13 in their entirety and insert the following: "Those considered appropriate by the following treating physician, (name, address and telephone number of the physician)"

AMENDMENT NO. 33

On page 13, line 19, after "therapy" delete the period "." and insert "but I understand that state law may allow the administration of electroshock therapy contrary to my wishes in certain circumstances."

AMENDMENT NO. 34

On page 14, line 15, delete "and does not appear to be" and insert "and/or" and insert a comma "," after "fraud"

AMENDMENT NO. 35

On page 16, line 8, after "to you." insert the following: "You may seek legal assistance from the Mental Health Advocacy Service."

AMENDMENT NO. 36

On page 18, after line 15, insert the following:

"§237. Status report to the House and Senate Committees on Health and Welfare

The Department of Health and Hospitals, office of mental health, and the Mental Health Advocacy Service shall jointly review the implementation of this Act and report their findings to the House and Senate Committees on Health and Welfare no later than January 15, 2003."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1042 by Senator Schedler

AMENDMENT NO. 1

In House Floor Amendment No. 2, proposed by Representative Fauchaux and adopted on May 31, 2001, on line 4 change "'criterion'" to "a criterion"

AMENDMENT NO. 2

On page 8, line 3, following "provisions" and before "of this Section" delete "of this Subsection"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Reengrossed Senate Bill No. 1042 by Senator Schedler

AMENDMENT NO. 1

On page 10, line 20, change "Illustrative form" to "Form"

AMENDMENT NO. 2

On page 10, delete lines 22 through 27 in their entirety and insert the following: "The Department of Health and Hospitals, in consultation with the Mental Health Advocacy Service, shall develop a form to implement the provisions of this Part."

AMENDMENT NO. 3

Delete pages 11 through 18 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Reengrossed Senate Bill No. 1042 by Senator Schedler

AMENDMENT NO. 1

On page 4, line 12, change "thereby invoked and is in effect" to "the principal has been determined to be incapable pursuant to R.S. 28:226,"

AMENDMENT NO. 2

On page 4, line 25, after "incapable" and before the period "." insert "pursuant to R.S. 28:226"

AMENDMENT NO. 3

On page 5, line 16, after "incapable" and before the period "." insert "pursuant to R.S. 28:226"

AMENDMENT NO. 4

On page 8, line 10, change "the principal" to "a principal determined to be incapable pursuant to R.S. 28:226"

AMENDMENT NO. 5

On page 10, line 19, after "principal's" and before "provider" insert "physician or"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
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
Total—37

Malone

NAYS

Total—0

ABSENT

Mr. President
Total—2

Cravins

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. 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.

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 Engrossed Senate Bill No. 1047 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 8, change "five" to "nine"

AMENDMENT NO. 2

On page 2, at the end of line 9, insert the following: "by the governor from a list of qualified voters and residents of the parish recommended"

AMENDMENT NO. 3

On page 2, line 10, after "authority" delete the remainder of the line and insert a period "."

AMENDMENT NO. 4

On page 2, at the beginning of line 11, delete "residents of the parish." and insert in lieu thereof "If the governor does not chose to appoint a member from the list of recommendations submitted by the parish governing authority, he may request the governing authority to submit additional recommendations."

AMENDMENT NO. 5

On page 2, line 11, change "Two" to "Three"

AMENDMENT NO. 6

On page 2, line 12,, change "two shall" to "three shall"

AMENDMENT NO. 7

On page 2, line 13, change "one shall" to "three shall"

AMENDMENT NO. 8

On page 2, at the end of line 16, insert the following: "Each appointment by the governor shall be made subject to Senate confirmation. If the parish governing authority fails to submit recommendations for an initial or subsequent appointment to the commission or if the parish governing authority fails to submit additional recommendations when requested by the governor, then the governor shall appoint a person who is a qualified voter and resident of the parish to the commission without recommendation from the parish governing authority."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1047 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 5, 2001, on line 13, following "not" and before "to" change "chose" to "choose"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 1047 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 4, after "thirty-five thousand" and before "and shall" insert "persons, as of the latest federal decennial census,"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Malone
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	
Total—38		

NAYS

Total—0

ABSENT

Cravins

Total—1

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

SENATE BILL NO. 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.

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. 1052 by Senator Smith

AMENDMENT NO. 1

On page 1, line 15, following "system" and before "not" change "requires" to "is"

AMENDMENT NO. 2

On page 3, line 4, before "The" change "D." to "E."

Senator Smith 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
Cravins	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—37		

NAYS

Total—0

ABSENT

Dardenne

Fields, W

Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Smith 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,
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 Ullo asked that Senate Bill No. 974 be called from the Calendar at this time.

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.

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. 974 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 5, delete "R.S. 17:10.1(C), (D) and (E)," and insert "R.S. 17:10.1(C) and (D)(2),"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 18:" delete the remainder of the line and delete line 7 in its entirety and insert "16, 17, 19, and 1907,"

AMENDMENT NO. 3

On page 1, line 11, delete "R.S. 33:4567.1" and insert R.S. 33:4567"

AMENDMENT NO. 4

On page 2, line 4, after "R.S. 36:" delete the remainder of the line and delete line 5, in its entirety, and insert "4(A)(15), 8(E)(2)(d), and 651(G)(3) and Chapter 16 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:661 through 663,"

AMENDMENT NO. 5

On page 2, line 21, after "all relative to" and before "boards" insert "state agencies and"

AMENDMENT NO. 6

On page 2, line 22, after "commissions;" and before "and" insert "to merge and consolidate the Department of Elections and Registration with the Department of State and provide for appointment of the commissioner of elections;"

AMENDMENT NO. 7

On page 3, line 1, delete "R.S. 17:10.1(C), (D) and (E)," and insert "R.S. 17:10.1(C) and (D)(2),"

AMENDMENT NO. 8

On page 3, line 2, after "R.S. 18:1907," delete the remainder of the line and delete line 7, in its entirety, and insert "Chapter 4-B of Title 25 of the"

AMENDMENT NO. 9

On page 3, line 7, delete "R.S. 33:4567.1" and insert "R.S. 33:4567"

AMENDMENT NO. 10

On page 3, at the end of line 14 delete "Chapter" and delete line 15, in its entirety, and at the beginning of line 16, delete "37:1391 through 1399,"

AMENDMENT NO. 11

On page 4, below line 3, insert:

"Section 2.(A) R.S. 18:16, 17, and 19, R.S. 36:4(A)(15) and 8(E)(2)(d), and Chapter 16 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:661 through 663, are hereby repealed in their entirety.

(B)(1) As authorized by Article IV, Section 20 of the Constitution of Louisiana, the commissioner of elections shall be appointed by the secretary of state. The commissioner of elections shall have the same qualifications as required for statewide elected officials. The Department of Elections and Registration shall be merged and consolidated with the Department of State.

(2) All references in law to "Department of Elections and Registration" and "Commissioner of Elections" shall mean the "Department of State" and the "Secretary of State" respectively.

Section 3.(A) The provisions of Section 2 of this Act shall become effective at noon on January 12, 2004.

(B) No commissioner of elections shall be elected at the gubernatorial election in 2003.

(C) The secretary of state and the commissioner of elections jointly shall prepare a workable transition plan for the merger and consolidation of the Department of Elections and Registration with the Department of State which shall be completed no later than January 1, 2002."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 974 by Senator Ullo

AMENDMENT NO. 1

In House Committee Amendment No. 8 proposed by the House Committee on House & Governmental Affairs and adopted on May 31, 2001, on line 25, following "after" and before "18:1907" delete "R.S."; and on line 26, following "line and before "in" change "7," to "3,"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Reengrossed Senate Bill No. 974 by Senator Ullo

AMENDMENT NO. 1

On page 1, at the end of line 13, delete "Chapter 16" and delete line 14, and on line 15, delete "R.S. 34:1851 through 1857,"

AMENDMENT NO. 2

On page 3, at the end of line 8, delete "Chapter" and delete line 9, and on line 10, delete "34:1851 through 1857,"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Bean	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 Gautreaux

Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Ullo moved to reconsider the vote by which the amendments were rejected 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 13, 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. 511 by Senator Lentini:

Representatives Downer, Martiny and Murray.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 13, 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. 438 by Senator Dardenne:

Representatives Crane, K. Carter and Alario.

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

Message from the House

HOUSE CONFEREES APPOINTED

June 13, 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. 1041 by Senator Schedler:

Representatives Schneider, Daniel and Montgomery.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 13, 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. 881—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 14:32.1(A), 39.1(A), 39.2(A), and 98(A)(1)(c) and (2) and to enact R.S. 14:98(A)(1)(d) and (e), relative to offenses affecting the public safety; to provide relative to the offense of operating a vehicle while intoxicated; to

provide relative to the offense of vehicular homicide; to provide relative to the offense of vehicular injuring; to provide relative to the offense of first degree vehicular injuring; to add the presence of a combination of alcohol and certain controlled dangerous substances to the determination of such offenses; to add the presence of any drug or combination of drugs obtainable without a prescription to the determination of such offenses; to provide that the legal entitlement to use alcohol, drugs or a combination of both is not a defense against charges of such offenses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 11—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Chapter 35 of Title 17 of the Louisiana Revised Statutes of 1950 by renaming the Chapter, by designating existing provisions R.S. 17:3801 through 3804 as Part I of the Chapter, and by enacting Part II of the Chapter, to be comprised of R.S. 17: 3805, relative to constitutional education funds; to provide for approval by the appropriate legislative standing committees of prioritized plans for expenditure of money from the Education Excellence Fund; to provide for certain revisions; and to provide for related matters.

Reported with amendments.

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. 640—
BY REPRESENTATIVE GARY SMITH

AN ACT

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

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	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	
Fields, C	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Marionneaux
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. 670—

BY REPRESENTATIVE LUCAS

AN ACT

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

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. 670 by Representative Lucas

AMENDMENT NO. 1

In Amendment No. 1 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 5, 2001, line 2, change “the” to “a municipality with a population in excess of four hundred seventy-five thousand” and delete line 3 in its entirety

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

Bajoie	Fields, W	Malone
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot

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

NAYS

Total—0

ABSENT

Mr. President	Marionneaux
Total—2	

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. 734—

BY REPRESENTATIVE JACK SMITH

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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 Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 759—

BY REPRESENTATIVE MCMAINS

AN ACT

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

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, 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 Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 842—

BY REPRESENTATIVE HAMMETT

AN ACT

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

relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Lentini
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 Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 844—

BY REPRESENTATIVE JOHNS

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Mr. President	Dean	Schedler
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. 904—

BY REPRESENTATIVE HOPKINS

AN ACT

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

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	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
Dean	Jones, C	Thomas

Dupre
Ellington
Fields, W
Total—37

Lambert
Lentini
Malone

NAYS

Total—0

ABSENT

Mr. President	Fields, C
Total—2	

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. 933—

BY REPRESENTATIVE DIEZ

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Boissiere	Hollis	Smith
Cain	Hoyt	Tarver
Chaisson	Johnson	Theunissen
Dardenne	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—28		

NAYS

Campbell	Fields, C	Marionneaux
Cravins	Fields, W	
Dean	Irons	
Total—7		

ABSENT

Mr. President	McPherson
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Jones, B
Total—4

Schedler

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. 960—
BY REPRESENTATIVE DIEZ

AN ACT

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

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 960 by Representative Diez

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 and 2 proposed by Senate Committee on Judiciary A and adopted by the Senate on June 5, 2001

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Jones, B

Total—2

The Chair declared the 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. 996—

BY REPRESENTATIVE MCMAINS

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President Jones, B
Total—2

The Chair declared the 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. 1016—

BY REPRESENTATIVE QUEZAIRE

AN ACT

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

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, 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 W. Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1056—

BY REPRESENTATIVE LEBLANC

AN ACT

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

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	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

Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, W	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. 1187—

BY REPRESENTATIVE ALARIO

AN ACT

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed House Bill No. 1187 by Representative Alario

AMENDMENT NO. 1

On page 1, at the end of line 2, after "and (2)," insert "and 863.1(B)"

AMENDMENT NO. 2

On page 1, line 7, after "and (2)" insert "and 863.1(B)"

AMENDMENT NO. 3

On page 4, after line 12, insert the following:

"§863.1. Evidence of compulsory motor vehicle liability security contained in vehicle; enforcement; penalty; fees

* * *

B.(1) When a law enforcement officer stops a vehicle at an administrative violations checkpoint, or in connection with an alleged violation of the law, or for any other reason, or when a law enforcement officer investigates an accident, the law enforcement officer shall determine if the owner or lessee of each vehicle is in compliance with the provisions of this Section which require evidence of liability insurance or other security to be contained in the vehicle. If the owner or lessee is not in compliance with those provisions, the law enforcement officer shall take the actions specified in this Section.

(2) The provisions of this Section shall not apply to automobiles which are legally parked on private property.

* * *

June 13, 2001

Senator C. Fields moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Jones, C
Barham	Fields, C	Lambert
Bean	Fields, W	Lentini
Boissiere	Fontenot	Malone
Cain	Gautreaux	Marionneaux
Campbell	Heitmeier	Tarver
Chaisson	Hines	Theunissen
Cravins	Hoyt	Thomas
Dardenne	Irons	Ullo
Dean	Johnson	
Dupre	Jones, B	
Total—31		

NAYS

Hollis	Mount	Schedler
Michot	Romero	Smith
Total—6		

ABSENT

Mr. President	McPherson
Total—2	

The Chair declared 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	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	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

Cain

Total—1

ABSENT

Mr. President

Total—1

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

HOUSE BILL NO. 1196—

BY REPRESENTATIVE DIEZ

AN ACT

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

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
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President

Total—3

Cravins

Jones, B

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. 1229—

BY REPRESENTATIVE DIEZ

AN ACT

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

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, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Total—2	

The Chair declared the 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. 1247—

BY REPRESENTATIVES LEBLANC AND DEWITT

AN ACT

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator WFields to Engrossed House Bill No. 1247 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 13, between "all" and "cash" insert "equipment and"

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

The bill was read by title. Senator Theunissen moved final passage of the amended 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 amended 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. 1255—

BY REPRESENTATIVES LEBLANC AND DEWITT

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Jones, B
Total—3		

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. 1302—

BY REPRESENTATIVE PITRE

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Schedler
Total—3		

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. 1350—

BY REPRESENTATIVE MCVEA AND SENATOR FONTENOT

AN ACT

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

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	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	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	Gautreaux
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.

HOUSE BILL NO. 1386—

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON
AN ACT

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

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	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
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
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 McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1439—

BY REPRESENTATIVE WINSTON
AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President	Fields, W	Thomas
Total—3		

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.

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 House Bill No. 1439. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1524—

BY REPRESENTATIVES MCMAINS AND LANDRIEU
AN ACT

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

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1524 by Representative McMains

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 through No. 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 5, 2001.

AMENDMENT NO. 2

On page 2, line 4, delete "in the case" and insert the following: "in all cases, except for litigation related to the Tobacco Master Settlement Agreement, or any litigation where the state is a judgment creditor,"

On motion of Senator Ellington, the amendments were adopted.

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

HOUSE BILL NO. 1561—

BY REPRESENTATIVE DIEZ

AN ACT

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

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

NAYS

Total—0

ABSENT

Mr. President	Hines	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.

HOUSE BILL NO. 1638—

BY REPRESENTATIVE SALTER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Hollis	Tarver
Fields, W	Malone	
Total—5		

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

HOUSE BILL NO. 1825—

BY REPRESENTATIVE LANCASTER

AN ACT

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

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

HOUSE BILL NO. 1840—

BY REPRESENTATIVES WOOTON AND MARTINY

AN ACT

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

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	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Tarver
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. 1844—

BY REPRESENTATIVE TOWNSEND

AN ACT

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

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
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, C	Ullo

Dupre	Lambert
Ellington	Lentini
Total—37	

NAYS

Total—0

ABSENT

Jones, B	Tarver
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. 1848—

BY REPRESENTATIVES SALTER, THOMPSON, AND WRIGHT

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	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	
Total—38		

NAYS

Total—0

ABSENT

Gautreaux
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. 1851—

BY REPRESENTATIVE QUEZAIRE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Marionneaux
Dardenne	Ullo
Total—4	

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

Mr. President in the Chair

HOUSE BILL NO. 1875—

BY REPRESENTATIVES ANSARDI, PITRE, AND MARTINY AND SENATOR LENTINI

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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 Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1878—

BY REPRESENTATIVE RIDDLE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	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 Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1892—

BY REPRESENTATIVE HAMMETT

AN ACT

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

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.

Rules Suspended

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

**Appointment of Conference Committee
on House Bill No. 953**

The President of the Senate appointed on the Conference Committee on House Bill No. 953 the following members of the Senate: Senators C. Jones, Ellington and Hainkel.

**Appointment of Conference Committee
on House Bill No. 1727**

The President of the Senate appointed on the Conference Committee on House Bill No. 1727 the following members of the Senate: Senators Chaisson, Heitmeier and C. Fields.

**Appointment of Conference Committee
on House Bill No. 1925**

The President of the Senate appointed on the Conference Committee on House Bill No. 1925 the following members of the Senate: Senators Fontenot, Cain and Malone.

**Appointment of Conference Committee
on House Bill No. 2051**

The President of the Senate appointed on the Conference Committee on House Bill No. 2051 the following members of the Senate: Senators Hollis, Michot and Smith.

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 13, 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. 776 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, Martiny and Winston.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 13, 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. 1565 by Representative LeBlanc, 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 LeBlanc, DeWitt and Alario.

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 13, 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. 455—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 36:4(B)(1)(e), R.S. 39:141(A)(1) and (3) and (B), 143(3), 199(E), 212(A)(3) and (B), 301(A) and (B), 302, and 1752(1), (6), and (9), and R.S. 49:1053(B) and 1054(9), to enact Subpart C of Part I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:15.1 through 15.5, Subpart D of Part I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:16.1 through 16.5, R.S. 39:141(A)(10), 1752(12) and (13), and R.S. 49:1053(C)(18) and to repeal R.S. 39:196(C) and R.S. 39:290 through 298, relative to information technology; to establish the office of information technology; to provide for the offices, staff, and duties of that office; to provide for the chief information officer; to provide for his duties and responsibilities; to create the Louisiana Information Technology Advisory Board

and provide for its membership, duties, and activities; to create the Louisiana Technology Advisory Group and provide for its membership, duties, and activities; to establish the office of electronic services; to provide for the duties of that office; to provide for a catalog in electronic format of databases in Louisiana; to provide relative to the duties of the office of telecommunications management; to provide relative to certain procurement activities; to provide relative to the membership of the Louisiana Technology Innovations Council; to provide relative to the Advisory Council for Technology Access by Individuals with Disabilities and to provide for its membership; to provide relative to the definition of certain systems within the area of telecommunications systems and services; to provide relative to the Louisiana Geographic Information Systems Council; to repeal the provisions creating the Louisiana Data Base Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 757—
BY SENATOR SCHEDLER

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 2702, relative to funding of Medicaid school-based administrative claiming; to create the Medicaid School-Based Administrative Claiming Trust Fund within the treasury; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to provide for the intergovernmental transfer program; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 230—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 42:821(A)(2)(a)(x) and 851(A)(2)(a)(x), relative to life and health and accident insurance coverage of the State Employees Group Benefits Program; to expand the definition of employees eligible for the program to include active and retired employees of the Louisiana Naval War Memorial Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 193—
BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2844.2, relative to the collection of sales and use taxes; to provide alternative remedies for taxpayers contesting local sales and use tax assessments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 453—

BY SENATOR MICHOT

AN ACT

To amend and reenact Code of Civil Procedure Art. 966(B), relative to summary judgment procedure; to provide that the adverse party shall file opposing affidavits and any memorandum in support thereof, at least four days prior to the date of the hearing; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 283—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 39:817, relative to the Cameron Parish School Board; to authorize the levy of a parcel fee within School District No. 4 of the parish boundaries; to provide for voter approval; to provide for imposition and collection; to provide a limitation on the amount of any such parcel fee; to provide relative to the use of proceeds; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 347—

BY SENATOR ELLINGTON

AN ACT

To require the state, through the Department of Economic Development and the Louisiana Economic Development Corporation, to execute a cooperative endeavor agreement with the town of Jonesville; to provide for payment of certain obligations owed by the town of Jonesville which are guaranteed by the state; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 480—

BY SENATOR SMITH

AN ACT

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

Reported without amendments.

SENATE BILL NO. 578—

BY SENATOR ULLO

AN ACT

To enact R.S. 39:1651.1, relative to state procurement; to require that bid specifications for the purchase or use of shrimp be by count size; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 54—

BY SENATOR MICHOT

A RESOLUTION

To commend Alaina Hebert, an Olympic hopeful, on her outstanding accomplishments.

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

Messages from the House

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

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 13, 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. 235—

BY REPRESENTATIVES DIEZ AND FUTRELL

A CONCURRENT RESOLUTION

To memorialize the United States Congress to request that the Federal Motor Carrier Safety Administration replace the current single state registration system with a uniform carrier registration system.

HOUSE CONCURRENT RESOLUTION NO. 237—

BY REPRESENTATIVES KENNARD, ALARIO, CRANE, DIEZ, FUTRELL, KENNEY, MARTINY, MCVEA, NEVERS, ODINET, PERKINS, POWELL, SALTER, THOMPSON, AND WOOTON

A CONCURRENT RESOLUTION

To congratulate LSU baseball coach Skip Bertman upon the end of his monumental coaching career and to commend him for his extraordinary achievements and for the distinction and honor he has brought to LSU and to Louisiana.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVES DIEZ AND FUTRELL

A CONCURRENT RESOLUTION

To memorialize the United States Congress to request that the Federal Motor Carrier Safety Administration replace the current single state registration system with a uniform carrier registration system.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 237—

BY REPRESENTATIVES KENNARD, ALARIO, CRANE, DIEZ, FUTRELL, KENNEY, MARTINY, MCVEA, NEVERS, ODINET, PERKINS, POWELL, SALTER, THOMPSON, AND WOOTON

A CONCURRENT RESOLUTION

To congratulate LSU baseball coach Skip Bertman upon the end of his monumental coaching career and to commend him for his extraordinary achievements and for the distinction and honor he has brought to LSU and to Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, 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 Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Appointment of Conference Committee
on Senate Bill No. 20**

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

considering the disagreement on Senate Bill No. 20: Senators Romero, Heitmeier and Hainkel.

**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 13, 2001

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To create a task force to review the disproportionate caseload in the First Circuit Court of Appeal and suggest solutions.

SENATE CONCURRENT RESOLUTION NO. 161—

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

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.

SENATE CONCURRENT RESOLUTION NO. 162—

BY SENATOR HAINKEL AND REPRESENTATIVE SCALISE

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.

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 13, 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. 990—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2740.49, to enact R.S. 33:2740.51, and to repeal Act Nos. 88 and 446 of the 1982 Regular Session of the Legislature, relative to special districts; to create the Southside Economic Development District in the City of Monroe; 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; and to provide for related matters.

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.

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.

SENATE BILL NO. 678—

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

AN ACT

To amend and reenact R.S. 47:9050(B)(2) and 9060(D), relative to tax clearances; to require a tax clearance upon the renewal of certain licenses; to require a tax clearance prior to the awarding of lottery vendor contracts; and to provide for related matters.

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.

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.

SENATE BILL NO. 855—

BY SENATORS SCHEDLER, BAJOE, MOUNT AND IRONS AND REPRESENTATIVES TRICHE, SCHWEGMANN, DURAND AND KATZ

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.

SENATE BILL NO. 992—

BY SENATORS ULLO AND MICHOT AND REPRESENTATIVES CAZAYOUX, HEBERT, HUDSON, MONTGOMERY, MURRAY, PRATT, SCALISE, STELLY, THOMPSON, TRICHE, WELCH AND WINSTON

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.

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.

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.

SENATE BILL NO. 1036—

BY SENATOR BAJOE AND REPRESENTATIVE PRATT

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.

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.

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.

SENATE BILL NO. 725—

BY SENATOR HINES AND REPRESENTATIVES BAYLOR, BROOME, HUTTER, KATZ AND JANE SMITH

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.

SENATE BILL NO. 885 (Duplicate of House Bill No. 1058)—

BY SENATOR MARIONNEAUX AND REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(B), (C), (D)(2), and (F), relative to letters of incarceration; 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; and to provide for related matters.

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.

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.

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.

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 amend and reenact R.S. 17:71.3(E)(2) and to repeal R.S. 17:71.3(E)(3), relative to reapportionment of school boards; to provide for the subdivision of precincts in certain circumstances; to repeal certain provisions relative to subdivision of precincts to create certain school board districts in parishes having a population of ten thousand or fewer persons; and to provide for related matters.

SENATE BILL NO. 1073—

BY SENATORS ELLINGTON AND SMITH AND REPRESENTATIVES BAUDOIN, R. CARTER, DURAND, LAFLEUR, MORRISH AND THOMPSON

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.

SENATE BILL NO. 1104 (Substitute for Senate Bill 666 by Senator B. Jones, et Al)—

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

AN ACT

To enact R.S. 47:1516.1, relative to the Department of Revenue; to authorize the secretary to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

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 the second 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.

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.

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.

SENATE BILL NO. 792—

BY SENATOR IRONS AND REPRESENTATIVE PRATT
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.

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.

SENATE BILL NO. 965—

BY SENATORS HOYT, MCPHERSON AND THEUNISSEN AND REPRESENTATIVES DANIEL, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOUIN, BROOME, BRUCE, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CROWE, DAMICO, DARTEZ, DEVILLIER, DOWNER, DURAND, ERDEY, FRITH, FRUGE, FUTRELL, GALLOT, GUILLORY, HEBERT, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANDRIEU, LEBLANC, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRISH, MURRAY, NEVERS, PERKINS, PIERRE, PRATT, QUEZAIRE, RICHMOND, RIDDLE, SCALISE, SHAW, JANE SMITH, JOHN SMITH, STRAIN, SWILLING, THOMPSON, TOWNSEND, TUCKER, WALSWORTH, WINSTON, WOOTON AND WRIGHT

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.

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.

SENATE BILL NO. 1022—

BY SENATOR JOHNSON AND REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:9033.3(A), relative to sales tax incremental financing in certain municipalities; to provide that certain municipalities may implement sales tax increment financing for certain economic development projects; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 1029—

BY SENATORS C. FIELDS AND SCHEDLER AND REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 49:321(C) and (D)(1) and to enact R.S. 39:1221(6) and 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.

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.

SENATE BILL NO. 417—

BY SENATORS SCHEDLER, GAUTREAUX, HOYT, MARIONNEAUX, SMITH AND THOMAS AND REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 38:2251(A)(8), (B), (C)(1), (2), (4), and (6), (D), (E), (G), and (H)(introductory paragraph) and R.S. 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 central purchasing procurement preferences; to decrease certain agricultural preferences; and to provide for related matters.

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.

SENATE BILL NO. 109—

BY SENATORS HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 37:1007(A)(1) and (2)(c) and (B)(1), and to enact R.S. 37:1007(A)(2)(a)(xiv), (xv), (xvi), (xvii), (xviii), (xix), (xx), and (xxi), relative to the Nurse Supply and Demand Commission; to increase the membership of the commission; to add to the duties of the commission; to change the voting requirements for adding members to the commission; and to provide for related matters.

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.

SENATE BILL NO. 196—

BY SENATORS ULLO AND SCHEDLER AND REPRESENTATIVE CLARKSON

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.

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.

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.

SENATE BILL NO. 445—

BY SENATORS DARDENNE AND SCHEDLER

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.

SENATE BILL NO. 496—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact 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 the Louisiana Education Quality Trust Fund; to provide for the allocation of earnings; to provide for use of monies in the fund for payment of investment management and administrative costs; 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; and to provide for related matters.

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.

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.

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.

SENATE BILL NO. 252—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 33:2476.2 and 2587, relative to civil service; to provide with respect to 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; to provide for additional members of the City of Opelousas Municipal Civil Service Board; and to provide for related matters.

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.

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 certain fire protection districts; and to provide for related matters.

SENATE BILL NO. 653—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

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.

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.

SENATE BILL NO. 770—

BY SENATOR GAUTREAUX

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.

SENATE BILL NO. 866—

BY SENATOR CAMPBELL AND REPRESENTATIVE FAUCHEUX

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 admissible evidence of dogfighting; to provide exceptions; and to provide for related matters.

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.

Respectfully submitted,

CHRIS ULLO

Chairman

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

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

June 13, 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. 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.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to have the U.S. Fish and Wildlife Service establish and fund a cooperative enforcement program with the Louisiana Department of Wildlife and Fisheries.

HOUSE CONCURRENT RESOLUTION NO. 232—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend and congratulate the players, coaches, managerial personnel, and statisticians of the Sacred Heart High School Lady Trojans softball team upon its excellence during the 2000-2001 season that culminated in its winning the Class AA state softball championship.

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 13, 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. 42—

BY REPRESENTATIVES DOWNER AND CLARKSON
AN ACT

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

HOUSE BILL NO. 134—

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

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

HOUSE BILL NO. 312—

BY REPRESENTATIVES PITRE AND TRICHE AND SENATOR DUPRE
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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

HOUSE BILL NO. 990—

BY REPRESENTATIVE HAMMETT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 23:1592(G), relative to individual income tax deductions and withholdings; to provide for the deduction and withholding of federal income tax from unemployment compensation benefits payable; to limit deductions and withholdings to an amount equal to the maximum amount allowable under federal law; to provide for an effective date; and to provide for related matters.

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.

HOUSE BILL NO. 1008—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

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.

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.

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.

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.

HOUSE BILL NO. 1138—

BY REPRESENTATIVE PINAC

AN ACT

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

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.

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.

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.

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.

HOUSE BILL NO. 1369—

BY REPRESENTATIVE FRITH

AN ACT

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

HOUSE BILL NO. 1442—

BY REPRESENTATIVES LEBLANC, DEWITT, FAUCHEUX, 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.

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.

HOUSE BILL NO. 1673—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:103(C), 213(A)(2), 215(C), 254(A)(introductory paragraph) and (B)(introductory paragraph), 263, and 365.1(A)(1) and to enact R.S. 6:103(B)(8)(a), 234(A)(3), 261(C), 365(A)(2)(c), 366(E), and 367, relative to state banks; to provide for articles of incorporation and amendments thereto; to provide for capital stock; to provide for stock-purchase rights; to provide for an increase in capital; to provide for cash dividends; to provide for conversions and mergers of certain institutions; to provide for purchase of assets and liabilities; to provide for the records of the office of financial institutions; and to provide for related matters.

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.

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.

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.

HOUSE BILL NO. 1843—

BY REPRESENTATIVES DARTEZ AND KATZ

AN ACT

To amend and reenact R.S. 37:1102, 1103, and 1104(A) and (B) and to enact R.S. 37:1105(G), 1106(9), and 1116 through 1122, relative to marriage and family therapy; to provide for legislative findings and purpose; to provide for definitions; to create and provide for the Marriage and Family Therapy Advisory Committee and its powers and duties; to provide for licensure of marriage and family therapists and exemptions from licensure; to provide for an examination fee; to provide for prohibited acts and penalties; and to provide for related matters.

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.

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.

HOUSE BILL NO. 1899—

BY REPRESENTATIVE M. JACKSON

AN ACT

To amend and reenact Code of Evidence Articles 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.

HOUSE BILL NO. 1924—

BY REPRESENTATIVES PINAC, LAFLEUR, AND MURRAY

AN ACT

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

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.

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.

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.

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.

HOUSE BILL NO. 363—

BY REPRESENTATIVES CROWE, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS CAIN, CHAISSON, DARDENNE, DUPRE, ELLINGTON, GAUTREAUX, HAINKEL, HOYT, IRONS, LENTINI, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN, THOMAS, AND ULLO

AN ACT

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

HOUSE BILL NO. 422—

BY REPRESENTATIVES FARRAR AND KENNARD

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.

HOUSE BILL NO. 496—

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, WALSWORTH, ERDEY, AND NEVERS AND SENATORS SMITH AND LENTINI

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.

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.

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.

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.

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.

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.

HOUSE BILL NO. 921—

BY REPRESENTATIVE M. JACKSON
AN ACT

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

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.

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.

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.

HOUSE BILL NO. 1173—

BY REPRESENTATIVE BRUNEAU
AN ACT

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

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.

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.

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.

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.

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.

HOUSE BILL NO. 1436—

BY REPRESENTATIVE PINAC

AN ACT

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

HOUSE BILL NO. 1514—

BY REPRESENTATIVE DANIEL

AN ACT

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

HOUSE BILL NO. 1583—

BY REPRESENTATIVE WALSWORTH

AN ACT

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

HOUSE BILL NO. 1589—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and (B)(2), to enact R.S. 40:1235(A)(2)(d), and to repeal R.S. 40:1231(18), 1235(B)(1), and (D)(1)(b) and (d), relative to qualifications and standards for ambulances; to delete references to invalid coaches; to prohibit transportation of someone on a stretcher unless in an ambulance; to delete exemptions for certain ambulances owned and operated by licensed hospitals; and to provide for related matters.

HOUSE BILL NO. 1637—

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

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

HOUSE BILL NO. 1771—

BY REPRESENTATIVES PRATT AND WELCH AND SENATOR BAJOE

AN ACT

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

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.

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.

HOUSE BILL NO. 2005—

BY REPRESENTATIVE KENNARD

AN ACT

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

HOUSE BILL NO. 2038—

BY REPRESENTATIVE PERKINS

AN ACT

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

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.

HOUSE BILL NO. 94—

BY REPRESENTATIVE SALTER

AN ACT

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

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.

HOUSE BILL NO. 137—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

AN ACT

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

HOUSE BILL NO. 230—

BY REPRESENTATIVE LAFLEUR

AN ACT

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

HOUSE BILL NO. 263—

BY REPRESENTATIVE GLOVER

AN ACT

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

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.

HOUSE BILL NO. 419—

BY REPRESENTATIVES ERDEY AND MURRAY

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.

HOUSE BILL NO. 436—

BY REPRESENTATIVE PINAC

AN ACT

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

HOUSE BILL NO. 452—

BY REPRESENTATIVE WALSWORTH

AN ACT

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

HOUSE BILL NO. 595—

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

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

HOUSE BILL NO. 601—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 46:2605(B)(27) and to enact R.S. 46:2605(B)(33) through (38), relative to the Children's Cabinet Advisory Board; to revise the membership of the advisory board; and to provide for related matters.

HOUSE BILL NO. 609—

BY REPRESENTATIVE DOWNER

AN ACT

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

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.

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.

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.

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.

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.

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 R.S. 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.

HOUSE BILL NO. 1318—

BY REPRESENTATIVE DAMICO

AN ACT

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

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.

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.

HOUSE BILL NO. 1621—

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

AN ACT

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

HOUSE BILL NO. 1719—

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

HOUSE BILL NO. 1728—

BY REPRESENTATIVE WALSWORTH

AN ACT

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

HOUSE BILL NO. 1767—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 28:750(A)(introductory paragraph) and (1) and (B)(introductory paragraph), 751(1), (2), (4), (5), and (6), 752(5) and (6), and 753(A) and R.S. 36:259(L) and to enact R.S. 28:751(7) and (8) and 752(17), relative to the Louisiana State Planning Council on Developmental Disabilities; to change

the name of the council to the Louisiana Developmental Disabilities Council; to provide for definitions; to provide for responsibilities of the council; to provide for an increase in membership of the council; and to provide for related matters.

HOUSE BILL NO. 1800—

BY REPRESENTATIVES CROWE AND FONTENOT
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 approved by the State Board of Elementary and Secondary Education outside of the United States and its territories; to provide conditions and limitations; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1855—

BY REPRESENTATIVE RICHMOND
AN ACT

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

HOUSE BILL NO. 1881—

BY REPRESENTATIVE SHAW
AN ACT

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

HOUSE BILL NO. 1885—

BY REPRESENTATIVE HUNTER
AN ACT

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

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.

HOUSE BILL NO. 2063 (Substitute for House Bill No. 1846 by Representative Thompson)—

BY REPRESENTATIVE THOMPSON
AN ACT

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

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.

HOUSE BILL NO. 1308—

BY REPRESENTATIVES ALARIO, K. CARTER, DANIEL, AND TUCKER
AND SENATORS JOHNSON AND SCHEDLER
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.

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.

HOUSE BILL NO. 1358—

BY REPRESENTATIVES SCHNEIDER, CURTIS, DANIEL, AND DOERGE
AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 11:62(4) and 1144(B), relative to the Louisiana School Employees' Retirement System; to provide with respect to contributions, including but not limited to increasing the employee contribution rate; to provide with respect to benefits, including but not limited to a retroactive increase in the benefit accrual rate; to provide for an effective date; and to provide for related matters.

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.

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.

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

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

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

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, June 14, 2001, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, June 14, 2001.

MICHAEL S. BAER, III

Secretary of the Senate

GAYE F. HAMILTON

Journal Clerk