

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FORTY-FOURTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Saturday, June 16, 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 was called with the following result:

PRESENT

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

ABSENT

Irons
Total—1

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

Prayer

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

Morning Hour

Rules Suspended

Senator Barham asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Without objection, so ordered.

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

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

SENATE RESOLUTION NO. 60—

BY SENATOR MCPHERSON

A RESOLUTION

To direct the Wildlife and Fisheries Commission not to lower the season limit on turkeys from three gobblers per season to two gobblers per season statewide.

The resolution was read by title.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Original Senate Resolution No. 60 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 11, change "direct" to "urge and request"

AMENDMENT NO. 3

On page 2, line 15, change "direct" to "urge and request"

On motion of Senator McPherson, the amendments were adopted.

Senator McPherson moved to adopt the amended Senate Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

June 16, 2001

NAYS

Total—0

ABSENT

Bajoie Fontenot Irons
 Bean Heitmeier

Total—5

The Chair declared the Senate had adopted the amended Senate Resolution.

SENATE RESOLUTION NO. 61—
 BY SENATORS CRAVINS AND ELLINGTON
 A RESOLUTION

To direct the Department of Public Safety and Corrections to enter into good faith discussions and negotiations regarding the suitability, availability, and cost-effectiveness of acquiring an available corrections facility to be used as a state corrections facility.

The resolution was read by title.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Original Senate Resolution No. 61 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 2, change "directs" to "urges and requests"

Senator C. Jones moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields, W	McPherson
Boissiere	Heitmeier	Romero
Campbell	Hines	Schedler
Chaisson	Hollis	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Fields, C	Marionneaux	

Total—25

NAYS

Cain	Jones, C	Smith
Dean	Michot	
Hoyt	Mount	
Total—7		
	ABSENT	
Mr. President	Fontenot	Lambert
Bajoie	Gautreaux	
Bean	Irons	
Total—7		

The Chair declared the amendments were adopted.

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

Personal Privilege

Senator C. Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator C. Jones to Senate Resolution No. 61. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

SENATE RESOLUTION NO. 62—
 BY SENATOR SMITH

A RESOLUTION

To urge and request the secretary of the U.S. Department of the Interior, Bureau of Indian Affairs, to take into consideration the will of the people in certain parishes before it authorizes a federally recognized tribe to conduct Class III gaming activities on lands held in trust pursuant to the Indian Gaming Regulatory Act, Title 25, Section 2701, et seq., of the U.S. Code.

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

SENATE RESOLUTION NO. 64—
 BY SENATOR DEAN

A RESOLUTION

To direct the commissioner of the division of administration to instruct the appropriate state personnel to immediately install safety railings or other such devices around the ledges surrounding the front of the capitol to insure that children are prevented from falling therefrom.

The resolution was read by title.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Original Senate Resolution No. 64 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, after "the" delete "commissioner of the division of administration" and insert "Louisiana Budgetary Control Council"

AMENDMENT NO. 2

On page 2, line 2, after "direct the" delete "commissioner of the division of administration" and insert "Louisiana Budgetary Control Council"

AMENDMENT NO. 3

On page 2, line 7, after "to the" delete "commissioner of the division of administration" and insert "Louisiana Budgetary Control Council"

On motion of Senator Dean, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Original Senate Resolution No. 64 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, after "To" change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 2, after "hereby" change "direct" to "urge and request"

On motion of Senator Barham, the amendments were adopted.

Senator Dean moved to adopt the amended Senate Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Johnson	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields, C	Malone	
Fields, W	Marionneau	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Irons
Bajoie	Fontenot	Tarver
Bean	Heitmeier	
Total—8		

The Chair declared the Senate had adopted the amended Senate Resolution.

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

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

SENATE CONCURRENT RESOLUTION NO. 165—

BY SENATOR CRAVINS

A CONCURRENT RESOLUTION

To urge and request the attorney general to create within the Department of Justice, office of the attorney general, a Juvenile Rehabilitation Study Commission to conduct an assessment of Louisiana's juvenile justice system, in particular the feasibility of reducing Louisiana's over-reliance on secure care by assessing youth in secure care and the availability and effectiveness of the current non-secure programs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Bean	Irons
Total—3		

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

**Appointment of Conference Committee
on House Bill No. 309**

The President of the Senate appointed on the Conference Committee on House Bill No. 309 the following members of the Senate: Senators Hollis, Michot and Malone.

June 16, 2001

Appointment of Conference Committee on House Bill No. 1187

The President of the Senate appointed on the Conference Committee on House Bill No. 1187 the following members of the Senate: Senators Heitmeier, C. Fields and Schedler.

Appointment of Conference Committee on House Bill No. 1330

The President of the Senate appointed on the Conference Committee on House Bill No. 1330 the following members of the Senate: Senators Tarver, Lentini and Thomas.

Appointment of Conference Committee on House Bill No. 1960

The President of the Senate appointed on the Conference Committee on House Bill No. 1960 the following members of the Senate: Senators Heitmeier, Schedler and McPherson.

Appointment of Conference Committee on House Bill No. 2025

The President of the Senate appointed on the Conference Committee on House Bill No. 2025 the following members of the Senate: Senators Bajoie, Boissiere and Johnson.

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT
Senate Bill No. 20 by Senator Romero

June 14, 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 20 by Senator Romero recommend the following concerning the Engrossed bill:

1. That all House Committee Amendments proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on May 23, 2001, be adopted.
2. That all House Floor Amendments proposed by Representative Donelon and adopted by the House of Representatives on May 31, 2001, be rejected.

Senators:
Craig F. Romero
Francis C. Heitmeier
John J. Hainkel, Jr.

Respectfully submitted,
Representatives:
John C. "Juba" Diez
James Donelon

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Cravins	Irons
Bean	Gautreux	
Total—5		

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

CONFERENCE COMMITTEE REPORT
Senate Bill No. 221 By Senator Hines

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 221 by Senator Hines, recommend the following concerning the engrossed bill:

1. That the set of the House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on May 29, 2001, be adopted.
2. That the set of House Floor Amendments proposed by Representatives R. Carter and Bowler and adopted by the House on June 7, 2001, be adopted.

Respectfully submitted,
 Representatives: Charles D. Lancaster, Jr.
 Eric LaFleur
 Dan W. Morrish
 Senators: Donald E. Hines
 Chris Ullo
 Gerald J. Theunissen

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Malone	Ullo
Fields, W	Marionneaux	
Fontenot	McPherson	
Total—31		

NAYS

Mr. President	Dean	Lentini
Total—3		

ABSENT

Bajoie	Cravins	Irons
Bean	Gautreaux	
Total—5		

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

CONFERENCE COMMITTEE REPORT
 Senate Bill No. 616 by Senator Heitmeier

June 14, 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 616 by Senator Heitmeier recommend the following concerning the engrossed bill:

1. That all House Floor Amendments proposed by Representative Diez and adopted by the House of Representatives on June 11, 2001 be adopted.

Respectfully submitted,

Senators: Francis C. Heitmeier
 Joel T. Chaisson, II
 Arthur J. "Art" Lentini
 Representatives: John C. "Juba" Diez
 Loulan J. Pitre, Jr.
 Nita Rusich Hutter

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Campbell	Johnson	Smith
Chaisson	Jones, B	Tarver
Dardenne	Jones, C	Theunissen
Dupre	Lentini	Thomas
Fields, C	Malone	Ullo
Fields, W	Marionneaux	
Fontenot	McPherson	
Total—31		

NAYS

Dean
Total—1

ABSENT

Bajoie	Ellington	Lambert
Bean	Gautreaux	
Cravins	Irons	
Total—7		

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

CONFERENCE COMMITTEE REPORT

June 16, 2001

House Concurrent Resolution No. 180 By Representative Futrell

June 15, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Concurrent Resolution No. 180 by Representative Futrell, recommend the following concerning the reengrossed bill:

- 1. That the set of Senate Committee Amendments proposed by the Senate Committee on Transportation, Highways and Public Works Committee and adopted by the Senate on June 7, 2001, be adopted.
2. That the following amendments to the reengrossed resolution be adopted:

AMENDMENT NO. 1

On page 3, delete lines 1 through 4 in their entirety and insert the following:

"(1) One member appointed by the chairman of the House Transportation, Highways and Public Works Committee.

(2) One member appointed by the chairman of the Senate Transportation, Highways and Public Works Committee."

AMENDMENT NO. 2

On page 3, between lines 20 and 21, insert the following: "(o) Mechanical Contractors Association of Louisiana."

AMENDMENT NO. 3

On page 3, line 23, after "his" delete the remainder of the line and insert the following: "appointment the chairman of the House Transportation, Highways and Public Works Committee shall"

AMENDMENT NO. 4

On page 3, line 24, after "designate" and before "he" delete "one of the members" and insert "the member"

AMENDMENT NO. 5

On page 4, at the end of line 4, delete "House" and at the beginning of line 5 delete "of Representatives and the Senate" and insert "Department of Transportation and Development"

AMENDMENT NO. 6

On page 4, line 5, after "force" insert a period "." delete the remainder of the line and delete lines 6 through 9 in their entirety and insert "The task"

Respectfully submitted,
Representatives: Mike Futrell, Charles D. Lancaster, Jr., John C. "Juba" Diez
Senators: Francis C. Heitmeier, Tom Schedler, John L. "Jay" Dardenne

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Barham, Boissiere, Cain, Campbell, Chaisson, Dardenne, Dean, Dupre, Ellington, Fields, W, Fontenot, Total—34; Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux; McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table listing names of members voting ABSENT: Bajoie, Bean, Total—5; Cravins, Fields, C; Irons.

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

CONFERENCE COMMITTEE REPORT

House Bill No. 461 By Representatives Daniel and Clarkson

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 461 by Representatives Daniel and Clarkson, recommend the following concerning the engrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator Irons and adopted by the Senate on June 11, 2001, be rejected.

Respectfully submitted,

Representatives:
William B. Daniel, IV
James Donelon

Senators:
Paulette R. Irons
Gregory Tarver
Jerry Thomas

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Irons
Bean	Thomas
Total—4	

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

CONFERENCE COMMITTEE REPORT
House Bill No. 590 By Representative Montgomery

June 11, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 590 by Representative Montgomery, recommend the following concerning the engrossed bill:

1. That the Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on June 5, 2001, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert:

"(cc) Notwithstanding any other provision of law to the contrary, any non-bargaining employee who retires from the Teachers' Retirement System and later is reemployed in a position covered by the provisions of this Chapter shall not have his retirement benefits reduced or suspended during such reemployment."

Respectfully submitted,

Representatives:
Billy Montgomery
Pete Schneider
Rick Gallot

Senators:
Lambert Boissiere, Jr.
Butch Gautreaux
Reggie Dupre

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Gautreaux
Total—1

ABSENT

Mr. President	Bean	Irons
Bajoie	Fields, C	
Total—5		

June 16, 2001

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

CONFERENCE COMMITTEE REPORT

House Bill No. 632 By Representatives McMains and Ansardi

June 15, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 632 by Representatives McMains and Ansardi, recommend the following concerning the reengrossed bill:

- 1. That the set of Senate Committee Amendments proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 23, 2001, be rejected.

Respectfully submitted,

Representatives: F. Charles "Chuck" McMains, Jr.
Ronnie Johns
Michael A. "Mike" Walsworth
Senators: John L. "Jay" Dardenne, Jr.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. Senator Barham, moved to recommit House Bill No. 632 to the Conference Committee.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Bean Irons
Total—3

The Chair declared that House Bill No. 632 was recommitted to the Conference Committee.

CONFERENCE COMMITTEE REPORT

House Bill No. 776 By Representative Townsend

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 776 by Representative Townsend, recommend the following concerning the engrossed bill:

- 1. That Senate Floor Amendment No. 1 proposed by Senator Campbell and adopted by the Senate on June 12, 2001 be adopted.
2. That the set of Senate Floor Amendments proposed by Senator Malone and adopted by the Senate on June 12, 2001 be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert the following: "To amend and reenact R.S. 27:96(A) and 261(A), relative to gaming; to provide that an elected public official can do business with a riverboat gaming licensee or the casino gaming operator as a performing professional musician; to provide for notification requirements; to provide for restrictions on payment; to provide for the adoption of rules; and to provide for related matters.

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 27:96(A)" and before "hereby" delete "is" and insert "and 261(A) are"

AMENDMENT NO. 3

On page 1, line 10, after "patron" delete the comma ","

AMENDMENT NO. 4

On page 1, line 11, after "musician," add the following: "If the official is a performing professional musician, the official shall give notice to the Board of Ethics and the Louisiana Gaming Control Board not later than five days prior to any performance. If the official is also subject to the Judicial Canons of Ethics, then he must also provide such notice to the Judicial Administrator of the Louisiana Supreme Court. Such notice shall include, but not be limited to the following information: the date, time and location of the performance; the amount of compensation the official has contracted to receive for the performance; and the identity of the person or entity providing

compensation to the official. A copy of the contract shall also be attached to such notice. Cash compensation to the official for the performance is prohibited by this Section. The Board of Ethics may promulgate rules to provide for additional information to be included in such notice."

AMENDMENT NO. 5

On page 1, after line 12, insert the following:

"§261. Prohibited contacts with official gaming establishment and casino operator; public officers; penalties

A. No public officer as defined in R.S. 42:1 shall engage in any business activity with a casino gaming operator except as a patron or as a performing professional musician in the official gaming establishment or other premises where authorized gaming activities are conducted. If the official is a performing professional musician, the official shall give notice to the Board of Ethics and the Louisiana Gaming Control Board not later than five days prior to any performance. If the official is also subject to the Judicial Canons of Ethics, then he must also provide such notice to the Judicial Administrator of the Louisiana Supreme Court. Such notice shall include, but not be limited to the following information: the date, time and location of the performance; the amount of compensation the official has contracted to receive for the performance; and the identity of the person or entity providing compensation to the official. A copy of the contract shall also be attached to such notice. Cash compensation to the official for the performance is prohibited by this Section. The Board of Ethics may promulgate rules to provide for additional information to be included in such notice."

Representatives:	Respectfully submitted,
T. Taylor Townsend	Senators:
Daniel R. Martiny	Foster L. Campbell
Diane G. Winston	Donald R. Cravins
	Max T. Malone

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Hines	Michot
Boissiere	Hollis	Romero
Campbell	Hoyt	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, C	Theunissen
Dupre	Lambert	Thomas
Fields, W	Malone	Ullo
Gautreaux	Marionneaux	
Heitmeier	McPherson	
Total—25		

NAYS

Cain	Ellington	Mount
Dardenne	Fontenot	Schedler
Dean	Lentini	
Total—8		
	ABSENT	

Mr. President	Bean	Irons
Bajoie	Fields, C	Jones, B
Total—6		

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

CONFERENCE COMMITTEE REPORT
House Bill No. 914 By Representative Daniel

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 914 by Representative Daniel, recommend the following concerning the reengrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Retirement Committee and adopted by the Senate on May 20, 2001, be adopted.
2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 11:726(B), 761(A), 765, 802(2), and 811(E) and to"

AMENDMENT NO. 2

On page 1, at the end of line 4, add "with respect to retirement eligibility requirements and withdrawal from service; to provide"

AMENDMENT NO. 3

On page 1, line 14, between "Section 1." and "Subpart" insert "R.S. 11:726(B), 761(A), 765, 802(2), and 811(E) are hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, after line 16, add:

"§726. Termination of membership; withdrawal from service after ten years; retirement at age sixty
* * *

B. However, any member who has credit for ~~ten~~ five or more years of service may withdraw from service and elect to leave his accumulated contributions in the system and, upon reaching age

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sixty, he shall receive a retirement allowance based on the credits he had at the time of his withdrawal from service.

* * *

§761. Retirement benefits; application; eligibility requirements; effective date; cancellation; errors and omissions

A. (1) Any person who became a member prior to July 1, 1999, may retire upon written application to the board of trustees, if the member at the time of application the member:

(a) Has has attained the age of sixty years; and

(b) Has has credit for ten five years of accredited service or has twenty years or more of creditable teaching service regardless of age.

(2)(a) Any person who became a member on or after July 1, 1999, may retire upon written request to the board of trustees, if the member:

(i) Has has attained the age of sixty years and has credit for ten five years of accredited service; or

(ii) Has has attained the age of fifty-five years and has credit for twenty-five or more years of accredited service; or

(iii) At at any age with thirty or more years of accredited service.

(b) The accredited service referenced in Subparagraph (a) of this Paragraph shall not include all of said service to be exclusive of unused accumulated sick leave and unused accumulated annual leave.

(2)(a) A properly executed, original application for retirement shall be considered as officially filed with the board when received by the Teachers Retirement System of Louisiana board of trustees of this system. Retirement benefits shall become effective as of the date a properly executed, original application for retirement is received by the Teachers Retirement System of Louisiana board of trustees of this system or the day after the member terminates from teaching service, whichever is later.

(b) A member may only cancel his application for retirement prior to negotiating, cashing, or depositing any benefit check including an estimated benefit check.

* * *

§765. Withdrawal from service after ten five years; retirement at age sixty

A. Any member who has credit for ten five or more years of service may withdraw from service and elect to leave his accumulated contributions in the system and, upon reaching age sixty, he shall receive a retirement allowance based on the credits he had at the time of his withdrawal from service.

B. (1) The retirement allowance under this Section shall be due and payable by the system effective the first day of the month following the attainment of age sixty, but shall not be paid until a written application for retirement is executed and filed with the system.

(2) Any member who withdraws from service and elects to take advantage of this Section shall be provided a written commitment by the system concerning his future retirement rights.

C. This Section shall become effective September 12, 1980, and shall not be retroactive and shall not apply to any other type of retirement.

* * *

§802. Eligibility for regular retirement

Any member covered by R.S. 11:801 shall be eligible to retire if he has at least:

* * *

(2) Ten Five years of creditable service, and is at least age sixty.

* * *

§811. Transferees from Plan A of the School Lunch Employees' Retirement System; termination of Social Security coverage prior to July 1, 1985

* * *

E. No member included in Subsection A of this Section shall be eligible for a normal or regular service retirement unless he has at least thirty years of creditable service, regardless of age or twenty-five years of creditable service and is at least age fifty-five or ten five years of creditable service and is at least age sixty; however, any member included in Subsection A of this Section who was covered by the provisions of R.S. 17:1260.1 shall continue to be covered by said provisions.

* * *

Respectfully submitted,

Representatives:
William B. Daniel, IV
Pete Schneider
Jean M. Doerge

Senators:
Lambert Boissiere, Jr.
Butch Gautreaux
Fred Hoyt

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean
Bajoie	Irons
Total—4	

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

Senator Lambert in the Chair

CONFERENCE COMMITTEE REPORT
House Bill No. 945 By Representative Martiny

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 776 by Representative Martiny, recommend the following concerning the engrossed bill:

- 1. That Senate Floor Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on May 22, 2001 be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 16, after "duties" insert a comma "," and delete the remainder of the line and delete line 17 in its entirety and insert the following: " or when the specific intent to kill or to inflict great bodily harm is directly related to the victim's status as a fireman, peace officer, or civilian employee."

Respectfully submitted,

Representatives: Daniel R. Martiny, Ernest D. Wooton, Emma Devillier; Senators: Arthur J. "Art" Lentini, Robert Marionneaux, Jr., Joel T. Chaisson, II

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington, Fields, C, Fields, W, Total—35

Lambert, Thomas, Lentini, Ullio, Malone

NAYS

Total—0

ABSENT

Mr. President, Bajoie, Total—4

Bean, Irons

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1041 By Representative McMains

May 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1041 by Representative McMains, recommend the following concerning the reengrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator Schedler and adopted by the Senate on June 7, 2001, be rejected.
2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 20, after "for" and before "eight" insert "at least"

AMENDMENT NO. 2

On page 2, line 9, change "is" to "has been"

AMENDMENT NO. 3

On page 2, line 10, after "state" and before the comma "," insert "for at least eight months"

AMENDMENT NO. 4

On page 2, line 15, after "has" and before "been" insert "not"

Respectfully submitted,

Representatives: F. Charles McMains, Kyle M. Green; Senators: Tom Schedler, Noble E. Ellington, Louis Lambert

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Lentini
Bajoie	Irons	
Total—5		

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

Mr. President in the Chair

CONFERENCE COMMITTEE REPORT
House Bill No. 1492 By Representative DeWitt, et al

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1492 by Representative DeWitt, et al, recommend the following concerning the reengrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on May 1, 2001, be adopted.

2. That the set of Senate Floor Amendments proposed by Senator Campbell and adopted by the Senate on May 3, 2001, be rejected.

Respectfully submitted,

Representatives:
Charlie DeWitt
Jerry Luke LeBlanc
Henry Powell

Senators:
John L. "Jay" Dardenne
Tom Schedler

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report.

Motion

Senator Schedler moved that the Conference Committee Report be adopted.

Senator Campbell moved as a substitute motion that the bill be recommitted to Conference Committee.

Senator Schedler objected.

Senator Marionneaux asked for a ruling from the Chair whether under Article 3 Section 16, Subpart D of the Constitution this bill requires a public hearing.

The Chair ruled the bill does require a public hearing and must be recommitted to Conference Committee.

The bill was recommitted to Conference Committee.

CONFERENCE COMMITTEE REPORT
House Bill No. 1556 By Representatives Kennard and Durand

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1556 by Representatives Kennard and Durand, recommend the following concerning the reengrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Fontenot and adopted by the Senate on June 11, 2001, be rejected.
2. That the set of Senate Committee Amendments proposed by the Committee on Environmental Quality and adopted by the Senate on May 23, 2001, be rejected.

3. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 23, change "\$55.00" to "\$65.00", on line 24, change "\$75.00" to "\$85.00", and on line 25, change "\$150.00" to "\$170.00"

AMENDMENT NO. 2

On page 3, line 1, change "\$225.00" to "\$255.00"

Respectfully submitted,

Representatives:

N. J. Damico
Sydnie Mae Durand
Donald Ray Kennard

Senators:

James David Cain
Heulette "Clo" Fontenot

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields, W	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Bean	Irons	
Campbell	McPherson	
Total—4		

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1712 By Representative Nevers

June 15, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1712 by Representative Nevers, recommend the following concerning the engrossed bill:

1. That Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on May 14, 2001, be adopted.
2. That all Senate Floor Amendments proposed by Senator Smith and adopted by the Senate on June 5, 2000, be rejected.

Respectfully submitted,

Representatives:

Ben W. Nevers
John C. "Juba" Diez
Robert J. "Robby" Carter

Senators:

Jerry Thomas
Francis C. Heitmeier

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Bajoie	Fields, W	Malone
Barham	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—34		
	NAYS	
Smith		
Total—1		
	ABSENT	
Mr. President	Irons	
Bean	Marionneaux	
Total—4		

June 16, 2001

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1721 By Representative Donelon

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1721 by Representative Donelon, recommend the following concerning the reengrossed bill:

- 1. That the Senate Committee Amendments proposed by the Senate Committee on Insurance and adopted by the Senate on May 24, 2001, be accepted.
2. That the Senate Floor Amendment proposed by Senator Schedler and adopted by the Senate on June 12, 2001, be rejected.

Respectfully submitted,

Representatives: James Donelon, Shirley Bowler, John C. "Juba" Diez

Senators: Lambert Boissiere, Jr., Tom Schedler, Gregory Tarver

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Mr. President

Bean

Irons

Total—3

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1727 By Representative Diez

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1727 by Representative Diez, recommend the following concerning the reengrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator C. Fields and adopted by the Senate on June 12, 2001, be rejected.

Respectfully submitted,

Representatives: John C. "Juba" Diez, Jim Tucker, Roy Quezair, Jr.

Senators: Joel T. Chaisson, II, Francis C. Heitmeier

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Boissiere, Cain, Campbell, Chaisson, Cravins, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver

Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—35		

NAYS

Fields, C	Fields, W
Total—2	

ABSENT

Bean	Irons
Total—2	

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1864 By Representative Diez

June 15, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1864 by Representative Diez, recommend the following concerning the engrossed bill:

1. That the set of Senate Floor amendments proposed by Senator McPherson and adopted by the Senate on June 12, 2001, be rejected.

Respectfully submitted,

Representatives:	Senators:
John C. "Juba" Diez	Francis C. Heitmeier
Jim Tucker	Joe McPherson
Roy Quezaire, Jr.	Arthur J. "Art" Lentini

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot

Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	
Total—35		

NAYS

Dean
Total—1

ABSENT

Mr. President	Bean	Irons
Total—3		

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1886 By Representative Johns

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1886 by Representative Johns, recommend the following concerning the engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator McPherson and adopted by the Senate on June 11, 2001, be rejected.

Respectfully submitted,

Representatives:	Senators:
Ronnie Johns	Chris Ullo
D. Lancaster, Jr.	Joe McPherson
Rodney Alexander	Craig F. Romero

Rules Suspended

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

June 16, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bean	Irons
Total—3		

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

CONFERENCE COMMITTEE REPORT
House Bill No. 2051 By Representative Pinac

June 13, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 2051 by Representative Pinac, recommend the following concerning the engrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on May 24, 2001, be adopted.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on May 24, 2001, on page 1, line 9, after "**plus**" and before "**any**" insert a comma ",₁" and "**upon written submission to and approval of the commissioner.**"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on May 24, 2001, on page 1, line 11, after "**from**" and before "**the**" insert "**either**"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on May 24, 2001, on page 1, line 12, after "**Administration**" and before "**issued**" insert "**or the United States Department of Agriculture Business and Industrial Loan Guarantee Program, or both.**"

Representatives:	Respectfully submitted,
Gil J. Pinac	Senators:
Jean M. Doerge	Ken Hollis
Jim Tucker	Michael J. Michot
	Mike Smith

Rules Suspended

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Irons
Total—2	

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

CONFERENCE COMMITTEE REPORT
House Bill No. 1682 By Representative Townsend

June 15, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1682 by Representative Townsend, recommend the following concerning the engrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator McPherson and adopted by the Senate on June 11, 2001, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and add "amend and reenact R.S. 26:73.1, 80(A)(4), 273(A)(7), and 280(A)(4) and (C) and to enact R.S. 26:71.1(1)(g), (h), and (i), 80(C)(3), and 271.2(1)(g), (h), and (i), relative to the Alcoholic Beverage Control Law;"

AMENDMENT NO. 2

On page 1, line 3, after "to" and before "permits" insert "provide for"

AMENDMENT NO. 3

On page 1, line 4, after "permits;" and before "and to" insert "to provide for qualifications of applicants; to authorize the commissioner to accept from certain publicly traded corporations documentation as proof that certain specified people meet the criteria necessary for qualification of applicants for alcohol permits; to provide for a definition of "donut shop";

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete the remainder of the line and add " R.S. 26:73.1, 80(A)(4), 273(A)(7), and 280(A)(4) and (C) are hereby amended and reenacted and R.S. 26:71.1(1)(g), (h), and (i), 80(C)(3), and 271.2(1)(g), (h), and (i) are hereby enacted"

AMENDMENT NO. 5

On page 2, between lines 8 and 9, insert the following:
"§73.1. Limitations on issuance of permits

The commission shall not issue a permit of any class to any donut shop for the sale of alcoholic beverages. For purposes of this Section, "donut shop" shall be defined as an establishment:

- (1) Which sells donuts, pastries, or other confections;
(2) Does not operate a fully equipped kitchen used for the preparation of uncooked foods, other than donuts, pastries, or other confections, for service and consumption of such foods on the premises; and
(3) Does not prepare and serve uncooked foods, other than donuts, pastries, or other confections, at least five days a week.

§80. Qualifications of applicants for permits

A. Applicants for state and local permits of all kinds shall meet all of the following qualifications and conditions:

* * *

(4) Have not been convicted Ten or more years have elapsed between the date of application and the successful completion of any sentence, deferred adjudication, or period of probation or parole for a conviction of a felony under the laws of the United States, the state of Louisiana, or any other state or country.

* * *

C.

* * *

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

* * *

AMENDMENT NO. 6

On page 2, after line 25, insert the following:
"§273. Limitations on the issuance of state permits; exceptions

A. The commissioner shall not:

* * *

(7) Issue a permit of any class to any donut shop for the sale of alcoholic beverages. For purposes of this Paragraph, "donut shop" shall be defined as an establishment that meets all of the following:

- (a) Sells donuts, pastries, or other confections.
(b) Does not operate a fully equipped kitchen used for the preparation of uncooked foods, other than donuts, pastries, or other confections, for service and consumption of such foods on the premises.
(c) Does not prepare and serve uncooked foods, other than donuts, pastries, or other confections, at least five days a week.

* * *

§280. Qualifications of applicants for permits

A. Applicants for state and local permits of all kinds shall meet the following qualifications and conditions:

* * *

(4) Have not been convicted Ten or more years have elapsed between the date of application and the successful completion of any sentence, deferred adjudication, or period of probation or parole for a conviction of a felony under the laws of the United States, the state of Louisiana, or any other state or country.

* * *

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

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

* * *

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

Representatives: T. Taylor Townsend, Troy Hebert, Diane G. Winston; Senators: Arthur J. "Art" Lentini, Francis C. Heitmeier

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report.

Senator Lentini moved to recommit the bill to Conference Committee.

Without objection, so ordered.

Appointment of Conference Committee on House Bill No. 1584

The President of the Senate appointed on the Conference Committee on House Bill No. 1584 the following members of the Senate: Senators Bajoie, Schedler and Hainkel.

Appointment of Conference Committee on House Bill No. 1391

The President of the Senate appointed on the Conference Committee on House Bill No. 1391 the following members of the Senate: Senators Ellington, Heitmeier and Barham.

Appointment of Conference Committee on House Bill No. 456

The President of the Senate appointed on the Conference Committee on House Bill No. 456 the following members of the Senate: Senators Bajoie, Johnson and Fontenot.

Regular Order of the Day Resumed

Reconsideration

On motion of Senator Lentini, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 15, 2001 was reconsidered.

HOUSE BILL NO. 52— BY REPRESENTATIVES BOWLER AND SCALISE AN ACT

To amend and reenact R.S. 47:463.61, relative to motor vehicles; to provide relative to the "Choose Life" prestige license plate; to provide for the design and color of such plate; to provide relative to the fee for such plate; to provide relative to the use of such fees; to repeal provisions relative to the Choose Life Advisory Council; to repeal provisions relative to the membership, terms, duties, and pay for members of such council; to repeal requirement that qualified organizations submit annual audits; to prohibit qualified organizations from disclosing certain information; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 52 by Representative Bowler

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 through 5 proposed by Senator Bajoie and adopted by the Senate on June 15, 2001.

Senator Cain moved adoption of the amendments.

Senator Bajoie objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Cain, Chaisson, Dupre, Fontenot, Total—11; Hoyt, Jones, B, Michot, Romero; Smith, Theunissen, Ullo

NAYS

Table listing nays: Bajoie, Barham, Boissiere, Dardenne, Dean, Ellington, Fields, C, Total—20; Fields, W, Gautreaux, Heitmeier, Hollis, Johnson, Jones, C, Lambert; Lentini, Malone, Marionneaux, Mount, Schedler, Thomas

ABSENT

Mr. President, Cravins, McPherson

Bean
Campbell
Total—8

Hines
Irons

Tarver

The Chair declared the amendments were rejected.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Cain to House Bill No. 52. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 52 by Representative Bowler

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Bajoie and adopted by the Senate on June 15, 2001 page 1, line 19 and 20, change "one hundred" to "one thousand"

AMENDMENT NO. 2

On page 2, line 2, change "one hundred" to "one thousand"

On motion of Senator Fontenot, 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

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

NAYS

Cain
Total—1

ABSENT

Bean
Cravins
Total—4

Irons
Jones, C

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.

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 52. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Michot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Hoyt asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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Personal Privilege

Senator Lambert asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 52. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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

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

**SENATE CONCURRENT RESOLUTION NO. 19—
BY SENATOR SCHEDLER**

A CONCURRENT RESOLUTION

To create the Louisiana Child Visitation Center Review Commission to study the feasibility of establishing child visitation centers in the state to provide safe, supervised settings for noncustodial parents to meet and visit with their children.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 19 by Senator Schedler

AMENDMENT NO. 1

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

"(24) The president of the Louisiana Association of Behavioral Healthcare, or his designee."

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original Senate Concurrent Resolution No. 19 by Senator Schedler

AMENDMENT NO. 1

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

"(24) A member of the Louisiana Court-Appointed Special Advocate Association."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fontenot Marionneaux

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

Total—34

NAYS

Total—0

ABSENT

Mr. President	Campbell	Tarver
Barham	Irons	

Total—5

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 CONCURRENT RESOLUTION NO. 20—

BY SENATORS HINES, SCHEDLER, MCPHERSON AND THOMAS AND REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

To create the Louisiana Stroke Treatment Task Force to study the feasibility of developing and implementing a comprehensive statewide education program on stroke prevention targeted to high-risk populations and to geographic areas where there is a high incidence of stroke.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 20 by Senator Hines

AMENDMENT NO. 1

On page 4, line 5, change "designee." to "designees."

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler

Chaisson	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	
Fontenot	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Irons
Bean	Ellington	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To establish the Task Force on Local Funding Certification for state match requirements to study and make recommendations regarding resources available to be used as funds for which federal matching funds are allowed.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 57 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and on line 3, delete "requirements" and insert the following: "request the Senate Committee on Finance and the House Committee on Appropriations to meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, delete line 5, in its entirety, and on line 7, delete "requirements" and insert the following: "requests the Senate Committee on Finance and the House Committee on Appropriations to meet and function as a joint committee"

AMENDMENT NO. 3

On page 2, line 9, change "task force" to "committees"

AMENDMENT NO. 4

On page 2, line 13, after "the" delete the remainder of the line and delete lines 14 through 28, and on page 3, delete lines 1 through 22, and insert the following: "committees shall seek recommendations and testimony on this matter from the following:

- (1) The Department of Health and Hospitals.

- (2) The Department of Social Services.
- (3) The commissioner of administration.
- (4) The Louisiana Police Jury Association.
- (5) The Capital Area Human Services District.
- (6) The Jefferson Parish Human Services Authority.
- (7) The United Way of Louisiana.
- (8) The Health Department of the City of New Orleans.
- (9) The Louisiana Municipal Association.
- (10) The Louisiana Association of Nonprofit Organizations."

AMENDMENT NO. 5

On page 3, line 23, change "group" to "committees"

AMENDMENT NO. 6

On page 3, line 24, change "its" to "their"

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

NAYS

Total—0

ABSENT

Bean	Irons	Tarver
Campbell	Jones, B	
Total—5		

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 CONCURRENT RESOLUTION NO. 68—

BY SENATORS B. JONES AND JOHNSON

A CONCURRENT RESOLUTION

To create a state tax structure committee to study certain business inducements and tax credits and report its findings to the legislature by March 1, 2002.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 68 by Senator B. Jones

AMENDMENT NO. 1

Delete the House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 31, 2001

AMENDMENT NO. 2

On page 1, line 2, after "To" delete "create a state tax structure" and insert the following: "request the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means to meet and function as a joint"

AMENDMENT NO. 3

On page 1, line 3, change "its" to "their"

AMENDMENT NO. 4

On page 1, line 15, delete "establishes the Louisiana Tax Structures Committee" and insert the following: "requests the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means to meet and function as a joint committee"

AMENDMENT NO. 5

On page 2, line 5, change "committee" to "committees"

AMENDMENT NO. 6

On page 2, at the beginning of line 10, change "committee" to "committees"

AMENDMENT NO. 7

On page 2, at the beginning of line 12, change "committee's" to "committees"

AMENDMENT NO. 8

On page 2, line 17, after "the" delete the remainder of the line and delete lines 18 through 27, in their entirety, and on page 3, delete lines 1 through 10, in their entirety and insert the following: "committees shall invite the following to provide testimony on this matter:

- (1) The Board of Regents.
(2) The Association of State, County and Municipal Employees.
(3) The Louisiana Association of Business and Industry.
(4) The state AFL-CIO.
(5) The Board of Commerce and Industry.
(6) The Department of Economic Development."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Boissiere, Cain, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Total—33; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bean, Total—6; Campbell, Irons; McPherson, Tarver.

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

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, the Louisiana State University Health Services Center-Health Care Services Division, and the University Hospital in Shreveport to study and make recommendations on a common acute care hospital payment methodology.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 94 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "Health" and before "Center", change "Services" to "Sciences"

AMENDMENT NO. 2

On page 1, line 4, delete "University Hospital in" and insert in lieu thereof "Louisiana State University Health Sciences Center - "

AMENDMENT NO. 3

On page 2, line 6, delete "University Hospital at" and insert in lieu thereof "Louisiana State University Health Sciences Center - "

AMENDMENT NO. 4

On page 2, at the end of line 7, delete the period "." and insert "and all matters pertinent thereto."

AMENDMENT NO. 5

On page 2, line 10, delete "Louisiana Health Care Campaign" and insert in lieu thereof "Louisiana Maternal and Child Health Coalition"

AMENDMENT NO. 6

On page 2, line 21, delete "chancellor" and insert "chief executive officer"

AMENDMENT NO. 7

On page 2, line 21, after "Center", insert " - Health Care Services Division"

AMENDMENT NO. 8

On page 2, line 22, delete "University Hospital in" and insert in lieu thereof "the Louisiana State University Health Sciences Center - "

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields, W	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Bean	Irons	Tarver
Campbell	Jones, B	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 105—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To establish a special committee to study all aspects of sportsmanship at youth sporting events and to provide recommendations to the legislature on the feasibility of establishing a policy or program for parents or legal guardians who have children who participate in youth sports activities.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 105 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish a special" and insert the following: "request the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial and Cultural Affairs to meet and function as a joint"

AMENDMENT NO. 2

On page 2, line 17, delete "establishes a special" and insert the following: "requests the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial and Cultural Affairs to meet and function as a joint"

AMENDMENT NO. 3

On page 2, line 21, after "the" delete the remainder of the line and delete lines 22 through 28, in their entirety, and on page 3, delete lines 1 through 26, in their entirety, and insert the following: "joint committee shall invite the following to provide testimony on this matter:

- (1) The Louisiana High School Athletic Association;
- (2) The Louisiana Recreation and Parks Association;
- (3) The Jefferson Parish Department of Parks and Recreation;
- (4) The Lafayette Parish Department of Parks and Recreation;
- (5) The Shreveport Parks and Recreation Department;
- (6) The City of Bastrop Parks and Recreation Department;
- (7) The Louisiana High School Coaches Association;
- (8) The Louisiana Athletic Directors Association;
- (9) The Department of Kinesiology at Louisiana State University and Agricultural and Mechanical College; and
- (10) The Louisiana Parent-Teacher Association.

AMENDMENT NO. 4

On page 3, line 27, between "the" and "committee" insert "joint"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Dean
Total—1

ABSENT

Mr. President	Campbell	Tarver
Bean	Irons	

Total—5

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 CONCURRENT RESOLUTION NO. 110—
BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to assign Louisiana State Police to provide patrols and conduct traffic accident investigations between Elysian Fields Avenue and the I-10 Interstate system in New Orleans and the I-10 Interstate Twin Spans in New Orleans East.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Concurrent Resolution No. 110 by Senator Johnson

AMENDMENT NO. 1

On page 2, delete lines 5 through 7 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Engrossed Senate Concurrent Resolution No. 110 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, change "urge and request" to "direct"

AMENDMENT NO. 2

On page 1, at the end of line 6, delete the period "." and insert the following: "and on Chef Menteur Boulevard (Highway 90) from Downman Road to Bullard Avenue."

AMENDMENT NO. 3

On page 2, line 12, change "urges and requests" to "directs"

AMENDMENT NO. 4

On page 2 at the end of line 16, delete the period "." and insert the following: "and on Chef Menteur Boulevard (Highway 90) from Downman Road to Bullard Avenue."

Senator Johnson 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
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	

Total—35

NAYS

Total—0

ABSENT

Bean	Irons
Campbell	Tarver

Total—4

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

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish a special committee to study the feasibility and advisability of providing incentives to nontraditional students who pursue career or technical training at Louisiana's community and technical colleges in employment areas that have been designated by the Occupational Forecast Conference as areas of "critical need" and to provide recommendations to the legislature.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 118 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish a special committee" and insert the following: "request that the Senate Committee on Education and the House Committee on Education meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, line 19, after "hereby" delete "establishes a special committee" and insert the following: "requests that the Senate Committee on Education and the House Committee on Education meet and function as a joint committee"

AMENDMENT NO. 3

On page 2, line 25, after "the" delete the remainder of the line and delete lines 26 and 27, in their entirety, delete page 3, in its entirety, and on page 4, delete lines 1 through 4, and insert the following: "committees shall invite the following to provide testimony on this matter:

- (1) The Department of Labor.
- (2) The Louisiana Workforce Commission.
- (3) The commissioner of higher education.
- (4) The Louisiana Community and Technical College System.
- (5) The Louisiana Association of Business and Industry.
- (6) The Louisiana AFL-CIO.
- (7) The Louisiana Association of Independent Colleges and Universities.
- (8) The Occupational Forecast Conference."

AMENDMENT NO. 4

On page 4, line 5, change "special committee" to "committees"

AMENDMENT NO. 5

On page 4, delete lines 6 and 7, in their entirety, and insert the following: "a report of their findings and recommendations to the legislature no later than March 1, 2002."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, C
Fields, W
Total—34

Lentini
Malone

NAYS

Total—0

ABSENT

Mr. President
Bean
Total—5

Campbell
Irons
Tarver

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

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish a special committee to study the merits of and need for tenure as a benefit for public elementary and secondary classroom teachers and other public school employees and to make any recommendations to the Senate and House committees on education.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 121 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish a special committee" and insert the following: "request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee"

AMENDMENT NO. 2

On page 1, line 4, after "and" delete the remainder of the line and delete line 5, in its entirety, and insert "submit a report to the legislature."

AMENDMENT NO. 3

On page 2, line 17, after "hereby" delete "establishes a special committee" and insert the following: "request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee"

AMENDMENT NO. 4

On page 2, delete lines 19 through 21, in their entirety, and insert "school employees."

AMENDMENT NO. 5

On page 2, line 22, after "the" delete the remainder of the line and delete lines 23 through 28, in their entirety, and on page 3, delete lines 1 through 25, in their entirety, and insert the following:

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"the committees shall invite the following to provide testimony on this matter:

- (1) The State Board of Elementary and Secondary Education, to be appointed by the president of the state board.
- (2) The Louisiana Association of Educators.
- (3) The Louisiana Federation of Teachers.
- (4) The Associated Professional Educators of Louisiana.
- (5) The Louisiana School Boards Association.
- (6) The Louisiana Association of School Superintendents.
- (7) The Louisiana Association of Principals.
- (8) The Louisiana Association of School Bus Operators.
- (9) The Public Affairs Research Council of Louisiana.
- (10) The Council for a Better Louisiana.
- (11) The Louisiana State Bar Association."

AMENDMENT NO. 6

On page 3, line 26, change "committee" to "committees"

AMENDMENT NO. 7

On page 3, line 27, change "its" to "their"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Tarver
Bean	Irons	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 124—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To establish a special committee to study the costs of the criminal justice system and the feasibility of the requirement that the state fund the costs of expenses related to prisoners incarcerated relative to violations of state law.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original Senate Concurrent Resolution No. 124 by Senator Johnson

AMENDMENT NO. 1

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

"(11) The chairman of the House Committee on Administration of Criminal Justice or his designee from that committee.

(12) The chairman of the Senate Committee on Judiciary C or his designee from that committee."

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 124 by Senator Johnson

AMENDMENT NO. 1

Delete the House Committee Amendment proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 1, 2001.

AMENDMENT NO. 2

On page 1, line 2, after "To" delete "establish a special committee" and insert the following:

"request that the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial, and Cultural Affairs to meet and function as a joint committee"

AMENDMENT NO. 3

On page 2, line 1, after "hereby" delete "creates a special committee" and insert the following: "requests that the Senate Committee on Local and Municipal Affairs and the House Committee on Municipal, Parochial, and Cultural Affairs to meet and function as a joint committee"

AMENDMENT NO. 4

On page 2, line 4, after "the" delete the remainder of the line and delete lines 5 through 18 in their entirety and insert the following: "joint committee shall invite the following to provide testimony on this matter:

- (1) The Louisiana Municipal Association;
- (2) The Louisiana Police Jury Association;
- (3) The Louisiana District Attorneys Association;

- (4) The Louisiana Sheriffs Association; and
- (5) The Louisiana Supreme Court."

AMENDMENT NO. 5

On page 3, line 15, after "Senate" insert "Committee on"

AMENDMENT NO. 6

On page 3, delete lines 17 through 22 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Original Senate Concurrent Resolution No.124 by Senator Johnson

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 1, 2001.

AMENDMENT NO. 2

On page 1, line 2, after "To" and before "study" delete "establish a special committee to" and insert "the Senate Committee on Judiciary B and the House Committee on Administration of Criminal Justice to meet and function as a joint committee to"

AMENDMENT NO. 3

On page 2, line 1, delete "hereby creates a special committee to" and insert "requests "the Senate Committee on Judiciary B and the House Committee on Administration of Criminal Justice to meet and function as a joint committee to"

AMENDMENT NO. 4

On page 2, delete lines 4 through 18 in their entirety

AMENDMENT NO. 5

On page 3, delete lines 13 through 22 in their entirety

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons	Schedler
Campbell	Jones, C	Tarver
Total—6		

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

Senator Lambert in the Chair

SENATE CONCURRENT RESOLUTION NO. 126—

BY SENATORS W. FIELDS, HOYT, MOUNT AND THEUNISSEN

A CONCURRENT RESOLUTION

To establish a special committee to study service-learning and the feasibility and advisability of requiring service-learning as a requirement for high school graduation, and to provide recommendations to the Senate and House committees on education.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Concurrent Resolution No. 126 by Senator W. Fields, et al.

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" change "establish a special committee" to "request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert "school graduation and to report their findings and recommendations to the legislature prior to the beginning of the 2002 Regular Session, together with any specific proposals for legislation."

AMENDMENT NO. 3

On page 2, delete lines 10 through 13 and insert the following: "hereby requests the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study service-learning and the feasibility and advisability of requiring service-learning as a requirement for high school graduation and to report its findings and recommendations to the legislature prior to the beginning of the 2002 Regular Session, together with any specific proposals for legislation."

AMENDMENT NO. 4

On page 2, line 14, after "the" delete the remainder of the line and delete lines 15 through 27 and on page 3, delete lines 1 through 21 and insert the following: "committees, functioning as a joint committee, shall invite the following to provide testimony on this matter:

June 16, 2001

- (1) The State Board of Elementary and Secondary Education.
- (2) The state superintendent of education.
- (3) The Louisiana Serve Commission.
- (4) The Council for a Better Louisiana.
- (5) The Louisiana AFL-CIO.
- (6) The Louisiana Association of Business of Industry.
- (7) The Louisiana Association of Educators.
- (8) The Louisiana Federation of Teachers.
- (9) The Associated Professional Educators of Louisiana.
- (10) The Louisiana Association of Principals.
- (11) The Louisiana Association of School Superintendents.
- (12) The Young Emerging Leaders of Louisiana."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed Senate Concurrent Resolution No. 126 by Senator W. Fields, et al.

AMENDMENT NO. 1

In Amendment No. 4 proposed by the House Committee on Education and adopted by the House on June 6, 2001, on page 2, after line 7, insert the following:

"(13) The Louisiana Association of Nonprofit Organizations."

Senator W. Fields 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	Hines	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Cravins	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Malone	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Irons
Campbell	Gautreaux	Lentini
Chaisson	Heitmeier	Tarver
Total—9		

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

SENATE CONCURRENT RESOLUTION NO. 128—

BY SENATOR SCHEDLER AND REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To create a task force to study the current healthcare facility licensure process and criteria for licensure to determine if the public is being well-served within the context of available financial resources.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 128 by Senator Schedler

AMENDMENT NO. 1

On page 2, delete lines 26 and 27 and on page 3, delete line 1

AMENDMENT NO. 2

On page 3, line 2, change "(g)" to "(e)"

AMENDMENT NO. 3

On page 3, line 4, change "(h)" to "(f)"

AMENDMENT NO. 4

On page 3, line 6, change "(i)" to "(g)"

AMENDMENT NO. 5

On page 3, line 8, change "(j)" to "(h)"

AMENDMENT NO. 6

On page 3, line 9, change "(k)" to "(i)"

AMENDMENT NO. 7

On page 3, line 11, change "(l)" to "(j)"

AMENDMENT NO. 8

On page 3, line 13, change "(m)" to "(k)"

AMENDMENT NO. 9

On page 3, line 15, change "(n)" to "(l)"

AMENDMENT NO. 10

On page 3, line 17, change "(o)" to "(m)"

AMENDMENT NO. 11

On page 3, line 18, change "(p)" to "(n)"

AMENDMENT NO. 12

On page 3, line 20, change "(q)" to "(o)"

AMENDMENT NO. 13

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

"(p) The executive director of the Voluntary Hospitals of America, Inc., or his designee."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Engrossed Senate Concurrent Resolution No. 128 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, delete "create a task force" and insert "request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function jointly"

AMENDMENT NO. 2

On page 2, line 13, delete "create a task force" and insert "request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet and function jointly"

AMENDMENT NO. 3

On page 2, delete lines 16 through 27, in their entirety, delete pages 3 and 4, in their entirety, and insert the following:

"BE IT FURTHER RESOLVED that the committees shall invite the following to provide testimony on the matter:

- (1) The Department of Health and Hospitals.
(2) The Louisiana Hospital Association.
(3) The Louisiana State Medical Society.
(4) The Louisiana Maternal and Child Health Coalition.
(5) The Louisiana Medical Association.
(6) The Louisiana Association of Nurse Executives.
(7) The Healthcare Financial Management Association.
(8) The Louisiana Ambulatory Surgery Association.
(9) The Louisiana Orthopaedic Association.
(10) The Rural Hospital Coalition.
(11) The Voluntary Hospitals of America, Inc.

BE IT FURTHER RESOLVED that the committees shall conduct their first meeting to study this matter by October 1, 2001.

BE IT FURTHER RESOLVED that the committees shall report their findings and recommendation to the legislature prior to the convening of the 2003 Regular Session."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Chaisson, Cravins, Dean, Dupre, Ellington, Total—27; Fields, C, Fields, W, Fontenot, Gautreaux, Hines, Hollis, Hoyt, Jones, B, Jones, C; Lambert, Malone, Marionneaux, Michot, Romero, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Cain, Campbell, Dardenne, Total—12; Heitmeier, Irons, Johnson, Lentini; McPherson, Mount, Schedler, Tarver

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 CONCURRENT RESOLUTION NO. 130—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To nominate portions of several rivers and streams in the parishes of Allen, Vernon, Beauregard and Calcasieu for inclusion in the Louisiana Natural and Scenic Rivers System; and to provide for study and recommendations to the legislature on such nominations by the system administrator.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Concurrent Resolution No. 130 by Senator Cain

AMENDMENT NO. 1

On page 2, delete lines 8 and 9 in their entirety

AMENDMENT NO. 2

On page 2, line 10, change "(2)" to "(1)"

AMENDMENT NO. 3

On page 2, line 11, change "(3)" to "(2)"

AMENDMENT NO. 4

On page 2, line 13, change "(4)" to "(3)"

AMENDMENT NO. 5

On page 2, line 15, change "(5)" to "(4)"

AMENDMENT NO. 6

On page 2, line 17, change "(6)" to "(5)"

AMENDMENT NO. 7

On page 2, line 19, change "(7)" to "(6)"

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

ROLL CALL

The roll was called with the following result:

YEAS

June 16, 2001

Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Malone	
Fields, W	Marionneaux	
Total—31		

NAYS

Dean
Total—1

ABSENT

Mr. President	Heitmeier	Tarver
Campbell	Irons	
Dardenne	Lentini	
Total—7		

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

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATOR W. FIELDS

A CONCURRENT RESOLUTION

To establish a special committee to review all aspects and issues regarding the value, use, eligibility for, cost of, and funding for the Tuition Opportunity Program for Students including the TOPS-Tech Program and the TOPS for Teachers Program and to offer recommendations to the legislature for any changes that the special committee determines, based on its review, are necessary to insure that the program is appropriately focused to assure access to postsecondary education for all Louisiana students who demonstrate, by their qualifications and achievement, a desire for the opportunity to attain a postsecondary education and the readiness to benefit from such education; is fairly structured, implemented, and administered; is projected to have a cost, the funding for which is predictable and manageable; and is meeting the goals for which each award program was established including TOPS-Tech and TOPS for Teachers.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Concurrent Resolution No. 131 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to review" change "establish a special committee" to "request the Senate Committee on Education

and the House Committee on Education to meet and function as a joint committee"

AMENDMENT NO. 2

On page 1, line 6, after "that the" delete the remainder of the line and at the beginning of line 7, delete "based on its" and insert "committees, functioning as a joint committee, determine, based on their"

AMENDMENT NO. 3

On page 3, line 5, after "hereby" and before "to review" change "establishes a special committee" to "requests the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee"

AMENDMENT NO. 4

On page 3, line 9, after "that the" and before "review," change "special committee determines, based on its" to "committees, functioning as a joint committee, determine, based on their"

AMENDMENT NO. 5

On page 3, line 18, after "the" delete the remainder of the line and delete lines 19 through 21 and insert "committees, functioning as a joint committee, shall invite the following to provide testimony on this matter:"

AMENDMENT NO. 6

On page 4, delete lines 5 and 6

AMENDMENT NO. 7

On page 4, at the beginning of line 7, change "(13)" to "(11)"

AMENDMENT NO. 8

On page 4, at the beginning of line 8, change "(14)" to "(12)"

AMENDMENT NO. 9

On page 4, at the beginning of line 10, change "(15)" to "(13)"

AMENDMENT NO. 10

On page 4, line 11, after "the" delete the remainder of the line and delete lines 12 and 13 and insert the following: "committees, functioning as a joint committee, shall submit a report of their findings and recommendations to the legislature no later than March 1, 2002."

Senator W. Fields 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
Chaisson	Hollis	Romero

Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Irons
Campbell	Tarver
Total—4	

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

SENATE CONCURRENT RESOLUTION NO. 139—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on May 24, 2001, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Concurrent Resolution No. 139 by Senator Theunissen

AMENDMENT NO. 1

On page 8, line 17, after "B." and before "REDUCTION" insert "ONE-TIME ONLY"

AMENDMENT NO. 2

On page 8 delete lines 20 through 25 in their entirety and insert in lieu thereof the following:

"Any district whose 2001-02 Level 1 and 2 allocation of state funding increase over the prior year exceeds the amount necessary to fulfill the requirements of Section III.A.1-2 and for which consideration of an adjustment for increased membership has been made shall receive a one-time only reduction in the excess amount. In the event this Resolution remains in effect in the 2002-03 fiscal year or thereafter, this Section will not apply."

AMENDMENT NO. 3

On page 11, line 2, after "D." and before "Provisions" insert the following: "Increased funds provided are to be directed to certificated staff pay raises for a minimum of \$2,060 per full-time-equivalent certificated employee as defined in Section III.1.a."

Senator Theunissen 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
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields, C	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Irons
Campbell	Tarver
Total—4	

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

SENATE CONCURRENT RESOLUTION NO. 148—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To establish and provide for a special commission to study court costs imposed in civil, traffic, and criminal matters in the state, parish, and city courts of the state and the uses of such court costs and other fees.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 148 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, change "commission" to "committee"

AMENDMENT NO. 2

On page 2, line 11, change "commission" to "committee"

AMENDMENT NO. 3

June 16, 2001

On page 2, line 14, change "commission" to "committee"

AMENDMENT NO. 4

On page 2, line 17, change "commission" to "special committee"

AMENDMENT NO. 5

On page 2, line 17, delete "two members of such committee" and insert "one member of the Senate Committee on Finance"

AMENDMENT NO. 6

On page 2, line 20, delete "two members" and insert "one member"

AMENDMENT NO. 7

On page 2, at the end of line 22, delete "two", and at the beginning of line 23, delete "members" and insert "one member"

AMENDMENT NO. 8

On page 2, at the end of line 24, delete "two", and at the beginning of line 25, delete "members" and insert "one member"

AMENDMENT NO. 9

On page 2, between lines 25 and 26, insert the following:

"(5) The chairman of the Senate Committee on Judiciary A and one member of such committee appointed by the chairman of the committee.

(6) The chairman of the House Committee on Judiciary and one member of the such committee appointed by the chairman of the committee."

AMENDMENT NO. 10

On page 2, line 26, change "commission" to "special committee"

AMENDMENT NO. 11

On page 3, line 9, change "joint" to "special"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons
Campbell	Tarver
Total—4	

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

SENATE CONCURRENT RESOLUTION NO. 156—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

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

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 156 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "establish the Louisiana Adoption Study Committee" and insert the following: "request the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure to meet and function jointly"

AMENDMENT NO. 2

On page 2, line 7, after "hereby" delete "create the Louisiana Adoption Study Committee" and insert the following: "request the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure to meet and function jointly"

AMENDMENT NO. 3

On page 2, delete lines 9 through 28, in their entirety, and on page 3, delete lines 1 through 4, in their entirety, and insert the following:

"BE IT FURTHER RESOLVED that the committees shall invite the following to provide testimony on the matter:

- (1) The Department of Social Services.
- (2) The Louisiana State Law Institute.
- (3) The Louisiana Council for Adoption.
- (4) The National Council for Adoption.
- (5) The Louisiana Juvenile and Family Court Judges Association.
- (6) The Catholic Charities of Louisiana.
- (7) The Children's Bureau of Louisiana.
- (8) The LDS Family Services.
- (9) The Saint Elizabeth Foundation.
- (10) The Volunteers of America.
- (11) The Methodist Children's Home in New Orleans.
- (12) The Methodist Children's Home in Ruston.
- (13) The Baptist Children's Home in Monroe."

AMENDMENT NO. 4

On page 3, line 5, change "committee" to "committees"

AMENDMENT NO. 5

On page 3, line 6, change "committee" to "committees"

AMENDMENT NO. 6

On page 3, delete lines 8 through 16, in their entirety

AMENDMENT NO. 7

On page 3, line 17, change "committee shall conduct its" to "committees shall conduct their"

AMENDMENT NO. 8

On page 3, delete lines 18 through 25, and insert the following: "first meeting on this matter not later than November 1, 2001."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons
Campbell	Tarver
Total—4	

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

**Senate 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. 762—

BY SENATORS MALONE, CAIN AND ELLINGTON
AN ACT

To enact Chapter 31 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4701 through 4702, relative to irrigation; to create the Drought Protection Trust Fund in the state treasury; to provide for the deposit of monies to the fund; to provide for the use of monies in the fund; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 762 by Senator Malone

AMENDMENT NO. 1

On page 1, line 5, after "deposit" and before "the fund" delete "of monies to" and insert "and sources of monies in"

AMENDMENT NO. 2

On page 1, line 6, after "in the fund;" and before "and to" insert "to provide for rulemaking,"

AMENDMENT NO. 3

On page 2, line 18, after "the period "." delete the remainder of the line and delete lines 19 through 26 in their entirety and insert the following:

"The source of monies in the fund shall be donations, monies received from the federal government for the purposes of protection, development, and enhancement of groundwater and surface water resources of the state as appropriated to the fund, and any other monies which may be appropriated to the fund."

AMENDMENT NO. 4

On page 3, line 3, after the period "." delete the remainder of the line, delete lines 4 through 6 in their entirety and at the beginning of line 7, delete "Forestry."

AMENDMENT NO. 5

On page 3, line 8, after "fund. The" and before "fund" insert "use of monies appropriated from the"

AMENDMENT NO. 6

On page 3, at the beginning of line 11, delete "C. The monies in the fund shall" and insert:

"C. Except as provided in Subsection D of this Section, appropriations from the fund shall be limited to investment earnings, and then only to the Department of Agriculture and Forestry to"

AMENDMENT NO. 7

On page 3, at the end of line 17, before the period "." insert a comma "," and insert "hereinafter referred to as the "office""

AMENDMENT NO. 8

On page 3, line 24, after "but only" delete the remainder of the line and delete line 25 in its entirety and insert: "for such projects for which there is insufficient federal funding to provide for or complete the project."

AMENDMENT NO. 9

On page 3, between lines 25 and 26, insert:

"D. Appropriations from principal monies held in the fund are authorized only in the event that a drought emergency is declared by the commissioner of agriculture, or as may be required to comply with the terms of a contract, grant, or donation. Such appropriations as may be necessary to mitigate an emergency situation shall be approved by the Interim Emergency Board, upon notification of the commissioner of agriculture that an emergency exists, and the legislative consent for such appropriations by the Interim Emergency Board shall be obtained in the same manner used for appropriations from the State General Fund as provided in R.S. 39:461.1."

AMENDMENT NO. 10

On page 3, line 26, change "D." to "E."

AMENDMENT NO. 11

On page 4, line 1, change "E." to "F."

AMENDMENT NO. 12

On page 4, delete line 9 in its entirety and at the beginning of line 10 change "(e)" to (d)"

AMENDMENT NO. 13

On page 4, line 12, change "E." to "G."

AMENDMENT NO. 14

On page 4, delete line 16 and 17 in their entirety and insert the following:

"H. The Department of Agriculture and Forestry shall recommend appropriations to the legislature which provide for the most effective use of monies in the fund for the purposes and"

AMENDMENT NO. 15

On page 4, between lines 18 and 19, insert the following:

"Section 2. In the fiscal year in which this Act becomes effective, the Department of Agriculture and Forestry shall allocate sufficient funds from its budget for the initial administration of the monies appropriated from the fund."

AMENDMENT NO. 16

On page 4, at the beginning of line 19, change "Section 2" to "Section 3"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 762 by Senator Malone

AMENDMENT NO. 1

On page 1, line 15, at the beginning of the line, delete "A."

AMENDMENT NO. 2

On page 4, line 4, at the beginning of the line, change "(a)" to "(1)"

AMENDMENT NO. 3

On page 4, line 5, at the beginning of the line, change "(b)" to "(2)"

AMENDMENT NO. 4

On page 4, line 7, at the beginning of the line, change "(c)" to "(3)"

AMENDMENT NO. 5

In House Committee Amendment No. 12 proposed by the House Committee on Appropriations and adopted on June 4, 2001, on line 24, change "(d)" to "(4)"

AMENDMENT NO. 6

On page 4, line 15, before "funds" delete "for"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Reengrossed Senate Bill No. 762 by Senator Malone

AMENDMENT NO. 1

On page 2, line 7, after "voluntarily" and before "agricultural" delete "forego" and insert "forgo irrigating with groundwater for"

AMENDMENT NO. 2

On page 3, line 15, after "to" and before "during" delete "plant" and insert "irrigate with groundwater"

Senator Malone 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
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Lentini
Campbell	Irons	Tarver
Total—6		

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

SENATE BILL NO. 1055—
BY SENATOR BARHAM

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries to exchange title to certain described property in Ouachita Parish; to provide for property descriptions; to provide for terms and conditions; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Engrossed Senate Bill No. 1055 by Senator Barham

AMENDMENT NO. 1

On page 2, between lines 6 and 7, insert "The above described property shall be less and except a one hundred fifty foot strip more or less for the construction and maintenance of a parish wide parkway."

Senator Barham 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
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Campbell	Schedler	
Total—5		

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

SENATE BILL NO. 217—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 14:67.17, relative to misappropriation without evidence; to create the crime of theft of the assets of an aged person or disabled person; to define such crime; to provide for penalties; to classify persons being effected by such crime; to require certain reporting; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 217 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 5, following "being" and before "by" change "effected" to "affected"

AMENDMENT NO. 2

On page 3, line 13, change "C." to "D."; and, on line 16, change "D." to "E."; and on line 23, change "E." to "F."

Senator McPherson 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
Bean	Fontenot	Malone
Boissiere	Gautreaux	Marionneaux
Cain	Heitmeier	McPherson
Chaisson	Hines	Michot
Cravins	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Campbell	Schedler
Barham	Irons	Tarver
Total—6		

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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. 240—

BY SENATORS ELLINGTON AND SCHEDLER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to the prohibited use of funds, credit, property or things of value of the state or political subdivisions; to provide an exception for purposes of investment of a portion of the Medicaid Trust Fund for the Elderly; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 240 by Senator Ellington

AMENDMENT NO. 1

On page 4, line 2, change "a portion" to "up to thirty-five percent"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Campbell	Marionneaux	
Total—5		

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

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

SENATE BILL NO. 244—

BY SENATOR MALONE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to providing funds for the support of farming; to authorize the legislature by law to establish and implement programs to assist certain farmers; to authorize the legislature by law to provide for and maintain a permanent trust fund to provide revenue to fund such assistance; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 244 by Senator Malone

AMENDMENT NO. 1

On page 1, line 5, after "farmers" and the semicolon ";" and before "to authorize" insert "to establish the Drought Protection Trust fund as a special fund in the state treasury; to provide for deposit and use of monies in the fund;

AMENDMENT NO. 2

On page 1, delete line 6 in its entirety and insert "the fund; to"

AMENDMENT NO. 3

On page 1, line 14, after "program;" delete the remainder of the line and insert "Drought Protection Trust Fund"

AMENDMENT NO. 4

On page 1, delete line 16 in its entirety and on page 2 delete lines 1 through 5 in their entirety, and at the beginning of line 6, change "B." to "A."

AMENDMENT NO. 5

On page 2, line 12, after "or both." delete the remainder of the line and delete line 13 in its entirety and insert:

"B. The Drought Protection Trust Fund is hereby established in the state treasury as a special fund. The source of monies in this fund shall be public and private monies received by the state for the purposes of protection, development, and enhancement of groundwater and surface water resources of the state, any other revenues as may be provided by law, and any other monies which may be appropriated to the fund. The legislature may appropriate from the fund for the purpose of providing revenue to"

AMENDMENT NO. 6

On page 2, at the end of line 16, insert "The legislature may provide by law relative to the Drought Protection Trust Fund."

AMENDMENT NO. 8

On page 3, line 4, after "assistance" delete the period "." and insert a semicolon ";" and insert "to establish the Drought Protection Trust

Fund as a special fund in the state treasury; to provide for sources of monies in the fund and use of the fund."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Reengrossed Senate Bill No. 244 by Senator Malone

AMENDMENT NO. 1

On page 2, line 8, after "forgo" and before "agricultural" insert "irrigating with groundwater for"

AMENDMENT NO. 2

On page 2, line 25, after "forgo" and before "agricultural" insert "irrigating with groundwater for"

Senator Malone 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
Cain	Hines	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lentini	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Cravins	Lambert
Campbell	Irons	Tarver
Total—6		

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

SENATE BILL NO. 289—

BY SENATOR ULLO

AN ACT

To enact R.S. 15:832.1(A)(3) and to enact R.S. 39:128(D), relative to the capital construction projects; to exempt the construction of buildings to house inmate work programs from the capital outlay budget process under certain circumstances; to exempt the use of inmate labor to construct such facilities on prison grounds

from maximum cost limits; to provide for an annual report to the legislature; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 289 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 2, after "funds" and before "shall" insert a comma "," and "which have a total construction cost of five hundred thousand dollars or less,"

AMENDMENT NO. 2

On page 2, line 10, after "enterprises," and before "which" insert "which have a total construction cost of five hundred thousand dollars or less,"

AMENDMENT NO. 3

On page 2, line 16, after "(2)" and before "list" delete "A" and insert "Prior to construction, a"

AMENDMENT NO. 4

On page 2, line 17, after "be" and before "to" change "provided" to "submitted"

AMENDMENT NO. 5

On page 2, at the end of line 18, after "Committee" delete "by" and delete line 19 in its entirety and insert the following: "for approval. No such project shall be initiated prior to receipt of such approval.

(3) No later than thirty days prior to submission for approval under the provisions of Paragraph (2), the division of prison enterprises shall place a notice of the proposed project in the official journal of the parish where the project will be located.

Section 3. The provisions of this Act shall be effective until June 30, 2003."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 289 by Senator Ullo

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Ways and Means, on line 19, following "Paragraph (2) and before ", the " insert "of this Subsection"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Campbell	Irons
Cravins	Tarver

Total—4

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.

SENATE BILL NO. 314—

BY SENATORS HEITMEIER AND HOYT
AN ACT

To enact R.S. 22:215.22, relative to health insurance coverage; to require health insurance coverage for low protein food products and medical foods for treatment of inherited metabolic diseases; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 314 by Senators Heitmeier and Hoyt

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "and medical" and at the beginning of line 4, delete "foods"

AMENDMENT NO. 2

On page 1, line 8, after "for" delete "food and"

AMENDMENT NO. 3

On page 2, line 1, after "protein" delete the remainder of the line and at the beginning of line 2, delete "foods" and insert "food products"

AMENDMENT NO. 4

On page 2, line 6, after "mean" change "any" to "a"

AMENDMENT NO. 5

On page 2, at the end of line 7, delete "include:" and insert "shall be limited to:"

AMENDMENT NO. 6

On page 2, at the beginning of line 20, delete "modified foods" and insert "food products"

AMENDMENT NO. 7

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

"C. Coverage provided pursuant to this Section shall not exceed benefits of two hundred fifty dollars per month.

D. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable limited benefit or short term health insurance policies."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 314 by Senators Heitmeier and Hoyt

AMENDMENT NO. 1

On page 2, line 2, after "the" delete the remainder of the line and at the beginning of line 3, delete "or"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Reengrossed Senate Bill No. 314 by Senators Heitmeier and Hoyt

AMENDMENT NO. 1

On page 2, line 1, after "provide" delete "coverage" and insert "coverage, subject to applicable deductibles, coinsurance, and copayments,"

AMENDMENT NO. 2

On page 2, line 3, after "products" delete the remainder of the line and insert "are medically necessary and, if applicable, are obtained from a source approved by the health insurance issuer, provided coverage will not be denied if the health insurance issuer does not approve a source."

AMENDMENT NO. 3

In Amendment No. 7 of the amendments proposed by the House committee on Insurance and adopted by the House on June 7, 2001, on page 1, line 20, after "exceed" delete the remainder of the line and insert "eligible benefits of two hundred dollars per month."

Senator Heitmeier 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
Chaisson	Hollis	Schedler

Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Campbell	Malone	
Total—5		

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

SENATE BILL NO. 331—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 23:1035(A), 1063, and 1163(B); relative to workers' compensation; to limit the exemption of a sole proprietor from the workers' compensation provision under certain circumstances; to provide for indemnification of the principal in certain circumstances; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 331 by Senator Michot

AMENDMENT NO. 1

On page 1, line 11, delete "(1)"

AMENDMENT NO. 2

On page 2, delete lines 16 through 26 in their entirety

AMENDMENT NO. 3

On page 3, delete lines 11-14 and insert in lieu thereof the following:

"B. A principal contractor, when sued pursuant to the provisions of R.S. 23:1021(6) by an independent contractor who is a sole proprietor and who has elected by written agreement not to be covered by the provisions of this Chapter in accordance with R.S. 23:1035 or his dependent, may call such

AMENDMENT NO. 4

On page 3, line 15, delete "that"

AMENDMENT NO. 5

On page 4, delete lines 1 through 5 and insert in lieu thereof the following:

"is a sole proprietor and who has elected by written agreement not to be covered by the provisions of this Chapter in accordance with R.S. 23:1035, from entering into a contract with his principal pursuant to which the independent contractor is responsible for securing insurance or self-insurance for the benefits provided pursuant to this Chapter."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed Senate Bill No. 331 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, after "reenact", delete the remainder of the line, and insert "R.S. 23:1021(12), 1035(A), 1063, 1081(1)(c), 1163(B), 1221(3)(d)(iii), 1272, and 1310.1(A) and to enact R.S. 23:1021(10)(g) and 1035.1(4) and to repeal R.S. 23:1021(13), 1081(1)(d), and 1144; relative to"

AMENDMENT NO. 2

On page 1, between lines 5 and 6, insert the following: "to redefine the date of an accident involving a claim; to authorize certain employees to elect Louisiana workers' compensation as an exclusive state remedy under certain circumstances; to provide for certain supplemental earnings benefits; to provide for certain procedures involving approvals of lump sum or compromise settlements involving claims; to provide for court approval of certain attorney fees involving compensation matters;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S." delete the remainder of the line and delete line 9 and insert the following:

"23:1021(12), 1035(A), 1063, 1081(1)(c), 1163(B), 1221(3)(d)(iii), 1272, and 1310.1(A) are hereby amended and reenacted and R.S. 23:1021(10)(g) and 1035.1(4) are hereby enacted to read as follows:

§1021. Terms defined

As used in this Chapter, unless the context clearly indicates otherwise, the following terms shall be given the meaning ascribed to them in this Section:

* * *

(10) "wages" means average weekly wage at the time of the accident. The average weekly wage shall be determined as:

* * *

R.S. 23:1021(10)(g) is all proposed new law.

(g) Date of accident. In occupational disease claims the date of the "accident" for purposes of determining the employee's average weekly wage shall be the date of the employee's last employment with the employer from whom benefits are claimed or the date of his last injurious exposure to conditions in his employment, whichever date occurs later.

* * *

~~(12)~~ "Hearing officer" means the administrative hearing officer described in this Chapter.

~~(13)~~(12) "Professional athlete" means a person who receives any type of remuneration or pay to take part in the competitive sport of football in the National Football League.

* * *

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AMENDMENT NO. 4

On page 2, after line 27, insert the following:

"R.S. 23:1035.1(4) is all proposed new law.

(4) Notwithstanding the above, an employee may elect as his exclusive state workers' compensation remedy the provisions of Louisiana's workers' compensation law provided all the following items occur:

(a) This election is clearly stated in a written employment contract signed by the employee prior to the occurrence of an accident or occupational disease as defined in this Chapter.

(b) Louisiana's workers' compensation law has jurisdiction over the accident or occupational disease under its conflict of laws or extraterritorial law.

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

* * *

AMENDMENT NO. 5

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

"§1081. Defenses

Defenses.

(1) No compensation shall be allowed for an injury caused:

* * *

(c) by the injured employee's deliberate failure to use an adequate guard or protection against accident provided for him, or (c) to the initial physical aggressor in an unprovoked physical altercation, unless excessive force was used in retaliation against the initial aggressor.

* * *

AMENDMENT NO. 6

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

"§1081. Defenses

Defenses.

(1) No compensation shall be allowed for an injury caused:

* * *

(c) by the injured employee's deliberate failure to use an adequate guard or protection against accident provided for him, or (c) to the initial physical aggressor in an unprovoked physical altercation, unless excessive force was used in retaliation against the initial aggressor.

* * *

§1221. Temporary total disability; permanent total disability; supplemental earnings benefits; permanent partial disability; schedule of payments

Compensation shall be paid under this Chapter in accordance with the following schedule of payments:

* * *

(3) Supplemental earnings benefits

* * *

(d) The right to supplemental earnings benefits pursuant to this Paragraph shall in no event exceed a maximum of five hundred twenty weeks, but shall terminate:

* * *

(iii) When the employee retires or begins to receive old age insurance benefits under Title II of the Social Security Act whichever comes first; however, the period during which supplemental earnings benefits may be payable shall not be less than one hundred four weeks.

* * *

§1272. Approval of lump sum or compromise settlements by the workers' compensation judge

A. A lump sum or compromise settlement entered into by the parties under R.S. 23:1271 shall be presented to the workers' compensation judge for approval through a petition signed by all parties and verified by the employee or his dependent, or by recitation of the terms of the settlement and acknowledgment by the parties in open court which is capable of being transcribed from the record of the proceeding. The workers' compensation judge shall determine whether the employee or his dependent understands the terms and conditions of the proposed settlement.

B. If the workers' compensation judge finds the settlement agreement to be fair, equitable, and consistent with this Chapter, he shall approve it by order, and the order shall not thereafter be set aside or modified except for fraud or misrepresentation made by any party. The workers' compensation judge may refuse to approve a settlement if he finds that it does not provide substantial justice to all parties. When the employee or his dependent is represented by counsel, and if attached to the petition presented to the workers' compensation judge are affidavits of the employee or his dependent and of his counsel certifying each one of the following items:

(1) The attorney has explained the rights of the employee or dependent and the consequences of the settlement to him.

(2) That such employee or dependent understands his rights and the consequences of entering into the settlement, the workers' compensation judge shall approve the settlement by order, and the order shall not thereafter be set aside or modified except for fraud or misrepresentation made by any party.

C. If suit has been filed against a third party pursuant to the provisions of R.S. 23:1101, the district court hearing the third party suit shall have the authority to approve a lump sum or compromise settlement of the worker's compensation claim under the same conditions and terms set forth in this Section for approval of such settlements by a workers' compensation judge. When the employee or his dependent is not represented by counsel, the workers' compensation judge shall determine whether the employee or his dependent understands the terms and conditions of the proposed settlement, and shall approve it by order, unless he finds that it does not provide substantial justice to all parties, and the order shall not thereafter be set aside or modified except for fraud or misrepresentation made by any party.

D. All compensable medical expenses incurred prior to the date of the settlement shall be paid by the payor unless the terms of the settlement specifically provide otherwise. If a suit has been filed against a third party pursuant to the provisions of R.S. 23:1101, the district court hearing the third party suit shall have the authority to approve a lump sum or compromise settlement of the workers' compensation claim under the same conditions and terms set forth in this Section for approval of such settlements by a workers' compensation judge. The fees of the attorney representing the employee in the workers' compensation matter shall be approved by the district court judge.

R.S. 23:1272(E) is all proposed new law.

E. All compensable medical expenses incurred prior to the date of the settlement shall be paid by the payor unless the terms of the settlement specifically provide otherwise.

* * *

§1310.1. Workers' compensation judges; creation; tenure; qualification; presiding officer; rules and regulations; hearings; director

A. There is hereby created ~~nine~~ workers' compensation judge positions **comprised of at least ten judges** within the office of workers' compensation administration.

* * *

Section 2. R.S. 23:1021(13), 1081(1)(d), and 1144 are hereby repealed."

AMENDMENT NO. 7

On page 4, line 7, change "Section 2" to "Section 3"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—37

NAYS

Total—0

ABSENT

Table with 2 columns: Irons, 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.

SENATE BILL NO. 401— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 11:542(C)(1) and (2), relative to the Louisiana State Employees' Retirement System; to provide with respect to a cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 401 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 2, between "Committee." and "The", insert "The cost-of-living increase shall be limited to and shall only be payable based on an amount not to exceed seventy thousand dollars of the retiree's annual benefit."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Stelly and Schneider to Reengrossed Senate Bill No. 401 by Senator Fontenot

AMENDMENT NO. 1

On page 2, line 2, between "Committee." and "The" insert "The cost-of-living increase which is authorized by this Subsection shall be limited to the lesser of either two percent or an amount as determined in Paragraph (2) of this Subsection in or for any year in which the system does not earn at least eight and one-quarter percent interest on the investment of the system's assets."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Irons, Total—3

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

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

Mr. President in the Chair

SENATE BILL NO. 442—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Evidence Articles 103(A)(2), 404(A)(1) and (2), and 803(6) and to enact Code of Evidence Articles 412.2, 902(11), and 902(12), relative to evidence; to provide for preservation of claims of error for appeal after rulings excluding evidence; to permit use of evidence as to the character of an accused in certain circumstances; to provide for the use of certain hearsay testimony upon certification; to provide for self-authentication of records of regularly conducted activity; to provide for the admissibility of certain evidence when the accused is charged with a crime involving sexually assaultive behavior; to require notice that such evidence will be introduced at trial; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 442 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line in its entirety

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert in lieu thereof "enact Code of Evidence Article 412.2"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "and 902(12)" and after the semicolon ";" delete the remainder of the line

AMENDMENT NO. 4

On page 1, delete lines 5 through 8 in their entirety

AMENDMENT NO. 5

On page 1, at the beginning of line 9, delete "activity;"

AMENDMENT NO. 6

On page 1, line 14, after "Section 1." delete the remainder of the line

AMENDMENT NO. 7

On page 1, delete line 15 in its entirety and insert in lieu thereof "Code of Evidence Article"

AMENDMENT NO. 8

On page 1, line 16, after "412.2" and before "hereby" delete the comma "," and "902(11), and 902(12) are" and insert in lieu thereof "is"

AMENDMENT NO. 9

On page 2, delete lines 1 through 26 in their entirety

AMENDMENT NO. 10

On page 3, delete lines 1 through 23 in their entirety

AMENDMENT NO. 11

On page 4, at the end of line 3, change "is" to "may be"

AMENDMENT NO. 12

On page 4, line 7, after "shall" and before "provide" insert a comma "," and "upon request of the accused,"

AMENDMENT NO. 13

On page 4, delete lines 12 through 27 in their entirety

AMENDMENT NO. 14

On page 5, delete lines 1 through 27 in their entirety

AMENDMENT NO. 15

On page 6, delete lines 1 through 27 in their entirety

AMENDMENT NO. 16

On page 7, delete lines 1 through 4 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 442 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 3, change "is" to "may be"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 442 by Senator Dardenne

AMENDMENT NO. 1

On page 4, at the end of line 5, insert the following:

"Notwithstanding any provision of this Code to the contrary, evidence of the accused's commission of another sexual offense must have independent relevance to be admissible."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Malone, Marionneaux, McPherson, Michot, Mount, Romero

Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Irons	Tarver
Total—2	

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. 458—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3372(5), (6), (7), and(9)(a), 3374(4), (5), (7), (13), (14), (15), and (16), 3375(A)(2) and (B), 3376(A), the introductory paragraph of (C), (C)(5), (8), and (9), the introductory paragraph of (D), (D)(3)(c), (F)(3) and (4), the introductory paragraph of (H), (H)(3), and (4), 3376.1, the introductory paragraph of 3379(A), (A)(1), (2), (7), and (11), (B)(1) and (3), and (C), 3381(C), 3382, the introductory paragraph of 3384, 3384(2) and (4) and to enact R.S. 37:3374(17), 3376(C)(10), and (F)(5), 3379(A)(14) and (15), and (B)(4) and (D) relative to the Substance Abuse Counselor Certification Law; to change the name of a prevention counselor; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Certification for Substance Abuse Counselors; to provide for certification requirements of a substance abuse counselor, compulsive gambling counselor or prevention specialist; to provide for suspension of certification or registration and for hearing and appeal thereof; 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 Health and Welfare to Engrossed Senate Bill No. 458 by Senator Schedler

AMENDMENT NO. 1

On page 3, lines 8 and 9, after "counselor" delete the comma " ," and "compulsive gambling counselor, or prevention specialist"

AMENDMENT NO. 2

On page 3, at the end of line 11, delete the period "." and insert a comma " ," and the following:

"and a compulsive gambling counselor or prevention specialist who has been certified and has worked in a licensed or board-

approved treatment program in his area of certification for a minimum of two years."

AMENDMENT NO. 3

On page 3, delete lines 16 and 17, and insert in lieu thereof:

"(4) Examine for, approve, deny, ~~revoke, suspend,~~ and renew certification of duly qualified candidates; and revoke, suspend, or refuse to renew a certification of, or otherwise discipline, a certificate holder."

AMENDMENT NO. 4

On page 6, line 7, change "pled" to "pleaded"

AMENDMENT NO. 5

On page 7, at the beginning of line 11, change "specialist" to "counselor"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 458 by Senator Schedler

AMENDMENT NO. 1

On page 10, line 4, following "suspend" insert ", or"

AMENDMENT NO. 2

On page 11, line 17, following "order," and before "summary" insert "a"

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

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Total—3		

June 16, 2001

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

SENATE BILL NO. 460— BY SENATOR SMITH

AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Reengrossed Senate Bill No. 460 by Senator Smith

AMENDMENT NO. 1

On page 3, line 5, between "the" and "state" insert "amount paid"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—36; Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Irons, Tarver; Total—3

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 BILL NO. 514— BY SENATOR JOHNSON

AN ACT

To enact Chapter 10-A of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1473 through 1475, and 1511.4(E), relative to election offenses; to prohibit certain acts impacting candidates for elective office, their employees and relatives; to provide for reporting and investigations; to provide for a letter of reprimand or censure; to provide for civil remedies; 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.

Senator Ellington in the Chair

SENATE BILL NO. 681— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 34:3471(A) and (B)(7), 3476(B), 3479(C)(5) and (9), 3482(B) and (C), and 3483(A)(1), (6), and (14), and to enact R.S. 34:3479(C)(11), relative to the Millennium Port Authority; to provide with respect to budgeting; to authorize the funding of various revenues into obligations and the types of obligations; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 681 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 34:3471(A) and (B)(7)," to "R.S. 34:3471(B)(7),"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." change "R.S. 34:3471(A) and (B)(7)," to "R.S. 34:3471(B)(7),"

AMENDMENT NO. 3

On page 1, delete line 13 through 16 and insert the following:

"* * *

AMENDMENT NO. 4

On page 2, delete lines 1 through 10

AMENDMENT NO. 5

On page 7, between lines 19 and 20, insert the following:

"Section 2. The provisions of this Act shall only be applicable in the parish in which the Millennium Port locates."

AMENDMENT NO. 6

On page 7, at the beginning of line 20, change "Section 2." to "Section 3."

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, C	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Irons	Tarver	
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. 739—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 17:1519.2(B), 1519.4(A)(1), (C)(1) and (2), and (E)(1) and to repeal R.S. 17:1519.4(B)(1), relative to hospitals operated by the Louisiana State University Health Sciences Center; to provide requirements on appropriations schedules; to provide that the Health Care Services Fund be a restricted fund; to authorize the center to retain excess revenues; to delete provisions requiring a memorandum of understanding between the health care services division and the Department of Health and Hospitals; to delete restrictions on Medicaid collections by the division; and to provide for related matters. Except as provided herein, all reporting and regulatory provisions of Act 3 of 1997 shall remain in force and effect.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 739 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "(E)(1)" and before "and" insert a comma "," and insert "to enact R.S. 17:1519.2(C)(4) and (H), 1519.3(I), and 1519.4(C)(4) and (F)"

AMENDMENT NO. 2

On page 1, line 15, after "reenacted" and before "to" insert "and R.S. 1519.2(C)(4) and (H), 1519.3(I) and 1519.4(C)(4) and (F) are hereby enacted"

AMENDMENT NO. 3

On page 2, delete line 22, insert the following:

"C. * * *

(4) For the period July 1, 2001 through June 30, 2003, the board or division shall not authorize a facility to provide new or expanded health care services in any manner that causes annual expenditures of the facility to be increased by two percent or more without legislative approval. Such approval may be granted by the legislature either by appropriate action of the Joint Legislative Committee on the Budget or in the General Appropriation Act.

H. For the period July 1, 2001 through June 30, 2005, the health care services division shall submit quarterly reports to the Joint Legislative Committee on the Budget no later than the fifteenth day of October, January, April, and July. The reports shall include for each hospital and the executive administration and general support program a complete and detailed accounting of all revenues by source, including but not limited to state general fund, Medicaid, Medicaid-uncompensated care, Medicare, self-pay and commercial insurance, federal grants, and receipts from any other public or private entity, and all expenditures for the prior quarter in a form and manner to be approved by the Joint Legislative Committee on the Budget."

§1519.3. Powers and duties of the board, health sciences center, and health care services division

* * *

I. For the period July 1, 2001 through June 30, 2003, the board may only enter into a joint venture or contract for the lease or purchase of immovable property or for the operation of non-state health care facilities, or both, and only if such joint venture or contract is approved pursuant to the procedures provided in R.S. 17:1519.3(C)(3)(b)(i)."

AMENDMENT NO. 4

On page 3, line 13, delete "except, however," and insert "or."

AMENDMENT NO. 5

On page 3, at the beginning of line 14, delete "that"

AMENDMENT NO. 6

On page 3, line 15, delete "shall be" and after "for" and before "year" delete "that" and insert "each fiscal"

AMENDMENT NO. 7

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

"* * *

AMENDMENT NO. 8

On page 3, at the beginning of line 22, change "(3)" to "(4)"

AMENDMENT NO. 9

On page 3, line 24, after "from" delete the remainder of the line

AMENDMENT NO. 10

On page 4, line 1, after "year," and before "division" change "The" to "For the period July 1, 2001 through June 30, 2003, the"

AMENDMENT NO. 11

On page 4, line 13, delete "dedicated to" and insert "deposited in"

AMENDMENT NO. 12

On page 4, line 14, after "Fund." and before "net" change "Any" to "For the period July 1, 2001 through June 30, 2005, any"

AMENDMENT NO. 13

On page 4, line 15, after "year," delete the remainder of the line and insert "For the period July 1, 2001 through June 30, 2003, thirty"

AMENDMENT NO. 14

On page 4, line 20, after "areas," change "The" to "For the period July 1, 2001 through June 30, 2003, the"

AMENDMENT NO. 15

On page 4, line 21, change "following" to "next"

AMENDMENT NO. 16

On page 4, line 23, after "year" delete the period "." and change "The" to "and the"

AMENDMENT NO. 17

On page 4, line 24, change "revert" to "be transferred"

AMENDMENT NO. 18

On page 5, line 2, after "division" and before the period "." insert the following:

"under the provisions of Subpart A of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950. For the period July 1, 2001 through June 30, 2005, the budget, including all revenues and expenditures, shall be submitted as provided in this Paragraph and shall be approved by the board. The budget so approved, or any amendments thereto, shall be submitted to the Joint Legislative Committee on the Budget within ten days after approval by the board."

AMENDMENT NO. 19

On page 5, line 17, before "The" insert "E."

AMENDMENT NO. 20

On page 5, at the end of line 21, insert the following:

"In determining payments as provided in this Subsection, the Department shall prioritize local access to primary health care for the medically indigent and uninsured, and shall not include unreimbursed

costs resulting from excess inpatient hospital capacity. For the period July 1, 2003 through June 30, 2005, the state's Medicaid uncompensated care payments shall be distributed in proportion to the amount and type of uncompensated care reported by all qualified facilities as required by Senate Bill No. 883 of the 2001 Regular Session provided, however, that no less than twenty-five percent of all Medicaid uncompensated care payments shall be allocated to the major state-owned teaching hospitals, the Medical Center of Louisiana at New Orleans, including University Hospital, and Louisiana State University Health Sciences Center-Shreveport. Nothing in this Subsection shall be construed to impede or preclude the Department of Health and Hospitals from implementing the provisions in Rural Hospital Preservation Act."

AMENDMENT NO. 21

On page 5, between lines 25 and 26, insert:

"Section 4. Notwithstanding any other provision of law to the contrary, neither the Louisiana State University Health Sciences Center nor Louisiana State University Hospital in Shreveport nor any subdivision or affiliate thereof, either directly or indirectly through their medical staff members, faculty practice plan members, employees, independent contractors, agents or assigns shall undertake to offer in any parish a health care service provided at that time by a rural hospital in that parish without first consulting with each such rural hospital in the parish, and affording each such rural hospital the maximum practical opportunity to participate in the provision of such health care service. For the purposes of this Section, "rural hospital" means a hospital defined in the Rural Hospital Preservation Act of 1997."

AMENDMENT NO. 22

On page 5, line 26, change "Section 4." to "Section 5."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 739 by Senator Schedler

AMENDMENT NO. 1

On page 5, between lines 16 and 17, insert asterisks " * * * "

AMENDMENT NO. 2

On page 5, line 22, delete the asterisks " * * * "

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the House Committee on Appropriations, on line 6 of page 1, at the beginning of the line, insert "17:"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 739 by Senator Schedler

AMENDMENT NO. 1

In Amendment No. 3 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 1, at the end of line 12, after "provide" insert "any"

AMENDMENT NO. 2

In Amendment No. 3 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 1, line 13, after "care" and before "in" change "services" to "service"

AMENDMENT NO. 3

In Amendment No. 3 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 1, line 14, after "annual" and before "expenditures" insert "budgeted"

AMENDMENT NO. 4

In Amendment No. 3 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 1, line 22, after "Budget" and before "no", insert "and the Department of Health and Hospitals"

AMENDMENT NO. 5

In Amendment No. 3 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 1, at the end of line 32, delete the quotation mark " " and insert the following:

"The reports shall also include, for each hospital and the executive administration and general support program for the current quarter and the next three quarters, projections of the costs that will be eligible for reimbursement from Medicaid payments or uncompensated care payments to be made by the Department of Health and Hospitals."

AMENDMENT NO. 6

In Amendment No. 20 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 3, at the end of line 35, after "Session" insert a period "." and delete lines 36 through 40 in their entirety

AMENDMENT NO. 7

In Amendment No. 21 of the set of 22 amendments proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 13, 2001, on page 4, at the end of line 18, after "Act" delete "of 1997"

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, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	Marionneau
Boissiere	Gautreaux	McPherson
Cain	Heitmeier	Michot
Campbell	Hines	Mount
Chaisson	Hollis	Romero

Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo

Total—36

NAYS

Total—0

ABSENT

Mr. President

Irons

Tarver

Total—3

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. 778—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 39:13(B), and to enact R.S. 39:13(C) and (D), relative to the administration of state lands; to provide for the identification of non-productive property; to require the commissioner of administration to make recommendations relative to non-productive property; to authorize the commissioner of administration to sell non-productive property; to provide for the proceeds of the sale; 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 Natural Resources to Engrossed Senate Bill No. 778 by Representative Dardenne

AMENDMENT NO. 1

On page 2, line 4, after "Representatives" delete comma "," and "containing" and insert a period "." and "The inventory shall include"

AMENDMENT NO. 2

On page 3, delete lines 12 through 17

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 778 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 11, change "(C) is" to "(C) and (D) are"

AMENDMENT NO. 2

On page 2, delete lines 17 through 19 in their entirety and insert: "R.S. 39:13(D) is all proposed new law."

AMENDMENT NO. 3

On page 2, delete lines 23 through 26 and on page 3, delete lines 1 through 11

June 16, 2001

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	Malone
Bajoie	Fields, W	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Irons	Tarver	
Total—2		

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

Mr. President in the Chair

SENATE BILL NO. 781—
BY SENATORS HINES, BAJOIE AND SCHEDLER
AN ACT

To enact R.S. 46:976(A)(5)(d) and (B)(1)(d), relative to the Louisiana Children's Health Insurance Program; to expand coverage to certain parents of Medicaid and LaCHIP eligible children and to certain pregnant women; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 781 by Senators Bajoie and Schedler

AMENDMENT NO. 1
On page 2, line 4, change "(d)" to "(d)(i)"

AMENDMENT NO. 2
On page 2, line 7, after "eligibility" and before "for parents" insert "under the Children's Health Insurance Program"

AMENDMENT NO. 3
On page 2, delete line 8 in its entirety and insert "are enrolled in the state's Children's Health Insurance Program or Medicaid whose family"

AMENDMENT NO. 4
On page 2, line 9, after "level" and before "and" insert a comma ","

AMENDMENT NO. 5
On page 2, line 10, after "women" and before "income" delete "in families whose" and insert "whose family"

AMENDMENT NO. 6
On page 2, delete lines 13 through 16 in their entirety and insert:

"(ii) As used in this Subparagraph, the term "parent" shall mean the child's mother and legal father with whom the child resides and who exercise daily responsibility for care and control of the child, and shall include adoptive parents who have been legally granted a decree of adoption, but shall not include step-parents or parents who share custody but do not reside with the child the majority of the time.

(iii) However, the provisions of this subparagraph shall not be"

AMENDMENT NO. 7
On page 2, line 17, after "department" and before "funding" change "unless" to "until such time as"

AMENDMENT NO. 8
On page 2, line 19, after "specifically" delete the remainder of the line and delete lines 20 through 23 in their entirety and insert:

"provided for in the General Appropriation Act for any fiscal year. The date for such implementation shall be as provided by the General Appropriation Act,"

AMENDMENT NO. 9
On page 2, line 24, after "later than" and before "contingent" delete "January 1, 2002," and insert "the first day of January in the fiscal year for which the appropriation is made,"

AMENDMENT NO. 10
On page 3, line 2, after "plan" and before "submitted" insert "containing cost projections for at least three years which shall be"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 781 by Senator Hines

AMENDMENT NO. 1
On page 1, line 2, following "46:976(A)(5)(d)" and before the comma "," delete "and (B)(1)(d)"

AMENDMENT NO. 2
On page 1, line 7, following "46:976(A)(5)(d)" and before "are" delete "and (B)(1)(d)"

AMENDMENT NO. 3

On page 3, line 1, change "Subparagraph (A)(5)(d)" to "this Subparagraph"

AMENDMENT NO. 4

In House Committee Amendment No. 6 proposed by the House Committee on Appropriations and adopted on June 4, 2001, on line 23, change "subparagraph" to "Subparagraph"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Fields, C	Irons	Tarver
Total—3		

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

SENATE BILL NO. 821—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 11:2257(H), relative to Firefighters' Retirement System of Louisiana; to create an alternative retirement option under the deferred retirement option plan; 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. 821 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:2257(H)" 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 "System and the Municipal Police Employees' Retirement"

AMENDMENT NO. 3

On page 1, line 3, between "Louisiana;" 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. 4

On page 2, after line 11, add:

"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

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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	
Mr. President	Ellington	Lambert
Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Irons	Marionneaux	Tarver
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. 858—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:456(A)(3) and 456.2, relative to public officers and employees; to provide for payroll deductions in certain situations; to provide for competitive selection of payroll deduction insurance products; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 858 by Senator Cravins

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 42:455(D) and to enact R.S. 42:456.2, relative to public officers and

AMENDMENT NO. 2

On page 1, line 5, after "products;" and before "and" insert "to provide for a study committee;"

AMENDMENT NO. 3

On page 1, delete line 7 in its entirety and insert "Section 1. R.S. 42:455(D) is amended and reenacted and R.S. 42:456.2 is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 8 through 16 in their entirety, delete pages 2 through 4 in their entirety, and on page 5, delete lines 1 through 4 in their entirety and insert the following:

"§455. Payroll deduction rules

* * *

R.S. 42:455(D) is all proposed new law

D.(1) Notwithstanding any law, rule, or regulation to the contrary, every vendor receiving payment through voluntary payroll deductions as of July 1, 2001, under the Uniform Payroll System, shall continue to be approved as a vendor if such vendor continues to meet the requirements of the rules and regulations of the division of administration governing payroll deductions which were in effect on May 19, 2000. Further, those vendors receiving payment through voluntary payroll deductions, under the Uniform Payroll System, as of July 1, 2001, who apply for a new payroll deduction for additional products, policy forms, or service plans may do so subject to the rules and regulations of the division of administration governing payroll deductions which were in effect on May 19, 2000.

(2) The provisions of this Subsection shall be null, void and of no effect on August 1, 2002, or on the date revised rules and regulations adopted in accordance with the provision of R.S. 42:455(A) become effective, whichever is later."

R.S. 42:456.2 is all proposed new law

§456.2. Uniform Payroll Insurance Committee

A. The governor shall establish by executive order a uniform payroll study committee. The committee shall study all issues related to the administration, availability and purchase of certain insurance products by state employees through the state Uniform Payroll System. The executive order shall provide for the membership of the committee. The members shall include the chairman of the Senate Insurance Committee, or his designee, and the Chairman of the House Insurance Committee, or his designee. Other members shall be appointed by the governor no later than August 1, 2001 and such members shall include representatives of the office of the governor, Department of Insurance, State Employees Group Benefits Program, Executive Department agencies, and private insurance entities.

B. Other state agencies shall cooperate with the committee by providing information and other assistance as may be helpful to the committee in carrying out its duties under this Section.

C. No committee member shall be compensated in any manner for committee membership, except that legislators who serve on the committee shall receive per diem and a mileage allowance for their attendance as provided by law or legislative rule for attendance at legislative committee meetings.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 858 by Senator Cravins

AMENDMENT NO. 1

In House Committee Amendment #1 proposed by the House Committee on Appropriations to Reengrossed Senate Bill No. 858 on line 2, change "amend and reenact R.S." to "enact R.S. 42:455(D) and" and on line 3, delete "42:455(D) and to enact R.S. 42:"

AMENDMENT NO. 2

In House Committee Amendment #3 proposed by the House Committee on Appropriations on line 9, change "is amended and reenacted and R.S. 42:456.2 is" to "and 456.2 are"

AMENDMENT NO. 3

In House Committee Amendment #4 proposed by the House Committee on Appropriations after line 37, insert asterisks " * * *"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of legislators under the YEAS category, including Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, and a Total of 36.

NAYS

Total—0

ABSENT

Table listing names of legislators under the ABSENT category, including Mr. President, Irons, and Tarver, with a Total of 3.

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. 880—

BY SENATORS MCPHERSON AND HINES AN ACT

To amend and reenact R.S. 37:1241(A)(17) and to enact R.S. 37:1226.1, relative to pharmacy; to prohibit prescription drugs from being accepted for return, exchange, or redispensing after removal from a pharmacy premises unless certain requirements are met; to authorize certain drugs to be transferred from a facility licensed by the Department of Health and Hospitals to a provisional, permitted pharmacy under certain procedures; to limit the grounds for sanction to certain instances for selecting an equivalent drug product if the practitioner instructs otherwise; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 880 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 8, after "procedures;" and before "to limit" insert "to limit liability for transferred drugs;"

AMENDMENT NO. 2

On page 1, at the end of line 15, add a semicolon ";" and "limitation of liability"

AMENDMENT NO. 3

On page 3, between lines 13 and 14, insert the following:

"C. No pharmaceutical manufacturer shall be liable for any claim or injury arising from the transfer of any prescription drug pursuant to the provisions of this Section, including but not limited to liability for failure to transfer or communicate product or consumer information regarding the transferred drug, as well as the expiration date of the transferred drug."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 880 by Senator McPherson

AMENDMENT NO. 1

On page 4, line 17, following "CFR" change "447.332" to "447.331"

AMENDMENT NO. 2

On page 4, line 19, following "may" and before "prohibit" delete "only" and on line 20, following "interchange" and before "by" insert "only"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Ellington	Irons	Tarver
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Total—3

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. 883—

BY SENATORS ELLINGTON 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, relative to health care; to create the Health Trust Fund within the state treasury; to provide for the appropriation of monies to the fund; to provide for investment and uses of monies in the fund; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 883 by Senators Ellington and Schedler

AMENDMENT NO. 1

On page 2, at the end of line 9, delete "the" and delete line 10 in its entirety, and insert "sources including but not limited to the following:"

AMENDMENT NO. 2

On page 2, delete lines 14 through 16 in their entirety.

AMENDMENT NO. 3

On page 2, at the beginning of line 17 delete "(4) Intergovernmental" and insert "(2) Monies generated from intergovernmental"

AMENDMENT NO. 4

On page 2, delete lines 20 through 25 in their entirety and insert:

"(3) Uncompensated care payments to state and other public providers and facilities that are designated for the purposes of intergovernmental transfer payments, except uncompensated care payments up to one hundred percent of uncompensated care costs of hospitals defined in R.S. 40:1300.143(a). "

AMENDMENT NO. 5

On page 2, at the beginning of line 26, delete "(6) Cash or in-kind revenues" and the comma "," and insert "(4) Monies"

AMENDMENT NO. 6

On page 2, line 27, after "villages" and before "and" insert a comma ","

AMENDMENT NO. 7

On page 3, line 2, between "XIX" and "of the" insert "and Title XXI"

AMENDMENT NO. 8

On page 3, delete lines 4 and 5 in their entirety

AMENDMENT NO. 9

On page 3, line 8, after "Hospitals" and before "and shall" insert a comma "," and insert "hereinafter referred to as the "department""

AMENDMENT NO. 10

On page 3, at the end of line 12, change the semicolon ";" to a period "."

AMENDMENT NO. 11

On page 3, line 15, after "expanding the" and before "services" insert "availability of" and at the end of the line, change the semicolon ";" to a period "."

AMENDMENT NO. 12

On page 3, at the beginning of line 16, after "(3)" and before "development" delete "Grants for workforce" and insert "Workforce"

AMENDMENT NO. 13

On page 3, at the end of line 20, after "subsidies" delete the remainder of the line and delete line 21 in its entirety and insert ", and health education scholarships."

AMENDMENT NO. 14

On page 3, at the beginning of line 22, after "(4)" and before "to provide" delete "Grants for initiatives" and insert "Initiatives"

AMENDMENT NO. 15

On page 3, line 23, after "limited to" delete the remainder of the line and delete lines 24 through 26 in their entirety, and at the beginning of line 27 delete "including but not limited to" and delete the comma ","

AMENDMENT NO. 16

On page 4, line 6, after "provision" and before "to the contrary" change "contained herein" to "of this Chapter"

AMENDMENT NO. 17

On page 4, line 8, after "such as" and before "sanitarian" delete the comma ","

AMENDMENT NO. 18

On page 4, at the end of line 10, change the semicolon ";" to a period "."

AMENDMENT NO. 19

On page 4, at the beginning of line 11, after "(5)" and before "funding" delete "Grants to provide funding" and insert "Funding"

AMENDMENT NO. 20

On page 4, line 14, after "grants" and before "community" change "such as" to "for"

AMENDMENT NO. 21

On page 4, line 15, after "hospitals" and before "medically" delete "or" and insert a comma "," and insert "for operation of hospital service district facilities, or in"

AMENDMENT NO. 22

On page 4, at the end of line 17, change the semicolon ";" to a period "."

AMENDMENT NO. 23

On page 4, line 18, after "(6)" delete "Provide reimbursement" and insert "Reimbursement"

AMENDMENT NO. 24

On page 4, line 23, after "district" and before "or" insert a comma ","

AMENDMENT NO. 25

On page 4, line 24, change "E." to "E.(1)"

AMENDMENT NO. 26

On page 5, at the beginning of line 2, insert (2)

AMENDMENT NO. 27

On page 5, line 4, after "permit the" delete the remainder of the line and insert "department"

AMENDMENT NO. 28

On page 5, line 5, after "Medicaid and" and before "payments" change "DSH" to "uncompensated care"

AMENDMENT NO. 29

On page 5, line 7, after "law" delete the remainder of the line, insert a comma "," and insert "by federal disallowance, or by decreased federal participation in uncompensated care payments. Further, the"

AMENDMENT NO. 30

On page 5, line 8, at the beginning of the line change "Department of Health and Hospitals" to "department"

AMENDMENT NO. 31

On page 5, at the beginning of line 10, change "DSH and Medicaid" to "Medicaid and uncompensated care"

AMENDMENT NO. 32

On page 5, at the end of line 14, change "Department" to "department" and at the beginning of line 15 delete "of Health and Hospitals"

AMENDMENT NO. 33

On page 5, delete line 18, and insert "including but not limited to funding for qualifying applicants or cooperative"

AMENDMENT NO. 34

On page 5, line 19, after "for" delete the remainder of the line and delete lines 20 and 21 in their entirety and insert: "provision of such services. In"

AMENDMENT NO. 35

On page 5, line 22, after "administering" and before "the fund" insert "monies appropriated from"

AMENDMENT NO. 36

On page 5, at the beginning of line 23, delete "participation in the Medicaid program" and insert "payment of uncompensated care costs and reimbursements provided under Subsection D(6) of this Section"

AMENDMENT NO. 37

On page 5, line 24, after "facilities" delete the remainder of the line and insert "shall provide to the department patient"

AMENDMENT NO. 38

On page 5, line 27, change "Department of Health and Hospitals" to "department"

AMENDMENT NO. 39

On page 6, line 2, after "uninsured" and the period "." delete the remainder of the line and delete lines 3 through 6 in their entirety

AMENDMENT NO. 40

On page 6, line 8, change "Department of Health and Hospitals" to "department"

AMENDMENT NO. 41

On page 6, line 17, after "plan" and before "submitted" insert "containing cost projections for a minimum of three years that is"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 883 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 46:2701," and before "relative" insert "and to repeal R.S. 46:53(D) through (F),"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";" and before "and" insert "to repeal certain obsolete provisions of law;"

AMENDMENT NO. 3

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On page 5, at the end of line 21, delete "In", and at the beginning of line 22, delete "administering the fund, the" and insert "The"

AMENDMENT NO. 4

On page 5, at the end of line 25, insert the following:

"In addition, if a hospital or other health care facility does not provide the required patient specific data, the secretary of the department may withhold an amount equal to five percent of Medicaid payments due that provider. Such withholding shall increase by five percent for each successive month that the required data is not received, but the total amount withheld shall not exceed twenty-five percent of the total monthly amount due the facility. Upon receipt of the required data, the department shall pay the facility all amounts previously withheld as a result of the failure to submit the required data. A hospital or other health care facility subject to withholding under this provision may request an administrative review as provided by R.S. 46:437.4."

AMENDMENT NO. 5

On page 6, between lines 20 and 21, insert:

"Section 2. R.S. 46:53(D) through (F) are hereby repealed in their entirety."

AMENDMENT NO. 6

On page 6, at the beginning of line 21, change "Section 2." to "Section 3."

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Fields, C	Malone
Barham	Fields, W	Marionneaux
Bean	Fontenot	McPherson
Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		
NAYS		
Total—0		
ABSENT		
Mr. President	Jones, C	
Irons	Tarver	
Total—4		

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

SENATE BILL NO. 925—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 14:403(A), 403.2(J)(1), 403.3(D), 403.4(F), and 403.5(E) and to enact R.S. 14:403.6 and 403.7, relative to offenses affecting law enforcement; to provide for cross-reporting cases of animal and human abuse; to require persons responsible for reporting abuse of adults and children to also report abuse and neglect of animals; to require persons responsible for reporting abuse and neglect of animals to report abuse of adults and abuse of children; to require training for such persons in recognizing situations of abuse and neglect; to prohibit persons with a history of abuse or violence from being employed in any care facility; to provide for definitions; to provide for penalties; 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.

SENATE BILL NO. 929—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 27:306(E)(1), relative to gaming; to provide with respect to state license qualifications for video draw poker; 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. 929 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative" delete "R.S. 27:306(E)," and insert "R.S. 27:25(B)(1) and 306(E)(1),"

AMENDMENT NO. 2

On page 1, line 3, after "poker;" and before "and" insert "to provide that the issuance of a video draw poker license shall not require a hearing;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "hereby" delete "R.S. 27:306(E) is" and insert "R.S. 27:25(B)(1) and 306(E)(1) are"

AMENDMENT NO. 4

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

"§25. Hearing officer; duties

* * *

B.(1)(a) Any matter which is disputed or contested shall be heard by a hearing officer in a public hearing conducted in accordance with the adjudication provisions of the Administrative Procedure Act.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph or any other provision of law to the contrary, any license issued pursuant to the provisions of Chapter 6 of this Title shall be issued by the board without the necessity of a hearing.

* * *

AMENDMENT NO. 5

On page 1, line 14, change "five" to "fifteen"

AMENDMENT NO. 6

On page 1, line 16, change "five" to "fifteen"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 929 by Senator Boissiere

AMENDMENT NO. 1

In House Committee No. 1 proposed by the House Committee on Administration of Criminal Justice and adopted on June 5, 2001, on line 3, at the beginning of the line, change "27:306(E)" to "27:306(E)(1)"

AMENDMENT NO. 2

In House Committee No. 3 proposed by the House Committee on Administration of Criminal Justice and adopted on June 5, 2001, on line 9, at the beginning of the line, change "27:306(E)" to "27:306(E)(1)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed Senate Bill No. 929 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative" delete "R.S. 27:306(E)," and insert "R.S. 27:306(A)(5)(b) and (E)(1) and to repeal R.S. 27:306(A)(5)(d),"

AMENDMENT NO. 2

On page 1, line 3, after "poker;" and before "and" insert "to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities; "

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "hereby" delete "R.S. 27:306(E) is" and insert "R.S. 27:306(A)(5)(b) and (E)(1) are"

AMENDMENT NO. 4

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

"A. * * *
(5) * * *

(b) An owner or lessor of a qualified truck stop facility may lease or sublease any restaurant, convenience store, fuel facility, or any other business operation located on the premises of the qualified truck stop facility to another person, provided that such person executes a written lease which contains a requirement that the lessee or sublessee comply with the laws and regulations which govern the operation of video draw poker devices. If such lease or sublease is granted, the owner or lessor of such qualified truck stop facility shall maintain ultimate supervision and control of his entire truck stop premise. No such lessee or sublessee shall be required to meet suitability requirements unless he receives, as a result of the lease, any video draw poker device operation revenue or unless he exercises some management or control over video draw poker devices. Any violation of the laws and regulations which govern the operation of video draw poker devices by such lessee or sublessee shall be considered a violation by the licensee. No financial lending institution or pawnshop shall be located on the premises of a qualified truck stop facility. Nothing herein shall prohibit the placement of automatic teller machines on the premises of a qualified truck stop."

AMENDMENT NO. 5

On page 1, line 14, change "five" to "fifteen"

AMENDMENT NO. 6

On page 1, line 16, change "five" to "fifteen"

AMENDMENT NO. 7

On page 2, after line 1, insert the following:

"Section 2. R.S. 27:306(A)(5)(d) is hereby repealed in its entirety."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 929 by Senator Boissiere

AMENDMENT NO. 1

Delete the amendments proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 7, 2001

AMENDMENT NO. 2

Delete the amendments proposed by the Legislative Bureau and adopted by the House on June 7, 2001

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bajoie	Fields, C	Lentini
Barham	Fields, W	Malone
Bean	Fontenot	Marionneaux

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Boissiere	Gautreaux	Michot
Cain	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—36		

NAYS

Total—0

ABSENT

Irons	McPherson	Tarver
Total—3		

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

SENATE BILL NO. 973—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 2:813(A)(2), R.S. 4:708(B), R.S. 9:3402, R.S. 12:2(A)(3), R.S. 14:403.2(E)(8)(a) and (b), R.S. 17:1253(1) and 1517(D)(4), R.S. 18:3(A)(1), 101(E)(1)(c), 103(B)(3)(a) and (C)(3)(a), 104(A)(15), 115(A)(2), 173(C), 562(C), 1280.22(A), 1300.2(B), 1300.3(A) and (B), 1300.6(A), 1300.8(B), 1303(A)(12), 1306(E)(1)(f) and (2), and 1308(A)(1)(b) and (2)(b), R.S. 22:2.1(E), R.S. 23:6(1), 11, 183, 1291.1(A)(1), (C)(3) introductory paragraph, and (D), 1292(A) introductory paragraph, and 1306(A) introductory paragraph, R.S. 26:346(A) and (B), 354(I), 355(A), 359(D), 360, and 373, R.S. 30:2043(D) and (E), R.S. 32:398(C) and 861(A)(3), R.S. 39:79(A) and (C)(1), 101(A)(1), 114(A) and (B), 461.1(C)(4), 461.4(C)(2), 1503(A)(1), (2), and (3), 1593(B), and 1594(I)(2), R.S. 40:1172(A), 1235.2(C)(1)(a), 1299.40(A)(1), and 2145(B), R.S. 47:12(B)(2)(b) and (c), 59.1(B)(2), 105(G), 114(F)(2), 115(A)(4), 166, 287.614(B), 287.651(D), 287.752(B)(3)(a), 299.35, 303(B)(2), 311, 315(A), 315.1(A), 315.3(A), 635(A)(1)(a) and (b), 640(A)(1) and (2), 720, 808(B), 823(C), 1006(A), 1034, and 1506.1(A) and (B), R.S. 48:56(A), 93(A), 201, 203, 224(B), 229(A), 231, and 232, and to enact R.S. 18:2(11), 151(C) and 1400.3(F), and R.S. 39:1410.33(D) and 1556(29), relative to electronics; to revise various laws applicable to state agencies; to provide for electronic transactions; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 973 by Senator Michot

AMENDMENT NO. 1

On page 2, line 3, after "93(A)" and the comma "," and before "203" delete "201,"

AMENDMENT NO. 2

On page 48, line 22, after "93(A)" and the comma "," and before "203" delete "201,"

AMENDMENT NO. 3

On page 49, delete lines 12 through 26 in their entirety and on page 50 delete line 1 through 21 in their entirety

AMENDMENT NO. 4

On page 54, after line 8, insert the following:

"Section 17. Nothing contained in this Act shall be construed to prohibit, hinder, affect or alter any records or other information currently available under Title 44 of the Louisiana Revised Statutes of 1950."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 973 by Senator Michot

AMENDMENT NO. 1

On page 18, line 17, following "without" and before "fee" change "a such" to "such a"

AMENDMENT NO. 2

On page 20, line 24, following "send" and before "to" change "same" to "a report"

AMENDMENT NO. 3

On page 37, following line 10 and before line 11, insert asterisks "*" *"

AMENDMENT NO. 4

On page 37, line 14, following "47:112, and before the end of the line, change "L" to "(L)"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Fields, C
Total—3

Irons

Tarver

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

SENATE BILL NO. 987—
BY SENATOR JOHNSON

AN ACT

To enact Subpart B-1 of Part I of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5633, relative to the improvement of blighted property; to provide for applicability; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for acquisitive prescription of three years under certain circumstances; to provide certain requisites and procedures for acquiring blighted property; to provide for security interests; to provide for certain causes of action; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 987 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 4, change "improvement" to "acquisition"

AMENDMENT NO. 2

On page 2, line 9, after "municipality" and before "that qualifies" delete "or parish"

AMENDMENT NO. 3

On page 2, line 25, change "certificate of proof" to "certificate or proof"

AMENDMENT NO. 4

On page 4, line 14, after "Court" and before "is" insert "of Louisiana"

AMENDMENT NO. 5

On page 5, line 4, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 6

On page 5, line 6, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 7

On page 5, line 13, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 8

On page 5, line 23, after "immovable" and before "the" change "file" to "files"

AMENDMENT NO. 9

On page 5, line 24, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 10

On page 5, line 26, after "boundaries" and before "with" insert "who first files the judgment, certificate or proof, and affidavit as described in Paragraph (A)(2) of this Section shall secure the first right to assert possession of the immovable. An owner of immovable property having common boundaries"

AMENDMENT NO. 11

On page 6, line 1, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 12

On page 6, line 10, after "immovable" and before "does" insert "is attempting to assert possession. If the owner of immovable property having common boundaries with the immovable"

AMENDMENT NO. 13

On page 6, line 11, change "certificate of proof" to "certificate or proof,"

AMENDMENT NO. 14

On page 10, line 10, after "for" and before "all" insert "all monies advanced by the possessor for the payment or satisfaction of mortgages, judgments, liens and other encumbrances plus costs and expenses for cancellation thereof, and for"

AMENDMENT NO. 15

On page 10, line 16, after "improvements." and before "To" insert the following:

"In addition to the foregoing reimbursements, all monies advanced by the possessor shall earn, and the possessor shall be entitled to receive, conventional interest at the highest rate allowed pursuant to Civil Code Article 2924(C)."

AMENDMENT NO. 16

On page 10, line 25, after "Section," delete the remainder of the line and insert the following:"the expenses and monies advanced described in Subsection E of this Section, plus all accrued interest as allowed by Subsection E of this Section,"

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham

Fontenot
Gautreaux

Marionneau
McPherson

June 16, 2001

Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields, W	Malone	
Total—34		

NAYS

Mr. President	Dean
Total—2	

ABSENT

Fields, C	Irons	Tarver
Total—3		

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

SENATE BILL NO. 1001—
BY SENATOR HAINKEL

AN ACT

To enact Subpart W of Part I of Chapter 1 of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.63, relative to state individual income taxes; to provide for a refund checkoff on individual state income tax returns for prostate cancer; 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. 1001 by Senator Hainkel

AMENDMENT NO. 1

On page 1, lines 2 and 8, following "Chapter 1" and before "of Title 47" insert "of Subtitle II"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bajoie	Fields, W	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot

Cain	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Total—33		

NAYS

Total—0

ABSENT

Cravins	Irons	Schedler
Fields, C	Marionneaux	Tarver
Total—6		

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

SENATE BILL NO. 1045—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:553(17) and 559(3), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership of certain employees of the traffic courts for the parish of Orleans; to authorize credit in the judicial retirement plan of the Louisiana State Employees' Retirement System for service as a judicial administrator for the traffic courts for the parish of Orleans and each deputy of the administrator; 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. 1045 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, between "To" and "relative" delete "R.S. 11:553(17) and 559(3)," and insert in lieu thereof "amend and reenact R.S. 11:502, 502.2(A)(1)(introductory paragraph) and (B)(1), 502.4, and Subsection 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, and to enact R.S. 11:502.2(A)(1)(c), 553(17) and 559(3),"

AMENDMENT NO. 2

On page 1, line 8, between "administrator;" and "and" insert "to further provide with respect to the Optional Retirement Plan, including but not limited to membership and those classes of employees that are eligible for such membership; to provide an effective date;"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 11:502, 502.2(A)(1)(introductory paragraph) and (B)(1), 502.4, and Subsection 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature are hereby amended

and reenacted and R.S. 11:502.2(A)(1)(c), 553(17) and 559(3) are hereby enact to read as"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert:

"§502. Creation of optional retirement plan

There is created an optional retirement plan for certain unclassified state employees who would otherwise be eligible to become members of the Louisiana State Employees' Retirement System. Those eligible employees who select this optional benefit shall not be considered eligible for any benefits provided by the defined benefit plan and cannot maintain any service credit in the defined benefit plan once this option is elected.

* * *

§502.2. Eligibility; irrevocable election

A.(1) The following unclassified state employees shall be eligible to make an irrevocable election to participate in this optional retirement plan:

* * *

(c) Any member of the Executive Career Service established by the State Civil Service Commission.

* * *

B.(1)(a) Any Except as provided in Subparagraph (b) of this Paragraph, any participating member of the defined benefit plan who would otherwise be eligible to participate in this optional retirement plan under the provisions of Subsection A of this Section may irrevocably elect to participate in this optional retirement plan under the provisions of this Subpart, but any such election shall be filed in writing with the Louisiana State Employees' Retirement System prior to September 1, 2000, or the member shall remain in the defined benefit plan.

(b) Any member of the Executive Career Service established by the State Civil Service Commission who is a participating member of the defined benefit plan shall have sixty days following the effective date of such member's appointment to the Executive Career Service to make and file the election set forth in Subparagraph (a) of this Paragraph.

* * *

§502.4. Limitations; unclassified employees

Any eligible unclassified employee who elects to participate in this optional retirement plan shall always be ineligible for membership in the defined benefit plan, even if he is employed in a position covered by the defined benefit plan and shall only be entitled to those benefits set out in this Subpart. If any such optional retirement plan participant assumes a new position covered by the retirement plan, then he shall continue to participate in the optional retirement plan, notwithstanding the provisions of R.S. 11:417. If any such optional retirement plan participant assumes a new position in state service not covered by the defined benefit plan, he must at that time begin membership in the retirement system which provides benefits for that position in state service."

AMENDMENT NO. 5

On page 2, after line 13, add:

"Section 2. Subsection 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 2.

* * *

B. The authority for enrollment of employees in the Optional Retirement Plan, as set forth in R.S. 11:502.2 in Section 1 of this Act, shall terminate on July 1, 2001, and, thereafter except as provided in Section 3 of the Act which originated as House Bill No. 1395 of the 2001 Regular Session of the Legislature, no further employees shall be enrolled or transferred for participation therein. Those employees who either enrolled in or transferred into the Optional Retirement Plan on or before June 30, 2001, shall continue participation therein in accordance with the provisions of law applicable thereto.

Section 3. Notwithstanding any provision of Subsection B of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended, to the contrary, the authority for enrollment of members of the Executive Career Service established by the State Civil Service Commission in the Optional Retirement Plan, as set forth in R.S. 11:502.2(A)(1)(c) in Section 1 of this Act, shall terminate sixty days following the effective date of each such member's appointment to the Executive Career Service. Those members who either enrolled in or transferred into the Optional Retirement Plan on or before July 1, 2002, shall continue participation therein in accordance with the provisions of law applicable thereto.

Section 4. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later."

Senator Boissiere moved to reject 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	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Irons	Tarver
Fields, C	Schedler	
Total—5		

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

Senator Ellington in the Chair

SENATE BILL NO. 1048—

BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of Schedule II(D) of R.S. 40:964, 964.1, 966(A)(1), and 967(A)(1), relative to the classification of controlled dangerous substances; to provide for the classification of a controlled substance analogue as a Schedule II controlled dangerous substance; to provide for the treatment of an analogue of a Schedule II controlled dangerous substance to be the same as such substance; to provide for penalties for distribution and manufacture of controlled substance analogues in both Schedule I and II; 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. 1048 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 3, after "967(A)(1)" delete the comma "," and insert "and (B)(1) and to enact R.S. 40:964(Schedule II)(D)(4),"

AMENDMENT NO. 2

On page 1, line 10, after "II;" and before "and" insert "to clarify penalty provisions with regard to violations involving certain Schedule II controlled dangerous substances; to add 1,4-Butanediol as a Schedule II depressant;"

AMENDMENT NO. 3

On page 1, line 13, after "967(A)(1)" insert "and (B)(1)"

AMENDMENT NO. 4

On page 1, line 14, after "reenacted" and before "to" insert and R.S. 40:964(Schedule II)(D)(4) is hereby enacted"

AMENDMENT NO. 5

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

"(4) 1,4-Butanediol

* * *

AMENDMENT NO. 6

On page 2, line 18, after "in" and before "Schedule" insert "either"

AMENDMENT NO. 7

On page 3, after line 14, insert the following:

"B. Penalties for violation of Subsection A. Except as provided in Subsection F, any person who violates Subsection A with respect to:

(1) A substance classified in Schedule II which is an amphetamine or methamphetamine or which is a narcotic drug, except

cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II(A)(4) of R.S. 40:964, or which is an amphetamine or methamphetamine; shall be sentenced to a term of imprisonment at hard labor for not less than five years nor more than thirty years; and may, in addition, be sentenced to pay a fine of not more than fifty thousand dollars.

* * *

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1048 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 13, change "964.1(D)" to "964.1"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—35; Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Irons, Total—4; Schedler, Tarver

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. 1075—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 9:3541.1(A), (D) and (E), relative to home solicitation sales; to provide for a consumer's right to cancel mail and check solicitation sales; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 1075 by Senator W. Fields

AMENDMENT NO. 1

On page 2, line 13, after "PROGRAM" insert "OR A LOAN"

AMENDMENT NO. 2

On page 2, line 14, after "BOUND TO" insert "REPAY THE LOAN OR"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Reengrossed Senate Bill No. 1075 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 2, after "(A)" delete the comma "," and delete "(D)" and insert "(1)"

AMENDMENT NO. 2

On page 1, line 6, after "(A)" delete the comma "," and delete "(D)" and insert "(1)"

AMENDMENT NO. 3

On page 1, line 11, after "sale" insert the following:

"except when the sale is made to and accepted by a customer who has an existing loan, revolving account, or other line of credit with the party making the mail and check solicitation sale"

AMENDMENT NO. 4

On page 1, delete lines 12 through 15 and on page 2, delete lines 1 through 10

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington Lambert Ullo
Total—36

NAYS

Total—0

ABSENT

Mr. President Irons Tarver
Total—3

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

SENATE BILL NO. 1096—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:153(F) and 768(B)(2), relative to the Teachers Retirement System of Louisiana; to authorize military service time as creditable service time; 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. 1096 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:153(F)" delete "and 768(B)(2)," and insert a comma ","

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 11:153(F)" delete "and 768(B)(2) are" and insert "is"

AMENDMENT NO. 3

On page 1, at the beginning of line 12, delete "F." and insert "F.(1)"

AMENDMENT NO. 4

On page 2, at the beginning of line 5, add "(2)"

AMENDMENT NO. 5

On page 2, line 12, between "2000, and" and "as" insert "who received written correspondence from the system during the month of July, 2000, regarding the system's incorrect calculation of benefits, and"

AMENDMENT NO. 6

On page 2, delete lines 17 through 26 in their entirety and on page 3, delete lines 1 through 5 in their entirety

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

June 16, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Irons
Bean	Tarver

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. 1106 (Substitute for Senate Bill 1077 by Senators Thomas and Schedler)—

BY SENATORS THOMAS, SCHEDLER AND CAIN

AN ACT

To enact Part III of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:951 and 952, relative to the dissemination of information regarding electricity produced in Louisiana where the state's groundwater is used as part of the generation process; to provide for entities that own, lease and/or operate new and expanded electric generation facilities that commence operation on or after January 1, 2002 and use groundwater or surface water to produce electricity; to provide notice of operation date and contact information for electric power sales; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 1106 by Senators Thomas et al.

AMENDMENT NO. 1

On page 1, line 8, after "January 1," and before "and" change "2002" to "2003" and at the end of the line, delete "or surface", and at the beginning of line 9, delete "water"

AMENDMENT NO. 2

On page 2, at the end of line 7, delete "or", and at the beginning of line 8, delete "surface water"

AMENDMENT NO. 3

On page 2, line 12, after "groundwater" and before "for" delete "or surface water"

AMENDMENT NO. 4

On page 2, at the beginning of line 19, change "2002" to "2003"

AMENDMENT NO. 5

On page 2, line 20, after "groundwater" and before "of" delete "or surface water"

AMENDMENT NO. 6

On page 2, line 25, after "Commission," and before "or" insert the following: "qualifying cogeneration and small power production facilities as defined in the Public Utilities Regulatory Act of 1978 (PURPA),"

AMENDMENT NO. 7

On page 3, line 2, after "Subsection" and before "of" change "(B)" to "(A)"

AMENDMENT NO. 8

On page 3, line 17, after "commissions" delete the remainder of the line and delete lines 18 and 19 and insert a comma "," and the following: "if less than twenty-five percent of the power sales in megawatt hours from the facility during the previous six months were made to in-state purchasers."

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

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
Dardenne	Hoyt	Smith
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, C	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Lambert	Thomas
Cravins	Schedler	

Irons Tarver
Total—7

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.

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 Senate Bill No. 1106 He had intended to vote yea on the bill. He asked that the Official Journal so state.

Mr. President in the Chair

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

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1382(A)(3)(a)(iv), 1401, 1402, 1403(D), 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406(A), (B) and (C), 1406.1, 1406.2(1), the introductory paragraph of R.S. 22:1406.2(2), 1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1408(A) and (C), 1409(A), (B), (D), (E), and (G), the introductory paragraph of R.S. 22:1410(A), 1410(A)(1), (B) and (C), 1411, 1412(B), 1413(B), 1414(B), 1415, 1417(A) and (B), 1417.1, 1418, 1419(B), 1420, 1422, 1422.1, 1424, 1431, 1432(1), (2)(introductory paragraph), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1459(A), and 2092.5(C)(2), R.S. 23:1392(1) and (8), R.S. 32:430(M) and 1043(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1402.1, 1402.2, 1402.3, and 1406(E) and to repeal R.S. 22:15(B)(1)(h), 636.2(A)(3), 636.4(E)(2)(a), 1404.2, 1406(D)(7) and (F), 1423, 1450.4, 1450.5, R.S. 23:1395(A), and R.S. 36:686(C)(1) relative to insurance rate regulation; to limit the authority of the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; to provide for appeals to the Louisiana Insurance Rating Commission; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 41, line 16 after "are" and before "disapproved" insert "returned as incomplete more than once or"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Reengrossed Senate Bill No. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 13, after "(8)" and before ", R.S. 32:430(M)" insert "and 1395(A)"

AMENDMENT NO. 2

On page 1, at the end of line 16, delete "R.S."

AMENDMENT NO. 3

On page 2, at the beginning of line 1, delete "23:1395(A),"

AMENDMENT NO. 4

On page 65, line 16, after "(8)" and before "are" insert "and 1395(A)"

AMENDMENT NO. 5

On page 66, between lines 18 and 19 insert the following:

"§1395. Exemptions; rate regulation; surplus; reserves; guaranty funds

A. The corporation shall be exempt from rate regulation by the Louisiana ~~Insurance Rating Commission~~ Department of Insurance.

* * *

AMENDMENT NO. 6

On page 70, line 5, after "1450.4," delete "1450.5 and R.S. 23:1395(A)," and insert "and 1450.5"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 39, line 22, after "C," and before "Each" delete "(1)"

AMENDMENT NO. 2

On page 40, delete lines 2 through 5 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Reengrossed Senate Bill No. 1107 by Senator Hainkel

AMENDMENT NO. 1

On page 41, line 16, after "disapproved" and before "under" insert "or not acted upon within thirty days from the date of receipt by the division"

June 16, 2001

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	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields, C	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Dardenne	Irons	Tarver
Dean	Marionneaux	
Total—5		

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.

Personal Privilege

Senator Heitmeier asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 1107. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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

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

Called from the Calendar

Senator Hoyt asked that Senate Bill No. 834 be called from the Calendar at this time.

SENATE BILL NO. 834—

BY SENATORS HOYT, MICHOT AND SMITH AND REPRESENTATIVE TOWNSEND

AN ACT

To enact Subpart K of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:465.1 through 465.11, relative to the fair marketing of motor fuel; to provide for legislative findings and intent; to provide for definitions; to provide for enforcement and penalties for unlawful predatory practices; to provide for exceptions and exemptions; to provide for permits to sell motor fuel; to provide for private rights of action for violations; and to provide for related matters.

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

Called from the Calendar

Senator C. Fields asked that Senate Bill No. 942 be called from the Calendar at this time.

SENATE BILL NO. 942—

BY SENATOR C. FIELDS

AN ACT

To enact R.S. 33:2494.1, relative to certain municipal fire and police civil service systems; to provide for election of a chief of police in certain systems; to specify a date for the first election of the chief of police; and to provide for related matters.

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

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 970 be called from the Calendar at this time.

SENATE BILL NO. 970—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 40:966(B), relative to controlled dangerous substances; to provide penalties for possession of various quantities of heroin; and to provide for related matters.

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

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 1034 be called from the Calendar at this time.

SENATE BILL NO. 1034—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 47:322.38(B), relative to the disposition of state sales and use tax avails in Orleans Parish; to provide for the disposition of certain funds to the Ernest N. Morial-New Orleans Exhibition Hall Authority; and to provide for related matters.

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

Called from the Calendar

Senator Malone asked that Senate Bill No. 1098 be called from the Calendar at this time.

SENATE BILL NO. 1098—
BY SENATOR MALONE

AN ACT

To enact R.S. 30:29 through 29.3, relative to the water supply of the Sparta Groundwater area; to provide for powers and duties of the office of conservation for such purposes; to provide for procedures for classifying water wells; to provide for funding; and to provide for related matters.

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

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 1108 be called from the Calendar at this time.

SENATE BILL NO. 1108 (Substitute for Senate Bill No. 593 by Senator Cain)—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 607, and to repeal Chapter 6 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

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

Appointment of Conference Committee on Senate Bill No. 442

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. 442: Senators Dardenne, Lentini and Barham.

Recess

On motion of Senator Lambert, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Cain	Irons	Tarver
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

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

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. 65—

BY SENATOR ROMERO

A RESOLUTION

To urge and request the attorney general to investigate the closure of the Fruit of the Loom plant in St. Martin Parish, and insure that all taxes owed to state and local governments are paid prior to final closure.

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

SENATE RESOLUTION NO. 66—

BY SENATOR W. FIELDS

A RESOLUTION

To urge and request the Department of Transportation and Development to address the health and safety problems created by the log and chip truck traffic on Highway 68 between Highway 61 and Highway 964.

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

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE PIERRE AND SENATOR ROMERO

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2001-2002, as adopted by the Wetlands Conservation and Restoration Authority.

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

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.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Hines	McPherson
Boissiere	Hollis	Michot
Chaisson	Hoyt	Mount
Dardenne	Johnson	Schedler
Ellington	Jones, B	Smith
Fields, C	Jones, C	Theunissen
Fields, W	Lambert	Thomas
Gautreaux	Lentini	Ullo
Heitmeier	Marionneau	
Total—26		

NAYS

Dean	Dupre
Total—2	

ABSENT

Mr. President	Campbell	Malone
Bajoie	Cravins	Romero
Bean	Fontenet	Tarver
Cain	Irons	
Total—11		

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

Rules Suspended

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

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

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

Called from the Calendar

Senator Schedler asked that House Bill No. 507 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 507—

BY REPRESENTATIVES DANIEL, MORRISH, STRAIN, FAUCHEUX, HEBERT, HUDSON, LEBLANC, SCALISE, JACK SMITH, STELLY, WINSTON, AND SWILLING

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the legislature to provide for procedures for determination of deficits and associated budget adjustments; to authorize introduction and consideration of such law in any regular session of the legislature; to authorize the adjustment of budgets for certain mandatory or protected expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize the limited transfer of monies from one fund to another under certain circumstances; to authorize limited redirection and transfer of funds supporting appropriations or allocations from the state general fund and

dedicated funds, including those constitutionally protected or mandated, to be used for other nonmandatory purposes under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 507 by Representative Daniel

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 1 through 12 proposed by Senator Schedler and adopted by the Senate on May 3, 2001

AMENDMENT NO. 2

On page 2, line 20, after "(2)(a)" delete "Adjustments" and insert "Notwithstanding any other provision of this Constitution to the contrary, adjustments"

On motion of Senator Schedler, 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. 507 by Representative Daniel

AMENDMENT NO. 1

Delete Senate Floor Amendments Nos. 2, 4, and 9 proposed by Senator Schedler and adopted by the Senate on May 3, 2001.

AMENDMENT NO. 2

On page 1, delete lines 4 through 15, and insert in lieu thereof the following: "reduction of certain mandatory expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, except for Minimum Foundation Program funds for other nonmandatory uses under certain circumstances; to authorize the legislature to provide for"

AMENDMENT NO. 3

On page 2, delete lines 8 through 26 in their entirety and insert in lieu thereof the following:

"(K) Reductions in Appropriations. (1) Notwithstanding any other provision of this constitution to the contrary, if a deficit is projected pursuant to the procedure required by Paragraph (F) of this Section after the beginning of a fiscal year, and general fund appropriations and allocations not mandated by this constitution have been reduced by one percent, then the governor may reduce any

appropriation or allocation from the state general fund and dedicated funds, including any that are otherwise constitutionally protected or mandated, except for funds appropriated to fund the Minimum Foundation Program, as required by Article VIII, Section 13(B) of this constitution, by the lesser of five percent or the projected deficit that remains after state general fund appropriations and allocations not mandated by this constitution have been reduced by one percent. Reductions made by the governor pursuant to this Paragraph must be approved by the legislature in a manner provided by law.

(2) Notwithstanding any other provision of this constitution to the contrary, if the official forecast for the next fiscal year is at least one percent less than the official forecast in the current fiscal year, an amount not to exceed five percent of each appropriation, allocation, or fund mandated or protected by this constitution except for funds appropriated to fund the Minimum Foundation Program, as required by Article VIII, Section 13 (B) of this constitution shall become available for the budget estimate and appropriation by the legislature for any purpose not prohibited by this constitution.

(3) The legislature may provide by law for the implementation of the provisions of this Paragraph."

AMENDMENT NO. 4

On page 5, delete lines 15 through 26 and insert in lieu thereof the following:

"To authorize the governor to reduce appropriations or allocations from the state general fund and dedicated funds, except for Minimum Foundation Program funds, up to five percent if, after the beginning of a fiscal year appropriations for the fiscal year exceed the official revenue forecast for that year and if aggregate reductions of one percent from the state general fund have been made; to authorize the legislature to make up to five percent of the monies appropriated or allocated for mandatory expenditures, with the exception of Minimum Foundation Program funds, available for other nonmandatory expenditures if the official revenue forecast for the next fiscal year is at least one percent less than the forecast for the current fiscal year; to exempt the revenues dedicated or pledged as security for bonds, the severance tax and royalty allocations to parishes, retirement contributions, the Louisiana Education Quality Trust Fund, the Millennium Trust, except for appropriations from the trust, and monies not required to be deposited in the treasury, from these provisions; and to authorize the legislature to provide for the"

Senator Hines moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Marionneau
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Romero
Campbell	Hines	Theunissen
Dupre	Hoyt	
Fields, C	Jones, C	

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Total—16	NAYS	
Mr. President	Fontenot	Michot
Barham	Johnson	Schedler
Chaisson	Jones, B	Smith
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Total—17	ABSENT	
Cain	Hollis	Mount
Cravins	Irons	Tarver
Total—6		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 507 by Representative Daniel

AMENDMENT NO. 1

On page 5, line 5, after “(f)” insert the following:

“The Transportation Trust Fund as provided in Article VII, Section 27 of this constitution.

(g)”

AMENDMENT NO. 2

On page 6, line 15, after “trust,” insert “the Transportation Trust Fund,”

Senator Heitmeier moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Dupre	Jones, C
Bean	Fields, W	Marionneaux
Boissiere	Heitmeier	Mount
Chaisson	Hines	
Total—11		
NAYS		
Mr. President	Hollis	Michot
Barham	Hoyt	Romero
Dardenne	Johnson	Schedler
Dean	Jones, B	Smith
Ellington	Lambert	Theunissen

Fields, C	Lentini	Thomas
Fontenot	Malone	Ullo
Gautreaux	McPherson	
Total—23	ABSENT	
Cain	Cravins	Tarver
Campbell	Irons	
Total—5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 507 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 4, after "activities" and before the period "." insert "; nor shall reductions to expenditures required by Article VII, Section 27 of this Constitution exceed one percent"

AMENDMENT NO. 2

On page 5, line 24, after "Program" insert "and the Transportation Trust Fund"

Senator Chaisson moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Chaisson	Gautreaux	Lentini
Dupre	Heitmeier	Marionneaux
Fields, W	Hines	
Total—8		
NAYS		
Mr. President	Hollis	Mount
Bajoie	Hoyt	Romero
Barham	Johnson	Schedler
Boissiere	Jones, B	Smith
Dardenne	Jones, C	Theunissen
Dean	Lambert	Thomas
Ellington	Malone	Ullo
Fields, C	McPherson	
Fontenot	Michot	
Total—25	ABSENT	
Bean	Campbell	Irons
Cain	Cravins	Tarver

Total—6

The Chair declared the amendments were rejected.

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. 507 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 4, after "activities" and before the period "." insert "included within the meaning of instruction pursuant to the Minimum Foundation Program formula"

On motion of Senator Mount, 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

Mr. President	Ellington	Lentini
Bajoie	Fields, C	Malone
Barham	Fields, W	McPherson
Bean	Fontenot	Michot
Boissiere	Gautreaux	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Total—33		

NAYS

Heitmeier	Hines	Marionneaux
Total—3		

ABSENT

Cain	Irons	Tarver
Total—3		

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

Called from the Calendar

Senator Boissiere asked that House Bill No. 1635 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1635—

BY REPRESENTATIVE HOPKINS AND SENATOR BOISSIERE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Malone
Boissiere	Hines	Marionneaux
Chaisson	Hollis	Mount
Cravins	Hoyt	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, C	
Total—17		

NAYS

Mr. President	Fields, C	McPherson
Barham	Fields, W	Michot
Bean	Gautreaux	Romero
Campbell	Jones, B	Smith
Dardenne	Lambert	Ullo
Dean	Lentini	
Total—17		

ABSENT

Cain	Irons	Tarver
Fontenot	Schedler	
Total—5		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1635. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator C. Jones asked that House Bill No. 597 be called from the Calendar at this time for its final passage.

June 16, 2001

HOUSE BILL NO. 597—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 23:1201.2, relative to workers' compensation; to provide penalties for the wrongful discontinuance of workers' compensation payments; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed House Bill No. 597 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 13, after "claims" insert the following: ", provided that the employee gives a written notice of his intent to pursue collection of payment of such claims to his employer, with a copy to the Workers' Compensation Corporation, within thirty days of the discontinuance of payments"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Fields, C, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns of names: Cain, Ellington, Total—4

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

Called from the Calendar

Senator Theunissen asked that House Bill No. 1901 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1901—

BY REPRESENTATIVE MCDONALD

AN ACT

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

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

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Fields, C, Total—35

NAYS

Table with 1 column of names: Mr. President, Total—1

ABSENT

Table with 3 columns of names: Cain, Total—3, Irons, Tarver

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.

Called from the Calendar

Senator Boissiere asked that House Bill No. 1339 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1339—

BY REPRESENTATIVES SCHNEIDER AND THOMPSON AND SENATOR BOISSIERE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Cain, Irons, Malone, Tarver

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

Called from the Calendar

Senator Boissiere asked that House Bill No. 1343 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1343—

BY REPRESENTATIVE SCHNEIDER

AN ACT

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

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1343 by Representative Schneider

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 through 4 proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001.

On motion of Senator Boissiere, the amendments were adopted.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1343 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 4, after "788(C)," delete "and" and after "856(A)," insert "and R.S. 42:851(A)(2)(a)(ii)"

AMENDMENT NO. 2

On page 1, line 5, after "relative to" insert " public employees; to provide with respect to"

AMENDMENT NO. 3

On page 16, between lines 21 and 22, insert the following:

June 16, 2001

"Section 2. R.S. 42:851(A)(2)(a)(ii) is hereby amended and reenacted to read as follows:

§851. Authority for employee benefit programs; payroll deduction for payment of premiums

A. * * *

(2)(a) For purposes of this Section, an employee is defined as: * * *

(ii) A retiree as defined by the rules and regulations of the Board of Trustees of the State Employees Group Benefits Program or an active or retired employee of the Louisiana Naval War Memorial Commission;

* * *

AMENDMENT NO. 4

On page 2, line 22, change "Section 2." to "Section 3."

AMENDMENT NO. 5

On page 2, line 23, change "Section 3." to "Section 4."

On motion of Senator Boissiere, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, W, Malone. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Irons, Tarver. Lists Cain, Campbell.

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

Called from the Calendar

Senator Ullo asked that House Bill No. 271 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 271—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 24:53(I), relative to the annual lobbyist registration fee; to provide for an annual lobbyist registration fee; to remove the fee for filing supplemental registration forms; 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

Table with 3 columns: Name, Fontenot, Marionneaux. Lists Mr. President, Bajoie, Barham, etc.

NAYS

Dean Total—1

ABSENT

Table with 2 columns: Name, Irons, Tarver. Lists Cain, Fields, W.

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.

Called from the Calendar

Senator Thomas asked that House Bill No. 575 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 575—

BY REPRESENTATIVE NEVERS

AN ACT

To enact Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:852.1 through 852.23, to provide for titling and registering boats and outboard motors; to provide for declaration of policy; to provide for the use of funds; to provide for definitions; to provide for registration and certificates of title; to provide for fees; to provide for cancellation and surrender of certificates of title; to provide for security interests; to provide for rules; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Reengrossed House Bill No. 575 by Representative Nevers

AMENDMENT NO. 1

On page 2, line 2, change "Wildlife and Fisheries" to "Public Safety"

AMENDMENT NO. 2

On page 2, line 5, change "Conservation" to "General"

AMENDMENT NO. 3

On page 2, at the end of line 22, delete "Wildlife and" and delete line 23, and insert "Public Safety."

AMENDMENT NO. 4

On page 4, line 2, change "Wildlife and Fisheries" to "Public Safety"

Senator Gautreaux moved adoption of the amendments.

Senator Thomas objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoi, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dupre, Total—22; Ellington, Fields, C, Fields, W, Gautreaux, Heitmeier, Hines, Hoyt, Jones, B; Jones, C, Lambert, Lentini, Marionneau, McPherson, Schedler.

NAYS

Table with 3 columns of names: Mr. President, Dardenne, Dean, Hollis, Total—12; Malone, Michot, Mount, Romero; Smith, Theunissen, Thomas, Ullo.

ABSENT

Table with 3 columns of names: Cain, Fontenot, Total—5; Irons, Johnson; Tarver.

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Reengrossed House Bill No. 575 by Representative Nevers

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" insert "amend and reenact R.S. 34:851.2(11), 851.20(A)(1)(introductory paragraph) and (2), (C), (D), (E), (F), (G), (H), (I) and (M), 851.21(A), 851.23(B)(1), 851.32, 851.35(A), and"

AMENDMENT NO. 2

On page 1, line 2, after "enact" insert "R.S. 10:9-104(o), R.S. 34:851.2(12) and"

AMENDMENT NO. 3

On page 1, line 11, after "Section 1." insert "R.S. 34:851.2(11), 851.20(A)(1)(introductory paragraph) and (2), (C), (D), (E), (F), (G), (H), (I) and (M), 851.21(A), 851.23(B)(1), 851.32, 851.35(A), are hereby amended and reenacted and R.S. 10:9-104(o), R.S. 34:851.2(12) and"

AMENDMENT NO. 4

On page 1, line 12, change "is" to "are"

AMENDMENT NO. 5

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

"§851.2. Definitions

* * *

(11) "Office" means the office of motor vehicles.

(12) "Prohibited zone" means an area paralleling each side of the entire length of the Lake Pontchartrain Causeway Bridge and extending outward for a distance of one mile from both the most easterly and westerly outboard sides of the causeway bridge twin spans.

* * *

§851.20. Identification number

A.(1) The owner of each motorboat or sailboat requiring numbering by this state shall file an application for number with the Department of Wildlife and Fisheries or the office of motor vehicles on forms approved by it the department. The application shall be signed by the owner of the motorboat or sailboat and shall be accompanied by a fee as follows:

* * *

(2) Upon receipt of the application in approved form, the department or the office shall enter the same upon the records of its office and issue to the applicant a certificate of number stating the number assigned to the motorboat or sailboat and the name and address of the owner with a description of the motorboat or sailboat. The department and office shall maintain a record of the hull identification number of the boat and the serial number of the motor along with the assigned certificate of number on its computer.

* * *

C. Should the ownership of a motorboat or sailboat change, a new application form with a five dollar fee shall be filed with the commission or the office, and a new certificate of number for the remainder of the three-year period shall be awarded in the same manner as provided for in an original award of number.

D. In the event that an agency of the United States government shall have in force an overall system of identification numbering for motorboats or sailboats within the United States, the numbering system employed pursuant to this Part by the commission and office shall be in conformity therewith.

E. All records of the commission and office made or kept pursuant to this Section shall be public records in accordance with state laws.

F. Every certificate of number awarded pursuant to this Part shall continue in full force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this Part. Certificates of number may be renewed within sixty days preceding or thirty days following the expiration date by the owner in the same manner provided for in the initial securing of the same for a three-year period by marking the application form "Renewal". The renewal fee shall be the same fee as the initial registration fee. The fee to reinstate an expired certificate of number shall be the same fee as the initial registration fee. Certificates of number may be renewed or reinstated through electronic means as permitted by the Department of Wildlife and Fisheries and the office of motor vehicles.

G. The owner shall furnish the commission or office notice of the transfer of all or any part of his interest other than the creation of a security interest in a motorboat or sailboat numbered in this state pursuant to Subsections A and B of this Section or of the destruction or abandonment of such motorboat or sailboat within fifteen days thereof. Such transfer, destruction, or abandonment shall terminate the certificate of number for such motorboat or sailboat, except that in the case of a transfer of a part interest which does not affect the owner's right to operate such motorboat or sailboat such transfer shall not terminate the certificate of number.

H. Any holder of a certificate of number shall notify the commission or office within fifteen days if his address no longer conforms to the address appearing on the certificate and shall, as a part of such notification, furnish the commission or office with his new address. The commission may provide in its rules and regulations for the surrender of the certificate bearing the former address and its replacement for a reasonable fee with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

I. If a certificate of number is lost or destroyed, the owner shall, within fifteen days, notify the commission or office in writing describing the circumstances of the loss or destruction and certifying to its loss together with a complete application form marked "Duplicate" and accompanied by a five dollar fee for which a duplicate certificate shall be issued.

* * *

M.(1) Any application for registration of a homemade boat shall first be submitted to the nearest regional office of the Department of Wildlife and Fisheries or the office of motor vehicles. An agent associated with that regional office shall make a visual inspection of the boat. If the inspection of the boat is favorable, the agent shall issue and stamp a sequential hull number on the boat. The owner of the boat shall then submit the registration form with the favorable inspection report of the agent to the Department of Wildlife and Fisheries or the office of motor vehicles for processing.

(2) The fee for the personal inspection shall be twenty-five dollars which shall be in addition to the regular cost of the boat registration. After deposit in the state treasury, an amount equal to the funds collected under the provisions of this Subsection by the

department shall be credited to the Conservation Fund and shall be used by the department to fund overtime for Department of Wildlife and Fisheries enforcement officers.

(3) Any proprietor of a scrap or salvage yard who is in receipt of an aluminum boat which does not have a hull identification number affixed thereto shall notify an agent associated with the nearest regional office of the Department of Wildlife and Fisheries or the office of motor vehicles to obtain verification of ownership thereof prior to payment of any value for the receipt of the boat, unless proper ownership can be verified by registration.

* * *

§851.21. Numbering system

A. The motorboat or sailboat identification number issued by the commission or office pursuant to this Part shall be divided into parts which include a symbol indicating the state and a combination of numerals, letters, and words indicating the individual identification of the motorboat or sailboat. The group of three digits appearing between letters shall be separated from those letters by hyphens or equivalent spaces. Numbers shall be block characters not less than three inches in height and of a color to contrast on the hull, dark on light or light on dark or as otherwise provided by rules and regulations of the commission.

* * *

§851.23. Boat liveryes; numbering of manufacturer's and dealer's boats

* * *

B.(1) A manufacturer of or dealer in motorboats or sailboats owning or operating any motorboat or sailboat for sale, demonstration, or trading purposes but not used in the operation of such business otherwise or for pleasure purposes, in lieu of registering such motorboats or sailboats, shall obtain a registration number from the commission or office by applying therefor upon the proper official form and the payment of a registration fee of fifty dollars for a three-year period. Renewals shall be made in the same manner.

* * *

§851.32. Disposition of funds

A. Funds accruing to the state of Louisiana from registration fees paid by owners of motorboats to the Department of Wildlife and Fisheries shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund, after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the State General Fund, pay into the Conservation Fund of the Louisiana Wildlife and Fisheries Commission an amount equal to the total amount of the sums recovered as registration fees by the Department of Wildlife and Fisheries in R.S. 34:851.20 and R.S. 34:851.23 of this Part for the purpose of administering and enforcing the provisions of this Part or for such other purposes as may be determined by said commission.

B. The revenues derived from the registration fees by the Department of Wildlife and Fisheries shall be made available for the purpose of providing the necessary additional funds for the administration and enforcement of the provisions of this Part or for such other purposes as may be determined by the Louisiana Wildlife and Fisheries Commission.

* * *

§851.35. Filing false applications

A. No person shall file a false application with ~~this department~~ the department or the office for the benefit of obtaining a special marine event permit or in applying for a Louisiana boat registration certificate.

* * *

AMENDMENT NO. 6

On page 2, at the end of line 1, delete "Louisiana" and on line 2 delete "Department of Wildlife and Fisheries" and insert "office of motor vehicles"

AMENDMENT NO. 7

On page 2, line 5, change "Conservation" to "State General"

AMENDMENT NO. 8

On page 2, line 6, change "department" to "office"

AMENDMENT NO. 9

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

"(1) Assistant secretary" means the assistant secretary of the office of motor vehicles."

AMENDMENT NO. 10

On page 2, line 14, change "(1)" to "(2)"

AMENDMENT NO. 11

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

AMENDMENT NO. 12

On page 2, line 22, change "(3)" to "(4)"

AMENDMENT NO. 13

On page 2, line 24, change "(4)" to "(5)"

AMENDMENT NO. 14

On page 3, line 1, change "(5)" to "(6)"

AMENDMENT NO. 15

On page 3, line 4, change "(6)" to "(7)"

AMENDMENT NO. 16

On page 3, between lines 6 and 7, insert "(8) "Office" means the office of motor vehicles."

AMENDMENT NO. 17

On page 3, line 7, change "(7)" to "(9)"

AMENDMENT NO. 18

On page 3, line 8, change "(8)" to "(10)"

AMENDMENT NO. 19

On page 3, line 10, change "(9)" to "(11)"

AMENDMENT NO. 20

On page 3, line 12, change "(10)" to "(12)"

AMENDMENT NO. 21

On page 3, line 13, delete "The terms includes a", and delete lines 14 through 17 in their entirety

AMENDMENT NO. 22

On page 3, line 18, change "(11)" to "(13)"

AMENDMENT NO. 23

On page 3, line 22, change "(12)" to "(14)"

AMENDMENT NO. 24

On page 4, line 1, change "(13)" to "(15)"

AMENDMENT NO. 25

On page 4, line 3, change "(14)" to "(16)"

AMENDMENT NO. 26

On page 4, line 5, after "obligation" insert a period "." and delete the remainder of the line

AMENDMENT NO. 27

On page 4, line 6, change "(15)" to "(17)"

AMENDMENT NO. 28

On page 4, line 8, change "(16)" to "(18)"

AMENDMENT NO. 29

On page 4, line 11, change "(17)" to "(19)"

AMENDMENT NO. 30

On page 4, line 14, change "(18)" to "(20)"

AMENDMENT NO. 31

On page 4, line 21, change "(19)" to "(21)"

AMENDMENT NO. 32

On page 5, line 1, change "department" to "office"

AMENDMENT NO. 33

On page 5, line 2, after "motor" insert a period "." and delete the remainder of the line

AMENDMENT NO. 34

On page 5, line 3, delete "purchase or transfer of said vessel or outboard motor."

AMENDMENT NO. 35

On page 5, line 6, change "department" to "office"

AMENDMENT NO. 36

On page 5, line 7, delete "The department may not", after "C." insert "Neither the department nor the office may", and delete "vessel"

AMENDMENT NO. 37

On page 5, line 10, change "department" to "office"

AMENDMENT NO. 38

On page 5, line 11, change "and" to "or" and after "motor" insert a period "."

AMENDMENT NO. 39

On page 5, line 12, delete "within thirty days after acquisition."

AMENDMENT NO. 40

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On page 5, lines 13, 16, 19 and 24, change "department" to "office"

AMENDMENT NO. 41

On page 6, lines 1 and 2, change "department" to "office"

AMENDMENT NO. 42

On page 6, line 9, change "Title" to "Titles"

AMENDMENT NO. 43

On page 6, line 11, before "lienholder" insert "name and address of the"

AMENDMENT NO. 44

On page 7, lines 4, 11, 12, 18 and 26, change "department" to "office"

AMENDMENT NO. 45

On page 8, lines 2, 4, 5, 11, 19, and 24, change "department" to "office"

AMENDMENT NO. 46

On page 9, lines 1, 10 in both instances, 14, and 21, change "department" to "office"

AMENDMENT NO. 47

On page 9, line 22, after "department" insert "or office"

AMENDMENT NO. 48

On page 10, line 8, change "department" to "office", in both instances

AMENDMENT NO. 49

On page 11, line 1, change "claimed on" to "in any vessel or outboard motor or any"

AMENDMENT NO. 50

On page 11, lines 12 and 14, change "department" to "office"

AMENDMENT NO. 51

On page 11, at the end of line 16, delete "The", and delete lines 17 through 20 in their entirety

AMENDMENT NO. 52

On page 13, lines 7, 11, 13, 14, 16, and 19, change "department" to "office"

AMENDMENT NO. 53

On page 14, lines 6, 8, 11, 18, 20 in both instances, 22, 23, and 24, change "department" to "office"

AMENDMENT NO. 54

On page 15, lines 3, 15, 18, 25, and 26, change "department" to "office"

AMENDMENT NO. 55

On page 15, at the beginning of line 12, change "The" to "On and after January 1, 2002, the"

AMENDMENT NO. 56

On page 17, line 13, change "department" to "office"

AMENDMENT NO. 57

On page 17, after line 19, insert the following:

"Section 2. R.S. 36:408(C) is hereby amended and reenacted to read as follows:

§408. Offices; purposes and functions
* * *

C. The office of motor vehicles shall perform the functions of the state relative to the examination and licensing of drivers of motor vehicles within the state, the suspension and revocation of such licenses, the approval of driver education programs, issuance of vehicle title and registration certificates, issuance of boat and outboard motor titling and registration, recordation of liens against motor vehicles, and the collection of appropriate fees and motor vehicle sales tax, all in accordance with applicable laws.
* * *

Section 3. R.S. 10:9-104(o) is hereby enacted to read as follows:

§9-104. Transactions excluded from Chapter
* * *

(o) to a security interest in a titles vessel or outboard motor to the extent it is governed by R.S. 34:852.1, et seq."

Section 4. This Act, except the provisions of R.S. 34:852.1, shall become effective on January 1, 2002; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2002, or on the day following such approval by the legislature, whichever is later.

Section 5. The provisions of R.S. 34:852.1 as enacted by this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Gautreaux moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, C	Jones, C
Bean	Fields, W	Lambert
Boissiere	Gautreaux	Lentini
Campbell	Heitmeier	Marionneaux
Cravins	Hines	McPherson
Dardenne	Hollis	Theunissen
Dupre	Hoyt	
Total—20		

NAYS

Mr. President	Fontenot	Romero
Barham	Jones, B	Schedler
Chaisson	Malone	Smith
Dean	Michot	Ullo
Ellington	Mount	
Total—14		

ABSENT

Cain	Johnson	Thomas
Irons	Tarver	
Total—5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Romero
Campbell	Hollis	Smith
Chaisson	Hoyt	Theunissen
Cravins	Jones, C	Thomas
Dardenne	Lambert	Ullo
Fields, C	Lentini	
Total—23		

NAYS

Mr. President	Ellington	Malone
Barham	Fontenot	Marionneaux
Dean	Gautreaux	Mount
Dupre	Jones, B	Schedler
Total—12		

ABSENT

Cain	Johnson
Irons	Tarver
Total—4	

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

Personal Privilege

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 575. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Ullo asked that House Bill No. 1825 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B Jones to Reengrossed House Bill No. 1825 by Senator Lancaster

AMENDMENT NO. 1

On page 1, line 14, after "Section" insert the following: "provided he registers to perform such ceremonies as required by Section 204 of this Part"

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

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Irons	McPherson
Cain	Johnson	Tarver
Total—6		

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.

June 16, 2001

Called from the Calendar

Senator Lentini asked that House Bill No. 1524 be called from the Calendar at this time for its final passage.

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 Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1524 by Representatives McMains and Landrieu

AMENDMENT NO. 1

On page 2, line 4, before "However" insert "(a)"

AMENDMENT NO. 2

On page 2, line 9, after "Louisiana." insert "(b)" and on line 10, after "interrupted" insert "for judgments pursuant to Article 2124(B)(1)(a)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, W, Marionneaux. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Irons, Tarver. Lists names of senators and their counts for ABSENT.

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

Called from the Calendar

Senator Chaisson asked that House Bill No. 2017 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2017—

BY REPRESENTATIVE TOWNSEND
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, C, Lentini. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Irons, Tarver. Lists names of senators and their counts for ABSENT.

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.

Called from the Calendar

Senator Boissiere asked that House Bill No. 1836 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1836—

BY REPRESENTATIVES QUEZAIRE AND KATZ
AN ACT

To amend and reenact R.S. 48:271, relative to signs; to authorize the Department of Transportation and Development to erect historical markers; to provide relative to certain other directional signs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Irons	Michot
Cain	Johnson	Tarver
Total—6		

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

Called from the Calendar

Senator Boissiere asked that House Bill No. 1970 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1970—

BY REPRESENTATIVE QUEZAIRE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cain	Irons	Tarver
Dean	Johnson	
Total—5		

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

Called from the Calendar

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

HOUSE BILL NO. 1049—

BY REPRESENTATIVES MURRAY, CLARKSON, PRATT, AND SWILLING
AN ACT

To enact Subpart B-1 of Part I of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5633, relative to the acquisition of blighted property; to provide for applicability; to provide for the ownership of an immovable which has been declared blighted; to provide for the improvement of the property by the possessor; to provide for acquisitive prescription of three years under certain circumstances; to provide certain requisites and procedures for acquiring blighted property; to provide for security interests; to provide for certain causes of action, and to provide for related matters.

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

June 16, 2001

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Mr. President
Total—1

ABSENT

Cain	Irons	Tarver
Fields, C	Johnson	
Fields, W	Michot	
Total—7		

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

Called from the Calendar

Senator Dardenne asked that House Bill No. 1558 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1558—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:2(7), 101(D)(introductory paragraph), 109, 152(C)(2)(b), 157, 193(F), 196(C)(2), 435(A)(1) and (B), 443.2 (introductory paragraph), 521(B)(2), 533(E), 562(A)(2) and (B)(1), (2), and (3)(c), 564(D)(2), 565(B), 571(11), 1300(C)(2), 1307(A)(introductory paragraph) and (5) and (B)(1), 1309(A)(3), (D) and (E)(2) and (3), 1310(A), 1311(D)(3) and (4)(a), 1312(E), 1313(A), 1315(C)(2) and (3), 1354(B)(5), 1363(A)(introductory paragraph) and (B), 1399(C)(2) and (D)(2), 1400.1(C)(2), 1400.6(B), and 1461(C)(1), and to enact R.S. 18:111(C), 173(E), 553(E), 1307(A)(6), (7), and (8) and (F), 1309(A)(4) and (E)(4), 1334(D), 1363(C), (D), and (E), 1400.3(D)(4) and (E)(5) and (6), 1400.4(D)(3), and 1495.7, and to repeal R.S. 18:1363(A)(5) and (6), relative to the election code; to make technical changes to the election code; to provide for the definition of "immediate family"; to change the time frame for a voter to vote in Louisiana after he has changed his residence; to limit the requirement for a registrar of voters to send registration information to an inactive voter; to provide for a voter who has become physically unable to sign his name; to

change certain references from custodian of voting machines to the contractor authorized to deliver voting machines; to provide for the delivery of the supplemental list of voters to the precinct; to allow the registrar of voters to use information in obituary notices to remove deceased persons from the voting rolls; to except the presidential preference primary from the requirement for publication of the inactive list of voters; to provide for the registrar to make changes in the voter rolls based upon information in the address confirmation card as the application to vote absentee by mail; to provide for the manner of appointment of watchers; to change the percentage registration for certain political party organizational requirements; to provide with regard to leases of private property for polling places; to provide for identification of voters at the polls and when voting absentee in person; to provide for the delivery of supplemental lists of absentee voters and updates to the precinct registers; to provide for certain election documents to be placed in the registrar of voters envelope; to require the registrar of voters envelope be sealed; to provide for the revision of propositions and questions submitted at an election; to provide for the application to vote absentee by mail; to provide for non-commercial hand delivery of an application to vote absentee by mail; to provide for the address to which a voter may request an absentee ballot be sent; to allow the registrar of voters to use law enforcement officers to maintain order; to require an inactive voter to complete an address confirmation card; to allow voter to have registrar of voters fill in some information on the absentee ballot certificate; to provide for the manner of voting absentee provided by law to be superseded in the event of a change in voting equipment; to require the registrar of voters to contact the commissioner-in-charge at a precinct upon receipt of certain types of absentee ballots on election day; to repeal the requirement to retain certain absentee ballot affidavits; to provide for the appointment of absentee commissioners; to provide for an exception to the prohibition against electioneering at a nursing home; to provide for the number for voting machines allocated to each precinct; to provide with regard to voting machine tally sheets; to provide for the fee for recording a proces verbal with the secretary of state; to provide that law enforcement officers are an election expense; to provide for interest on overdue billings for elections costs; to provide for additional penalties for certain elections offenses; to provide for a voter protection zone around a polling place; to provide with respect to certain fundraising activities; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1558 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 13, after "(6)," insert "and R.S. 24:56(A),"

AMENDMENT NO. 2

On page 30, between lines 11 and 12, insert the following:

"Section 3. R.S. 24:56(A) is hereby amended and reenacted to read as follows:

§56. Prohibited conduct

A. No fundraising function shall be held during a legislative session for or by a legislator unless written notice of the function has been given to the board not less than thirty days prior to the function. If the deadline for the notice falls on a Saturday, Sunday, or other legal holiday, the notice required by this Subsection shall be extended until the first day after the Saturday, Sunday or other legal holiday."

AMENDMENT NO. 3

On page 30, line 12, change "Section 3" to "Section 4"

AMENDMENT NO. 4

On page 30, line 14, change "Section 4" to "Section 5"

AMENDMENT NO. 5

On page 30, line 23, change "Section 5" to "Section 6"

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 1558 by Representative Bruneau

AMENDMENT NO. 1

In Senate Floor Amendment No. 13 proposed by Senator Ullo and adopted by the Senate on May 31, 2001 on page 4, delete lines 38 through 47 and on page 5, delete lines 1, through 6

On motion of Senator Ullo, 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

Table with 3 columns: Name, Position, Name. Lists yeas for Mr. President, Bajoe, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen.

Table with 3 columns: Name, Name, Name. Lists Dardenne, Dean, Dupre, Ellington, Jones, B, Lambert, Lentini, Malone, Thomas, Ullo.

Total—34 NAYS

Total—0 ABSENT

Table with 3 columns: Name, Name, Name. Lists Cain, Irons, Johnson, Jones, C, Tarver.

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.

Called from the Calendar

Senator Hoyt asked that House Bill No. 1563 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1563—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 4:702(C)(1), 704(D), 707(C)(4) and (5), (D)(1)(a), (2), (3), and (4), 710(A), 715(B), 720(B), 721(B)(4), 724(B)(2), 726(A)(1) and (D), and 735(B)(7), and to enact R.S. 4:708(A)(9) and 718(H), and to repeal R.S. 4:720(C), 728, 732(F) and (G), and 733(J), relative to charitable gaming; to provide with respect to commercial lessors; to correct internal citations; to provide criteria for the issuance of special licenses; to provide with respect to personnel conducting charitable gaming; to provide for the revocation, suspension, or condition of any charitable gaming license; to provide for the maximum payout on electronic video bingo games; to repeal duplicative language; to repeal provision of law allowing only one parent-teacher association or booster club for each school; to repeal provision of law prohibiting any licensed charitable organization operating more than fifteen electronic pull-tab devices from offering pull-tabs; to repeal provision regarding the use of monies derived from enforcement of bingo regulations in Livingston Parish; to repeal provision requiring mega jackpot progressive bingo and progressive blackout bingo be mutually exclusive; to repeal population limitations for networking or linking progressive mega jackpot bingo games; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Lists Bajoe, Bean, Fields, W, Gautreaux, Marionneaux, Michot.

June 16, 2001

Boissiere	Heitmeier	Mount
Campbell	Hines	Romero
Cravins	Hollis	Theunissen
Dardenne	Hoyt	Thomas
Dupre	Jones, C	Ullo
Total—21		

NAYS

Barham	Fontenot	Schedler
Chaisson	Lentini	Smith
Dean	Malone	
Ellington	McPherson	
Total—10		

ABSENT

Mr. President	Irons	Lambert
Cain	Johnson	Tarver
Fields, C	Jones, B	
Total—8		

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

Personal Privilege

Senator B. Jones 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. 1563. He had intended to vote nay on the bill. He asked that the Official Journal so state.

Called from the Calendar

Senator Fontenot asked that House Bill No. 48 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 48—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 56:116.3(G), relative to deer hunting; to authorize the use of a dog to trail wounded or unrecovered deer; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 48 by Representative Hammett

AMENDMENT NO. 1
On page 1, line 10, between "a" and "dog" insert "leashed"

AMENDMENT NO. 2
On page 1, line 14, between "a" and "dog" insert "leashed"

On motion of Senator Barham, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Lentini
Bajoie	Fields, W	Marionneau
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—33		

NAYS

Malone
Total—1

ABSENT

Cain	Irons	Tarver
Cravins	Johnson	
Total—5		

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.

Appointment of Conference Committee
on Senate Concurrent Resolution No. 110

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 Concurrent Resolution No. 110: Senators Johnson, Lentini and Cravins.

Appointment of Conference Committee
on Senate Bill No. 289

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. 289: Senators Ullo, Barham and Hollis.

Appointment of Conference Committee
on Senate Bill No. 929

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. 929: Senators Boissiere, Cravins and B. Jones.

**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 16, 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. 360—

BY SENATOR HAINKEL AND REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 42:1123(28), relative to the Code of Governmental Ethics; to provide for an exception to the ethics code to allow a public servant, legal entity in which he has a controlling interest, or member of his immediate family to donate services, moveable property, or funds to his agency; and to provide for related matters.

SENATE BILL NO. 438—

BY SENATORS DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN AND REPRESENTATIVES CLARKSON, DANIEL, HOLDEN, NEVERS AND PRATT

AN ACT

To amend and reenact R.S. 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 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.

SENATE BILL NO. 511—

BY SENATORS LENTINI AND DUPRE AND REPRESENTATIVES DOWNER AND MURRAY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 924 and to enact Code of Criminal Procedure Art. 926.1, Art. 930.3(7), and R.S. 15:151.2(G), relative to post conviction relief; to provide for a procedure for filing post conviction relief to allow DNA testing; to establish a four-year period within which an application may be filed; to provide for exceptions; to provide for the burden of proof in such proceeding; to provide for definitions; to provide for the selection of a laboratory; to provide for the protection of evidence during pendency of the application; to require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2005; to provide for a limitation of liability relative to preservation of certain evidence; to provide for a procedure to count the number of applications filed; to create the DNA Testing Post-Conviction Relief for Indigents Fund; to provide relative to legislative appropriations; to provide for the

Louisiana Indigent Defender Assistance Board to administer such funds; and to provide for related matters.

SENATE BILL NO. 665—

BY SENATORS B. JONES, DARDENNE, GAUTREAUX, DUPRE, AND JOHNSON AND REPRESENTATIVES HAMMETT, LANCASTER, MONTGOMERY AND GARY SMITH

AN ACT

To amend and reenact R.S. 14:71(B) and to enact R.S. 14:71(A)(1)(e), relative to issuing worthless checks; to make the issuance and non-payment of certain checks, drafts, or orders a crime; and to provide for related matters.

SENATE BILL NO. 887—

BY SENATOR IRONS AND REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 25:745(A)(1) and to enact R.S. 25:746, relative to historic preservation districts; to provide for the review of certain historic preservation district or commission decisions; to authorize jurisdiction for appeals of such decisions to district court; to provide for actions in the court of appeal and supreme court; to provide rights and obligations of owners, business agents, and lessees of immovable property located within a district; to authorize actions to compel the repair and care of immovable property within a district; and to provide for related matters.

SENATE BILL NO. 1041—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 11:153(H), relative to retirement credit; to authorize members of the Municipal Police Employees' Retirement System and of the Sheriffs' Pension and Relief Fund with a vested military benefit to purchase credit for military service; and to provide for related matters.

SENATE BILL NO. 240—

BY SENATORS ELLINGTON AND SCHEDLER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to the prohibited use of funds, credit, property or things of value of the state or political subdivisions; to provide an exception for purposes of investment of a portion of the Medicaid Trust Fund for the Elderly; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

June 16, 2001

June 16, 2001

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education together with the Department of Education, the Louisiana Community and Technical College System, and the Department of Public Safety and Corrections to collectively conduct a study of education programs for both adult and juvenile inmates who are incarcerated in both state and local penal institutions.

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To urge and request the division of administration to review and update the state bid specifications under "General Requirements for Fish and Fishery Products (Class 14)".

SENATE CONCURRENT RESOLUTION NO. 29—

BY SENATORS IRONS AND BAJOIE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to address the problem of sexual trafficking.

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the availability of programs and resources for inmate rehabilitation and development and make a comparison among institutions.

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request a comprehensive study of the African American population in the state of Louisiana by Southern University's Nelson Mandela School of Public Policy and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 74—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the office of state parks to conduct a study to determine if certain portions of Bundick Swamp in Beauregard Parish are suitable for inclusion in the state park system.

SENATE CONCURRENT RESOLUTION NO. 92—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue and provide with respect to the task force created to study the impact of assisted conception and artificial means of reproduction relative to state law established during the 1999 Regular Session pursuant to Senate Concurrent Resolution No. 141.

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public elementary and secondary school to develop, adopt, and implement a policy to provide for the preemployment drug screening and in-service testing of any person employed as a teacher, substitute teacher, bus driver, substitute bus driver, school administrator or any other school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over students.

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the state Department of Education to seek any and all federal grant opportunities to provide financial assistance for the start-up and operational expenses of charter schools in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 103—

BY SENATOR DEAN AND REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

To urge and request the Blue Ribbon Commission on Teacher Quality, in consultation with the Louisiana School and District Accountability Advisory Commission, to study and make recommendations to the legislature on the usefulness, value and advisability of providing merit pay to teachers who demonstrate exemplary performance in the classroom and succeed in improving student achievement.

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.

SENATE CONCURRENT RESOLUTION NO. 163—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To commend Dauterive Hospital in New Iberia, Louisiana on receiving the Voluntary Protection Program Award (VPP) from the Occupational Safety and Health Administration (OSHA).

SENATE CONCURRENT RESOLUTION NO. 164—

BY SENATORS HAINKEL, BARHAM, BAJOIE, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET,

PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To recognize and commend the Louisiana State University baseball team, the players individually, and coaching staff on an outstanding regular season and for advancing to the Super Regional in 2001, and to commend Lane Mestepey on being honored as the National Co-Freshman of the Year.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message to the Governor

SIGNED SENATE BILLS

June 16, 2001

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 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 R.S. 39:98.3(C)(5) and (9); to enact 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 appropriation and distribution of monies from the fund; to provide for certain revisions; and to provide for related matters.

SENATE BILL NO. 18—
BY SENATORS HOLLIS AND BAOJIE AND REPRESENTATIVES MURRAY AND SCALISE

AN ACT

To enact R.S. 51:293.1, relative to the name of the Superdome building; to authorize the transfer of the right to designate and use an alternative name and trademarks for the Louisiana Superdome; 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.

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; to authorize the promulgation of rules and regulations; and to provide for related matters.

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.

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.

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.

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.

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.

SENATE BILL NO. 757—
BY SENATOR SCHEDLER AND REPRESENTATIVES DURAND AND WELCH
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.

June 16, 2001

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.

SENATE BILL NO. 119 (Duplicate of House Bill Nos. 1922 and 1923)—

BY SENATOR THEUNISSEN AND REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 38:2248, relative to public contracts; 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.

SENATE BILL NO. 230—
BY SENATOR FONTENOT

AN ACT

To enact R.S. 42:821(A)(2)(a)(x) and (xi), 851(A)(2)(a)(x), and 808(6) and (7), relative to life and health and accident insurance coverage for certain governmental employees; 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 include certain employees of the New Orleans City Park Improvement Association; and to provide for related matters.

SENATE BILL NO. 364 (Duplicate of House Bill No. 672)—
BY SENATOR ELLINGTON AND REPRESENTATIVE MCCALLUM AND COAUTHORED BY SENATOR 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 authorize an increase in 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.

SENATE BILL NO. 365 (DUPLICATE OF HOUSE BILL NO. 673)—

BY SENATOR ELLINGTON AND REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 9:5217(A) and to enact R.S. 9:5217(C), relative to multiple indebtedness mortgages; to provide for the fees that may be charged by clerks of court for recording those mortgages; to provide for a noncompliance fee; and to provide for related matters.

SENATE BILL NO. 390—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 47:463.83 and 463.84, relative to motor vehicles prestige 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 the issuance of such plates; to provide for the color and design of such plates; to provide for fees for such license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 807—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 22:3077(C)(2) and (3), relative to procedures for making medical necessity determinations; to provide relative to notification of such determinations by medical necessity review organizations; and to provide for related matters.

SENATE BILL NO. 822—

BY SENATORS HAINKEL AND SCHEDLER AND REPRESENTATIVES CROWE, SCHNEIDER AND STRAIN
AN ACT

To amend and reenact R.S. 13:621.22, 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; and to provide for related matters.

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), and to enact R.S. 47:2110(F), 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.

SENATE BILL NO. 1054—

BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 32:383.1(A), relative to motor vehicles; to provide for an exemption, under certain conditions, to the required covering of loads of loose material; and to provide for related matters.

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, and Part XII of Chapter 11 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1761 through 1768, 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; to provide for definitions; to provide for the rights and responsibilities of professional employer organizations and their clients relative to each other and their covered employees; to provide for registration requirements and conditions; to provide for renewal and revocation of registration; and to provide for related matters.

SENATE BILL NO. 200—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:461.4(A) and (B) and 461.5, and to enact R.S. 39:461.9, relative to the Interim Emergency Board; to authorize the board to make certain changes to capital outlay projects in a capital outlay act and capital outlay budget upon approval of the legislature by mail ballot; to require the written request of certain legislators and agencies; and to provide for related matters.

SENATE BILL NO. 332—

BY SENATOR MICHOT

AN ACT

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

SENATE BILL NO. 936—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 23:76 (C)(1), (2)(e), (3), (6), and (10) and to enact R.S. 23:76(C)(11), relative to the Occupational Forecasting Conference; to provide for membership from the Louisiana Workforce Commission; to provide for chairmanship; to provide for responsibility and staffing; and to provide for related matters.

SENATE BILL NO. 991—

BY SENATOR GAUTREAU AND REPRESENTATIVE BALDONE

AN ACT

To authorize and empower the Terrebonne Parish School Board to lease certain described property in Gibson, Louisiana; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

SENATE BILL NO. 1008—

BY SENATORS CAIN AND LENTINI AND REPRESENTATIVES FARRAR AND JOHN SMITH

AN ACT

To amend and reenact R.S. 11:1312(C), relative to the State Police Pension and Retirement System; to provide with respect to the deferred retirement option plan and criteria applicable to participation therein; and to provide for related matters.

SENATE BILL NO. 1035—

BY SENATORS BAJOE, DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN AND REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:416.15, relative to school discipline; to authorize elementary schools to develop and implement youth development and assistance programs for certain students; to provide for program approval; and to provide for related matters.

SENATE BILL NO. 1086—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 47:114(D)(2) and 1601(A), relative to the interest rate on unpaid state taxes; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 455—

BY SENATOR MICHOT AND REPRESENTATIVE DANIEL

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(C), (D), and (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 15.6, 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.

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.

SENATE BILL NO. 835—

BY SENATOR HEITMEIER AND REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 48:756(B)(1) and to repeal R.S. 48:756(B)(2)(d), relative to the Parish Transportation Fund; to provide for funding for mass transit purposes; to provide for changes in funding amounts for certain local governments; to provide an effective date; and to provide for related matters.

June 16, 2001

SENATE BILL NO. 881—

BY SENATOR CHAISSON AND REPRESENTATIVES E. ALEXANDER, BALDONE, BAUDOIN, BROOME, BRUCE, CLARKSON, CRANE, CROWE, DARTEZ, DEVILLIER, DIEZ, ERDEY, FARRAR, FRITH, FUTRELL, GALLOT, GREEN, HEBERT, HILL, KATZ, KENNARD, LUCAS, MARTINY, MCDONALD, NEVERS, PERKINS, PIERRE, POWELL, SHAW, JACK SMITH, THOMPSON, TOWNSEND, TUCKER AND WALSWORTH

AN ACT

To amend and reenact R.S. 14:32.1(A), 32.8(A)(2)(b), 39.1(A), 39.2(A), 98(A)(1)(b) and (c), R.S. 23:1081(3)(b) and (c), R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 661.1(C)(1)(c), 662(A)(1)(b) and (c), the introductory paragraph of 667(A) and (A)(3) and (B)(1), 668(A)(4) and (B)(1)(b), 670, and 853(A)(1)(c)(i) 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 levels of blood alcohol for purposes of certain driving offenses, implied consent law provisions, and applicable sanctions; to provide that a blood alcohol concentration of 0.08 percent or more is the applicable measure for purposes of the offenses of operating a vehicle while intoxicated, third degree feticide, and vehicular negligent injuring and for purposes of related driver's license sanctions, implied consent law provisions and motor vehicle operating records; 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; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Leaves of Absence

The following leaves of absence were asked for and granted:

Irons	1 Day	Cain	½ Day
Tarver	½ Day		

Adjournment

Senator Lambert moved that the Senate adjourn until Monday, June 18, 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 Monday, June 16, 2001.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk