

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**

**OF THE**  
**STATE OF LOUISIANA**

**THIRTY-EIGHTH DAY'S PROCEEDINGS**

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

House of Representatives  
 State Capitol  
 Baton Rouge, Louisiana

Thursday, May 31, 2001

The House of Representatives was called to order at 2:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Tucker
Farrar	McVea	Waddell

Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinet	

Total—104

ABSENT

Total—0

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Miss Jodi Blanchard.

**Pledge of Allegiance**

Miss Shawn Wilson led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Guillory, the reading of the Journal was dispensed with.

On motion of Rep. Guillory, the Journal of May 30, 2001, was adopted.

**Suspension of the Rules**

On motion of Rep. Karen Carter, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**Message from the Governor**

The following message from the Governor was received and read:

May 25, 2001

The Honorable Alfred W. Speer  
 Clerk of the House of Representatives  
 State Capitol  
 Baton Rouge, LA 70804

Re: House Bill No. 95 by Representative Ansardi  
 Wildlife/Fees: Provides for senior hunting and fishing licenses

Dear Mr. Speer:

The primary thrust of enrolled House Bill No. 95 is to offer a lifetime senior fishing license for a substantially reduced fee compared to that of the standard lifetime license. Routine review of House Bill No. 95 following its final passage has raised concern that some of its other provisions could result in a net loss of revenue to the Department of Wildlife and Fisheries. As the result of discussions with the author, the natural resources committee chairmen and the department, amendments have been prepared for another instrument to accomplish the author's primary intent by the creation of a lifetime senior fishing and hunting license while at the same time avoiding the possibility of revenue loss to the department.

For this reason, I am vetoing and sending House Bill No. 95 back to you.

Sincerely,

M.J. "Mike" Foster, Jr.

Lies over under the rules.

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### Message from the Governor

The following message from the Governor was received and read:

May 25, 2001

The Honorable Alfred W. Speer  
Clerk of the House of Representatives  
State Capitol  
Baton Rouge, LA 70804

Re: House Bill No. 315 by Representative Jack D. Smith  
Land Use: Includes construction of a marina in the definition of  
reclamation project

Dear Mr. Speer:

Concerns have arisen following the passage of House Bill No. 315 that its provisions could be at variance with long standing land reclamation policy within the Department of Natural Resources. For this reason, and at the request of the bill's author, I have vetoed House Bill No. 315 and I am returning it to you.

Sincerely,

M.J. "Mike" Foster, Jr.

Lies over under the rules.

### Privileged Report of the Legislative Bureau

May 31, 2001

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 18  
Reported without amendments.

Senate Bill No. 191  
Reported without amendments.

Senate Bill No. 297  
Reported without amendments.

Senate Bill No. 298  
Reported without amendments.

Senate Bill No. 417  
Reported without amendments.

Senate Bill No. 445  
Reported with amendments.

Senate Bill No. 496  
Reported without amendments.

Senate Bill No. 508  
Reported without amendments.

Senate Bill No. 569  
Reported with amendments.

Senate Bill No. 616  
Reported without amendments.

Senate Bill No. 626  
Reported without amendments.

Senate Bill No. 673  
Reported without amendments.

Senate Bill No. 678  
Reported with amendments.

Senate Bill No. 694  
Reported without amendments.

Senate Bill No. 721  
Reported without amendments.

Senate Bill No. 885  
Reported with amendments.

Senate Bill No. 918  
Reported without amendments.

Senate Bill No. 965  
Reported with amendments.

Senate Bill No. 992  
Reported without amendments.

Senate Bill No. 1029  
Reported without amendments.

Senate Bill No. 1104  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

May 31, 2001

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Concurrent Resolutions:

House Concurrent Resolution No. 81  
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

## Message from the Senate

### SENATE BILLS

May 31, 2001

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 98, 453, 743, 887, 1107, 1049, and 1090.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 98—

BY SENATORS HAINKEL AND SCHEDLER  
AN ACT

To amend and reenact R.S. 56:1851(C) and 1855(K), relative to the Louisiana Scenic Rivers Act; to provide for criminal penalties for violation of the Act; to provide for applicability to certain property zoned as suburban agricultural along the Tchefuncte River; and to provide for related matters.

Read by title.

#### 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.

Read by title.

#### SENATE BILL NO. 743—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 46:236.5(C)(introductory paragraph) and (1) and (4)(g), (6), (7), and (8) and to enact R.S. 46:236.5(C)(4)(l), (m), (n), (o), (p), (q), (r), and (s) and (9) and (10), relative to public welfare and assistance; to expedite the process for establishment or enforcement of support and other domestic matters brought by the Department of Social Services; to provide for an effective date; and to provide for related matters.

Read by title.

#### 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.

Read by title.

#### SENATE BILL NO. 1049—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 11:2061(C), relative to Registrars of Voters Employees' Retirement System; to allow for transfer of accumulated leave from Livingston Parish to Registrars of Voters Employees' Retirement System; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 1090—

BY SENATOR SMITH

AN ACT

To enact Chapter 8-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:531 and 532, relative to historical monuments and memorials; to provide for the protection of monuments and memorials; to require the secretary of state to catalogue all monuments and memorials; and to provide for related matters.

Read by title.

#### 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.

Read by title.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 102—**  
BY REPRESENTATIVE GALLOT

A RESOLUTION

To congratulate and commend the Anderson-Smith family members on their first reunion to be held in Hitchcock, Texas.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 191—**  
BY REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To create the Louisiana Commission on French and the Louisiana French Study Committee to assess the condition of the French language in Louisiana.

Read by title.

On motion of Rep. LaFleur, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 192—**  
BY REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To recognize May 31, 2001, as French Immersion Day in the state of Louisiana.

Read by title.

On motion of Rep. LaFleur, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 190—**  
BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN

A CONCURRENT RESOLUTION

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

Read by title.

Under the rules, the above resolution was referred to the Committee on Administration of Criminal Justice.

**Senate Concurrent Resolutions**

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

**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.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

**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.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

**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.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

**Senate Bills and Joint Resolutions on  
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 480—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 37:3111(B) and 3112(B)(6), relative to the Louisiana Auctioneers Licensing Board; to provide for the designation of the chairman by the governor; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

**SENATE BILL NO. 619—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 33:2841.1 relative to enforcement of taxes; to provide that local governing authorities may privatize collection of delinquent ad valorem taxes; to provide for civil penalties; to provide relative to notice of taxes due; to provide for the recovery costs, expenses and attorney fees; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

**Motion**

On motion of Rep. Hammett, the Committee on Appropriations was discharged from further consideration of Senate Bill No. 200.

**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.

Read by title.

On motion of Rep. Hammett, the bill was recommitted to the Committee on Ways and Means.

**Motion**

On motion of Rep. Pinac, the Committee on Health and Welfare was discharged from further consideration of Senate Bill No. 427.

**SENATE BILL NO. 427—**  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 40:1300.46, relative to smoking in public places; to authorize a state agency, parish, municipality, or other political subdivision to impose restrictive ordinances or regulations under certain conditions; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the bill was recommitted to the Committee on Commerce.

**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.

Called from the calendar.

Read by title.

On motion of Rep. Murray, the bill was referred to the Committee on Civil Law and Procedure.

**Motion**

On motion of Rep. Fauchaux, the Committee on Health and Welfare was discharged from further consideration of Senate Bill No. 1042.

**SENATE BILL NO. 1042—**  
BY SENATOR SCHEDLER

AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 236, relative to mental health; to provide for advance directives for mental health treatment; to provide for definitions; to provide for making of an advance directive and for period of validity; to provide for designation of a representative for decisions relative to mental health treatment; to provide for execution of advance directive and for witnesses thereof; to provide for operation of an advance directive and for physician and providers to act in accordance therewith; to provide for determination of incapacity; to provide for a representative's scope of authority and his powers, duties, and limitation on liability; to provide for prohibition against requiring a person to execute or refrain from executing an advance directive as a criterion for insurance, for receiving treatment, or discharging from a health care facility; to require an advance directive to be part of a person's medical record, for provider compliance, and for withdrawal of the provider; to provide circumstances for disregarding an advance directive; to provide for revocation; to provide for limitations on liability of physicians and other providers; to prohibit certain individuals from serving as representatives and from serving as witnesses; to provide for withdrawal of representatives and rescinding the withdrawal; to provide for a form; and to provide for related matters.

Read by title.

**Motion**

Rep. Fauchaux moved that Senate Bill No. 1042 be designated as a duplicate of House Bill No. 2070.

Which motion was agreed to.

Rep. Fauchaux moved that Senate Bill No. 1042 be amended to conform with House Bill No. 2070 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Fauchaux to Reengrossed Senate Bill No. 1042 by Senator Schedler (Duplicate of House Bill No. 2070)

AMENDMENT NO. 1

On page 1, line 3, change "236" to "237"

AMENDMENT NO. 2

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On page 1, at the beginning of line 14, change "a criterion" to "criteria"

## AMENDMENT NO. 3

On page 2, line 1, after "to provide" insert "for"

## AMENDMENT NO. 4

On page 2, line 10, after "1950," delete "to be" and change "236" to "237"

## AMENDMENT NO. 5

On page 2, at the end of line 23, delete "the presence of" and at the beginning of line 24, delete "two qualified witnesses," and insert "accordance with the requirements of this Part,"

## AMENDMENT NO. 6

On page 2, between lines 26 and 27, insert the following:

"(3) "Director" or "superintendent" means a person in charge of a treatment facility or his deputy."

## AMENDMENT NO. 7

On page 2, at the beginning of line 27, change "(3)" to "(4)"

## AMENDMENT NO. 8

On page 3, at the beginning of line 3, change "(4)" to "(5)"

## AMENDMENT NO. 9

On page 3, line 4, delete the commas "," after "includes" and "limited to"

## AMENDMENT NO. 10

On page 3, line 7, delete "'Mental" and insert "However, "mental"

## AMENDMENT NO. 11

On page 3, at the beginning of line 10, change "(5)" to "(6)"

## AMENDMENT NO. 12

On page 3, at the beginning of line 12, change "(6)" to "(7)"

## AMENDMENT NO. 13

On page 3, at the beginning of line 14, change "(7)" to "(8)"

## AMENDMENT NO. 14

On page 3, at the beginning of line 16, change "(8)" to "(9)"

## AMENDMENT NO. 15

On page 3, between lines 16 and 17, insert the following:

"(10) "Psychologist" means a clinical psychologist who is licensed to practice psychology in Louisiana."

## AMENDMENT NO. 16

On page 3, at the beginning of line 17, change "(9)" to "(11)"

## AMENDMENT NO. 17

On page 3, at the beginning of line 20, change "(10)" to "(12)"

## AMENDMENT NO. 18

On page 3, at the beginning of line 22, change "(11)" to "(13)"

## AMENDMENT NO. 19

On page 4, at the end of line 27, insert a semicolon ";" and "mental status examination"

## AMENDMENT NO. 20

On page 5, line 3, after "competent" delete "adult" and after "witnesses" delete the period "." and insert the following:

"and accompanied by a written mental status examination performed by a physician or psychologist attesting to the principal's ability to make reasoned decisions concerning his mental health treatment."

## AMENDMENT NO. 21

On page 5, at the beginning of line 6, delete "incapable" and insert "unable to make reasoned decisions concerning his mental health treatment"

## AMENDMENT NO. 22

On page 5, at the end of line 7, insert the following:

"In determining the principal's ability, the physician or psychologist should consider (1) whether the principal demonstrates an awareness of the nature of his illness and situation; (2) whether the principal demonstrates an understanding of treatment and the risks, benefits, and alternatives; and (3) whether the principal communicates a clear choice regarding treatment that is a reasoned one, even though it may not be in the person's best interest."

## AMENDMENT NO. 23

On page 5, at the beginning of line 24, insert "A."

## AMENDMENT NO. 24

On page 6, between lines 1 and 2, insert the following:

"B. The determination that the principal has regained his capacity while in the treatment facility shall be made by any licensed physician and entered in the principal's medical record. The principal automatically regains his capacity when he is discharged from the treatment facility."

## AMENDMENT NO. 25

On page 6, line 21, after "directive and" delete "are"

## AMENDMENT NO. 26

On page 6, line 23, change "interest" to "interests"

## AMENDMENT NO. 27

On page 7, at the beginning of line 27, change "withdrawing," to "withdrawal,"

## AMENDMENT NO. 28

On page 8, at the end of line 12, insert a colon ":" and at the beginning of line 13, delete "in" and insert "(1) In"

AMENDMENT NO. 29

On page 8, line 16, after "imminent" insert "and significant"

AMENDMENT NO. 30

On page 8, delete lines 17 through 19 in their entirety and insert the following:

"(2) When the treating physician determines that psychotropic medication is essential and after compliance with the following procedures:

(a) When a principal's advance directive or his representative refuses medication that the treating physician believes is essential, the director of the treatment facility shall conduct an administrative review to determine whether the principal should be forcibly medicated contrary to his wishes.

(b) The director shall provide written notice to the principal, his representative, if any, and an attorney from the Mental Health Advocacy Service (MHAS) no less than forty-eight hours, excluding weekends and holidays, before the administrative review. The notice shall include the time and place of the administrative review, the diagnosis, and reasons why the physician believes the medication is necessary. The principal's expressed wishes shall be followed pending the administrative review. The administrative review shall be held no later than seventy-two hours after the time that the MHAS has been notified, excluding weekends and holidays, unless the patient and the facility agree to a continuance.

(c) The MHAS attorney shall represent the principal at the administrative review unless the principal chooses someone else to represent him.

(d) A principal may be medicated contrary to the wishes expressed in his advance directive if, based on a review of the advance directive and the reasons stated therein, the patient's medical chart, a personal examination of the patient, the wishes of the principal's representative, if any, and the recommendations of the treating physician, the director determines that the medication is medically essential. The director shall consider the following criteria in making that decision:

(i) The patient is mentally ill and is dangerous to himself or others or gravely disabled without the medication.

(ii) The medication is the least restrictive alternative.

(iii) The medication is the most medically appropriate.

(iv) The medication offers a significant likelihood of improvement in the patient's condition or a speedier recovery and his condition is of such severity that unless the medication is administered the patient's medical condition is very unlikely to improve.

(v) The expected benefits from the medication outweigh the known risks and potential side effects.

(vi) All other reasonable alternatives, including those set forth in the advance directive, have been exhausted.

(e) The director shall require the attendance of the patient at the hearing unless extraordinary circumstances exist precluding his attendance. The principal and the hospital have the right to present evidence and cross-examine witnesses.

(f) The director's decision shall be in writing, shall address each of the criteria, and shall give reasons for the decision. All of the criteria in

Subparagraph (d) of this Paragraph shall be met in order to medicate the principal against his expressed wishes.

(g) The director's decision to administer medication contrary to the advance directive should specify the length of time the decision to medicate the principal is to remain valid. The decision shall be effective for no more than sixty days or termination of the principal's stay at the treatment facility, whichever occurs first, unless a new request for an administrative review is made prior to the expiration of the original order and the patient is still hospitalized. If at any time the director believes that the medication is no longer necessary, he shall order the measures discontinued.

(h) The director shall provide the principal, his representative, if any, and the attorney from the Mental Health Advocacy Service with a copy of the decision.

(i) For purposes of this Section, the director of a treatment facility must be a psychiatrist who is not involved in providing medication to the patient. If the director does not meet those criteria, he shall designate a psychiatrist who is not involved in the medication of the patient.

B. An advance directive shall not limit the authority provided in R.S. 28:2 et seq. to take a principal into protective custody or to involuntarily admit or commit a principal to a treatment facility."

AMENDMENT NO. 31

On page 9, at the beginning of line 1, insert "who is not capable"

AMENDMENT NO. 32

On page 12, delete lines 11 through 13 in their entirety and insert the following:

"Those considered appropriate by the following treating physician, (name, address and telephone number of the physician)"

AMENDMENT NO. 33

On page 13, line 19, after "therapy" delete the period "." and insert "but I understand that state law may allow the administration of electroshock therapy contrary to my wishes in certain circumstances."

AMENDMENT NO. 34

On page 14, line 15, delete "and does not appear to be" and insert "and/or" and insert a comma "," after "fraud"

AMENDMENT NO. 35

On page 16, line 8, after "to you." insert the following:

"You may seek legal assistance from the Mental Health Advocacy Service."

AMENDMENT NO. 36

On page 18, after line 15, insert the following:

"§237. Status report to the House and Senate Committees on Health and Welfare

R.S. 28:237 is all new law.

The Department of Health and Hospitals, office of mental health, and the Mental Health Advocacy Service shall jointly review the implementation of this Act and report their findings to the House and

Senate Committees on Health and Welfare no later than January 15, 2003."

On motion of Rep. Faucheux, the amendments were adopted.

**Motion**

On motion of Rep. Faucheux, the above bill, as amended, was referred to the Legislative Bureau.

**House and House Concurrent Resolutions  
Reported by Committee**

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

**HOUSE RESOLUTION NO. 97—**  
BY REPRESENTATIVE SHAW

A RESOLUTION

To direct the Louisiana State Law Institute to study the effects of the community property regime on retirement and pension plans.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 140—**  
BY REPRESENTATIVE M. JACKSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to increase and provide for advanced funding for the federal Weatherization Assistance Program for Low-Income Persons ("WAP") and the Low-Income Home Energy Assistance Program ("LIHEAP").

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 144—**  
BY REPRESENTATIVE HAMMETT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the signage system along Louisiana state highways in rural areas.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 152—**  
BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress to adopt legislation authorizing states to opt out of the federal-aid highway program.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 180—**  
BY REPRESENTATIVES FUTRELL AND DIEZ

A CONCURRENT RESOLUTION

To create and provide for the Task Force on Design-Build Contracts to study and make recommendations concerning the possible use of design-build contracts for construction projects of state and local governments.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 181—**  
BY REPRESENTATIVES MCMAINS, JOHNS, CLARKSON, SNEED, AND DOWNER

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the resolution was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 189—**  
BY REPRESENTATIVES ERDEY AND MCMAINS

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the resolution was ordered engrossed and passed to its third reading.



**Senate Concurrent Resolutions  
Reported by Committee**

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

**SENATE CONCURRENT RESOLUTION NO. 48—**  
BY SENATOR MCPHERSON

**A CONCURRENT RESOLUTION**

To urge and request the Legislature of Louisiana to encourage the development of bird eco-tourism in the state.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

**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.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 60—**  
BY SENATOR DARZENNE

**A CONCURRENT RESOLUTION**

To urge and request the Joint Legislative Committee on the Budget to study the feasibility of relocating the Louisiana School for the Visually Impaired to the campus of the Louisiana School for the Deaf.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the resolution was ordered passed to its third reading.

**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.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

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

AMENDMENT NO. 1

On page 2, line 20, after "(2)" change "One House member" to "Three House members"

AMENDMENT NO. 2

On page 2, line 21, after "(3)" change "One Senate member" to "Three Senate members"

AMENDMENT NO. 3

On page 3, delete lines 8 through 10 and insert the following:

"BE IT FURTHER RESOLVED that the chair and vice chair of the committee shall each be elected by a majority of the members of the committee."

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the resolution, as amended, was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 91—**  
BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To urge and request the Joint Committee on Transportation, Highways, and Public Works to conduct a study of both deep draft and shallow draft ports throughout the state.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 96—**  
BY SENATOR ULLO

**A CONCURRENT RESOLUTION**

To urge and request Entergy to proceed with its pre-merger plans to expand construction to help alleviate projected electric power production shortfalls and address transmission problems in Louisiana.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 97—**  
BY SENATOR ULLO

**A CONCURRENT RESOLUTION**

To urge and request Entergy Corporation to develop mechanisms to assist residential and commercial customers in reducing energy use through increased energy efficiency, and to assist low income households in managing and reducing energy cost by providing direct bill assistance during periods of excessive energy peaks.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

**SENATE CONCURRENT RESOLUTION NO. 119—**

BY SENATOR ULLO

**A CONCURRENT RESOLUTION**

To urge and request the commissioner of administration to examine alternative methods of providing electrical power at reduced prices to state entities located in the Capitol Complex.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the resolution was ordered passed to its third reading.

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

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 280—**

BY REPRESENTATIVE MORRELL

**AN ACT**

To amend and reenact R.S. 47:1508(B)(8), relative to exceptions from the general rule of confidentiality of taxpayer records; to limit the authority of the secretary to disclose the name and address of certain taxpayers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 280 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "R.S." delete "repeal" and insert "amend and reenact"

AMENDMENT NO. 2

On page 1, line 3, after "to" delete the remainder of the line and lines 4 and 5 and insert "limit the authority of the secretary to disclose the name and address of certain taxpayers; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "hereby" delete the remainder of the line and insert the following:

"amended and reenacted to read as follows:

§1508. Confidential character of tax records

\* \* \*

B. Nothing herein contained shall be construed to prevent:

\* \* \*

(8) The secretary from disclosing the name and address of any taxpayer who has filed an income or corporation franchise tax return to any state or local government agency or entity, but he shall not disclose

any tax data whatsoever with respect to any taxpayer. However, nothing in this Paragraph shall prohibit the secretary from making a taxpayer's own return available upon his request.

\* \* \*

On motion of Rep. Hammett, the amendments were adopted.

On motion of Rep. Hammett, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 485—**

BY REPRESENTATIVES TOOMY AND JOHN SMITH AND SENATOR HEITMEIER AND REPRESENTATIVES ALARIO, ANSARDI, CAZAYOUX, CLARKSON, CROWE, DAMICO, DEVILLIER, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, GLOVER, HEATON, HEBERT, HILL, HUDSON, KATZ, KENNARD, LAFFLEUR, LANCASTER, MARTINY, MCCALLUM, NEVERS, ODINET, POWELL, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TRICHE, TUCKER, AND WOOTON AND SENATOR CAIN

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 11(A) and to add Article VII, Section 10(D)(3) of the Constitution of Louisiana, relative to the expenditure of state funds; to require the payment by the state of salary supplements to certain local law enforcement and fire protection officers; to require the inclusion in the budget estimate and the appropriation of funds sufficient to fully fund such state supplements; to prohibit the reduction of such appropriation, except under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 485 by Representative Toomy, et al.

AMENDMENT NO. 1

On page 1, line 2, after "to" and before "add" insert "amend Article VII, Section 11(A) and to"

AMENDMENT NO. 2

On page 1, line 5, after "require the" and before "appropriation" insert "inclusion in the budget estimate and the"

AMENDMENT NO. 3

On page 1, line 13, after "proposal to" and before "add" insert "amend Article VII, Section 11(A) and to"

AMENDMENT NO. 4

On page 2, after line 25, insert:

"§11. Budgets

Section 11.(A) Budget Estimate. The governor shall submit to the legislature, at the time and in the form fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures. This budget shall include a recommendation for appropriations from the state general fund and from dedicated funds, except funds allocated by Article VII, Section 4, Paragraphs (D) and (E), which shall not exceed the official forecast of the Revenue Estimating Conference and the expenditure limit for the fiscal year. The recommendation shall also comply with the provisions of Article VII, Section 10(D). This budget shall include a recommendation for funding of state salary supplements for full-time law enforcement and fire protection officers of the state, as provided in Article VII, Section 10(D)(3) of this constitution.

\* \* \*

AMENDMENT NO. 5

On page 3, delete lines 8 and 9 in their entirety and insert:

"To require the governor's recommended budget estimate to include amounts sufficient to fully fund the cost of state supplemental pay for full-time local law"

AMENDMENT NO. 6

On page 3, at the beginning of line 11, insert "require, beginning July 1, 2003, appropriations to fully fund such supplemental pay; to

AMENDMENT NO. 7

On page 3, line 13, after "legislature" and the period "." delete "(Adds" and insert "Amends Article VII, Section 11(A); Adds"

On motion of Rep. LeBlanc, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 559—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 2:803(B), relative to the Airport Construction and Development Priority Program; to decrease the state's proportion of funding for certain airport projects; to provide relative to the placement of projects in the program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 559 by Representative Diez

AMENDMENT NO. 1

On page 2, between lines 16 and 17 insert the following:

"Section 2. If sufficient funds are available in the Airport Construction and Development Priority Program or if the legislature appropriates additional funds to the Airport Construction and

Development Priority Program, the department is authorized to increase the share of state matching funds available for airport project costs as provided in R.S. 2:803(4) in an amount proportionate to the increase in available funds, provided that the department dedicates the first twenty percent of any available state funding increase to projects for General Aviation airports which are not listed in the National Plan of Integrated Airports Systems (NAPIAS) and are not eligible for federal funds."

AMENDMENT NO. 2

On page 2, delete lines 17 through 22 in their entirety and insert the following:

"Section 3. This Act shall become effective on October 31, 2001. This Act shall apply to projects approved by the legislature in the Aviation Construction and Development Priority Program beginning with Fiscal Year 2002-2003."

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 894—**  
BY REPRESENTATIVE STRAIN  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 2000-2001 to the estate of Nathan King and to Stephen McLain to compensate them for injuries suffered as victims of violent crimes, pursuant to judgment by the Board of Review of the Department of Employment Security, as affirmed and revived by the Nineteenth Judicial District Court for the parish of East Baton Rouge, state of Louisiana; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 894 by Representative Strain

AMENDMENT NO. 1

On page 1, line 3, change "2001-2002" to "2000-2001"

AMENDMENT NO. 2

On page 1, line 12, change "2001-2002" to "2000-2001"

AMENDMENT NO. 3

On page 2, line 3, change "2001-2002" to "2000-2001"

AMENDMENT NO. 4

On page 2, line 11, change "July 1, 2001" to "June 19, 2001"

AMENDMENT NO. 5

On page 2, line 13, change "July 1, 2001" to "June 19, 2001"

On motion of Rep. LeBlanc, the amendments were adopted.

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On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1124—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 6:601, relative to credit card banks; to provide authorization for credit card banks; to provide for definitions; to provide for regulation; to provide for penalties; to provide for application; to provide for authorized activities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1124 by Representative Pinac

#### AMENDMENT NO. 1

On page 4, delete lines 13 through 18 and at the beginning of line 19, change "I" to "1"

#### AMENDMENT NO. 2

On page 4, after line 21, insert the following:

"Section 2. It is the intent of the legislature, upon the effective date of this Act, to enable certain state entities to establish credit card banks. The provisions of this Act shall not apply to, affect in any manner, or provide any persuasive authority regarding any litigation pending on the effective date of this Act."

On motion of Rep. Pinac, the amendments were adopted.

On motion of Rep. Pinac, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1418—**  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 56:14(C), relative to the Saltwater Fishery Enforcement Fund; to provide for revenues which may be deposited to the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. LeBlanc, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1518—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 32:404.1, relative to issuance of commercial drivers' licenses; to require the adoption of a waiver program for certain applicants for a commercial driver's license; to provide relative to applicant qualifications; to provide relative to certain

limitations and restrictions; to provide relative to revocation of certain waivers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 1518 by Representative Winston

#### AMENDMENT NO. 1

On page 1, line 4, after "license;" insert "to provide relative to applicant qualifications;"

#### AMENDMENT NO. 2

On page 1, line 5, after "restrictions;" insert "to provide relative to revocation of certain waivers;"

#### AMENDMENT NO. 3

On page 2, line 14, after "with" and before "which" delete "visual disorders" and insert "monocular vision"

#### AMENDMENT NO. 4

On page 2, between lines 15 and 16, insert the following:

"Applicants for a waiver with monocular vision shall have held a Class "D" license for at least one year prior to applying for the waiver, must have been employed in a position requiring the applicant to utilize the Class "D" license during that year, must have no moving violations or at fault accidents on his driving record for at least three years prior to application for a waiver, and must present a medical evaluation to the commissioner prior to issuance of a waiver. A recipient of a waiver shall recertify all physical and visual qualifications each year. Applicants for the waiver shall have overall visual acuity of not less than 20/40."

#### AMENDMENT NO. 5

On page 2, line 19, after "interest" and before "which" delete "and"

#### AMENDMENT NO. 6

On page 2, at the end of line 20, before the period "." insert the following"

"and shall include any additional restrictions and regulations required under federal law regarding the administration of a state waiver program"

#### AMENDMENT NO. 7

On page 2, at the end of line 21, delete "a"

#### AMENDMENT NO. 8

On page 2, at the beginning of line 22, delete "visual disorder" and insert "monocular vision"

#### AMENDMENT NO. 9

On page 3, at the end of line 2, insert the following:

"However, if the applicant's visual acuity falls below 20/40, the commissioner of motor vehicles shall revoke the waiver and the applicant must requalify for the waiver under the same standards."

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1837—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 42:851(A)(2)(a)(x), relative to state group insurance; to provide for eligibility for certain members of the board of commissioners of the West Jefferson Levee District in state group health and accident insurance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1837 by Representative Damico

AMENDMENT NO. 1

On page 1, delete line 4 in its entirety and insert "the West Jefferson Levee District in state group health and"

AMENDMENT NO. 2

On page 1, line 15, after "commissioners of" delete the remainder of the line and delete line 16 in its entirety and insert "the West Jefferson Levee District, provided"

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1939—**  
BY REPRESENTATIVE WELCH  
AN ACT

To enact R.S. 45:782.1, relative to pre-paid telephone services; to provide for the sale of pre-paid telephone services; to provide for a method to calculate charges; to provide for reasonable surcharges; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Commerce.

The substitute was read by title as follows:

**HOUSE BILL NO. 2075 (Substitute for House Bill No. 1939 by Representative Welch)—**  
BY REPRESENTATIVE WELCH  
AN ACT

To enact R.S. 45:782.1, relative to pre-paid wireless telephone service; to provide for the sale of pre-paid wireless telephone service; to

provide for the expiration of time purchased for pre-paid wireless telephone service; and to provide for related matters.

Read by title.

On motion of Rep. Pinac, the substitute was adopted and became House Bill No. 2075 by Rep. Welch, on behalf of the Committee on Commerce, as a substitute for House Bill No. 1939 by Rep. Welch.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 2029—**  
BY REPRESENTATIVE FUTRELL  
AN ACT

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

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2029 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 2, after "381.2(A)" and before "and to" insert "and (F)"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 48:381(J)" and before the comma "," insert " and 381.2(G)"

AMENDMENT NO. 3

On page 1, line 9, after "381.2(A)" and before "are" insert "and (F)"

AMENDMENT NO. 4

On page 1, line 10, after "R.S. 48:381(J)" delete the remainder of the line and insert "and 381.2(G) are hereby enacted to read as"

AMENDMENT NO. 5

On page 1, line 16, after "charge" and before "to the state" insert "for the use of the rights-of-way"

AMENDMENT NO. 6

On page 1, line 17, after "Louisiana" delete the remainder of the line, and on page 2, delete lines 1 through 4 in their entirety and insert "for any property the title to which is held by the state."

AMENDMENT NO. 7

On page 3, after line 25, insert the following:

"F. The fee for fiber optic telecommunication installations placed within a controlled access highway right-of-way shall not exceed the actual cost of the administration of the program. The department, upon

approval of the commissioner of administration or his designee, may reduce fees in exchange for shared resources according to law and pursuant to rules and regulations promulgated under the Administrative Procedure Act. The commissioner of administration, or his designee, may transfer ownership of telecommunications resources of any type and wherever located received by the department under shared resource agreements. The department is authorized to reduce fees for its agents, defined for the purposes of this Subsection as those applicants to erect facilities on behalf of the department in order to conduct department work.

G.(1) The commissioner of administration or his designee shall have sole authority to consider and approve receiving telecommunications resources under shared resources agreements from any applicant or permittee in lieu of any applicable fee under this Section.

(2) The department shall send a copy of any pending applications containing a request for a shared resources agreement in lieu of any applicable fee to the commissioner of administration or his designee.

(3) Any application containing a request for a shared resource or similar arrangement in lieu of fees shall clearly delineate same.

(4) The commissioner of administration or his designee shall evaluate all requests according to criteria established by rule or regulation.

(5) The commissioner of administration or his designee shall have sole authority to develop and implement a plan for deployment or disposal of the telecommunications resources.

(6) The commissioner of administration or his designee may promulgate rules and regulations in accordance with the Administrative Procedure Act to discharge the responsibilities and obligations under this Section."

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**Reconsideration**

The following legislative instruments on reconsideration were taken up and acted upon as follows:

**HOUSE BILL NO. 327—**  
BY REPRESENTATIVES KENNARD AND PERKINS AND SENATOR FONTENOT

**A JOINT RESOLUTION**

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Kennard, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

**HOUSE BILL NO. 1312—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 38:2211(A)(11) and to enact R.S. 38:2225.2, relative to contracts by public entities; to provide for certain restrictions; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

The Chair declared the above bill failed to pass.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 110—**  
BY REPRESENTATIVES HEBERT AND DANIEL  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to cease issuing nonexclusive permits for use of public rights-of-way to utility operators for the installation of fiber-optic cable facilities and wireless telecommunications equipment and facilities until the Joint Legislative Committee on the Budget approves applications for such permits.

Read by title.

On motion of Rep. Hebert, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 130—**  
BY REPRESENTATIVE THOMPSON  
A CONCURRENT RESOLUTION

To urge and request the Louisiana state police weights and standards mobile police force and the Louisiana Department of Agriculture to work together to increase the enforcement of weight limits imposed on sugarcane haulers using state roadways.

Read by title.

On motion of Rep. Thompson, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 134—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect a board fence measuring eight feet in height and three hundred fifty feet in length along the western boundary property line of the Department of Transportation and Development's LaPlace maintenance construction facility.

Read by title.

On motion of Rep. Diez, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 138—**  
BY REPRESENTATIVES MCMAINS AND WALSWORTH  
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study the application of the single business enterprise theory in this state and make specific recommendations to the Louisiana Legislature prior to January 20, 2003, for revisions to Louisiana laws.

Read by title.

Rep. Walsworth moved the adoption of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 150—**  
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to undertake a planning study of the River Road between New Orleans and Baton Rouge and adjacent state routes to determine the best way to expand the capacity of roads in the Mississippi River corridor while at the same time maintaining the character of the River Road so as to support the growth of tourism in the region.

Read by title.

On motion of Rep. Quezaire, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 157—**  
BY REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Damico, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 148—**  
BY REPRESENTATIVES LEBLANC, DEWITT, AND WINSTON

A CONCURRENT RESOLUTION

To provide that the Louisiana Advisory Commission on Intergovernmental Relations shall conduct a systematic and thorough study of the responsibilities of state and local government to furnish services to citizens and shall recommend those services that government should provide and the respective responsibilities of state and local government to fund such services and to provide them.

Read by title.

On motion of Rep. LeBlanc, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 166—**  
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2002 Regular Session of the Legislature the provisions of LAC 76:515 and those provisions of R.S. 56:424(G) that allow oysters taken from Louisiana waters to be landed outside the state of Louisiana.

Read by title.

Rep. Odinet moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pinac
Alexander, R	Hammett	Powell
Ansardi	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Holden	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Sneed
Dartez	LaFleur	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Swilling
Doerge	LeBlanc	Thompson
Donelon	Lucas	Toomy
Downer	Martiny	Townsend
Durand	McCallum	Triche
Erdey	McDonald	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Welch
Flavin	Morrell	Winston
Frith	Morrish	Wright
Fruge	Murray	
Futrell	Nevers	
Total—97		

NAYS

Total—0

ABSENT

Crowe	Pierre	Wooton
Guillory	Pitre	
McMains	Walsworth	
Total—7		

The resolution was adopted.

Ordered to the Senate.

**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.

Read by title.

Rep. Jack Smith moved the adoption of the resolution.

By a vote of 101 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 143—**  
 BY REPRESENTATIVES BAUDOIN, R. CARTER, DURAND, FRITH, HILL, ILES, KENNEY, LAFLEUR, MORRISH, AND STRAIN  
 A CONCURRENT RESOLUTION

To memorialize the United States Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot compete.

Read by title.

On motion of Rep. Baudoin, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 154—**  
 BY REPRESENTATIVE K. CARTER  
 A CONCURRENT RESOLUTION

To urge and request the Legislature of Louisiana to recognize the history, economic impact, and social benefits of Louisiana's music industry, to embark upon greater efforts to enshrine, memorialize, and develop historically significant music sites and areas, to urge state government to invest in strong music education and music history projects that will carry Louisiana's music legacy forward for future generations, and to declare parts of New Orleans as "The Birthplace of Jazz, New Orleans Rhythm and Blues, and Rock and Roll."

Read by title.

On motion of Rep. Karen Carter, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 149—**  
 BY REPRESENTATIVE ANSARDI  
 A CONCURRENT RESOLUTION

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

Called from the calendar.

Read by title.

Rep. Ansardi sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ansardi to Engrossed House Concurrent Resolution No. 149 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 5, at the end of the line, delete the period "." and insert in lieu thereof "and to create the Funeral Insurance Advisory Task Force."

AMENDMENT NO. 2

On page 1, at line 6 delete "abuses in" and insert in lieu thereof "questions regarding"

AMENDMENT NO. 3

On page 1, at line 8 delete "abuses have" and insert in lieu thereof "confusion has"

AMENDMENT NO. 4

On page 1, at line 10 after "address" delete the remainder of the line and insert in lieu thereof "this issue."

AMENDMENT NO. 5

On page 1, delete line 11

AMENDMENT NO. 6

On page 1, at line 15 after "insurance policies" and before "and the" insert "and insurance funded pre-arranged funeral and cremation services"

AMENDMENT NO. 7

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

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby create and authorize the Funeral Insurance Advisory Task Force to advise and make recommendations to the Department of Insurance and the State Board of Embalmers and Funeral Directors.

BE IT FURTHER RESOLVED that the Funeral Insurance Advisory Task Force shall consist of the following members:

(1) One member of the House Committee on Insurance appointed by the chairman of the committee.

(2) One member of the Senate Committee on Insurance appointed by the chairman of the committee.

(3) One member of the House Committee on Commerce appointed by the chairman of the committee.

(4) One member of the Senate Committee on Commerce appointed by the chairman of the committee.

(5) One person representing the Department of Insurance appointed by the commissioner of insurance.

(6) One person representing the State Board of Embalmers and Funeral Directors appointed by said board.



(7) Two persons representing the Louisiana Insurers Conference appointed by the chairman of the organization.

(8) One person representing the Louisiana Funeral Directors Association appointed by the chairman of the association.

(9) One person representing the Association of Embalmers and Funeral Directors appointed by the chairman of the association.

(10) One consumer representative appointed by the senior Louisiana officer of the American Association of Retired Persons.

BE IT FURTHER RESOLVED that for the purposes of this Resolution, task force members shall serve without compensation, except that the members of the legislature serving on the task force shall receive the same per diem and mileage provided for attendance of committee meetings by the rules of the House of Representatives and the Senate.

BE IT FURTHER RESOLVED that the task force shall hold its first meeting before September 30, 2001, and thereafter shall hold such meetings as deemed appropriate by a majority of the task force until a report as to the findings and recommendations of the joint study of the Department of Insurance and the State Board of Embalmers and Funeral Directors is submitted to the legislature."

On motion of Rep. Ansardi, the amendments were adopted.

Rep. Ansardi moved the adoption of the resolution, as amended.

Rep. Bruneau objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Morrell
Alario	Frith	Morrish
Alexander, E	Green	Odinot
Ansardi	Guillory	Pierre
Baylor	Heaton	Pinac
Broome	Hebert	Powell
Bruce	Hill	Quezaire
Carter, K	Holden	Riddle
Cazayoux	Hudson	Romero
Clarkson	Hunter	Schwegmann
Crane	Hutter	Smith, G.—56th
Damico	Iles	Smith, J.D.—50th
Daniel	Johns	Smith, J.R.—30th
Dartez	Kennard	Stelly
Devillier	Kenney	Thompson
Diez	LaFleur	Toomy
Doerge	Landrieu	Townsend
Donelon	Lucas	Wooton
Farrar	Martiny	Wright
Faucheux	Montgomery	
Total—59		

NAYS

Baudoin	Jackson, M	Scalise
Bowler	Katz	Schneider
Bruneau	Lancaster	Shaw
Crowe	LeBlanc	Smith, J.H.—8th
Curtis	McCallum	Sneed
Downer	McDonald	Strain

Durand	McVea	Triche
Erdey	Murray	Waddell
Fruge	Perkins	Walsworth
Futrell	Pitre	Welch
Gallot	Pratt	Winston
Glover	Richmond	
Jackson, L	Salter	
Total—37		

ABSENT

Alexander, R	Hopkins	Swilling
Carter, R	McMains	Tucker
Hammett	Nevers	
Total—8		

The resolution was adopted.

Ordered to the Senate.

**Suspension of the Rules**

On joint motion of Reps. Kennard and Morrell, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**Suspension of the Rules**

On motion of Rep. Hill, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

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

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

**Regular Calendar**

**SENATE BILL NO. 1100 (Substitute for Senate Bill 556 by Senator Cain)—**  
BY SENATOR CAIN

AN ACT

To provide relative to roads and highways; names Louisiana Highway 110 located in the town of Merryville as the "A.C. Schiro Memorial Highway."

**Suspension of the Rules**

On motion of Rep. Hill, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Hill moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, E	Guillory	Pitre
Alexander, R	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire

Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruce	Hopkins	Romero
Bruneau	Hudson	Salter
Carter, K	Hunter	Scalise
Carter, R	Hutter	Schneider
Cazayoux	Iles	Schwegmann
Clarkson	Jackson, L	Shaw
Crane	Jackson, M	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Sneed
Dartez	LaFleur	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Swilling
Doerge	LeBlanc	Thompson
Donelon	Lucas	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McVea	Tucker
Farrar	Montgomery	Waddell
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wright
Futrell	Odinot	
Gallot	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Ansardi	McMains
Martiny	Wooton
Total—4	

The Chair declared the above bill was finally passed.

Rep. Hill moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 20—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 32:774(B)(3)(b)(i), relative to motor vehicles; to exempt previously licensed used motor vehicle dealers from certain educational requirements; and to provide for related matters.

Read by title.

Rep. Donelon sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Donelon to Engrossed Senate Bill No. 20 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:774(B)(3)(b)(i)" to "R.S. 32:762 and 774(B)(3)(b)(i), and to repeal R.S. 32:763"

AMENDMENT NO. 2

On page 1, line 4, after "requirements;" insert "to provide with respect to salvage pools and certain salvage dealers;"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 32:774(B)(3)(b)(i) is" to "R.S. 32:762 and 774(B)(3)(b)(i) are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8 insert:

"§762. Salvage pools

A. Sales of motor vehicles at a salvage pool, salvage disposal sale, or through an insurance company shall be ~~opened made~~ only to persons possessing a Louisiana buyer's identification card to buy such motor vehicles as provided in this Section license as a used motor vehicle dealer or automotive dismantler or parts recycler and to persons authorized in another state to purchase salvage vehicles. Visitors are authorized to attend such sales; however, visitors may not bid or make purchases at such sales.

B.(1) ~~Buyer's identification cards to bid or buy motor vehicles at salvage pools, salvage disposal sales, or through insurance companies shall be available to any person, business, or corporation, or licensed employee thereof, possessing a valid used motor vehicle dealer license, or a valid automotive dismantlers and recyclers license. Buyer's identification cards to bid or buy salvage shall be issued by the commission on a form prescribed by it and shall contain as a minimum the name, address, driver's license number, any one of the aforementioned dealers' license numbers, physical description, and signature of the applicant and the name and address of the employer of the applicant. Each motor vehicle dealer operating a salvage pool shall record each sales transaction and assess a recordation charge of five dollars per transaction with the total amount collected in a single year from a Louisiana buyer not to exceed twenty-five dollars and the total amount collected in a single year from an out-of-state buyer not to exceed two hundred dollars. However, a buyer possessing a current buyer's identification card that was issued prior to July 1, 2001, shall not be assessed the recordation charge prior to January 1, 2002.~~

(2) ~~The commission may exact a fee not to exceed twenty-five dollars for the issuing of the buyer's identification card to a resident of Louisiana and a fee not to exceed two hundred dollars for the issuing of a buyer's identification card to an out-of-state resident. Each used motor vehicle dealer operating a salvage pool shall submit transaction reports and recordation charges on a monthly basis, to be provided to the commission not later than the fifth day of each month.~~

(3) ~~The buyer's identification card shall be renewable each year for a fee of twenty-five dollars for a resident of Louisiana and for a fee not to exceed two hundred dollars for an out-of-state resident.~~

C. ~~It shall be the duty of the owner, manager, or person in charge of any salvage pool or salvage disposal sale, to prohibit the bidding by any person who does not display a buyer's identification card, to refuse to sell to any person any wrecked or repairable motor vehicle if such person does not display a valid buyer's identification card and to prohibit any person without a buyer's identification card to be present at the bidding site during a sale. Each buyer's identification card holder may be accompanied by a mechanic or other technical expert of his choice.~~

D. ~~The permit may be refused, cancelled, or revoked for the same reasons a license under this Chapter may be refused, cancelled, or revoked. Any person whose permit is refused, cancelled, or revoked~~

shall enjoy the same review and appeal procedures as a person whose license is refused, cancelled, or revoked.

E: C.(1) The owner, manager, or person in charge of a salvage pool or salvage disposal sale shall keep a register of all sales of motor vehicles for three years from the date of sale, showing the make, model, year, body style, vehicle identification number, odometer reading, and the name and address of the seller and buyer. ~~In addition the sale transaction register shall contain the buyer's identification card number issued by the commission.~~

(2) The register shall be made available for inspection by identified law enforcement officers of the state, parish, or municipality or agents of the commission at the salvage pool or salvage disposal sale business location during regular business hours on business days."

**AMENDMENT NO. 5**

On page 2, after line 18, add the following:

"Section 2. R.S. 32:763 is hereby repealed in its entirety.

Section 3. The provisions of this Act shall become effective on July 1, 2001."

Rep. Donelon moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 63 yeas and 31 nays, the amendments were adopted.

Rep. Donelon moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Pinac
Alario	Hammett	Pratt
Alexander, E	Hebert	Quezaire
Alexander, R	Hill	Richmond
Ansardi	Holden	Riddle
Baylor	Hudson	Romero
Bowler	Hunter	Scalise
Broome	Hutter	Schneider
Bruneau	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	LaFleur	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Dartez	LeBlanc	Strain
Devillier	Lucas	Swilling
Doerge	Martiny	Thompson
Donelon	McCallum	Toomy
Durand	McDonald	Townsend
Farrar	McVea	Triche
Faucheux	Montgomery	Tucker
Flavin	Morrell	Waddell
Frith	Morrish	Walsworth
Fruge	Murray	Welch
Futrell	Odinet	Winston
Gallot	Perkins	Wooton
Glover	Pierre	Wright
Total—87		

**NAYS**

Crane	Katz	Powell
Diez	Kenney	Salter
Downer	Nevers	
Erdey	Pitre	
Total—10		

**ABSENT**

Baudoin	Guillory	McMains
Bruce	Heaton	
Carter, R	Hopkins	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Donelon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 197—**  
BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 8:1(6), 62, 75, 451, 454, 457(A) (introductory paragraph), 459.1(B) and (D), 465(C)(2), and 662, and to enact R.S. 8:454.1, relative to operation of perpetual or endowed care cemeteries; to provide for the make up of the cemetery board; to increase fines for violations of board rules and regulations; to provide relative to trust funds and the administration thereof; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Downer	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McVea	Tucker

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Faucheux	Montgomery	Waddell
Flavin	Morrell	Walsworth
Frith	Morrish	Welch
Frige	Murray	Winston
Futrell	Nevers	Wooton
Gallot	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Donelon	McMains
Total—2	

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 249—**  
BY SENATOR DUPRE

AN ACT

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

Read by title.

Rep. Downer moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	Sneed
Daniel	LaFleur	Stelly
Dartez	Lancaster	Strain
Devillier	Landrieu	Swilling
Diez	LeBlanc	Thompson
Doerge	Lucas	Toomy
Donelon	Martiny	Townsend
Downer	McCallum	Tucker
Durand	McDonald	Waddell

Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Frige	Nevers	
Futrell	Odinet	
Total—100		

NAYS

Schneider
Total—1

ABSENT

Heaton	McMains	Triche
Total—3		

The Chair declared the above bill was finally passed.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 251—**  
BY SENATOR DUPRE

AN ACT

To enact Part VI of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:251 through 258, relative to expropriation by the Consolidated Terrebonne Parish Waterworks District No. 1; to authorize the district to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; and to provide for related matters.

Read by title.

Rep. Downer moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Odinet
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Broome	Holden	Richmond
Bruce	Hopkins	Riddle
Bruneau	Hudson	Romero
Carter, K	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schwegmann
Clarkson	Jackson, L	Shaw
Crane	Jackson, M	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Sneed
Devillier	LaFleur	Stelly
Diez	Landrieu	Strain
Doerge	LeBlanc	Swilling
Donelon	Lucas	Thompson
Downer	Martiny	Toomy
Durand	McCallum	Townsend

Erdey	McDonald	Triche
Farrar	McMains	Tucker
Faucheux	McVea	Waddell
Flavin	Montgomery	Walsworth
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Futrell	Murray	Wright
Gallot	Nevers	
Total—98		

NAYS

Perkins	Schneider	Welch
Total—3		

ABSENT

Bowler	Dartez	Lancaster
Total—3		

The Chair declared the above bill was finally passed.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 339—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 32:415.1(A)(1), relative to motor vehicles; to provide for a medical hardship appeal of a driver's license suspension; to provide for certain driving prohibitions for a disabled driver; and to provide for related matters.

Read by title.

Rep. Downer moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammitt	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche

Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinet	
Total—104		

NAYS

Total—0	ABSENT
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Total—0

The Chair declared the above bill was finally passed.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 391—**  
BY SENATORS LENTINI AND SCHEDLER  
AN ACT

To enact R.S. 40:46.1(G), relative to vital statistics laws; to provide immunity for hospitals and their agents and employees involved in hospital based paternity programs; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pinac
Baylor	Heaton	Pitre
Bowler	Hudson	Powell
Bruce	Hunter	Quezaire
Bruneau	Hutter	Riddle
Carter, K	Jackson, M	Scalise
Carter, R	Johns	Schneider
Cazayoux	Katz	Smith, G.—56th
Clarkson	LaFleur	Smith, J.H.—8th
Crane	Lancaster	Smith, J.R.—30th
Curtis	Landrieu	Sneed
Damico	LeBlanc	Stelly
Daniel	Lucas	Strain
Diez	Martiny	Toomy
Doerge	McDonald	Triche
Donelon	McVea	Waddell
Downer	Montgomery	Walsworth
Durand	Morrell	Welch
Faucheux	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—69		

NAYS

Alexander, R	Hill	Salter
Baudoin	Holden	Schwegmann
Broome	Hopkins	Shaw

Devillier	Iles	Smith, J.D.—50th
Erdey	Jackson, L	Swilling
Farrar	Kenny	Thompson
Gallot	Pierre	Townsend
Guillory	Richmond	Tucker
Hebert	Romero	
Total—26		

ABSENT

Ansardi	Flavin	McCallum
Crowe	Hammett	McMains
Dartez	Kennard	Pratt
Total—9		

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 393—**  
BY SENATORS LENTINI AND SCHEDLER  
AN ACT

To amend and reenact R.S. 13:3715.1(B)(1), relative to subpoenas for medical records; to delete the requirement that the affidavit be delivered at the time of service of subpoena; to require that an affidavit be received before a subpoena for patient records can be issued; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Perkins
Alario	Green	Pinac
Alexander, E	Guillory	Pitre
Alexander, R	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezair
Bowler	Holden	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenny	Sneed
Daniel	LaFleur	Stelly
Dartez	Lancaster	Strain
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Donelon	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McMains	Waddell
Faucheux	McVea	Walsworth
Flavin	Montgomery	Welch
Frith	Morrell	Winston
Fruge	Morrish	Wooton

Futrell	Nevers	Wright
Gallot	Odinot	
Total—95		

NAYS

Devillier	Hill	Pierre
Farrar	Murray	
Total—5		

ABSENT

Ansardi	Richmond
Lucas	Swilling
Total—4	

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 397—**  
BY SENATORS FONTENOT AND HOLLIS  
AN ACT

To enact R.S. 9:3518.3, relative to consumer credit transactions; to provide with respect to electronic printing of credit card receipts; to provide penalties for violations; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Flavin, the bill was returned to the calendar.

**SENATE BILL NO. 409—**  
BY SENATORS DUPRE, MOUNT AND SCHEDLER  
AN ACT

To amend and reenact R.S. 32:295(A),(B)(2), (C), and (D); and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Hutter, the bill was returned to the calendar.

**SENATE BILL NO. 577—**  
BY SENATOR ULLO  
AN ACT

To enact Subpart D of Part II of Chapter 30 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4661, relative to weights and measures; to provide for the sale of shrimp by count; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Pinac
Alario	Guillory	Pitre
Alexander, E	Hammett	Powell
Alexander, R	Heaton	Pratt
Ansardi	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Holden	Riddle
Broome	Hopkins	Romero
Bruneau	Hudson	Salter
Carter, K	Hunter	Scalise
Carter, R	Hutter	Schneider
Cazayoux	Iles	Schwegmann
Clarkson	Jackson, L	Shaw
Crane	Jackson, M	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Martiny	Thompson
Downer	McCallum	Toomy
Durand	McDonald	Townsend
Erdey	McVea	Triche
Farrar	Montgomery	Tucker
Faucheux	Morrell	Waddell
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Glover	Pierre	

Total—97

**NAYS**

Total—0

**ABSENT**

Baudoin	Kennard	Walsworth
Bruce	Lucas	
Donelon	McMains	

Total—7

The Chair declared the above bill was finally passed.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 613—**  
BY SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 40:1563(B) and to enact R.S. 40:1563(J), relative to the state fire marshal; to provide for his powers and duties; to provide for exceptions; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruce	Hopkins	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Martiny	Thompson
Donelon	McCallum	Toomy
Downer	McDonald	Townsend
Durand	McMains	Triche
Erdey	McVea	Tucker
Farrar	Montgomery	Waddell
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinet	Wright

Total—102

**NAYS**

Total—0

**ABSENT**

Hudson	Lucas
--------	-------

Total—2

The Chair declared the above bill was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 648—**  
BY SENATOR DUPRE

**AN ACT**

To amend and reenact Code of Civil Procedure Arts. 1918, 2031, 2782, 4906, and 4923 and to enact Code of Civil Procedure Arts. 1702(F) and 1702.1(C) and R.S. 9:5504, relative to civil procedure; to provide for the contents of judgments in identifying the judgment debtor; to provide for liability for costs, including court costs and attorney fees; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Bruneau, the bill was returned to the calendar.

**SENATE BILL NO. 704—**  
BY SENATOR FONTENOT AND REPRESENTATIVES DANIEL AND PINAC  
AN ACT

To amend and reenact R.S. 51:911.21, 911.22, 911.23, 911.24(A)(1), (2), (3), (5), (6), the introductory paragraph of R.S. 51:911.24(B), 911.24(B)(5), (C), the introductory paragraph of R.S. 51:911.24(D), (D)(3), E, the introductory paragraph of R.S. 51:911.24(F), (F)(3), (G), and (H), 911.24.I, 911.25(A) and (B), the introductory paragraph of R.S. 51:911.28(A), (A)(3), (4), (8), (B), (C), 911.29, 911.30, 911.32(A), (B), (D), and (E), 911.33, 911.34(A) and (C), 911.35, 911.36, 911.38, 911.39(A), 911.42, 911.43, 911.44, 911.46, 912.21, the introductory paragraph of R.S. 51:912.22, 912.22(2), (3), (5), 912.23(1)(a) and (h), the introductory paragraph of R.S. 51:912.24, 912.24(2)(g), (4)(b) and (e), the introductory paragraph of R.S. 51:912.25, 912.26, 912.27, 912.28(A), and 912.29 and the Title to Part XIV-B of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, and to enact R.S. 51:911.26 and 912.30, and to repeal R.S. 51:911.27 and 911.37, all relative to manufactured homes and mobile homes; to provide for definitions; to create the Louisiana Manufactured Housing Commission and provide for its powers and duties; to provide for standards and codes applicable to manufactured housing; to provide for standards for installation of manufactured housing; to provide for enforcement of standards and codes; to provide for warranties; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 704 by Senator Fontenot

AMENDMENT NO. 1

On page 16, line 19, after "(2)" change "Five" to "Two"

AMENDMENT NO. 2

On page 16, line 24, after "remaining" change "two" to "five"

On motion of Rep. Alario, the amendments were adopted.

**Point of Order**

Rep. Lancaster asked for a ruling from the Chair as to whether Senate Bill No. 704 levies a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

**Ruling of the Chair**

The Chair ruled the bill did levy a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Rep. Pinac moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Nevers
Alario	Glover	Odinet
Alexander, E	Green	Perkins
Alexander, R	Guillory	Pierre
Ansardi	Hammett	Pinac
Baudoin	Heaton	Pitre
Baylor	Hebert	Powell
Bowler	Hill	Pratt
Broome	Holden	Quezaire
Bruce	Hopkins	Richmond
Bruneau	Hudson	Riddle
Carter, K	Hunter	Romero
Carter, R	Hutter	Salter
Cazayoux	Iles	Scalise
Clarkson	Jackson, L	Schwegmann
Crane	Jackson, M	Shaw
Crowe	Johns	Smith, G.—56th
Curtis	Katz	Smith, J.D.—50th
Damico	Kennard	Smith, J.H.—8th
Daniel	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Swilling
Doerge	LeBlanc	Thompson
Donelon	Lucas	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Waddell
Faucheux	McVea	Walsworth
Flavin	Montgomery	Welch
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Futrell	Murray	Wright
Total—99		

**NAYS**

Schneider  
Total—1

**ABSENT**

Farrar Sneed  
Martiny Tucker  
Total—4

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 738—**  
BY SENATORS MOUNT AND SCHEDLER  
AN ACT

To amend and reenact R.S. 15:440.4(A)(5), R.S. 23:1021(11), R.S. 24:932(4), R.S. 37:3372(9)(b), R.S. 40:1299.39(A)(1)(a)(ii) and 1299.41, Children's Code Art. 326(A)(7), 1172, 1173(A)(2), 1272(D), and Code of Evidence Art. 510(A)(4)(c), relative to licensed professional counselors; to revise definitions; to provide for the authority of licensed professional counselors; to provide for an effective date; and to provide for related matters.

Read by title.



Rep. Schwegmann moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Nevers
Alario	Glover	Odinet
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Broome	Hill	Richmond
Bruce	Holden	Riddle
Bruneau	Hopkins	Romero
Carter, K	Hudson	Salter
Carter, R	Hunter	Scalise
Cazayoux	Hutter	Schneider
Clarkson	Iles	Schwegmann
Crane	Jackson, L	Shaw
Crowe	Johns	Smith, G.—56th
Curtis	Katz	Smith, J.D.—50th
Damico	Kennard	Smith, J.H.—8th
Daniel	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Swilling
Doerge	LeBlanc	Thompson
Donelon	Lucas	Toomy
Downer	Martiny	Townsend
Durand	McCallum	Waddell
Erdey	McDonald	Walsworth
Farrar	McMains	Welch
Faucheux	McVea	Winston
Flavin	Montgomery	Wooton
Frith	Morrell	Wright
Fruge	Morrish	
Futrell	Murray	
Total—97		

**NAYS**

Bowler	Perkins
Total—2	

**ABSENT**

Jackson, M	Sneed	Tucker
Pitre	Triche	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Schwegmann moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 1102 (Substitute for Senate Bill No. 543 by Senator Cain)—**  
BY SENATOR C. FIELDS

**AN ACT**

To amend and reenact R.S. 51:912.22 (4), relative to manufactured or mobile homes; to provide additional requirements for the installation of manufactured or mobile homes; and to provide for related matters.

Read by title.

Rep. Erdey moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Pratt
Bowler	Holden	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
Clarkson	Jackson, M	Schwegmann
Crane	Johns	Shaw
Crowe	Katz	Smith, G.—56th
Curtis	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Doerge	Lucas	Swilling
Donelon	Martiny	Thompson
Downer	McCallum	Toomy
Durand	McDonald	Townsend
Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Total—102		

**NAYS**

Triche	
Total—1	

**ABSENT**

Hammett	
Total—1	

The Chair declared the above bill was finally passed.

Rep. Erdey moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 24—**  
BY SENATOR MCPHERSON

**AN ACT**

To amend and reenact R.S. 32:141(D), relative to motor vehicles; to require the removal of vehicles from a roadway following an accident under certain conditions; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Pitre
Alexander, E	Hammett	Powell
Alexander, R	Heaton	Pratt
Ansardi	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hutter	Scalise
Bruneau	Iles	Schneider
Carter, K	Jackson, L	Schwegmann
Carter, R	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Dartez	LeBlanc	Strain
Devillier	Lucas	Swilling
Diez	Martiny	Thompson
Doerge	McCallum	Toomy
Donelon	McDonald	Townsend
Downer	McMains	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Glover	Pierre	
Total—100		

NAYS

Total—0

ABSENT

Cazayoux	Hunter
Flavin	LaFleur
Total—4	

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 45—  
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 32:1732, relative to towing of motor vehicles; to provide for recovery of certain surcharges assessed when motor vehicles are towed; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Flavin	Nevers
Alexander, E	Frith	Odinet
Alexander, R	Fruge	Perkins
Ansardi	Futrell	Pinac
Baudoin	Gallot	Pitre
Baylor	Glover	Powell
Broome	Hammett	Quezaire
Bruce	Heaton	Riddle
Bruneau	Hopkins	Scalise
Carter, K	Hudson	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Clarkson	Jackson, L	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	Landrieu	Thompson
Diez	Martiny	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Winston
Downer	McMains	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Faucheux	Morrish	
Total—73		

NAYS

Mr. Speaker	LaFleur	Salter
Bowler	Lancaster	Schneider
Farrar	LeBlanc	Smith, J.D.—50th
Green	Morrell	Townsend
Hebert	Murray	Triche
Hill	Pierre	Tucker
Holden	Pratt	Welch
Hunter	Richmond	
Jackson, M	Romero	
Total—25		

ABSENT

Crowe	Guillory	Swilling
Devillier	Lucas	Toomy
Total—6		

The Chair declared the above bill was finally passed.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 53—  
BY SENATOR LAMBERT (BY REQUEST)

AN ACT

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

Read by title.

**Motion**

On motion of Rep. Diez, the bill was returned to the calendar.

**SENATE BILL NO. 110—**  
BY SENATOR THOMAS

AN ACT

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

Read by title.

**Motion**

On motion of Rep. Strain, the bill was returned to the calendar.

**SENATE BILL NO. 143—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 48:381.2(C), relative to telecommunication installations in state rights-of-way; to remove the requirement that industry members be involved in the promulgation of rules; and to provide for related matters.

Read by title.

Rep. Farrar moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Pratt
Bowler	Holden	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Cazayoux	Iles	Schwegmann
Clarkson	Jackson, L	Shaw
Crane	Jackson, M	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Wooton
Fruge	Murray	Wright
Futrell	Nevers	
Total—98		

NAYS

Winston  
Total—1

ABSENT

Carter, R	Johns	Schneider
Heaton	Scalise	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**SENATE BILL NO. 409—**  
BY SENATORS DUPRE, MOUNT AND SCHEDLER  
AN ACT

To amend and reenact R.S. 32:295(A),(B)(2), (C), and (D); and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Daniel moved that the bill be returned to the calendar.

Rep. Hutter objected.

By a vote of 51 yeas and 43 nays, the House returned the bill to the calendar.

**Suspension of the Rules**

On motion of Rep. Glover, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

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

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

**Local and Consent Calendar**

**HOUSE BILL NO. 1982—**  
BY REPRESENTATIVE GLOVER  
AN ACT

To enact R.S. 33:1992(D), relative to the minimum monthly salary of certain fire department employees; to provide for the minimum monthly salary of a fire alarm operator or dispatcher or any other person doing such work for certain municipal fire departments; and to provide for related matters.

Read by title.

Rep. Glover moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, E, etc. and corresponding names in the YEAS column.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Hudson, Hutter, etc. and corresponding names in the ABSENT column.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Glover moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Regular Calendar

HOUSE BILL NO. 2074 (Substitute for House Bill No. 143 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN AN ACT

To amend and reenact R.S. 33:130.556(B)(1), relative to the North Lake Charles Economic Development District; to require the approval of the governing authorities of both the city of Lake Charles and the parish of Calcasieu before the board may call an election for general obligation, ad valorem property tax secured bonds; and to provide for related matters.

Read by title.

Rep. Flavin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, E, etc. and corresponding names in the YEAS column.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Bruce, Hebert, etc. and corresponding names in the ABSENT column.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Flavin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1322— BY REPRESENTATIVE DANIEL AN ACT

To amend and reenact R.S. 49:327(C)(3), relative to the investment of state funds; to authorize the investment in stocks or certain funds of institutions of higher education or their management boards; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Daniel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Iles	Scalise
Carter, R	Jackson, L	Schneider
Cazayoux	Jackson, M	Schwegmann
Clarkson	Johns	Shaw
Crane	Katz	Smith, G.—56th
Crowe	Kennard	Smith, J.D.—50th
Curtis	Kenney	Smith, J.H.—8th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Perkins	
Total—97		

**NAYS**

Bowler  
Total—1

**ABSENT**

Heaton	Hutter	Smith, J.R.—30th
Hebert	McMains	Walsworth
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 2058 (Substitute for House Bill No. 1588 by Representative Hebert)—**  
BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 22:2018, relative to health insurance coverage; to make certain statutory provisions relative to health care provider contracts with health maintenance organizations applicable to managed care organizations and to otherwise revise those provisions; to provide for definitions; to provide with respect

to billing of enrollees and insureds by health care providers and their agents; to provide for penalties; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hebert sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hebert to Engrossed House Bill No. 2058 by Representative Hebert

AMENDMENT NO. 1

On page 4, delete line 16 in its entirety and at the beginning of line 17, delete "from collecting" and insert the following:

"No contracted health care provider or his agent shall bill or collect from an enrollee or insured any amounts other than those representing"

AMENDMENT NO. 2

On page 5, line 14, after "amount" delete the remainder of the line and at the beginning of line 15, delete "liability of a managed care organization" and insert the following:

"which he is prohibited from billing or collecting by Paragraph (E)(1) of this Section"

AMENDMENT NO. 3

On page 5, line 16, after "refund" delete "the entire amount of such payment" and insert "any such amount paid"

AMENDMENT NO. 4

On page 5, line 20, after "which" delete the remainder of the line and insert the following:

"he is prohibited from billing or collecting by Paragraph (E)(1) of this Section"

On motion of Rep. Hebert, the amendments were adopted.

Rep. Hebert moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw

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Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	Sneed
Daniel	LaFleur	Stelly
Dartez	Lancaster	Strain
Devillier	Landrieu	Swilling
Diez	LeBlanc	Thompson
Doerge	Lucas	Toomy
Donelon	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
Farrar	McVea	Waddell
Fauchoux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinot	

Total—101

NAYS

Total—0

ABSENT

Erdey                      McMains                      Schneider

Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1565—**  
BY REPRESENTATIVES LEBLANC, DEWITT, WINSTON, AND THOMPSON  
AN ACT

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

Called from the calendar.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1565 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 2, between "and (B)" and "and" insert ", 3129.6(A),"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert "R.S. 30:136.3, R.S. 46:114.4(D), R.S. 47:299.20, 1061(B), 1838(4), and 2609(A), and R.S. 56:16(C) and"

AMENDMENT NO. 3

On page 1, line 4, change "and (D)" to "and (D), 3129.6(C)" and at the end of line 4, change "and R.S." to "R.S."

AMENDMENT NO. 4

On page 1, line 5, after "(C)," and before "relative" insert "and R.S. 56:16,"

AMENDMENT NO. 5

On page 1, line 8, after "Collection Fund," insert "the Section 201 Fund, the Fraud Detection Fund, the Higher Education Initiatives Fund,"

AMENDMENT NO. 6

On page 1, line 11, after "transfer of" delete the remainder of the line and insert "certain balances and amounts by"

AMENDMENT NO. 7

On page 1, line 12, after "treasurer;" and before "and to" insert "to provide for effective dates;"

AMENDMENT NO. 8

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

"Section 3. R.S. 17:3129.6(A) is hereby amended and reenacted to read as follows:

§3129.6. Higher Education Initiatives Fund

A. The "Higher Education Initiatives Fund", hereinafter referred to in this Section as the "fund", is hereby created within the state treasury for the purpose of improvement of Louisiana's higher education institutions including but not limited to improvement of university-based teaching training programs and development of innovative teaching strategies, development of additional distance learning university classrooms, including infrastructure connections and purchase of equipment, and enhancement of library and scientific equipment.

\* \* \*

AMENDMENT NO. 9

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

AMENDMENT NO. 10

On page 6, between lines 4 and 5, insert the following:

"Section 5. R.S. 46:114.4(D) is hereby amended and reenacted to read as follows:

§114.4. Fraud Detection Fund

\* \* \*

D. The monies in the fund may be appropriated by the legislature to the office of family support of the Department of Social Services for

the enhancement of fraud detection and recovery activities in an amount not to exceed the balance on hand in the fund at the end of the previous calendar year. These funds shall not be used to replace, displace, or supplant state general funds appropriated for daily operation of any regional fraud detection activities of the office of family support.

\* \* \*

AMENDMENT NO. 11

On page 6, at the beginning of line 5, change "Section 4." to "Section 6."

AMENDMENT NO. 12

On page 8, between lines 20 and 21, insert the following:

"Section 7. R.S. 56:16(C) is hereby amended and reenacted to read as follows:

§16. Section 201 Petition Fund; creation; use of monies in the fund

\* \* \*

C. The monies in the fund shall be used by the Department of Wildlife and Fisheries solely to assist efforts by the department, the Blue Crab Coalition, or attempts by other entities, including payment of legal fees incurred, to secure federally imposed tariffs, quotas, ~~or both~~ and duties on imported crabmeat.

\* \* \*

AMENDMENT NO. 13

On page 8, line 21, change "Section 5." to "Section 8."

AMENDMENT NO. 14

On page 8, between lines 22 and 23, insert the following:

"Section 9. R.S. 17:3129.6(C) is hereby repealed in its entirety."

AMENDMENT NO. 15

On page 8, at the beginning of line 23, change "Section 6." to "Section 10."

AMENDMENT NO. 16

On page 8, at the beginning of line 24, change "Section 7." to "Section 11."

AMENDMENT NO. 17

On page 8, after line 25, insert the following:

"Section 12. R.S. 56:16 is hereby repealed in its entirety."

AMENDMENT NO. 18

On page 9, at the beginning of line 1, change "Section 8." to "Section 13."

AMENDMENT NO. 19

On page 9, delete line 6, and insert the following:

"Section 14. Upon the effective date of this Section, the treasurer is"

AMENDMENT NO. 20

On page 9, line 9, change "Section 5" to "Section 8"

AMENDMENT NO. 21

On page 9, delete line 12, and insert the following:

"Section 15. Upon the effective date of this Section, the treasurer is"

AMENDMENT NO. 22

On page 9, line 15, change "Section 6" to "Section 10"

AMENDMENT NO. 23

On page 9, line 16, change "Section 3" to "Section 4"

AMENDMENT NO. 24

On page 9, between lines 16 and 17, insert the following:

"Section 16. Effective July 1, 2002, the treasurer is authorized and directed to transfer any unexpended, unencumbered monies remaining in the Section 201 Petition Fund, which is repealed under the provisions of Section 10 of this Act, for deposit in and credit to the Conservation Fund.

Section 17. Effective July 1, 2002, the treasurer is authorized and directed to retain any unexpended, unencumbered monies remaining in the Center for Innovative Teaching and Learning Account, the Higher Education Distance Learning Account, and the Higher Education Library and Scientific Acquisitions Account within the Higher Education Initiatives Fund.

Section 18. Notwithstanding any other provision of law to the contrary, for the fiscal year beginning on July 1, 2001, the state treasurer is authorized and directed to transfer the amount of one million dollars from the Louisiana Technology Innovations Fund for deposit in and credit to the State General Fund.

Section 19. Sections 3, 9, 12, 16, 17, and 19 of this Act shall become effective on July 1, 2002; if vetoed by the governor and subsequently approved by the legislature, Sections 3, 9, 12, 16, 17, and 19 of this Act shall become effective on July 1, 2002, or on the day following such approval by the legislature, whichever is later."

AMENDMENT NO. 25

On page 9, delete line 17, and insert the following:

"Section 20. Sections 1, 2, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 18, and 20 shall become effective on July 1, 2001; if vetoed"

AMENDMENT NO. 26

On page 9, line 18, after "legislature" insert "Sections 1, 2, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 18, and 20 of"

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruce	Hopkins	Romero
Bruneau	Hudson	Salter
Carter, K	Hunter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Johns	Shaw
Crane	Katz	Smith, G.—56th
Crowe	Kennard	Smith, J.D.—50th
Curtis	Kenney	Smith, J.H.—8th
Damico	LaFleur	Smith, J.R.—30th
Daniel	Lancaster	Sneed
Dartez	Landrieu	Stelly
Devillier	LeBlanc	Strain
Diez	Lucas	Swilling
Doerge	Martiny	Thompson
Donelon	McCallum	Toomy
Downer	McDonald	Townsend
Durand	McMains	Triche
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	
Total—101		

NAYS

Jackson, M  
Total—1

ABSENT

Hutter Tucker  
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1652—**  
BY REPRESENTATIVES LEBLANC, PITRE, JOHN SMITH, AND WINSTON  
AN ACT

To amend and reenact R.S. 39:82(A), 87.4(A)(1) and (3) and (D)(3), and 352 and to enact R.S. 39:87.5, relative to government performance; to provide for an incentive reward program related to efficiency in state operations and performance; to provide for eligibility, determination, and requirements for receipt of rewards; to provide for limitations on and methods for the provision of such rewards; to establish the "Incentive Fund" in the state treasury; to provide for deposit and use of monies in the fund; to provide for use of unexpended, unencumbered monies remaining in the fund at the end of the fiscal year; to require the development of a model plan for the purposes of the incentive program by the Department

of State Civil Service; to authorize rewards for certain state employees under certain circumstances; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1652 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 2, after "87.4(A)" and before "and (D)(3)" delete "(1) and (3)"

AMENDMENT NO. 2

On page 1, line 3, after "R.S." and before the comma "," and "relative to" delete "39:87.5" and insert "39:87.4(D)(5) and (6) and 87.5"

AMENDMENT NO. 3

On page 2, line 1, after "87.4(A)" and before "and (D)(3)" delete "(1) and (3)"

AMENDMENT NO. 4

On page 2, line 2, after "reenacted and" and before "hereby" delete "R.S. 39:87.5 is" and insert "R.S. 39:87.4(D)(5) and (6) and 87.5 are"

AMENDMENT NO. 5

On page 3, delete line 11 through 17 in their entirety and insert:

"(2) After review of the agency's Year-end Performance Progress Report, and upon finding that an agency has failed to achieve the performance standards for its performance indicators by more than five percent for a particular fiscal year, or upon finding that an agency has failed to make satisfactory progress in implementation and use of performance-based budgeting, the committee may directly impose a penalty, as provided in Subsection E of this Section, upon such agency by adoption of a committee resolution to that effect. The committee may also provide for imposition of a penalty upon an agency by recommendation to the legislature that provisions for such penalty be included in a subsequent appropriation for the agency, or in any other instrument specially designed for such purpose.

(3) In making its determination, the committee shall consider the report's contents, as well as any findings of the Legislative Fiscal Office, any recommendations from the commissioner of administration relative thereto, any reports issued by the legislative auditor, any information provided by the state agency, and any other information which the committee deems necessary."



AMENDMENT NO. 6

On page 3, line 24, after "balances of" and before "excluding" change "appropriations," to "its appropriations at the end of a fiscal year."

AMENDMENT NO. 7

On page 3, line 25, after "which" delete the remainder of the line and insert: "monies may be used for nonrecurring purposes including"

AMENDMENT NO. 8

On page 4, line 6, after "reward" delete the remainder of the line and on line 7, delete "exemption from the provisions of R.S. 39:82(A)" and insert:

"granted pursuant to Subparagraph (a) of this Paragraph"

AMENDMENT NO. 9

On page 4, delete lines 11 through 13 in their entirety and at the beginning of line 14, delete "(d)", and insert "(c)"

AMENDMENT NO. 10

On page 4, line 15, delete "division" and insert "commissioner"

AMENDMENT NO. 11

On page 4, between lines 17 and 18, insert:

"(5) A reward of supplemental compensation to the employees of a program or agency provided through the Exceptional Performance and Gainsharing Incentive Program as provided in R.S. 39:87.5.

"(6) A reward of supplemental funding for expenditures for nonrecurring purposes, including new or enhanced employee training, and productivity enhancements, and technology improvements."

AMENDMENT NO. 12

On page 5, line 2, after "ability to" delete the remainder of the line and insert:

"consistently meet or exceed performance expectations. The program may also provide a reward for supplemental funding for expenditures for nonrecurring purposes, including new or enhanced employee training and productivity enhancements, including technology and other improvements."

AMENDMENT NO. 13

On page 5, line 9, between "The" and "of compensation" change "level" to "levels"

AMENDMENT NO. 14

On page 5, line 10, between "shall" and "be adjusted" change "it" to "they"

AMENDMENT NO. 15

On page 5, line 20, after "balances" and before "which" insert "from unexpended and unencumbered state general fund appropriations"

AMENDMENT NO. 16

On page 5, line 21, after "treasury" delete the remainder of the line and at the beginning of line 22 delete "352"

AMENDMENT NO. 17

On page 6, line 19, after "program" delete the comma ",."

AMENDMENT NO. 18

On page 6, at the beginning of line 20, after "activity" insert a comma ",."

AMENDMENT NO. 19

On page 6, line 21, after "entity which" and "have resulted" delete "are determined to"

AMENDMENT NO. 20

On page 6, line 23, after "agency" delete the comma ",." and insert "or" and after "program" delete the comma ",." and delete "or activity"

AMENDMENT NO. 21

On page 7, line 1, after "consistently" delete the remainder of the line and insert "met or exceeded a significant number of the"

AMENDMENT NO. 22

On page 7, line 10, between "the" and "day" change "first" to "fifteenth"

AMENDMENT NO. 23

On page 7, line 11, between "year." and "Upon" insert:

"Each recommendation shall contain a description of how the proposed reward funding would be utilized by the recipient entity, either for monetary rewards for employees or for nonrecurring expenditures."

AMENDMENT NO. 24

On page 7, line 15, after "initiative or" and before "achievement" delete "superior"

AMENDMENT NO. 25

On page 7, line 22, between "which" and "will" change "an award" to "a reward"

AMENDMENT NO. 26

On page 7, line 25, after "the reward" delete the remainder of the line and insert a comma ",." and insert "and in the case of monetary rewards for employees, a"

AMENDMENT NO. 27

On page 8, between lines 11 and 12, insert:

"(7) Reward monies received by an agency shall not be used by the commissioner of administration to supplant funding for the agency in the next executive budget."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, E	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schneider
Clarkson	Jackson, L	Schwegmann
Crane	Johns	Shaw
Crowe	Katz	Smith, G.—56th
Curtis	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinet	
Total—101		

**NAYS**

Total—0

**ABSENT**

Carter, K	Jackson, M	Stelly
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1944—**  
BY REPRESENTATIVE MARTINY  
AN ACT

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

Called from the calendar.

Read by title.

Rep. Ansardi sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed House Bill No. 1944 by Representative Martiny

AMENDMENT NO. 1

On page 1, delete lines 9 through 18 in their entirety and on page 2, delete lines 1 through 9 in their entirety and insert in lieu thereof the following:

"A. Terrorizing is the intentional communication of information that the commission of a crime of violence is imminent or in progress or that a circumstance dangerous to human life exists or is about to exist, with the intent of causing members of the general public to be in sustained fear for their safety; or causing evacuation of a building, a public structure, or a facility of transportation; or causing other serious disruption to the general public."

On motion of Rep. Ansardi, the amendments were adopted.

Rep. Ansardi moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander, E	Hammett	Pinac
Alexander, R	Heaton	Pitre
Ansardi	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Richmond
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
Clarkson	Jackson, M	Schwegmann
Crane	Johns	Shaw
Crowe	Katz	Smith, G.—56th
Curtis	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Diez	Landrieu	Stelly
Doerge	LeBlanc	Strain
Donelon	Lucas	Swilling
Downer	Martiny	Thompson
Durand	McCallum	Toomy
Erdey	McDonald	Townsend
Farrar	McMains	Triche
Faucheux	McVea	Tucker
Flavin	Montgomery	Waddell
Frith	Morrell	Walsworth
Fruge	Morrish	Welch
Futrell	Murray	Winston
Gallot	Nevers	Wooton
Glover	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Broome Devillier  
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 2050 (Substitute for House Bill No. 1403 by Representative Montgomery, et al.)—**  
BY REPRESENTATIVES MONTGOMERY, FUTRELL, AND FRITH AND SENATOR MICHOT

AN ACT

To amend and reenact R.S. 37:2150.1(4) and to enact R.S. 37:2156.1(M), relative to the State Licensing Board for Contractors; to provide for licensure and regulation of persons who perform heating, ventilation, air conditioning, and refrigeration work; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Montgomery sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 2050 by Representative Montgomery, et al.

AMENDMENT NO. 1

On page 3, line 23, after "in" delete the remainder of the line, delete line 24, and insert "the mechanical work subclassification of heat, air conditioning, ventilation, duct work, and refrigeration."

AMENDMENT NO. 2

On page 3, after line 24, insert the following:

"N.(1) A contractor seeking a license to perform HVACR work who is already licensed to perform such work in any governmental jurisdiction in this state as of July 1, 2001, shall be entitled to obtain a license in the mechanical work subclassification of heat, air conditioning, ventilation, duct work, and refrigeration authorizing him to continue to perform such work within the jurisdictions in which he is licensed as of July 1, 2001. The license shall be issued without examination upon payment of the appropriate fees and satisfaction of all other requirements for licensure. If the contractor seeks to be licensed to perform HVACR work outside of such jurisdictions, his application shall be treated as a new application and will be subject to all requirements for a license in the mechanical work subclassification of heat, air conditioning, ventilation, duct work, and refrigeration.

(2) A contractor seeking a license to perform HVACR work who is not licensed to perform such work in any jurisdiction in this state and who has engaged in the performance of HVACR work as an employer or employee in the HVACR industry for at least five years prior to January 1, 2002, shall be entitled to be issued a license in the mechanical work subclassification of heat, air conditioning, ventilation,

duct work, and refrigeration, without examination, upon payment of the appropriate fees, submission of appropriate proof of such employment, and satisfaction of all other requirements for licensure. An application for licensure under this Paragraph shall be submitted to the board no later than December 31, 2001.

(3) Except for the renewal of licenses issued prior to July 1, 2003, no license in the mechanical work subclassification of heat, air conditioning, ventilation, duct work, and refrigeration shall be issued after July 1, 2003, unless the applicant has passed a course in HVACR work, or its equivalent, taught at a school that has been approved by the board. The board shall attempt to assure that there is at least one approved school for such course in each planning region of the state, as defined by the Louisiana Department of Economic Development."

On motion of Rep. Montgomery, the amendments were adopted.

Rep. Thompson sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Thompson to Engrossed House Bill No. 2050 by Representative Montgomery

AMENDMENT NO. 1

On page 3, at the end of line 24, insert "The State Licensing Board for Contractors shall ensure that in each parish there is provided at least one course in HVACR work through an accredited school."

Rep. Thompson moved the adoption of the amendments.

Rep. Montgomery objected.

By a vote of 38 yeas and 56 nays, the amendments were rejected.

**Acting Speaker Jane Smith in the Chair**

Rep. Montgomery moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Montgomery
Alario	Futrell	Morrell
Ansardi	Gallot	Pierre
Baylor	Glover	Pinac
Bruce	Guillory	Pitre
Carter, K	Heaton	Quezaire
Cazayoux	Hebert	Richmond
Clarkson	Holden	Romero
Damico	Hutter	Schwegmann
Daniel	Iles	Shaw
Dartez	Jackson, L	Smith, G.—56th
Devillier	Jackson, M	Smith, J.H.—8th
Diez	Johns	Smith, J.R.—30th
Donelon	LaFleur	Stelly
Durand	Lancaster	Townsend
Erdey	Landrieu	Triche
Farrar	LeBlanc	Waddell
Faucheux	Martiny	
Flavin	McCallum	
Total—55		

NAYS

Alexander, E	Hopkins	Riddle
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Alexander, R	Hunter	Salter
Baudoin	Katz	Scalise
Bowler	Kennard	Schneider
Broome	Kenny	Smith, J.D.—50th
Bruneau	Lucas	Strain
Carter, R	McDonald	Thompson
Crane	McVea	Toomy
Crowe	Morrish	Tucker
Curtis	Murray	Walsworth
Doerge	Nevers	Welch
Downer	Odinet	Winston
Fruge	Perkins	Wooton
Green	Powell	Wright
Hill	Pratt	
Total—44		

ABSENT

Hammett	McMains	Swilling
Hudson	Sneed	
Total—5		

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

**Speaker DeWitt in the Chair**

**HOUSE BILL NO. 1164—**

BY REPRESENTATIVE LUCAS

AN ACT

To amend and reenact R.S. 33:4701(B) and 4702(B)(1), (2)(introductory paragraph), and (4) and (C)(1) and to enact R.S. 33:4702(B)(2)(j), relative to the New Orleans Business and Industrial District; to provide relative to the boundaries of the district; to provide relative to the membership of the board of commissioners; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Lucas sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lucas to Engrossed House Bill No. 1164 by Representative Lucas

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 33:4702(2)(introductory paragraph)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "paragraph), and (4) and (C)(1)"

AMENDMENT NO. 3

On page 1, line 4, delete "to provide"

AMENDMENT NO. 4

On page 1, at the beginning of line 5, delete "relative to the boundaries of the district;"

AMENDMENT NO. 5

On page 1, line 12, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S. 33:4702(2)(introductory paragraph) is hereby amended and reenacted and"

AMENDMENT NO. 6

On page 1, delete line 13 in its entirety

AMENDMENT NO. 7

On page 1, at the beginning of line 14, insert "R.S."

AMENDMENT NO. 8

On page 1, delete lines 15 through 18 in their entirety

AMENDMENT NO. 9

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

AMENDMENT NO. 10

On page 3, delete lines 1 through 25 in their entirety

AMENDMENT NO. 11

On page 4, delete lines 1 and 2 in their entirety

AMENDMENT NO. 12

On page 4, line 5, change "B.(1)" to "B." and delete the remainder of the line

AMENDMENT NO. 13

On page 4, delete lines 6 through 18 in their entirety and insert in lieu thereof the following:

"\* \* \*

AMENDMENT NO. 14

On page 4, at the beginning of line 24, insert "reside within the New Orleans Business and Industrial District and who shall"

AMENDMENT NO. 15

On page 5, delete lines 1 through 24 in their entirety

AMENDMENT NO. 16

On page 6, delete lines 1 through 3 in their entirety

On motion of Rep. Lucas, the amendments were adopted.

Rep. Lucas moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pitre
Alario	Heaton	Powell
Ansardi	Holden	Pratt
Baylor	Hunter	Quezaire
Broome	Hutter	Richmond
Bruce	Jackson, L.	Riddle
Carter, K	Jackson, M	Romero
Carter, R	Johns	Schwegmann
Cazayoux	Katz	Shaw
Clarkson	Kennard	Smith, G.—56th
Curtis	LaFleur	Smith, J.D.—50th
Damico	Landrieu	Smith, J.R.—30th
Diez	Lucas	Stelly
Erdey	Martiny	Strain
Farrar	McCallum	Swilling
Faucheux	McVea	Toomy
Frith	Montgomery	Townsend
Futrell	Morrell	Tucker
Gallot	Murray	Walsworth
Glover	Nevers	Welch
Green	Perkins	
Guillory	Pierre	

Total—64

NAYS

Alexander, E	Durand	Pinac
Alexander, R	Flavin	Salter
Baudoin	Fruge	Scalise
Bowler	Hill	Schneider
Bruneau	Hopkins	Smith, J.H.—8th
Crane	Iles	Thompson
Crowe	Kenney	Waddell
Daniel	Lancaster	Winston
Devillier	LeBlanc	Wooton
Doerge	Morrish	
Donelon	Odinet	

Total—31

ABSENT

Dartez	Hudson	Sneed
Downer	McDonald	Triche
Hebert	McMains	Wright

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lucas moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 310—**

BY REPRESENTATIVES MONTGOMERY, SHAW, JANE SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 46:2625(A)(1)(a) and (B), relative to health care provider fees; to reduce the maximum fee the Department of Health and Hospitals may impose for occupied nursing home beds; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 310 by Representative Montgomery, et al.

AMENDMENT NO. 1

Delete the set of floor amendments proposed by Representative Shaw and adopted by the House on May 29, 2001

Rep. Hebert moved the adoption of the amendments.

Rep. LeBlanc objected.

By a vote of 16 yeas and 81 nays, the amendments were rejected.

Rep. Montgomery moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Glover	Riddle
Baylor	Guillory	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Holden	Schwegmann
Clarkson	Hutter	Shaw
Crowe	Jackson, M	Smith, G.—56th
Damico	Kennard	Smith, J.D.—50th
Daniel	LaFleur	Smith, J.H.—8th
Dartez	McCallum	Strain
Devillier	McVea	Toomy
Doerge	Montgomery	Townsend
Donelon	Morrell	Waddell
Erdey	Odinet	Welch
Frith	Perkins	Wright
Futrell	Pratt	
Gallot	Quezaire	

Total—49

NAYS

Mr. Speaker	Hammett	Murray
Alario	Hill	Nevers
Alexander, E	Hopkins	Pierre
Alexander, R	Hudson	Pinac
Baudoin	Hunter	Pitre
Bruneau	Iles	Powell
Carter, K	Jackson, L	Richmond
Carter, R	Johns	Salter
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Diez	Landrieu	Swilling
Farrar	LeBlanc	Thompson
Faucheux	Lucas	Tucker
Flavin	Martiny	Walsworth
Fruge	McMains	Winston
Green	Morrish	Wooton

Total—51

**ABSENT**

Downer McDonald  
Durand Triche  
Total—4

The Chair declared the above bill failed to pass.

Rep. LeBlanc moved to reconsider the vote by which the above bill failed to pass and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Walsworth, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

**SENATE BILL NO. 4—**

BY SENATORS HINES AND DARDENNE

**A JOINT RESOLUTION**

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to provide for the consideration of certain legislative instruments during regular sessions; to provide relative to subject matter limitations for and the duration of regular sessions; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as related thereto; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 31, 2001

To the Honorable Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 94  
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**HOUSE BILLS**

May 31, 2001

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 139  
Returned with amendments.

House Bill No. 178  
Returned with amendments.

House Bill No. 367  
Returned with amendments.

House Bill No. 554  
Returned with amendments.

House Bill No. 674  
Returned with amendments.

House Bill No. 949  
Returned with amendments.

House Bill No. 1301  
Returned with amendments.

House Bill No. 1736  
Returned with amendments.

House Bill No. 1779  
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 31, 2001

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 1045

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE RESOLUTION NO. 103—**  
BY REPRESENTATIVES DOWNER AND CLARKSON  
A RESOLUTION

To commend the National D-Day Museum upon preparation for the dedication of the Pacific Wing in December of 2001.

Read by title.

On motion of Rep. Downer, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 104—**  
BY REPRESENTATIVE DOWNER  
A RESOLUTION

To commend the 2000-2001 School Volunteers of the Year.

Read by title.

On motion of Rep. Downer, and under a suspension of the rules, the resolution was adopted.

**HOUSE RESOLUTION NO. 105—**  
BY REPRESENTATIVE BROOME  
A RESOLUTION

To express the sincere condolences of the House of Representatives of the Legislature of Louisiana upon the untimely death of Danielle Patrice Porter of Baton Rouge.

Read by title.

On motion of Rep. Broome, and under a suspension of the rules, the resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 193—**  
BY REPRESENTATIVE GLOVER  
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Southern University and Agricultural and Technical College, as management board of Southern University at Shreveport, to study the feasibility of building a residential retirement center.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 194—**  
BY REPRESENTATIVE PINAC  
A CONCURRENT RESOLUTION

To establish a study committee to determine the effect of the Unfair Sales Law on retail sales of all goods made in this state and the impact of any changes made to such law on Louisiana consumers.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 195—**  
BY REPRESENTATIVE BROOME  
A CONCURRENT RESOLUTION

To commend Leon Gales of Baton Rouge upon being named a Dow Chemical Comeback Kid for 2001.

Read by title.

On motion of Rep. Broome, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 196—**  
BY REPRESENTATIVE BROOME  
A CONCURRENT RESOLUTION

To commend Kimber J. Payne of Baton Rouge upon being named a Dow Chemical Comeback Kid for 2001.

Read by title.

On motion of Rep. Broome, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 197—**  
BY REPRESENTATIVE BROOME  
A CONCURRENT RESOLUTION

To Commend LaClaudium Ootsey of Baton Rouge upon being named a Dow Chemical Comeback Kid for 2001.

Read by title.

On motion of Rep. Broome, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 198—**  
BY REPRESENTATIVE PITRE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to support, with funding, the expeditious implementation of the proposed Bayou Lafourche restoration and diversion project from the Mississippi River.

Read by title.

On motion of Rep. Pitre, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

May 31, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 112, by Flavin  
Reported favorably. (11-0) (Regular)

House Bill No. 426, by Futrell  
Reported with amendments. (6-0) (Regular)

House Bill No. 1042, by Wooton  
Reported with amendments. (7-0) (Regular)

House Bill No. 1370, by Thompson  
Reported with amendments. (6-0) (Regular)

House Bill No. 1669, by Morrell  
Reported favorably. (10-0) (Regular)

House Bill No. 1670, by Morrell  
Reported favorably. (11-0) (Regular)

House Bill No. 1958, by Futrell  
Reported favorably. (7-0) (Regular)

House Bill No. 1987, by Thompson  
Reported favorably. (6-0) (Regular)

Senate Concurrent Resolution No. 124, by Johnson  
Reported with amendments. (11-0)

Senate Bill No. 196, by Ullo  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 345, by Dardenne  
Reported favorably. (7-0) (Regular)

Senate Bill No. 400, by Malone  
Reported favorably. (10-0) (Regular)

Senate Bill No. 803, by Dardenne  
Reported favorably. (7-0) (Regular)

Senate Bill No. 866, by Campbell  
Reported with amendments. (7-0) (Regular)

Senate Bill No. 884, by Marionneaux  
Reported with amendments. (6-0) (Regular)

Senate Bill No. 962, by Irons  
Reported with amendments. (5-4) (Regular)

Senate Bill No. 1011, by Lentini  
Reported favorably. (6-0) (Regular)

DANIEL MARTINY  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on Education**

May 31, 2001

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 146, by Faucheux  
Reported favorably. (14-0)

House Bill No. 815, by Karen Carter  
Reported with amendments. (13-0) (Regular)

Senate Concurrent Resolution No. 116, by Dardenne  
Reported favorably. (14-0)

Senate Concurrent Resolution No. 118, by Dardenne  
Reported favorably. (14-0)

Senate Concurrent Resolution No. 121, by Dardenne  
Reported favorably. (14-0)

Senate Bill No. 212, by Irons  
Reported favorably. (14-0) (Regular)

Senate Bill No. 247, by Schedler  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 280, by Dardenne  
Reported favorably. (11-4) (Regular)

Senate Bill No. 438, by Dardenne  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 755, by C. D. Jones  
Reported favorably. (14-0) (Regular)

Senate Bill No. 792, by Irons  
Reported favorably. (14-0) (Regular)

Senate Bill No. 1032, by Malone  
Reported favorably. (13-0) (Regular)

Senate Bill No. 1052, by Smith  
Reported favorably. (14-0) (Regular)

CARL CRANE  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on Health and Welfare**

May 31, 2001

To the Speaker and Members of the House of Representatives:

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

House Bill No. 865, by Johns  
Reported with amendments. (11-0) (Regular)

House Bill No. 2010, by Jack Smith  
Reported with amendments. (12-1) (Regular)

Senate Concurrent Resolution No. 10, by C. D. Jones  
Reported favorably. (13-0)

Senate Concurrent Resolution No. 20, by Hines  
Reported with amendments. (11-0)

Senate Concurrent Resolution No. 28, by Bajoie  
Reported favorably. (11-0)

Senate Concurrent Resolution No. 58, by Thomas  
Reported favorably. (13-0)

Senate Concurrent Resolution No. 92, by Hines  
Reported favorably. (11-0)

Senate Bill No. 25, by Hines  
Reported with amendments. (8-5) (Regular)

Senate Bill No. 109, by Hines  
Reported with amendments. (13-0) (Regular)

Senate Bill No. 335, by B. Jones  
Reported favorably. (13-0) (Regular)

Senate Bill No. 361, by Hines  
Reported with amendments. (11-6) (Regular)



Senate Bill No. 525, by Ellington  
Reported with amendments. (15-0) (Regular)

Senate Bill No. 633, by Dardenne  
Reported favorably. (11-0) (Regular)

Senate Bill No. 722, by Hainkel  
Reported with amendments. (11-0) (Regular)

Senate Bill No. 732, by Hines  
Reported favorably. (17-0) (Regular)

Senate Bill No. 751, by Mount  
Reported favorably. (16-0) (Regular)

Senate Bill No. 816, by Mount  
Reported favorably. (15-0) (Regular)

Senate Bill No. 1028, by McPherson  
Reported favorably. (11-0) (Regular)

Senate Bill No. 1036, by Bajoie  
Reported favorably. (11-0) (Regular)

RODNEY ALEXANDER  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Report of the Committee on  
House and Governmental Affairs**

May 31, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental  
Affairs to submit the following report:

Senate Concurrent Resolution No. 17, by C. Fields  
Reported with amendments. (13-0)

Senate Concurrent Resolution No. 102, by C. D. Jones  
Reported with amendments. (11-0)

Senate Bill No. 592, by Michot  
Reported favorably. (13-0) (Regular)

Senate Bill No. 974, by Ullo  
Reported with amendments. (8-5) (Regular)

Senate Bill No. 1007, by Bean  
Reported favorably. (13-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

The above Senate Bills reported favorably or with amendments  
were referred to the Legislative Bureau.

**Suspension of the Rules**

On motion of Rep. Walsworth, the rules were suspended to permit  
the Committee on Civil Law and Procedure to meet upon adjournment  
on Thursday, May 31, 2001, without giving the notice required by  
House Rule 14.24(A) and consider the following legislative instruments  
that were not listed on the weekly committee schedule as required by  
House Rule 14.23:

House Bill No. 485

**Suspension of the Rules**

On motion of Rep. Schneider, the rules were suspended to permit  
the Committee on Retirement to meet on Friday, June 1, 2001, and  
consider the following legislative instruments that were not listed on the  
weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 154 and 1410

Senate Bill Nos. 801, 833, and 1000

**Suspension of the Rules**

On motion of Rep. Broome, the rules were suspended to permit  
the Committee on Municipal, Parochial and Cultural Affairs to meet on  
Friday, June 1, 2001, and consider the following legislative instruments  
that were not listed on the weekly committee schedule as required by  
House Rule 14.23:

Senate Bill No. 1018

**Suspension of the Rules**

On motion of Rep. Toomy, the rules were suspended to permit the  
Committee on Judiciary to meet on Friday, June 1, 2001, and consider  
the following legislative instruments that were not listed on the weekly  
committee schedule as required by House Rule 14.23:

House Bill No. 2031

**Adjournment**

On motion of Rep. Kenney, at 5:45 P.M., the House agreed to  
adjourn until Friday, June 1, 2001, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00  
P.M., Friday, June 1, 2001.

ALFRED W. SPEER  
Clerk of the House

