

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-FIRST DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, June 5, 2001

The House of Representatives was called to order at 2:30 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	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	Triche
Durand	McDonald	Tucker
Erdey	McMains	Waddell
Farrar	McVea	Walsworth
Faucheux	Montgomery	Welch

Flavin	Morrell	Winston
Frith	Morrish	Wooton
Fruge	Murray	Wright
Futrell	Nevers	
Gallot	Odinet	
Total—103		

ABSENT

Schwegmann
Total—1

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Father Frank Coco.

Pledge of Allegiance

Rep. Dartez 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. Morrish, the reading of the Journal was dispensed with.

On motion of Rep. Kennard, and under a suspension of the rules, the Journal of June 4, 2001, was corrected to reflect him as voting nay on final passage of House Bill No. 1042.

On motion of Rep. Morrish, the Journal of June 4, 2001, was adopted.

Suspension of the Rules

On motion of Rep. Frith, 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.

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Resolutions have been properly enrolled:

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.

HOUSE RESOLUTION NO. 98—

BY REPRESENTATIVES PRATT
A RESOLUTION

To recognize Wednesday, May 30, 2001, as Red and White Day at the Legislature of Louisiana and to commend Delta Sigma Theta Sorority for its tireless dedication to excellence and service and promotion of human welfare.

HOUSE RESOLUTION NO. 99—

BY REPRESENTATIVE DOWNER
A RESOLUTION

To commend all veterans and Ole War Skule Cadets who attended Louisiana State University and to recognize LSU Salutes.

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HOUSE RESOLUTION NO. 100—

BY REPRESENTATIVE PRATT

A RESOLUTION

To commend the New Orleans Alumnae Chapter of Delta Sigma Theta Sorority, Inc. for their support of World No Tobacco Day.

HOUSE RESOLUTION NO. 101—

BY REPRESENTATIVE PERKINS

A RESOLUTION

To commend Ruby Walette Foil of Bellingrath Hills Elementary School for her dedication to the public school system and its students and to congratulate her upon being named the 2001 Principal of the Year for East Baton Rouge Parish for elementary schools.

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.

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.

HOUSE RESOLUTION NO. 104—

BY REPRESENTATIVE DOWNER

A RESOLUTION

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

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.

HOUSE RESOLUTION NO. 108—

BY REPRESENTATIVES DAMICO AND THOMPSON

A RESOLUTION

To commend Louis Emmanuel Jung upon his retirement as an Assistant Sergeant at Arms of the Louisiana House of Representatives.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to imprint Louisiana Purchase Bicentennial license plates for private passenger motor vehicles and to issue such plates from January 2002 through December 2003, or until the Department of Public Safety and Corrections depletes its inventory of such plates.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study common driver distractions, including communications technology and nontechnological activities, and submit recommendations to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE FLAVIN

A CONCURRENT RESOLUTION

To create a task force to study the criminal trespass statutes and to report its findings to the Louisiana Legislature prior to January 1, 2003.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To direct the Public Retirement Systems' Actuarial Committee to study the total annual cost to all applicable institutions and the total annual cost attributable to each institution affected by the implementation of the provisions of R.S. 11:707(F) and to furnish a report to the House Retirement Committee and House Education Committee and the Senate Retirement Committee and Senate Education Committee and their staffs on or before the thirty-first day of December of each year that R.S. 11:707(F) is in effect, with each such report covering the period of July first through June thirtieth immediately preceding the reporting date, and to submit a comprehensive report on or before December 31, 2005.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, through its secretary, to seek waivers to implement the Medicaid-funded adult residential assisted living pilot project.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide Medicaid reimbursement for previously owned durable medical equipment.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE DURAND AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Commission on Child Abuse Multidisciplinary Teams created during the 2000 Regular Session pursuant to Senate Concurrent Resolution No. 5.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To request the secretary of state to study and make recommendations regarding the issuance of statewide commissions for non-attorney notaries public and to report his findings to the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A prior to January 1, 2003.

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE LANDRIEU

A CONCURRENT RESOLUTION

To create the Joint Legislative Juvenile Justice Commission and the Ad Hoc Juvenile Justice Advisory Board to study and make recommendations on the feasibility of reforming and restructuring the juvenile justice system as it faces the challenges of the new millennium.

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR BAJOE

A CONCURRENT RESOLUTION

To re-create the Louisiana Child Day Care Task Force to continue its study of the current law and regulations governing child day care facilities and workers in Louisiana, comparing our state to other states and any federal or national day care standards; to devise a plan for implementation of the recommendations in the report the task force submitted to the legislature; and to continue to make recommendations for changes in the laws, rules, and regulations governing child day care facilities and workers in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVES WINSTON, R. ALEXANDER, CLARKSON, DARTEZ, DOERGE, DURAND, GLOVER, ILES, L. JACKSON, M. JACKSON, KATZ, McDONALD, SCHWEGMANN, SHAW, AND WELCH AND SENATORS BAJOE AND MOUNT

A CONCURRENT RESOLUTION

To urge and request the Departments of Education, Health and Hospitals, and Social Services to maximize available federal resources to expand child care assistance.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVES WINSTON, R. ALEXANDER, DOERGE, DURAND, GLOVER, ILES, L. JACKSON, M. JACKSON, KATZ, McDONALD, SCHWEGMANN, SHAW, WELCH, BAUDOIN, AND HOLDEN AND SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to participate fully in any federal grant program that would be beneficial to women with breast cancer, including but not limited to a program which would enhance the state's ability to provide Medicaid coverage to women with breast cancer.

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To designate September as Aneurysm Awareness Month in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Barbe High School baseball team of Lake Charles for winning the 2001 Class 5A state high school championship and to congratulate the Barbe Buccaneers for their outstanding performance during the season.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVES LAFLEUR, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DeWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LANCASTER, LANDRIEU, LeBLANC, LUCAS, MARTINY, McCALLUM, McDONALD, McMAINS, McVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATOR DUPRE

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.

HOUSE CONCURRENT RESOLUTION NO. 192—

BY REPRESENTATIVES LAFLEUR, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DeWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LANCASTER, LANDRIEU, LeBLANC, LUCAS, MARTINY, McCALLUM, McDONALD, McMAINS, McVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATOR DUPRE

A CONCURRENT RESOLUTION

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

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 45—BY REPRESENTATIVES MONTGOMERY AND JANE SMITH
AN ACT

To amend and reenact R.S. 33:106.1(A)(introductory paragraph), relative to planning commissions in Bossier Parish; to provide relative to a commission's jurisdiction over certain subdivided parcels of land outside of municipalities; and to provide for related matters.

HOUSE BILL NO. 139—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E)(1) and to enact Code of Civil Procedure Article 4843(I), relative to the Pineville City Court; to increase the jurisdictional amount in civil matters; and to provide for related matters.

HOUSE BILL NO. 158—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 56:31(C), (D), and (E), relative to penalties and enforcement procedures for certain hunting and fishing violations; to authorize the secretary of the Department of Wildlife and Fisheries to assess adjudicatory costs and a late penalty; to authorize the secretary to institute civil proceedings to enforce

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rulings regarding class one violations; to provide relative to awarding attorney fees, judicial interest, and costs; and to provide for related matters.

HOUSE BILL NO. 163—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 38:1766(A)(3), relative to Gravity Drainage District No. 1 of Rapides Parish; to provide for the salary of the secretary-treasurer of the board of commissioners of such district; and to provide for related matters.

HOUSE BILL NO. 165—

BY REPRESENTATIVES DIEZ, CAZAYOUX, FRITH, HAMMETT, JOHNS,
AND PINAC AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 38:2212(E), relative to contracts for public works let by publicly owned utilities; to remove required bidding procedures applicable to work done for the contract limit or less; to authorize public entities to use certain maintenance employees for certain projects; and to provide for related matters.

HOUSE BILL NO. 176—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 14:65.2, relative to misappropriation with violence; to create the crime of aggravated robbery; to define serious bodily injury; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 201—

BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 33:3837, relative to certain revenues in a parishwide waterworks district in DeSoto Parish; to prohibit diversion of such revenues; and to provide for related matters.

HOUSE BILL NO. 295—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 34:3269(8), relative to the Cane River Waterway Commission; to authorize the commission to levy an annual tax not to exceed six mills for capital outlay and for maintenance and operation of the waterway; and to provide for related matters.

HOUSE BILL NO. 388—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 32:171(F), relative to railroad grade crossings; to provide with respect to penalties; to require persons who violate laws relating to railroad crossing signals and warning devices to attend an Operation Lifesaver Course; to require the Operation Lifesaver Program to design a safe driver's course; and to provide for related matters.

HOUSE BILL NO. 399—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 33:3813(K), relative to Waterworks District No. 3 of the Parish of Rapides, State of Louisiana; to provide for the membership of the board of commissioners; to provide for implementation of the Act; and to provide for related matters.

HOUSE BILL NO. 405—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 33:4067.1, relative to parish water and sewerage commissions; to authorize water and sewerage commissions in St. Bernard Parish to retain unclaimed or abandoned water deposits to their credit; to provide with respect to reports and notices regarding such unclaimed or abandoned deposits; and to provide for related matters.

HOUSE BILL NO. 441—

BY REPRESENTATIVE POWELL AND SENATOR LAMBERT
AN ACT

To enact R.S. 15:255(G), relative to the special funds in each of the parishes in the Twenty-First Judicial District which are used for the payment of witness fees to off-duty law enforcement officers; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

HOUSE BILL NO. 478—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 38:1794(A)(2)(a), (B), (F), and (G), relative to the compensation of members of the boards of commissioners of certain drainage districts; to provide for an increase in the maximum per diem of such members; and to provide for related matters.

HOUSE BILL NO. 538—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to city court jurisdiction; to increase the jurisdictional limitation in the city court of Port Allen, the city court of Ruston, and the city court of Oakdale; and to provide for related matters.

HOUSE BILL NO. 562—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 16:2(B) and R.S. 42:261(G), relative to the governing authority of the parish of Calcasieu; to authorize the parish governing authority to employ or retain its own attorney; and to provide for related matters.

HOUSE BILL NO. 567—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 46:1053(N) and to enact R.S. 46:1053(C)(2)(c), relative to the North Caddo Hospital Service District; to provide relative to increasing the membership of the board of commissioners; to provide relative to the terms of office and per diem of the members of the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 596—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to workers' compensation; to allow motions for new trial in workers' compensation hearings; and to provide for related matters.

HOUSE BILL NO. 627—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 38:3087.73(C); to provide for the members of the Board of Commissioners of the Caddo Lake Watershed District to have staggered terms; and to provide for related matters.

HOUSE BILL NO. 657—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:433(B)(6) and (7) and 434(B)(6), (7), and (8) and to enact R.S. 18:433(B)(8) and 434(B)(9), relative to the selection process for commissioners and commissioners-in-charge; to provide that the parish board of election supervisors may opt to select the commissioner-in-charge of any precinct without using the selection process; to provide that the parish board of election supervisors may opt to select one commissioner for each precinct without using the selection process; to provide that the parish board of election supervisors must vote unanimously for

each precinct for which it makes such a selection of a commissioner-in-charge or commissioner; and to provide for related matters.

HOUSE BILL NO. 692—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 33:9058.3 and 9101.1, relative to certain revenues of certain parishwide districts in DeSoto Parish; to prohibit diversion of such revenues; and to provide for related matters.

HOUSE BILL NO. 731—
BY REPRESENTATIVE MURRAY AND SENATOR JOHNSON
AN ACT

To amend and reenact R.S. 13:2576(H)(2)(h), relative to administrative adjudication of certain violations; to provide for the seizure and sale of certain property for the failure to pay fines; to provide authority of the New Orleans Redevelopment Authority to purchase seized property; to provide for the purchase price of the property; and to provide for related matters.

HOUSE BILL NO. 737—
BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE
AN ACT

To enact R.S. 33:2740.51, to create an economic development district in East Baton Rouge Parish; to provide for governance and administration of the district; to provide for the powers and duties of the governing authority, including the authority to levy taxes and issue bonds subject to voter approval; and to provide for related matters.

HOUSE BILL NO. 800—
BY REPRESENTATIVES DONELON AND FLAVIN
AN ACT

To amend and reenact R.S. 32:900(L), relative to automobile liability policies; to provide for the named insured; to provide for exclusions; to provide for agreements; to provide for legislative intent; to legislatively overrule certain case law; and to provide for related matters.

HOUSE BILL NO. 930—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 33:2214(D), relative to police; to provide that certain benefits are applicable to employees of the Baton Rouge Metropolitan Airport Police/Aircraft Rescue Fire Fighting unit; and to provide for related matters.

HOUSE BILL NO. 942—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to compulsory motor vehicle liability security; to provide relative to certain sanctions for violations of the motor vehicle liability security provisions; to reduce certain reinstatement fees for certain violations; and to provide for related matters.

HOUSE BILL NO. 946—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

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

HOUSE BILL NO. 948—
BY REPRESENTATIVES R. ALEXANDER AND MCMAINS
AN ACT

To repeal Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 and 2802, relative to long-term care assistance; repeals the Long-Term Care Assistance Program administered by the Office of Elderly Affairs.

HOUSE BILL NO. 1118—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:3715.1(J) and R.S. 37:2804(A), 2805(B)(1) (introductory paragraph) and (f) and (g), 2809(A)(1) and (4), 2814, and 2816(B), to enact R.S. 37:2802(G), 2804(J), and 2805(B)(2), and to repeal R.S. 37:2816(A)(16), relative to chiropractors and the Louisiana State Board of Chiropractic Examiners; to provide for additional powers and duties of the board; to provide for removal of non-participating board members; to provide for alternative examination requirements; to provide for an increase in license application and renewal fees; to provide for waiver of renewals while on active duty in the military; to provide for an increase in fines for suspended and revoked licenses; and to provide for related matters.

HOUSE BILL NO. 1150—
BY REPRESENTATIVES WINSTON AND STRAIN
AN ACT

To authorize the St. Tammany Parish School Board to name the stadium facility at Covington High School "Jack Salter Stadium"; and to provide for related matters.

HOUSE BILL NO. 1153—
BY REPRESENTATIVE BRUCE
AN ACT

To enact R.S. 33:381(C)(21), relative to the village of Longstreet; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter into a cooperative endeavor for law enforcement services; and to provide for related matters.

HOUSE BILL NO. 1154—
BY REPRESENTATIVE STELLY
AN ACT

To enact Subpart B-4 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.71 through 130.73, relative to creation of the Ward One Economic Development Board of Calcasieu Parish to promote, encourage, and participate in economic development activities in the Ward One area of Calcasieu Parish; to provide for the composition, powers, and functions of the board; and to provide for related matters.

HOUSE BILL NO. 1190—
BY REPRESENTATIVE SCHWEGMANN AND SENATOR BOISSIERE
AN ACT

To amend and reenact R.S. 38:336(B)(2)(b), relative to property of the Orleans Levee District along Lake Pontchartrain; to exempt a specified piece of property from dedication to use as green space; to provide for sale or lease of such property; and to provide for related matters.

HOUSE BILL NO. 1220—
BY REPRESENTATIVE TOOMY AND SENATORS HEITMEIER, HOLLIS, LENTINI, AND ULLO
AN ACT

To enact R.S. 33:4341.2 and R.S. 46:1064.2, relative to hospital service districts in Jefferson Parish; to provide relative to the sale or lease of any hospital owned by a hospital service district in Jefferson

Parish; to provide relative to approval of any such sale or lease; and to provide for related matters.

HOUSE BILL NO. 1236—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:333(A)(1) and (6), (F)(11), and (I)(1) and to enact R.S. 6:333(A)(2.1) and (11) and (F)(15), relative to banks; to provide for definitions; to provide for disclosure of certain records by banks; to limit liability for disclosure of certain information; and to provide for related matters.

HOUSE BILL NO. 1300—

BY REPRESENTATIVES SNEED, GREEN, AND LANCASTER

AN ACT

To amend and reenact R.S. 33:172.1, relative to municipal annexation procedures in Jefferson Parish; to provide relative to requirements for annexation; to provide relative to petitioning to annex territory in Jefferson Parish and requirements for petitions; to provide requirements relative to areas to be annexed; to provide relative to approval of annexation; to provide relative to suits to contest proposed extensions of corporate limits; and to provide for related matters.

HOUSE BILL NO. 1532—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact Act No. 487 of the 1954 Regular Session of the Legislature, as amended and reenacted by Act No. 655 of the 1997 Regular Session of the Legislature, relative to the civil service system for the employees of the city of Alexandria; to provide for the governance and the administration of the system; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 5, 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. 195
Returned without amendments.

House Concurrent Resolution No. 196
Returned without amendments.

House Concurrent Resolution No. 197
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

SENATE BILL NO. 254—

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 9:1783(A)(2), relative to trustees; to provide that a bank or trust company authorized to exercise fiduciary powers may serve as a trustee of a trust; and to provide for related matters.

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

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. 206—

BY REPRESENTATIVE MARTINY AND SENATOR CAIN

A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

Motion

On motion of Rep. Clarkson, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Concurrent Resolution No. 200.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to review the contract awarded to TransCore Inc. of Dallas for the purpose of designing and installing an electronic toll-tag collection system on the Crescent City Connection Bridge and to review the management operations at the Crescent City Connection.

Read by title.

Motion

On motion of Rep. Clarkson, the resolution was withdrawn from the files of the House.

**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. 107—

BY REPRESENTATIVES FAUCHEUX, E. ALEXANDER, BROOME, BRUCE, FRITH, M. JACKSON, LAFLEUR, NEVERS, GARY SMITH, AND SNEED

A RESOLUTION

To urge and request the Louisiana Department of Economic Development to develop strategies, including but not limited to the establishment of certain incentives, to encourage the merchant power development industry in this state to build new electric generating plants and to upgrade and expand the transmission grid.

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 Resolution No. 107 by Representative Faucheux

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:

"WHEREAS, any new electric generating plants to be located in this state should utilize waste water, surface waters, or both, rather than water aquifers, which are used as sources of drinking water for the citizens of Louisiana; and"

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

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

HOUSE CONCURRENT RESOLUTION NO. 174—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

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

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 Concurrent Resolution No. 174 by Representative Daniel

AMENDMENT NO. 1

On page 1, at the end of line 4, before the period "." insert the following:

"and to erect directional signs in West Monroe indicating the location of Antique Alley located on Louisiana Highway 80"

AMENDMENT NO. 2

On page 2, at the end of line 11, before the period "." insert the following:

"and to erect directional signs in West Monroe indicating the location of Antique Alley located on Louisiana Highway 80"

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

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

HOUSE CONCURRENT RESOLUTION NO. 182—

BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to exchange portions of certain state highways for certain roads located in Catahoula Parish.

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 Concurrent Resolution No. 182 by Representative Wright

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 2, after "hereby" and before "the" delete "direct" and insert "urge and request"

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

On motion of Rep. Diez, the resolution, as amended, 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. 4—
BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND
REPRESENTATIVES LANCASTER AND MONTGOMERY
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact federal legislation providing for a method for a state to require all out-of-state sellers to collect the state's sales tax on their "remote sales".

Read by title.

Reported favorably by the Committee on Ways and Means.

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR ULLO
A CONCURRENT RESOLUTION

To urge and request the division of administration to review and update the state bid specifications under "General Requirements for Fish and Fishery Products (Class 14)".

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. 1485—
BY REPRESENTATIVES PINAC AND BRUNEAU
AN ACT

To amend and reenact R.S. 36:4.1(B)(1), to enact Chapter 6-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:561 through 608, and to repeal R.S. 37:491 through 556, relative to cosmetology; to provide relative to definitions; to provide for the creation of the Louisiana Board of Cosmetology; to provide for the membership and powers and duties of the board; to provide for the conduct of board business; to provide for the compensation of board members; to prohibit certain information from being divulged; to provide for the "Cosmetologists' Board Fund"; to prohibit certain activities without a certificate of registration; to establish qualifications for certificates; to provide for continuing education for teachers; to provide for temporary and special permits; to establish an examination team and to provide for conducting examinations; to provide for inactive certificates and reactivations; to provide for certificates for managers; to provide for renewals of certificates; to provide for the registration and regulation of beauty shops; to prohibit the employment of certain persons at beauty shops; to provide for booth rental permits; to provide for the registration and regulation of cosmetology schools; to provide for the regulation of satellite classrooms; to require the display of certificates; to provide for records to be maintained; to provide for fees assessed; to provide for grounds for certain administrative actions by the board; to provide for fines assessed by inspectors; to provide for investigations; to provide for violations and penalties; to allow the board to institute actions for injunctions; to allow the board to petition for certain court orders; to provide for the review of board orders; and to provide for related matters.

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. 1485 by Representatives Pinac and Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "36:" and before "to" delete "109(B)(4)," and insert in lieu thereof "4.1(B)(1)."

AMENDMENT NO. 2

On page 2, delete lines 11 through 22, and insert in lieu thereof the following:

"Section 1. R.S. 36:4.1(B)(1) is hereby amended and reenacted to read as follows:

§4.1. Agencies transferred from the Department of Economic Development to the office of the governor; agencies placed within the office of the governor

* * *

B. The following agencies, as defined in R.S. 36:3, are hereby transferred to and shall be placed within the office of the governor and shall perform and exercise their powers, duties, functions, and responsibilities as provided in R.S. 36:801:

(1) The Louisiana State Board of Cosmetology (R.S. 37:~~491~~
~~through 556~~ 561 through 608).

* * *"

AMENDMENT NO. 3

On page 5, line 6, after "condition" and before the period "." insert a comma "," and "or the process of removing hair known as electrolysis"

AMENDMENT NO. 4

On page 5, delete lines 12 and 13

AMENDMENT NO. 5

On page 6, line 6, after "compensation" and before the period "." insert "within a school"

AMENDMENT NO. 6

On page 7, line 14, after "be" delete the remainder of the line, and at the beginning of line 15, delete "the executive director and"

AMENDMENT NO. 7

On page 8, line 2, after "be" delete the remainder of the line, and at the beginning of line 3, delete "and"

AMENDMENT NO. 8

On page 9, line 20, after "operation" and before "licensed" delete "any" and insert in lieu thereof "at least two times per year each beauty shop, salon, and"

AMENDMENT NO. 9

On page 9, line 21, after "or" and before the comma "," change "person" to "school"

AMENDMENT NO. 10

On page 13, line 2, after "this" and before "or" change "Part" to "Chapter"

AMENDMENT NO. 11

On page 13, line 3, after "the" and before "of" change "purpose" to "purposes"

AMENDMENT NO. 12

On page 13, line 4, change "Part." to "Chapter."

AMENDMENT NO. 13

On page 13, at the end of line 13, insert a semicolon ";" and "exemptions"

AMENDMENT NO. 14

On page 13, at the end of line 15, insert "area of"

AMENDMENT NO. 15

On page 14, between lines 5 and 6, insert the following:

"C. Facilities licensed by the Louisiana Board of Barber Examiners shall be exempt from the provisions of this Chapter.

D.(1) Nothing in this Chapter shall prohibit a barber licensed by the Louisiana Board of Barber Examiners from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto, in a beauty shop or salon as long as he is working in the appropriate designated area.

(2) Nothing in this Chapter shall prohibit a certified cosmetologist from working in a facility licensed by the Louisiana Board of Barber Examiners, provided that he is in compliance with the provisions of this Chapter, and any rules and regulations adopted pursuant thereto.

E. Barber apprentices, except those persons enrolled in the barber apprenticeship program prior to June 1, 2001, shall be prohibited from engaging in the practice of barbering in facilities licensed by both the Louisiana Board of Barber Examiners and the Louisiana State Board of Cosmetology or facilities licensed by the Louisiana State Board of Cosmetology."

AMENDMENT NO. 16

On page 14, line 20, after "person" and before "also" change "must" to "shall"

AMENDMENT NO. 17

On page 16, line 8, after "obtain" and before "certificate" change "his" to "a"

AMENDMENT NO. 18

On page 16, after line 26, insert the following:

"E. The provisions of this Section shall not apply to persons teaching in facilities licensed by the Louisiana Board of Barber Examiners."

AMENDMENT NO. 19

On page 19, between lines 4 and 5, insert the following:

"D. Each applicant for examination shall submit an application containing proof of his qualifications, which shall be certified by the applicant under oath and shall be accompanied by the required fee set forth in R.S. 37:599.

E. All fees contractually owed by an applicant to a school of cosmetology from which he graduated shall be paid before an applicant may apply for an examination for a certificate of registration required by this Chapter."

AMENDMENT NO. 20

On page 19, line 8, after "to" and before "board" change "be" to "the"

AMENDMENT NO. 21

On page 20, line 2, after "renter," and before "manager" delete "or"

AMENDMENT NO. 22

On page 20, line 3, after "shop" and before "school" delete "or" and insert in lieu thereof a comma "," and "and"

AMENDMENT NO. 23

On page 20, line 4, after "his" and before "certificate" insert "or its"

AMENDMENT NO. 24

On page 21, line 7, after "facility" delete the remainder of the line, and at the beginning of line 8, delete "cosmetology"

AMENDMENT NO. 25

On page 21, line 8, after "by" delete the remainder of the line, and insert "their respective licensing board."

AMENDMENT NO. 26

On page 21, between lines 14 and 15, insert the following:

"(5) Designate, by placing a sign containing at least four-inch lettering, areas of his beauty shop or salon as areas where only cosmetology shall be practiced and areas where only barbering shall be practiced.

(6) Require all apprentices working in his beauty shop or salon to possess identification indicating that such persons are apprentices."

AMENDMENT NO. 27

On page 21, line 16, after "shop" delete "or" and insert a comma "," and after "salon" insert a comma "," and "or other facility"

AMENDMENT NO. 28

On page 21, line 17, after "the" and before "board" insert "appropriate licensing"

AMENDMENT NO. 29

On page 21, at the end of line 20, insert "or barbering"

AMENDMENT NO. 30

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On page 21, line 22, after "the" and before "board" insert "appropriate licensing"

AMENDMENT NO. 31

On page 23, line 3, after "identify" and before "the" delete "the type of school."

AMENDMENT NO. 32

On page 23, line 4, after "time" and before "and" delete the comma " , "

AMENDMENT NO. 33

On page 25, delete lines 24 and 25

AMENDMENT NO. 34

On page 26, at the beginning of line 1, change "(3)" to "(2)"

AMENDMENT NO. 35

On page 26, at the beginning of line 9, change "(4)" to "(3)"

AMENDMENT NO. 36

On page 26, at the beginning of line 12, change "(5)" to "(4)"

AMENDMENT NO. 37

On page 26, at the beginning of line 19, change "(6)" to "(5)"

AMENDMENT NO. 38

On page 26, between lines 21 and 22, insert the following:

"C. Any registered cosmetology school may offer a "brush up" course, which shall last not less than six weeks and contain not less than two hundred hours of study."

AMENDMENT NO. 39

On page 26, at the beginning of line 22, change "C." to "D."

AMENDMENT NO. 40

On page 32, line 2, after "contagious" and before "disease" insert "condition or" and after "illness" insert "which interferes with the person's ability to practice."

AMENDMENT NO. 41

On page 33, line 2, after "contagious" and before "disease" insert "condition or" and after "illness" insert "which interferes with the person's ability to practice, as"

AMENDMENT NO. 42

On page 33, line 7, after "he" and before "engaged" delete "may have"

AMENDMENT NO. 43

On page 33, line 13, after "violation" and before the comma " , " insert "of any provision of this Chapter"

AMENDMENT NO. 44

On page 33, line 14, after "person" and before "or" insert a comma " , " and "school."

AMENDMENT NO. 45

On page 35, between lines 19 and 20, insert the following:

"C. Barbers or facilities licensed by the Louisiana Board of Barber Examiners shall not be prohibited from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto."

AMENDMENT NO. 46

On page 36, between lines 14 and 15, insert the following:

"E. Barbers or facilities licensed by the Louisiana Board of Barber Examiners shall not be prohibited from performing any work authorized by Chapter 5 of Title 37 of the Louisiana Revised Statutes of 1950, or any rules or regulations adopted pursuant thereto."

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. 1626— BY REPRESENTATIVE LEBLANC AN ACT

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

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. 1626 by Representative LeBlanc

AMENDMENT NO. 1

On page 3, line 10, after "effective" delete the remainder of the line, delete lines 11 through 13 in their entirety, and insert the following:

"and operable upon the enactment of an appropriation which provides for the deposit of no less than two million dollars into the Municipalities Energy Assistance Loan Fund."

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. 1879—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 40:2171 and to enact R.S. 32:642 and R.S. 40:2174 and 2175, relative to trauma centers; to provide for a service charge on moving vehicle violations; to provide for the dedication of such service charge to the Major Trauma Trust Fund; to provide for the creation of the fund; to provide for the deposit of monies into the fund and for the use of such monies; to provide for an advisory board and the powers, duties, and functions of such board; 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 Engrossed House Bill No. 1879 by Representative R. Alexander

AMENDMENT NO. 1

On page 1, delete lines 15 through 19 in their entirety and insert the following:

"contendere for moving vehicle violations the following service charges shall be collected by the appropriate law enforcement agency within the jurisdiction of the court which shall be in addition to all other fines, cost or forfeitures lawfully imposed:

(i) Twenty-five dollars on reckless driving offenses.

(ii) Fifty dollars on first convictions of operating a vehicle while intoxicated offenses.

(iii) One hundred dollars on second convictions of operating a vehicle while intoxicated offenses.

(iv) One hundred fifty dollars on third convictions of operating a vehicle while intoxicated offenses.

(v) Two hundred fifty dollars on fourth or subsequent convictions of operating a vehicle while intoxicated offenses."

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. 2019—

BY REPRESENTATIVES CURTIS AND HUNTER
AN ACT

To amend and reenact Code of Civil Procedure Articles 2332 and 3722, and to repeal Code of Civil Procedure Article 2639, relative to mortgages; to provide for the sale of property without appraisal; to provide for the enforcement by ordinary proceedings; and to repeal provisions providing for demand for payment prior to seizure and sale; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2019 by Representative Curtis

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact" and before "Code" delete "and reenact"

AMENDMENT NO. 2

On page 1, at the end of line 18, add the following:

"If a sale of immovable property is conducted without benefit of appraisal, the plaintiff shall not be entitled to a deficiency judgment."

AMENDMENT NO. 3

On page 2, delete lines 1 through 6 in their entirety

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

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 50—

BY SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 23:1143(B)(1), relative to maximum attorney fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Guillory, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 252—

BY SENATOR CRAVINS
AN ACT

To enact R.S. 33:2476.2, relative to civil service; to provide with respect to fire and police civil service boards; to provide relative to compensation of members of the fire and police civil service board in the municipality of Opelousas; to authorize compensation of members of the board for attendance at meetings; to provide limitations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

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Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 252 by Senator Cravins

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

* * *

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

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 451— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:62(8)(b) and (c), 209(B) and (C), 1902(14), 1928(A) and (B), 1936(A), 1937, 1938(F) and (J)(1), 1946, 1961(2), 1962, 1963, 1965(A), 1966, 1971(2), 1972, 1973, 1975(A), and 1976, to enact R.S. 11:1941(4), 1961(3), 1971(3), and to repeal R.S. 11:1947 and 1967, relative to the Parochial Employees' Retirement System of Louisiana; to increase employee contributions for Plan B and Plan C; to provide with respect to the number of years of creditable service required for a member in Plan B and Plan C to receive disability benefits; to provide with respect to the allowable increases in earnings benefits calculation purposes; to provide with respect to vesting schedules; to provide with respect to cost-of-living adjustments; to provide with respect to earnings on accumulated Deferred Retirement Option Plan

Fund balances; to provide with respect to offsets against final compensation; to provide with respect to survivor benefits; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 451 by Senator Boissiere

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 512— BY SENATOR SCHEDLER

AN ACT

To enact R.S. 33:2955(A)(1)(h), relative to investments by political subdivisions; to authorize investment in certain additional investment instruments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 621— BY SENATOR HAINKEL

AN ACT

To enact R.S. 40:1498(F), relative to fire protection districts; to provide for an increase in per diem for governing board members of a fire protection district with a population of more than one hundred thousand persons; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 621 by Senator Hainkel

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 624—

BY SENATOR MOUNT (BY REQUEST) AND REPRESENTATIVES JOHNS AND STELLY

AN ACT

To enact R.S. 33:2481.2, relative to the office of police chief of the city of Lake Charles; to provide a specified term for the office; to provide for the applicability of civil service provisions to the office; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 653—

BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4912, relative to trial courts of limited jurisdiction; to provide with respect to justice of the peace courts; to provide with respect to possession or ownership of movable property; to increase the jurisdictional amounts in certain instances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 653 by Senator Dupre

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 695—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 33:2955(A)(1)(d), relative to investments by political subdivisions; to remove the minimum interest rate requirement for certain time certificates of deposit; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 695 by Senator Hoyt

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 9, after "subdivision" insert a semi-colon ";" and delete lines 10 through 13 and insert:

"however; the interest rate at the time of investment shall be a rate not less than the prevailing rate of interest on time certificates of deposit that is offered by the bank to its customers."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 718—

BY SENATOR HOYT

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.570, relative to economic development in Vermilion Parish; to create and comprehensively provide relative to the Vermilion Parish Economic Development District; to provide for the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; to provide for the levy and collection of taxes and parcel fees and the issuance of debt; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 725—

BY SENATOR HINES

AN ACT

To enact R.S. 33:2012, relative to municipalities and parishes; to provide with respect to firemen and policemen; to provide for occupational diseases or infirmities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 742—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 40:1502.14, relative to fire protection districts; to continue exemption from having proof of a current service charge receipt; to obtain reduced insurance premium rate in certain fire protection districts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 770—

BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 26:493.1, relative to alcoholic beverages; to provide relative to municipal authority to regulate the closing time at bars in certain parishes; to decrease the required population of a parish in which a municipality shall be authorized to enact ordinances relative to such regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 770 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 15 after "persons" insert "according to the most recent federal decennial census"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 833—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 11:2258(B)(1), relative to the Firefighters' Retirement System; to provide with respect to disability retirement benefits, including but not limited to the conversion of regular retirement benefits to disability benefits, the standard of evidence used to demonstrate a disability, and the required actuarial neutrality of the transaction; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 898—

BY SENATOR C. FIELDS

AN ACT

To amend and reenact Code of Civil Procedure Art. 5001, and Code of Criminal Procedure Art. 912.1(B), relative to appeals; to provide for certain appeals from certain city courts to be taken to the parish district court of original jurisdiction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 898 by Senator Cleo Fields

AMENDMENT NO. 1

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

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

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 911—
BY SENATOR BOISSIERE

AN ACT

To amend R.S. 34:25, relative to navigation and shipping; to provide with respect to ports and harbors; to provide for the force and effect of ordinances of New Orleans passed by the Board of Commissioners of the Port of New Orleans; to limit the jurisdiction of certain courts over the trial and punishment of certain violations of ordinances passed by the board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 911 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, change "34:25" to "34:25(D) and to enact R.S. 34:25(E) and (F)"

AMENDMENT NO. 2

On page 1, line 10, change "34:25" to "34:25(D)" and after "reenacted" and before "to" insert "and R.S. 34:25(E) and (F) are hereby enacted"

AMENDMENT NO. 3

On page 2, between lines 12 and 13, insert the following:

"F. A city court located in Orleans Parish, a parish court located within Jefferson Parish, or a justice of the peace court located in St. Bernard Parish shall have jurisdiction to review the decision of the initial adjudication of parking violations of the parking ordinances of the Board of Commissioners of the Port of New Orleans occurring within their respective jurisdictions."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 911 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R.S. 34:25" insert "and reenact"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 933—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:1503(4) and to enact R.S. 11:1503(11), 1521.1 and 1562(D), relative to Louisiana Clerks' of Court Retirement System and Relief Fund; to define "per-page transcription"; to provide for retirement benefits for court reporters; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 933 by Senator Dardenne

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 956—
BY SENATOR MICHOT

AN ACT

To enact R.S. 33:2933, relative to electronic governmental transactions; to authorize local entities to conduct electronic transactions using credit cards, debit cards, and similar payment devices; to authorize a fee for such services; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 956 by Senator Michot

AMENDMENT NO. 1

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 978—
BY SENATOR THOMAS AND REPRESENTATIVE STRAIN
AN ACT

To enact Part V-D of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:727, relative to the revocation, sale or exchange of certain immovable property in the town of Abita Springs; to establish the procedure for disposition of such property; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 978 by Senator Thomas and Representative Strain

AMENDMENT NO. 1

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 979—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:2571(A) and (B), relative to administrative adjudication of parking violations; to authorize the Board of Commissioners of the Port of New Orleans to prescribe civil fines for violation of ordinances under certain conditions; to authorize the commissioners to establish an administrative adjudication hearing procedure; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 979 by Senator Boissiere

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 989—
BY SENATOR MICHOT
AN ACT

To enact Subpart F-2 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4065.11 through 4065.14, relative to sewerage disposal districts; to create the Broussard Environmental Service and Enhancement District within Lafayette Parish; to provide for the composition, term, compensation and quorum of the district; to provide for the district's powers and funding; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 989 by Senator Michot

AMENDMENT NO. 1

On page 6, below line 7, insert the following:

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1000—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 11:565 relative to Louisiana State Employees Retirement System; to authorize judge to purchase credit for service with Capital Area Legal Services Corporation; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 1000 by Senator C. Jones

AMENDMENT NO. 1

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1006—
BY SENATOR HOYT

AN ACT

To authorize the Vermilion Parish Police Jury to lease a portion of a public building to the previous owner of the building; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Broome, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1016—
BY SENATOR LENTINI

AN ACT

To enact R.S. 13:2590.2 and R.S. 42:66(O), relative to public officials; to provide relative to the clerk of court of Jefferson Parish; to provide that the clerk shall also serve as the ex officio clerk of court for a consolidated Justice of the Peace Litter Court of Jefferson Parish; to provide for exemptions from dual office holding; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1017—
BY SENATOR LENTINI

AN ACT

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

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 1017 by Senator Lentini

AMENDMENT NO. 1

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1018—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 29:727(D), (E), and (F)(2) and (6) and to enact R.S. 29:737, relative to emergency assistance and disasters; to provide the powers and duties of the chief executive officer of

a municipality within the municipality during an emergency; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1018 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 29:727(D)" delete the comma "," and delete "(E), and (F)(2) and (6)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "R.S. 29:737," to "R.S. 29:730.2 and 737,"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 29:727(D)" delete the comma "," and delete "(E), and (F)(2) and (6) are" and insert "is"

AMENDMENT NO. 4

On page 1, line 9, change "R.S. 29:737 is" to "R.S. 29:730.2 and 737 are"

AMENDMENT NO. 5

On page 2, delete lines 16 through 27 and on page 3, delete lines 1 through 8

AMENDMENT NO. 6

On page 3, line 25, after "executive" and before "of the" change "authority" to "officer"

AMENDMENT NO. 7

On page 3, line 25, after "determines" and before "immediate" change "that" to "requires"

AMENDMENT NO. 8

On page 3, line 26, after "action" and before "to preserve" delete "is required"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1037—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 33:2740.3(D) introductory paragraph, (1) and (2), relative to special districts; to provide relative to the membership of the board of commissioners of the Downtown Development District of the City of New Orleans; to increase the number of commissioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Conforming amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1037 by Senator Bajoie (Duplicate of House Bill No. 1989)

AMENDMENT NO. 1

On page 1, delete lines 2 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"To enact R.S. 33:2740.3.1, relative to downtown development districts; to provide relative to the board of commissioners of downtown development districts in certain cities; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications and appointment of the members of the board of commissioners; to provide for the implementation of the Act; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 8 through 16, both inclusive, in their entirety and delete page 2 in its entirety and on page 3, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 33:2740.3.1 is hereby enacted to read as follows:

§2740.3.1. Downtown development districts: certain cities

A.(1) Notwithstanding any other law to the contrary, a downtown development district in any city with a population of more than four hundred fifty thousand persons, as of the latest federal decennial census, shall be governed by a board of commissioners composed of thirteen members.

(2) If a downtown development district with nine members on its board of commissioners already exists in the city then the commissioners serving on the effective date of this Section shall continue to serve until the expiration of their current terms and the successors of such nine members shall be appointed by the mayor with the approval of the municipal governing authority; provided, however, that the successors of any such members who were appointed from nominees of the central area council of the chamber of commerce of the area in which the district is located shall be appointed by the mayor with the approval of the municipal governing authority from a list of eight nominees named by the regional chamber of commerce's council for the parish.

(3) The four additional members provided by this Subsection shall possess qualifications and be appointed as follows:

(a) One member shall be appointed jointly by the members of the Louisiana Senate representing the district and shall reside and own

property in the district or have his principal place of business in the district.

(b) One member shall be appointed jointly by the members of the Louisiana House of Representatives representing the district and shall reside and own property in the district or have his principal place of business in the district.

(c) Two members shall be appointed by the local warehouse area business alliance.

(4) The members appointed pursuant to Paragraph (3) of this Subsection shall serve initial terms, as determined by lot at the first board meeting after their appointment, as follows: two members shall serve an initial term of three years; one member shall serve an initial term of four years; and one member shall serve for an initial term of five years. Thereafter their successors shall be appointed for terms of five years.

B. For purposes of this Section:

(1) "City" shall mean the city in which the district is located.

(2) "District" shall mean the downtown development district in any city with a population of more than four hundred fifty thousand persons, as of the latest federal decennial census.

(3) "Parish" shall mean the parish in which the district is located.

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

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1047—
BY SENATOR MCPHERSON

AN ACT

To enact Part III of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1081 through 1083, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 1047 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 8, change "five" to "nine"

AMENDMENT NO. 2

On page 2, at the end of line 9, insert the following:

"by the governor from a list of qualified voters and residents of the parish recommended"

AMENDMENT NO. 3

On page 2, line 10, after "authority" delete the remainder of the line and insert a period "."

AMENDMENT NO. 4

On page 2, at the beginning of line 11, delete "residents of the parish." and insert in lieu thereof

"If the governor does not chose to appoint a member from the list of recommendations submitted by the parish governing authority, he may request the governing authority to submit additional recommendations."

AMENDMENT NO. 5

On page 2, line 11, change "Two" to "Three"

AMENDMENT NO. 6

On page 2, line 12,, change "two shall" to "three shall"

AMENDMENT NO. 7

On page 2, line 13, change "one shall" to "three shall"

AMENDMENT NO. 8

On page 2, at the end of line 16, insert the following:

"Each appointment by the governor shall be made subject to Senate confirmation. If the parish governing authority fails to submit recommendations for an initial or subsequent appointment to the commission or if the parish governing authority fails to submit additional recommendations when requested by the governor, then the governor shall appoint a person who is a qualified voter and resident of the parish to the commission without recommendation from the parish governing authority."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1047 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 4 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 5, 2001, on line 13, following "not" and before "to" change "chose" to "choose"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1080—
BY SENATOR DUPRE

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and (F), relative to trial courts of limited jurisdiction; to provide for civil jurisdiction for certain city courts; to increase the jurisdictional amount in dispute and value of properties involved in civil suits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1084—
BY SENATOR SCHEDLER (BY REQUEST)
AN ACT

To enact R.S. 33:22, relative to planning and zoning by local governmental subdivisions; to require periodic training for members of planning and zoning commissions and similar entities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1084 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "to require" and before "training" delete "periodic"

AMENDMENT NO. 2

On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 3

On page 2, line 6, after "authority" delete the remainder of the line and delete lines 7 and 8 in their entirety and insert a period "."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1105 (Substitute for Senate Bill No. 812 by Senator Schedler)—
BY SENATOR SCHEDLER

AN ACT

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1105 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, after "1139," insert "and Part XII of Chapter 11 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1761 through 1768,"

AMENDMENT NO. 2

On page 1, line 8, after "exemptions;" insert the following:

"to provide for definitions; to provide for the rights and responsibilities of professional employer organizations and their clients relative to each other and their covered employees; to provide for registration requirements and conditions; to provide for renewal and revocation of registration;"

AMENDMENT NO. 3

On page 3, line 20, after "agreement." delete the remainder of the line and delete lines 22 through 27 in their entirety

AMENDMENT NO. 4

On page 4, delete lines 1 through 15 in their entirety

AMENDMENT NO. 5

On page 4, between lines 22 and 23, insert the following:

"§1132.1. Professional employer services agreement requirements

Every professional employer services agreement (of "PEO agreement") shall comply with the following requirements:

(1) The agreement shall be in writing and executed by both the PEO and the client.

(2) The agreement shall have an initial term of at least one year or, in the absence of an initial term of one year, the agreement shall clearly indicate that the intent is for the agreement to be on-going rather than temporary.

(3) The agreement shall provide that the client retains control over its business enterprise and exercises direction and control over the covered employees as to the manner and method of work done in furtherance of the client's business, but that authority and responsibility as to other employment matters, including but not limited to, hiring, firing, discipline and compensation are allocated to and shall be between the PEO and the client.

(4) The agreement shall specifically provide for and allocate responsibility between the PEO and the client company with regard to the procurement and maintenance of workers' compensation insurance covering their liability for workers' compensation benefits and group health insurance to or with respect to the employees covered by the professional services agreement and with regard to liability for workers' compensation benefits to the employees covered by the professional services agreement.

(5) The agreement shall state specifically that the agreement is executed between the parties subject to the provisions of this Part and Part XII of Chapter 11 of Title 23 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 6

On page 10, between lines 1 and 2, insert the following:

"Section 2. Part XII of Chapter 11 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:1761 through 1768, is hereby enacted to read as follows:

PART XII. PROFESSIONAL EMPLOYER ORGANIZATIONS

§1761. Definitions

As used in this Chapter, the following terms shall have the meanings hereinafter ascribed to them:

(1) "Client" means an employer who obtains services on all or a majority of its work force or labor from a professional employer organization.

(2) "Covered employee" means a person having a co-employment relationship with both a PEO and the PEO's client pursuant to an executed PEO service agreement.

(3) "Co-employment relationship" means an employment relationship whereby both the client and the PEO have an employer/employee relationship with the covered employee and the direction and control of the covered employee is shared by or allocated between the client and the PEO pursuant to a PEO service agreement.

(4) "Experience rating" shall have the meaning assigned to it under the Employment Security Law.

(5) "Independent contractor" means a person who, for the purposes of the Employment Security Law, satisfies the exception provided in R.S. 23:1472(12)(E).

(6) "Person" means an individual, association, partnership, corporation, limited liability company, or other entity.

(7) "Professional Employer Organization" or "PEO" means any person that offers professional employer services pursuant to a professional employer services agreement with a client, including but not limited to administrative services organizations and employee leasing organizations that provide services pursuant to a PEO agreement. Such PEO shall be considered an employer for purposes of this Chapter.

(8) "Professional employer services agreement" or "PEO services agreement" means an agreement between a professional employer organization and a client pursuant to which the professional employer organization will upon execution of the agreement co-employ a substantial part of a client's workforce and undertake specified responsibilities as an employer for all covered employees that are co-employed by the agreement between the professional employer organization and the client.

(9) "Staffing service" means any person, other than a professional employer organization, that hires its own employees and assigns them to a client to support or supplement the client's workforce. It includes temporary staffing services and leasing companies that supply employees to clients in special work situations such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects.

(10) "Temporary employee" is an employee, whether called temporary employee or leased employee, who is recruited by a staffing service or employee leasing company, is assigned to a client by such service or company, and is expected to return to the staffing service or leasing company for reassignment at the end of duties at the client company.

(11) "UI tax account" means a state unemployment tax account.

§1762. Exemptions and exceptions

A. This Part shall not apply to the following:

(1) Labor organizations as defined by the National Labor Relations Act.

(2) Staffing services.

(3) Temporary employment arrangements.

(4) Independent contractors.

(5) Political subdivisions of the state or the United States and any of their programs or agencies.

B.(1) This Part shall not prohibit a client who is party to a collective bargaining agreement from contracting with a PEO, if the union consents to such agreement.

(2) A PEO arrangement shall have no effect on collective bargaining agreements that are in existence prior to the PEO arrangement.

C. This Part shall not apply to contracts for services where no co-employment relationship exists and neither party represents such services as being PEO services.

D.(1) This Part does not exempt a client of a registered PEO or a covered employee from any other license requirements imposed under local, state, or federal law.

(2) A covered employee who is licensed, registered, or certified under law is considered to be an employee of the client for purposes of that license, registration, or certification.

(3) A registered PEO is not engaged in the unauthorized practice of an occupation, trade, or profession that is licensed, certified, or otherwise regulated by a governmental entity solely by entering into a professional employer services agreement with a client or co-employing an employee of such a client.

§1763. Rights and responsibilities

A. For purposes of this Chapter, as long as the professional employer services agreement between the PEO and the client remains in force, a PEO shall be deemed an employer of the covered employees to the extent and for the purposes enumerated in the professional employer services agreement. However, the PEO shall have the following employer rights and responsibilities with regard to such covered employees in any case:

(1) It shall pay the wages of covered employees from its own accounts.

(2) It shall have the responsibility for the withholding and remittance of payroll-related taxes of the covered employees from its own accounts.

(3) It shall pay federal unemployment taxes as required by federal unemployment laws.

(4) It shall have the right to sponsor and maintain fully insured employee benefit and welfare plans for covered employees. Nothing in this Part shall prevent a client from including covered employees in a client benefit program or plan or shall prevent covered employees from participating in such a program or plan.

B. (1) A PEO shall be liable for state unemployment taxes for wages paid by the PEO to covered employees but only for the duration of the PEO services agreement applicable to such employees. The PEO shall collect federal and state unemployment taxes. The PEO shall remit all collected federal unemployment taxes to the United States Department of Treasury, Internal Revenue Service and shall remit all collected state unemployment taxes to the Department of Labor. A PEO shall be required to provide a client with an invoice detailing the services provided which shall include an itemization of the actual federal and state unemployment taxes owed and paid on behalf of the covered employees, as well as any amount the PEO charges for such service.

(2) A PEO shall keep separate records and submit separate quarterly contribution and wage reports for each of its client entities using the client's account number, and unemployment contribution rate.

(3) The PEO and the client shall be jointly and severally liable for any unpaid contributions, interest, and penalties due for Louisiana unemployment taxes attributable to wages for services performed for the client by covered employees.

(4) A PEO client shall be released from joint and several liability under Paragraph (B)(2) and the client shall be released from the separate reporting and contribution rate requirements imposed under Paragraph (B)(3) upon the posting and continued maintenance by the PEO of a surety bond issued by a corporate surety authorized to do business in the state in the amount of one hundred thousand dollars to ensure prompt payment of contributions, interest, and penalties for which the PEO is or may become liable. After three years the bond shall be adjusted in accordance with rules promulgated by the Department of Labor.

(5) The PEO shall designate and identify each client and covered employees thereof for each calendar quarter with the filing of quarterly wage reports with the Department of Labor.

(6)(a) No transfer of experience rating will be approved between any client and the PEO unless it is determined by the administrator that an acquisition of assets has occurred. Co-employment of a client's employees without an acquisition of the business and its other assets will not of itself constitute an acquisition for purposes of the transfer of experience rating.

(b) However, the experience rating will transfer between one PEO to another when it is determined by the administrator that an acquisition of assets has occurred, even if such acquisition is only of a clearly segregable and identifiable or a substantial portion of the first PEO's labor force.

(7) If a professional employer services agreement is terminated and, within thirty days, the client engages the services of another PEO, both the terminated or terminating PEO and the new PEO will notify the unemployment insurance tax section of the Department of Labor directly within thirty days, and no other action need be taken.

(8) If a professional employer service agreement is terminated and the client resumes sole employment of previously covered employees, any inactive unemployment insurance account previously held by the client will be reopened under its previously existing experience rating. No transfer of experience rating shall be made from the PEO. If there is no previous account number or the account lies dormant for seven years, a new account will be established in accordance with law. If there is no existing experience rating, one will be established pursuant to state law for new businesses.

§1764. Registration

A. Except as provided in R.S. 23:1762(D), no person shall engage in the business of or act as a PEO or provide, or offer to provide, PEO services, unless it is validly registered as is provided for in this Part.

B. No person shall be validly registered if he fails to provide to the administrator all of the information required by this Part, or if he provides false or misleading information.

C. The administrator may bring an action to enjoin or restrain any person who is in violation of the provisions of this Section.

§1765. Application for registration

A. Every applicant for an initial and a renewal PEO registration shall file with the administrator a completed application on a form prescribed by rules and regulations of the administrator and shall remit an annual registration fee. Renewal applications and fees remitted later than thirty days after the PEO's anniversary date may be subject to a penalty not to exceed five hundred dollars.

B. The contents of a PEO application shall include:

(1) Identification of applicant:

(a) If an individual, the name and address of the individual. Any such applicant shall have reached the full age of majority.

(b) If a partnership, the applicant shall state the names and home addresses of all controlling persons in the partnership. If a limited partnership, the partnership shall also produce a certified copy of its certificate of limited partnership.

(c) If a corporation, the applicant shall state the names and home addresses of all officers and directors and of all other controlling persons

of the corporation. The applicant shall include a certified copy of its articles of incorporation.

(d) If a limited liability company, the applicant shall state the names and home addresses of all members and indicate which members are managers or controlling persons of the company. The applicant shall include a copy of the articles of organization and any operating agreement of the type defined in R.S. 12:1301(16). The limited liability company shall also produce a certified copy of its certificate of organization.

(2) The address of its principal place of business in this state and the addresses of any other offices within this state through which the applicant intends to conduct business as a PEO.

(3) Such other information which the administrator deems necessary and requires by rule or regulation to establish that the applicant or the controlling persons thereof are of good moral character, business integrity, and financial responsibility.

(4) A verification of the information contained in the application by an officer or authorized representative of the applicant in a form prescribed by the administrator.

C. The administrator shall promulgate rules and regulations for registration and renewal fees not to exceed those reasonably necessary to administer the registration and renewal requirements of this Part.

§1766. Rejection of application for registration

A. The administrator may reject an application for registration under any of the following conditions:

(1) The application is not fully completed, properly executed, or is otherwise deficient on its face.

(2) The documents required to supplement the application are not included in the application packet.

(3) The applicant, or any person named in the application, has made a material misrepresentation in the application.

B. The administrator shall furnish the applicant with a written statement of the reason for rejecting or revoking an application. The applicant may request a hearing before the administrator within thirty days of receipt of the written statement.

§1767. Terms of registration; renewal; revocation

A. Any registration issued hereunder shall remain in force for one year from the date of the issuance of registration unless revoked by the administrator for good cause.

B. Thirty days prior to the expiration of its registration, any registrant desiring to continue to offer or provide PEO services may submit an application for renewal of registration on a form and with such supplemental material as may be prescribed by the administrator.

C. A registration may be revoked or an application for renewal of registration may be rejected by the administrator for any of the grounds enumerated in R.S. 23:1766(A) or for a willful failure of the PEO to comply with the provisions of this Chapter.

D. A PEO shall have a right to an administrative hearing before an objective party prior to the cancellation or nonrenewal of its registration. The administrator shall furnish the applicant with a written statement of the reason for revoking a registration or rejecting an application. The applicant may request a hearing before the administrator within thirty days of receipt of the written statement.

§1768. Professional employer services agreement requirements\

Every professional employer services agreement (of "PEO agreement") shall comply with the following requirements:

(1) The agreement shall be in writing and executed by both the PEO and the client.

(2) The agreement shall have an initial term of at least one year or, in the absence of an initial term of one year, the agreement shall clearly indicate that the intent is for the agreement to be on-going rather than temporary.

(3) The agreement shall provide that the client retains control over its business enterprise and exercises direction and control over the covered employees as to the manner and method of work done in furtherance of the client's business, but that authority and responsibility as to other employment matters, including but not limited to, hiring, firing, discipline and compensation are allocated to and shall be between the PEO and the client.

(4) The agreement shall specifically provide for and allocate responsibility between the PEO and the client company with regard to the procurement and maintenance of workers' compensation insurance covering their liability for workers' compensation benefits and group health insurance to or with respect to the employees covered by the professional services agreement.

(5) The agreement shall state specifically that the agreement is executed between the parties subject to the provisions of this Part."

AMENDMENT NO. 7

On page 10, delete lines 2 through 9 in their entirety and insert in lieu thereof the following:

"Section 3. A. Each PEO operating in the state prior to or on September 1, 2001, shall submit a registration form to the Department of Insurance by October 30, 2001, and to the Department of Labor by January 31, 2002, or within thirty days after the registration form is made available by the respective departments, whichever is later.

B. Any PEO which commences operations after September 1, 2001, shall submit a completed registration form to the Department of Insurance and the Department of Labor in advance of commencing operation in this state or within thirty days after such form is made available by the respective departments, whichever is later."

AMENDMENT NO. 8

On page 10, after line 15, insert "D. The provisions of Section 2 shall become effective on January 1, 2002."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1105 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 12, before "majority" insert "a"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 15 following "lines" and before "through" change "22" to "21"

AMENDMENT NO. 3

In House Committee Amendment No. 5 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 23 of page 1, following the open parenthesis "(" and before "'PEO" delete "of"

AMENDMENT NO. 4

In House Committee Amendment No. 5 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 3 of page 2, following "to" and before "hiring" delete the comma "," and following "discipline" and before "and" insert a comma ","

AMENDMENT NO. 5

In House Committee Amendment No. 6 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 5 of page 5, following "number" at the end of the line delete the comma ","

AMENDMENT NO. 6

In House Committee Amendment No. 6 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 13 of page 5, change "(B)(2)" to "(B)(3)"

AMENDMENT NO. 7

In House Committee Amendment No. 6 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 16 of page 5, change "(B)(3)" to "(B)(2)"

AMENDMENT NO. 8

In House Committee Amendment No. 6 proposed by the House Committee on Labor and Industrial Relations and adopted on June 5, 2001, on line 6 of page 8, following the open parenthesis "(" and before "'PEO" delete "of"

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

Rep. Guillory moved the bill, as amended, be ordered passed to its third reading.

As a substitute motion, Rep. Jack Smith moved the bill, as amended, be recommitted to the Committee on Insurance.

Rep. Murray objected.

Motion

Rep. Guillory moved the previous question be ordered on the entire subject matter.

Rep. Donelon objected.

By a vote of 72 yeas and 19 nays, the House agreed to order the previous question on the entire subject matter.

The vote recurred on the substitute motion.

By a vote of 28 yeas and 71 nays, the House refused to recommit the bill, as amended, to the Committee on Insurance.

Rep. Guillory insisted on his motion that the bill, as amended, be ordered passed to its third reading.

Rep. Downer objected.

By a vote of 77 yeas and 20 nays, the House agreed to pass the bill, as amended, to its third reading.

Under the rules, placed on the regular calendar.

Senate Bills on Second Reading Reported by Committee

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

SENATE BILL NO. 632—
BY SENATOR DARDENNE

AN ACT

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

Read by title.

On motion of Rep. Hammett, and under a suspension of the rules, the bill was referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 5, 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. 11
Reported without amendments.

Senate Bill No. 193
Reported without amendments.

Senate Bill No. 230
Reported without amendments.

Senate Bill No. 283
Reported without amendments.

Senate Bill No. 347
Reported without amendments.

Senate Bill No. 453
Reported without amendments.

Senate Bill No. 455
Reported with amendments.

Senate Bill No. 480
Reported without amendments.

Senate Bill No. 578
Reported without amendments.

Senate Bill No. 757
Reported without amendments.

Senate Bill No. 762
Reported with amendments.

Senate Bill No. 781
Reported with amendments.

Senate Bill No. 835
Reported without amendments.

Senate Bill No. 877
Reported with amendments.

Senate Bill No. 883
Reported without amendments.

Senate Bill No. 917
Reported without amendments.

Senate Bill No. 973
Reported with amendments.

Senate Bill No. 1001
Reported with amendments.

Senate Bill No. 1026
Reported without amendments.

Senate Bill No. 1075
Reported without amendments.

Senate Bill No. 1106
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Privileged Report of the Legislative Bureau

June 5, 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. 632
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

Rep. Salter asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 632—
BY SENATOR DARDENNE

AN ACT

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

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 Reengrossed Senate Bill No. 632 by Senator Dardenne

AMENDMENT NO. 1

On page 7, at the end of line 8, delete "except" and delete lines 9 and 10 in their entirety

AMENDMENT NO. 2

On page 7, delete line 10 in its entirety and insert "as designated by the"

AMENDMENT NO. 3

On page 7, line 13, after "Members" delete the remainder of the line and on line 14 delete "service"

AMENDMENT NO. 4

On page 7, line 19, delete "two hundred dollars" and insert "the amount of per diem authorized for members of the legislature"

AMENDMENT NO. 5

On page 8, line 6, change "Four" to "Seven"

AMENDMENT NO. 6

On page 10, line 19, after "years" and before "the" change "from" to "after"

AMENDMENT NO. 7

On page 12, line 22, after "date" and before "one" change "which" to "that is"

AMENDMENT NO. 8

On page 13, line 24, after "to" and before "percent" change "forty" to "sixty"

AMENDMENT NO. 9

On page 14, line 1, after "to" and before "percent" change "forty" to "sixty"

AMENDMENT NO. 10

On page 22, line 15, after "Trust" and before the period "." insert "except as provided in R.S. 39:99.12B.(3)"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Salter, 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. 776—

BY SENATORS B. JONES, DARDENNE, HOYT, IRONS, MOUNT AND THEUNISSEN AND REPRESENTATIVES STELLY, DOWNER, NEVERS, SCHWEGMANN AND JANE SMITH

AN ACT

To enact R.S. 17:24.10 and to repeal R.S. 17:24.7, relative to early childhood education; to provide for eligibility for such classes; to provide for the establishment of such classes; to provide the mandatory standards for such classes; to provide for the eligibility of students to attend such classes; to provide for the staffing, materials, facilities, and other resources required for such classes; to provide for the funding of such classes; to provide for the duties of participating school systems; to provide for the duties of the state Department of Education; and to provide for related matters.

Suspension of the Rules

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

Read by title.

Motion

On motion of Rep. Salter, and under a suspension of the rules, Senate Bill No. 776 was made Special Order of the Day No. 1 for Wednesday, June 6, 2001.

SENATE BILL NO. 632—

BY SENATOR DARDENNE

AN ACT

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

Suspension of the Rules

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

Read by title.

Motion

On motion of Rep. LeBlanc, and under a suspension of the rules, Senate Bill No. 632 was made Special Order of the Day No. 2 for Wednesday, June 6, 2001.

Suspension of the Rules

On motion of Rep. Curtis, 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:

Regular Calendar

HOUSE BILL NO. 110—

BY REPRESENTATIVE CURTIS

AN ACT

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

Read by title.

Rep. Curtis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	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
Bruneau	Hudson	Romero
Carter, K	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schneider
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	Martiny	Townsend
Durand	McCallum	Tucker
Erdey	McDonald	Waddell
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Morrish	Wright
Fruge	Murray	
Futrell	Odinet	

Total—97

NAYS

Total—0

ABSENT

Bruce	Nevers	Walsworth
Glover	Schwegmann	
McMains	Triche	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Curtis 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. 154—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 11:1763(F)(2), relative to the Municipal Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide with respect to the beginning date for payment of interest on a member's Deferred Retirement Option Plan account; to provide an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robert Carter to Engrossed House Bill No. 154 by Representative Robert Carter

AMENDMENT NO. 1

On page 2, delete lines 10 through 15 in their entirety and insert in lieu thereof:

"Section 2. This Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2001, or on the day following such approval by the legislature, whichever is later."

On motion of Rep. Robert Carter, the amendments were adopted.

Rep. Robert Carter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Pratt
Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruneau	Hudson	Romero
Carter, K	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schneider
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	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McVea	Tucker
Farrar	Montgomery	Waddell
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	

Total—95

NAYS

Total—0

ABSENT

Bruce	Kennard	Schwegmann
Green	McMains	Walsworth
Hopkins	Quezaire	Welch

Total—9

The Chair declared the above bill was finally passed.

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The title of the above bill was read and adopted.

Rep. Robert Carter 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. 386— BY REPRESENTATIVE MORRISH AN ACT

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

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS column, including Mr. Speaker, Alario, Alexander, E, etc.

NAYS

Table listing names of representatives under the NAYS column, including Bowler, Toomy, Tucker.

ABSENT

Table listing names of representatives under the ABSENT column, including Curtis, Farrar, Hill, etc.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrish 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. 387— BY REPRESENTATIVE MORRISH AN ACT

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

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS column, including Mr. Speaker, Guillory, Hammett, etc.

NAYS

Table listing names of representatives under the NAYS column, including Bowler, Carter, R, Erdey, etc.

ABSENT

Baudoin
Baylor
Total—4

McMains
Schwegmann

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrish 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. 417—
BY REPRESENTATIVE DURAND

AN ACT

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

Read by title.

Rep. Durand 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	Hudson	Riddle
Bruce	Hunter	Romero
Bruneau	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
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
Faucheux	Montgomery	Waddell
Flavin	Morrell	Welch
Fruge	Morrish	Winston
Futrell	Murray	Wright
Gallot	Odinet	
Total—95		

NAYS

Farrar
Total—1

ABSENT

Carter, K
Frith
Hopkins
Total—8

Lucas
Nevers
Schwegmann

Walsworth
Wooton

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand 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.

HOUSE BILL NO. 418—
BY REPRESENTATIVE DURAND

AN ACT

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

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Odinet
Alario	Green	Perkins
Alexander, E	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Hebert	Pitre
Baudoin	Hill	Powell
Baylor	Holden	Pratt
Bowler	Hopkins	Quezaire
Broome	Hudson	Richmond
Bruce	Hunter	Riddle
Bruneau	Hutter	Romero
Carter, K	Iles	Salter
Carter, R	Jackson, L	Scalise
Cazayoux	Jackson, M	Schneider
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
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	Wright
Total—99		

NAYS

Total—0

ABSENT

Diez	Heaton	Wooton
Doerge	Schwegmann	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand 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.

HOUSE BILL NO. 1234—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 23:1209(E), relative to workers' compensation; to provide for the interruption of prescription for medical benefits; and to provide for related matters.

Read by title.

Rep. Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Hammett	Pinac
Alexander, E	Heaton	Pitre
Alexander, R	Hebert	Powell
Ansardi	Hill	Pratt
Baudoin	Holden	Quezaire
Baylor	Hopkins	Richmond
Bowler	Hudson	Riddle
Broome	Hunter	Romero
Bruce	Hutter	Salter
Bruneau	Iles	Scalise
Carter, K	Jackson, L	Schneider
Carter, R	Jackson, M	Shaw
Cazayoux	Johns	Smith, G.—56th
Clarkson	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed
Damico	Lancaster	Stelly
Daniel	Landrieu	Strain
Dartez	LeBlanc	Swilling
Devillier	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	Odinot	
Glover	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Diez	Guillory
Doerge	Schwegmann
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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. 1410—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 22:1419(A)(3) and (4) and to enact R.S. 11:2259(D), relative to assessments levied by the Louisiana Insurance Rating Commission against the gross direct premiums received by all insurers doing business in this state which are applied for use by the Municipal Police Employees Retirement System, the Sheriffs' Pension and Relief Fund, and the Firefighters' Retirement System, including but not limited to provisions for the amount of the assessment that can be used in any one year for mergers of certain retirement systems and the use of such funds for meeting the actuarial required contributions of the systems; to further provide relative to the Firefighters' Retirement System; to provide with respect to benefits, including but not limited to the option selected for the payment of benefits upon retirement and the irrevocable renunciation by court order of survivor benefits; to provide for retroactive application; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1410 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "and (4)" insert a comma "," and delete the remainder of the line and on line 3, delete "11:3359(D),"

AMENDMENT NO. 2

On page 1, line 11, after "systems;" delete the remainder of the line and delete lines 12 through 14 in their entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 15, delete "provide for retroactive application;"

AMENDMENT NO. 4

On page 2, delete lines 5 through 26 in their entirety and on page 3, delete lines 1 through 16 in their entirety

AMENDMENT NO. 5

On page 3, at the beginning of line 17, delete "Section 2." and insert "Section 1."

AMENDMENT NO. 6

On page 6, delete lines 19 and 20 in their entirety and insert in lieu thereof:

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

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

Rep. Schneider 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	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hunter	Romero
Bruneau	Hutter	Salter
Carter, K	Iles	Scalise
Carter, R	Jackson, L	Schneider
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Damico	Kenney	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	Tucker
Farrar	Montgomery	Waddell
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Fruge	Nevers	Wooton
Futrell	Odinot	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Hudson	Schwegmann
Green	LaFleur	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schneider 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. 1989—
BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 33:2740.3.1, relative to downtown development districts; to provide relative to the board of commissioners of downtown development districts in certain cities; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications and appointment of the members of the board of commissioners; to provide for the implementation of the Act; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 2076 (Substitute for House Bill No. 2031 by Representative Lucas)—
BY REPRESENTATIVE LUCAS
AN ACT

To enact R.S. 1:58.1, relative to special days; to recognize and designate the Nineteenth of June as "Juneteenth Day"; to provide that this date shall be observed within the state of Louisiana; and to provide for related matters.

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. 2076 by Representative Lucas

AMENDMENT NO. 1

On page 1, line 10, after "African Americans," delete the remainder of the line and delete line 11 and at the beginning of line 12 delete "news of the signing of the Emancipation Proclamation."

AMENDMENT NO. 2

On page 2, below line 3, insert the following:

"C. State employees who wish to celebrate this day shall be allowed to take a legal holiday on such day in lieu of a legal holiday as provided in R.S. 1:55, provided that the agency in which he or she is employed is not adversely affected."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lucas to Engrossed House Bill No. 2076 by Representative Lucas

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "Nineteenth of June" to "the third Saturday in June"

AMENDMENT NO. 2

On page 2, at the beginning of line 1, after "B." change "June nineteenth" to "The third Saturday in June"

AMENDMENT NO. 3

On page 2, line 3, change "Independence" to "Emancipation"

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	Gallot	Murray
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baudoin	Heaton	Quezairé
Baylor	Hebert	Richmond
Bowler	Hill	Riddle
Broome	Holden	Romero
Bruce	Hudson	Salter
Carter, K	Hunter	Schneider
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Clarkson	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Donelon	LeBlanc	Toomy
Downer	Lucas	Townsend
Durand	McCallum	Tucker
Erdey	McDonald	Waddell
Farrar	McMains	Walsworth
Faucheux	McVea	Welch
Frith	Montgomery	Winston
Früge	Morrell	Wooton
Futrell	Morrish	Wright
Total—87		

NAYS

Scalise	Sneed
Total—2	

ABSENT

Bruneau	Hopkins	Odinet
Crowe	Johns	Perkins
Daniel	Landrieu	Pierre
Doerge	Martiny	Schwegmann
Flavin	Nevers	Triche
Total—15		

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. 1989—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 33:2740.3.1, relative to downtown development districts; to provide relative to the board of commissioners of downtown development districts in certain cities; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications and appointment of the members of the board of commissioners; to provide for the implementation of the Act; and to provide for related matters.

Called from the calendar.

Read by title.

Point of Order

Rep. Bruneau asked for a ruling from the Chair as to whether the bill was properly advertised in accordance with Article III, Section 13, of the Constitution of 1974, as amended.

Ruling of the Chair

The Chair ruled that whether the bill was properly advertised was not a matter within the purview of the Chair, and the Chair declined to rule.

Motion

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

Speaker Pro Tempore Bruneau in the Chair

Suspension of the Rules

On motion of Rep. Riddle, the rules were suspended in order to take up and consider Special Order of the Day at this time.

Special Order of the Day

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

SENATE BILL NO. 853—

BY SENATORS MCPHERSON, CAIN, ELLINGTON AND HINES, AND REPRESENTATIVES DEWITT, RIDDLE AND CURTIS
AN ACT

To amend and reenact R.S. 17:1501 and 1501.1 and the heading of Subpart B of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, relative to Louisiana State University at Alexandria; to provide relative to institutions under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to recognize and define Louisiana State University at Alexandria as an institution authorized to offer baccalaureate degrees; to provide for implementation; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 853 by Senator McPherson, et al.

AMENDMENT NO. 1

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

"C. Louisiana State University at Alexandria shall meet all standards to be accredited by the Southern Association of Colleges and Schools as an institution offering academic degrees at the baccalaureate level and shall comply with all provisions of the master plan for postsecondary education as adopted by the Board of Regents as such provisions apply to an institution offering academic degrees at the baccalaureate level."

On motion of Rep. McDonald, the amendments were withdrawn.

Point of Order

Rep. Townsend asked for a ruling from the Chair as to the number of votes required to pass the bill.

Ruling of the Chair

The Chair ruled that the bill required a favorable vote of a majority of the elected members.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Fruge	Murray
Alexander, R	Glover	Odinet
Ansardi	Green	Pierre
Baylor	Guillory	Pinac
Bowler	Hammett	Pitre
Broome	Heaton	Pratt
Bruneau	Hebert	Quezaire
Carter, K	Hill	Richmond
Carter, R	Holden	Riddle
Cazayoux	Hudson	Smith, G.—56th
Clarkson	Hunter	Smith, J.D.—50th
Crane	Hutter	Smith, J.R.—30th
Crowe	Iles	Sneed
Curtis	Jackson, L	Strain
Damico	Jackson, M	Swilling
Daniel	Kennard	Thompson
Dartez	Kenney	Toomy
Diez	LaFleur	Triche
Donelon	Landrieu	Tucker
Downer	LeBlanc	Welch
Durand	Lucas	Winston
Erdey	Martiny	Wooton
Farrar	McMains	Wright
Total—72		

NAYS

Alexander, E	Johns	Romero
Baudoin	Katz	Salter
Bruce	Lancaster	Scalise
Devillier	McCallum	Schneider
Doerge	McDonald	Shaw
Faucheux	McVea	Smith, J.H.—8th
Flavin	Montgomery	Stelly
Futrell	Morrish	Townsend
Gallot	Perkins	Waddell
Hopkins	Powell	Walsworth
Total—30		

ABSENT

Nevers
Schwegmann
Total—2

The Chair declared the above bill was finally passed.

Rep. Riddle 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.

Suspension of the Rules

On joint motion of Reps. Romero and Schneider, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Suspension of the Rules

On motion of Rep. Odinet, 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:

Motion

Rep. Odinet moved to call House Bill No. 190 from the calendar.

Rep. Triche objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gallot	Morrell
Alexander, R	Glover	Murray
Ansardi	Hammett	Odinet
Baylor	Heaton	Pratt
Carter, K	Hill	Riddle
Carter, R	Hunter	Salter
Clarkson	Iles	Shaw
Damico	Jackson, L	Smith, G.—56th
Daniel	LaFleur	Smith, J.D.—50th
Dartez	Landrieu	Strain
Donelon	Lucas	Welch
Durand	Martiny	Wooton
Faucheux	McCallum	
Frith	Montgomery	
Total—40		

NAYS

Alexander, E	Holden	Powell
Bowler	Hopkins	Quezaire
Broome	Hudson	Romero
Bruce	Johns	Scalise
Bruneau	Katz	Schneider
Cazayoux	Kennard	Smith, J.H.—8th
Devillier	Lancaster	Sneed
Diez	LeBlanc	Stelly

Downer	McDonald	Townsend
Flavin	McMains	Triche
Fruge	McVea	Tucker
Futrell	Perkins	Waddell
Green	Pinac	Walsworth
Hebert	Pitre	Winston
Total—42		

ABSENT

Mr. Speaker	Guillory	Schwegmann
Baudoin	Hutter	Smith, J.R.—30th
Crane	Jackson, M	Swilling
Crowe	Kenney	Thompson
Curtis	Morrish	Toomy
Doerge	Nevers	Wright
Erdey	Pierre	
Farrar	Richmond	
Total—22		

The House refused to call the bill from the calendar.

Motion

Rep. Landrieu moved to call House Bill No. 2068 from the calendar.

Rep. Flavin objected.

By a vote of 58 yeas and 24 nays, the bill was called from the calendar.

HOUSE BILL NO. 2068 (Substitute for House Bill No. 1729 by Representative Landrieu)—
 BY REPRESENTATIVE LANDRIEU
 AN ACT

To enact Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2867, relative to lifting devices; to provide for the scope of regulation of the law; to provide for definitions; to provide for the creation of the Elevator Safety Review Board and its powers and duties; to provide for the issuance of licenses to elevator contractors, inspectors, and mechanics; to provide for qualifications for licenses; to provide for issuance and renewals of licenses; to provide for continuing education requirements; to provide for violations, fines, and administrative actions; to require compliance with certain codes; to require permits for new conveyances; to provide for the issuance of permits; to provide for inspections and testing; to provide for enforcement; to provide relative to liability; to provide relative to certain temporarily dormant conveyances; to provide relative to the applicability of the law; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Rep. Landrieu objected.

By a vote of 34 yeas and 45 nays, the House refused to return the bill to the calendar.

Rep. Landrieu moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Odinot
Alario	Hammett	Pierre
Alexander, R	Heaton	Pinac
Baylor	Hebert	Pratt
Broome	Hill	Quezaire
Bruce	Holden	Richmond
Carter, K	Hudson	Riddle
Carter, R	Hunter	Romero
Clarkson	Hutter	Salter
Crowe	Iles	Smith, G.—56th
Curtis	Jackson, L	Smith, J.D.—50th
Damico	Jackson, M	Smith, J.R.—30th
Daniel	LaFleur	Swilling
Dartez	Landrieu	Toomy
Devillier	Lucas	Townsend
Durand	Martiny	Triche
Farrar	McCallum	Tucker
Faucheux	McMains	Walsworth
Frith	Montgomery	Welch
Gallot	Morrell	Wooton
Glover	Murray	
Total—62		

NAYS

Alexander, E	Futrell	Powell
Ansardi	Hopkins	Scalise
Bowler	Johns	Schneider
Bruneau	Katz	Shaw
Cazayoux	Kennard	Smith, J.H.—8th
Crane	Lancaster	Sneed
Diez	LeBlanc	Stelly
Doerge	McDonald	Strain
Donelon	McVea	Waddell
Downer	Morrish	Winston
Erdey	Perkins	Wright
Flavin	Pitre	
Total—35		

ABSENT

Baudoin	Kenney	Thompson
Fruge	Nevers	
Guillory	Schwegmann	
Total—7		

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

HOUSE BILL NO. 920—
 BY REPRESENTATIVE CAZAYOUX
 AN ACT

To enact R.S. 6:333(F)(15) and 333.1, relative to disclosure of financial records pursuant to a criminal investigation; to provide authorization for disclosure; to provide for definitions; to provide for subpoena for such records; to provide for venue; to provide for service of process; to provide for confidentiality of subpoena; to provide for reimbursement of costs; to provide immunity from liability; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 920 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 2, change "6:333(F)(15) and 333.1" to "6:332 and 6:333(F)(15)"

AMENDMENT NO. 2

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

"to provide for attorney fiduciary accounts; to provide for overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for cost of production; to provide for a limitation of liability; and to"

AMENDMENT NO. 3

On page 1, line 10, change "6:333(F)(15) and 333.1" to "6:332 and 6:333(F)(15)"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"§332. Attorney fiduciary accounts

A. A bank or its affiliate which maintains fiduciary accounts for attorneys at law, designated by the attorney as trust or escrow accounts as mandated by Louisiana Supreme Court Rule 19, may require the execution of an overdraft notification agreement by the attorney on such accounts, and such agreements shall provide for notice to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board in accordance with rules of the Louisiana Supreme Court.

B. Banks or affiliates shall be authorized to charge an attorney or law firm for the reasonable cost of producing the overdraft notification required by this Section.

C. The provisions of this Section shall not create any cause of action for any person against the bank or its affiliate based upon a failure of a bank to provide notice to the office of disciplinary counsel as required by this Section. Nothing in this Section shall create a defense for any party to any cause of action based upon the failure of the bank or affiliate to provide such notice. No bank or its affiliates, including any of its directors, officers, employees, attorneys, accountants, or other agents, shall be civilly or criminally liable to any person, including any customer, for any disclosure of financial records made in compliance with or as authorized by the provisions of this Section."

AMENDMENT NO. 5

On page 2, line 2, change "6:333.1" to "6:332"

AMENDMENT NO. 6

On page 2, delete lines 4 through 26 in their entirety and delete pages 3 and 4 in their entirety

On motion of Rep. Cazayoux, the amendments were withdrawn.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed House Bill No. 920 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 2, change "6:333(F)(15) and 333.1" to "6:332 and 333(F)(15)"

AMENDMENT NO. 2

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

"to provide for attorney fiduciary accounts; to provide for overdraft notification to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board; to provide for cost of production; to provide for a limitation of liability; and to"

AMENDMENT NO. 3

On page 1, line 10, change "6:333(F)(15) and 333.1" to "6:332 and 333(F)(15)"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"§332. Attorney fiduciary accounts

A. A bank or its affiliate which maintains fiduciary accounts for attorneys at law, designated by the attorney as trust or escrow accounts as mandated by Louisiana Supreme Court Rule 19, may require the execution of an overdraft notification agreement by the attorney on such accounts, and such agreements shall provide for notice to the office of disciplinary counsel for the Louisiana Attorney Disciplinary Board in accordance with rules of the Louisiana Supreme Court.

B. Banks or affiliates shall be authorized to charge an attorney or law firm for the reasonable cost of producing the overdraft notification required by this Section.

C. The provisions of this Section shall not create any cause of action for any person against the bank or its affiliate based upon a failure of a bank to provide notice to the office of disciplinary counsel as required by this Section. Nothing in this Section shall create a defense for any party to any cause of action based upon the failure of the bank or affiliate to provide such notice. No bank or its affiliates, including any of its directors, officers, employees, attorneys, accountants, or other agents, shall be civilly or criminally liable to any person, including any customer, for any disclosure of financial records made in compliance with or as authorized by the provisions of this Section.

D. No notice shall be required under this Section where the overdraft is caused by bank charges applicable to the account or by bank error."

AMENDMENT NO. 5

On page 2, line 2, change "6:333.1" to "6:332"

AMENDMENT NO. 6

On page 2, delete lines 4 through 26 in their entirety and delete pages 3 and 4 in their entirety

Motion

Rep. Green moved that the bill be recommitted to the Committee on Commerce.

Rep. Cazayoux objected.

By a vote of 31 yeas and 55 nays, the House refused to recommit the bill to the Committee on Commerce.

Rep. Cazayoux moved the adoption of the amendments.

Rep. Green objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names and a Total row. Includes names like Alario, Alexander, E, Ansardi, etc.

NAYS

Table with 3 columns of names and a Total row. Includes names like Baylor, Bowler, Broome, etc.

ABSENT

Table with 3 columns of names and a Total row. Includes names like Mr. Speaker, Crowe, Curtis, etc.

The amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names and a Total row. Includes names like Alexander, E, Alexander, R, Bruce, etc.

NAYS

Table with 3 columns of names and a Total row. Includes names like Alario, Ansardi, Baylor, etc.

ABSENT

Table with 3 columns of names and a Total row. Includes names like Mr. Speaker, Baudoin, Crowe, etc.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux 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. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Futrell to Reengrossed House Bill No. 2029 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 2, delete "48:381(G) through (I) and" and insert "48:"

AMENDMENT NO. 2

On page 1, line 3, delete "48:381(J) and" and insert "48:"

AMENDMENT NO. 3

On page 1, line 9, delete "48:381(G) through (I) and" and insert "48:"

AMENDMENT NO. 4

On page 1, line 10, delete "48:381(J) and" and insert "48:"

AMENDMENT NO. 5

On page 1, line 10, change "are" to "is"

AMENDMENT NO. 6

On page 1, delete lines 12 through 16 and on page 2, delete lines 1 through 17 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hebert and Daniel to Engrossed House Bill No. 2029 by Representative Futrell

AMENDMENT NO. 1

On page 3, between lines 22 and 23, insert the following:

"(5) No permit for the purpose of installing fiber-optic cable facilities pursuant to this Section shall be granted unless copies of the request for the permit and all related documents have been submitted to the Joint Legislative Committee on the Budget. Members of that committee shall have thirty days from receipt of the copies of the documents to object to the granting of the permit. If no member objects within the thirty days, the permit may be granted. If a member objects within the thirty days, that committee shall hold a hearing on that matter within sixty days from the expiration of the thirty-day period for objections. That committee may authorize or prohibit the issuance of that permit. If that committee does not take any action within the sixty-day period, the permit may be granted."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Murray
Alario	Futrell	Odinot
Alexander, E	Gallot	Perkins
Alexander, R	Glover	Pierre
Ansardi	Green	Pinac
Baudoin	Hammett	Pitre
Baylor	Hebert	Powell
Bowler	Hill	Pratt
Broome	Holden	Quezaire
Bruce	Hopkins	Riddle
Bruneau	Hudson	Salter
Carter, K	Hunter	Scalise
Carter, R	Hutter	Schneider
Cazayoux	Iles	Shaw
Clarkson	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Damico	Katz	Smith, J.R.—30th
Daniel	Kennard	Sneed
Dartez	Kenney	Stelly
Devillier	LaFleur	Strain
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Donelon	Lucas	Townsend
Downer	Martiny	Triche
Durand	McCallum	Waddell
Erdey	McDonald	Walsworth
Farrar	McMains	Welch
Faucheux	McVea	Winston
Flavin	Montgomery	Wooton
Frith	Morrish	Wright
Total—93		

NAYS

Total—0

ABSENT

Curtis	Morrell	Schwegmann
Guillory	Nevers	Swilling
Heaton	Richmond	Tucker
Lancaster	Romero	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Futrell 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.

Suspension of the Rules

On motion of Rep. Futrell, 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:

HOUSE BILL NO. 626—
BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 9:3518.3, relative to credit cards; to limit the amount of information that may appear on an electronically printed credit card receipt; to provide for exceptions; to provide for violations and penalties; to provide for effectiveness; and to provide for related matters.

SENATE BILL NO. 623—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 33: 3813.2(D), relative to the Tangipahoa Water District; to increase the length of the term served by members of the board of commissioners; to extend the current commissioners' terms by an additional two years; 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

June 5, 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. 6
Returned without amendments.

House Concurrent Resolution No. 16
Returned with amendments.

House Concurrent Resolution No. 65
Returned with amendments.

House Concurrent Resolution No. 139
Returned without amendments.

House Concurrent Resolution No. 170
Returned without amendments.

House Concurrent Resolution No. 177
Returned with amendments.

House Concurrent Resolution No. 201
Returned without amendments.

House Concurrent Resolution No. 204
Returned without amendments.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 5, 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. 19
Returned with amendments.

House Bill No. 111
Returned with amendments.

House Bill No. 136
Returned without amendments.

House Bill No. 220
Returned without amendments.

House Bill No. 233
Returned without amendments.

House Bill No. 241
Returned without amendments.

House Bill No. 341
Returned without amendments.

House Bill No. 345
Returned without amendments.

House Bill No. 606
Returned without amendments.

House Bill No. 610
Returned with amendments.

House Bill No. 628
Returned with amendments.

House Bill No. 678
Returned without amendments.

House Bill No. 786
Returned with amendments.

House Bill No. 794
Returned with amendments.

House Bill No. 951
Returned without amendments.

House Bill No. 954
Returned with amendments.

House Bill No. 956
Returned without amendments.

House Bill No. 957
Returned without amendments.

House Bill No. 962
Returned without amendments.

House Bill No. 1098
Returned without amendments.

House Bill No. 1177
Returned without amendments.

House Bill No. 1263
Returned without amendments.

House Bill No. 1279
Returned without amendments.

House Bill No. 1282
Returned with amendments.

House Bill No. 1477
Returned without amendments.

House Bill No. 1481
Returned with amendments.

House Bill No. 1512
Returned with amendments.

House Bill No. 1606
Returned without amendments.

House Bill No. 1609
Returned with amendments.

House Bill No. 1795
Returned without amendments.

House Bill No. 1852
Returned without amendments.

House Bill No. 1865
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

June 5, 2001

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 139 and 143

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 5, 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. 460

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Townsend, 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. 460—
BY SENATOR SMITH

AN ACT

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

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 CONCURRENT RESOLUTION NO. 207—
BY REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

To direct the district attorney for the Twenty-Sixth Judicial District to conduct a thorough investigation into the events surrounding the death of former Louisiana State Representative Pinkie Carolyn Wilkerson.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 208—
BY REPRESENTATIVES ANSARDI AND MURRAY

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to take all actions which are reasonable and necessary to collect all income taxes owed to the state which are attributable to the income of

nonresident professional athletes and professional sports franchises.

Read by title.

On motion of Rep. Ansardi, 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

June 5, 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 Concurrent Resolution No. 190, by John Smith
Reported favorably. (6-0)

Senate Concurrent Resolution No. 29, by Irons
Reported favorably. (7-0)

Senate Concurrent Resolution No. 31, by Cleo Fields
Reported favorably. (9-0)

Senate Concurrent Resolution No. 136, by Smith
Reported favorably. (7-0)

Senate Bill No. 80, by Cleo Fields
Reported with amendments. (6-3) (Regular)

Senate Bill No. 217, by McPherson
Reported favorably. (7-0) (Regular)

Senate Bill No. 442, by Dardenne
Reported with amendments. (6-1-1) (Regular)

Senate Bill No. 925, by Irons
Reported with amendments. (6-0) (Regular)

Senate Bill No. 929, by Boissiere
Reported with amendments. (7-0) (Regular)

Senate Bill No. 1048, by Hoyt
Reported with amendments. (8-0) (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

June 5, 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. 202, by Walsworth
Reported favorably. (9-0)

Senate Concurrent Resolution No. 23, by C. Fields
Reported favorably. (10-0)

Senate Concurrent Resolution No. 54, by C. Fields
Reported favorably. (10-0)

Senate Concurrent Resolution No. 99, by Hoyt
Reported favorably. (9-0)

Senate Concurrent Resolution No. 100, by C. D. Jones
Reported favorably. (13-0)

Senate Concurrent Resolution No. 103, by Dean
Reported favorably. (9-0)

Senate Concurrent Resolution No. 126, by W. Fields
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 129, by Theunissen
Reported favorably. (9-0)

Senate Concurrent Resolution No. 131, by W. Fields
Reported with amendments. (10-0)

Senate Bill No. 991, by Gautreaux
Reported favorably. (13-0) (Regular)

Senate Bill No. 1035, by Bajoie
Reported favorably. (9-0) (Regular)

CARL CRANE
Chairman

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

Report of the Committee on Environment

June 5, 2001

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 4, 2001, I am directed by your Committee on Environment to submit the following report:

House Concurrent Resolution No. 187, by Strain
Reported favorably. (11-0)

House Concurrent Resolution No. 203, by Damico
Reported favorably. (11-0)

N. J. DAMICO
Chairman

Report of the Committee on Health and Welfare

June 5, 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 Concurrent Resolution No. 199, by McMains
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 94, by Schedler
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 128, by Schedler
Reported with amendments. (10-0)

Senate Bill No. 458, by Schedler
Reported with amendments. (9-0) (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**

June 5, 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:

House Resolution No. 110, by Bruneau
Reported favorably. (10-0)

House Concurrent Resolution No. 194, by Pinac
Reported with amendments. (9-0)

House Concurrent Resolution No. 205, by Morrell
Reported with amendments. (9-0)

Senate Concurrent Resolution No. 19, by Schedler
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 20, by Hines
Reported favorably. (9-0)

Senate Concurrent Resolution No. 57, by Schedler
Reported with amendments. (11-0)

Senate Concurrent Resolution No. 68, by B. Jones
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 92, by Hines
Reported favorably. (9-0)

Senate Concurrent Resolution No. 105, by M. Smith
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 118, by Dardenne
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 121, by Dardenne
Reported with amendments. (10-0)

Senate Concurrent Resolution No. 124, by Johnson
Reported with amendments. (10-0)

Senate Bill No. 77, by McPherson
Reported with amendments. (10-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

Report of the Committee on Natural Resources

June 5, 2001

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 130, by Cain
Reported with amendments. (9-0)

Senate Bill No. 98, by Hainkel
Reported favorably. (9-0) (Regular)

Senate Bill No. 778, by Dardenne
Reported with amendments. (9-0) (Regular)

WILFRED PIERRE
Chairman

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

Report of the Committee on Insurance

June 5, 2001

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1884, by Devillier
Reported by substitute. (9-0) (Regular)

Senate Bill No. 314, by Heitmeier
Reported with amendments. (13-0) (Regular)

Senate Bill No. 1107, by Hainkel
Reported with amendments. (12-0) (Regular)

JAMES DONELON
Chairman

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

Suspension of the Rules

On motion of Rep. Devillier, the rules were suspended in order to
take up House Bills contained in the committee report at this time.

**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. 1884—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 22:2011, relative to agents of record; to
provide for HMOs; to provide for the change or removal of an
agent of record; to provide for notice; to provide for premium
commissions; to provide for rules; and to provide for related
matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 2077—
BY REPRESENTATIVE DEVILLIER
AN ACT

To amend and reenact R.S. 22:1118(F)(1)(a) and (b) and to enact R.S. 22:1118(I), relative to agents of record; to provide for health insurance; to provide for HMOs; to provide for the change or removal of an agent of record; to provide for notice; to provide for premium commissions; to provide for rules; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2077 by Rep. Devillier, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1884 by Rep. Devillier.

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

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 109—
BY REPRESENTATIVE HOLDEN
A RESOLUTION

To express the sincere condolences of the House of Representatives upon the death of Elinora Browder of Baton Rouge.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Concurrent Resolutions have been properly enrolled:

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.

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.

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.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 5, 2001

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 178—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 13:1889.2, relative to the City Court of Bossier City; to authorize the transfer of surplus funds generated from court fees to the general operational fund of the court; and to provide for related matters.

HOUSE BILL NO. 367—
BY REPRESENTATIVE DOWNER AND SENATORS W. FIELDS AND SMITH
AN ACT

To amend and reenact R.S. 29:36.1(A) and to enact R.S. 29:36.1(D), relative to the postsecondary education tuition exemption program provided at state public colleges and universities for eligible members of the Louisiana National Guard; to delete the program requirement that certain applicants be registered voters; to provide for program definitions for certain purposes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 554—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 25:736(introductory paragraph) and to enact R.S. 25:736(6), relative to the Donaldsonville Historic District Commission; to provide that members of the commission shall be residents and electors of the district; and to provide for related matters.

HOUSE BILL NO. 674—
BY REPRESENTATIVE PITRE AND SENATOR DUPRE
AN ACT

To amend and reenact R.S. 34:1652(C)(20) and R.S. 34:1652.1 and to enact R.S. 34:1652(C)(21) and (22) and (D), relative to the Greater Lafourche Port Commission; to provide relative to the rights and powers of the commission; to authorize the commission to enter into certain agreements to make certain highway and

bridge improvements; to authorize the commission to receive certain monetary assistance for certain highway and bridge improvements; to authorize the commission to utilize new and innovative funding mechanisms for certain highway and bridge improvements; to authorize the commission to exercise certain powers relative to airports within the geographical jurisdiction of the commission; to provide relative to port and harbor police; and to provide for related matters.

HOUSE BILL NO. 864—
BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1428(A)(2), (3), and (4) and to enact R.S. 40:1428(D), relative to insurance fraud; to provide for fee assessments; to provide for exemptions; to provide relative to the disposition of fees collected; and to provide for related matters.

HOUSE BILL NO. 949—

BY REPRESENTATIVES R. ALEXANDER, R. CARTER, PERKINS, SHAW, STRAIN, AND WELCH AND SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 40:2199(A)(1) and to enact R.S. 40:2006(A)(2)(m) and (E)(2)(l) and Part VI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2175 through 2180, relative to health care facilities; to provide for the licensing of outpatient abortion facilities by the Department of Health and Hospitals; to provide for the establishment of rules, regulations, and minimum standards for licensing; to provide for fees, license, and penalties for such facilities; to provide for licensing enforcement; and to provide for related matters.

HOUSE BILL NO. 1301—

BY REPRESENTATIVES BOWLER, ANSARDI, GREEN, AND LANCASTER AND SENATOR LENTINI

AN ACT

To amend and reenact Part XV of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:1420.11 through 1420.15, relative to special districts and subdistricts in Jefferson Parish; to provide relative to general authority for the establishment, creation, merger, consolidation, or abolition of special districts and subdistricts in Jefferson Parish; to provide relative to the powers and authorities of such special districts and subdistricts; and to provide for related matters.

HOUSE BILL NO. 1656—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:334.12, relative to the Vinton Harbor and Terminal District; to provide for the per diem received by commissioners of the district; and to provide for related matters.

HOUSE BILL NO. 1736—

BY REPRESENTATIVES SCALISE AND JOHNS

AN ACT

To enact Subparts H and I of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.11 through 300.13 and R.S. 51:300.21 through 300.22, respectively, relative to technology; to provide for definitions; to prohibit the registration and resale of certain domain names; to provide for certain exemptions; to provide for civil remedies; to prohibit certain other actions and provide for remedies; and to provide for related matters.

HOUSE BILL NO. 1779—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 37:3554(B), 3558, and 3562 and to enact R.S. 37:3559(E) and (F), relative to massage establishments; to provide for membership of the board; to provide relative to the issuance of licenses and certificates of registration; to provide for

fees; to provide for annual audits; and to provide for related matters.

HOUSE BILL NO. 1792—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:1267(B), (C), and (D), relative to surplus line broker licenses; to provide for denial; to provide for refusal to renew or reinstate; to provide for fines; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1880—

BY REPRESENTATIVE LAFLEUR

AN ACT

To enact R.S. 33:4562.3, relative to recreation districts; to authorize the governing authority of Evangeline Parish to create the Evangeline-Ville Platte Recreation District; to provide for boundaries; to provide for the objects and purposes of the district; to provide for the powers and governance of the district; and to provide for related matters.

HOUSE BILL NO. 1838—

BY REPRESENTATIVE SCHWEGMANN AND SENATORS HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1234(A)(1)(b) and (c) and (F) and to enact R.S. 40:1231(22) and 1234(A)(1)(d), relative to emergency medical technicians; to provide training and certification to allow all emergency medical technicians to carry and administer epinephrine; and to provide for related matters.

HOUSE BILL NO. 1871 (Substitute for House Bill No. 269 by Representative Lancaster)—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 42:1141(B)(1), relative to the notification provided to a person who files a complaint with the Board of Governmental Ethics; to provide that a person who files a non-sworn complaint shall be provided only a notification of disposition of the complaint; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to meet on Wednesday, June 6, 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. 570

House Concurrent Resolution No. 48

Senate Bill No. 1045

Leave of Absence

Rep. Schwegmann - 1 week

Adjournment

On motion of Rep. Montgomery, at 6:35 P.M., the House agreed to adjourn until Wednesday, June 6, 2001, at 2:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 2:00 P.M., Wednesday, June 6, 2001.

ALFRED W. SPEER
Clerk of the House