

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

OF THE  
**STATE OF LOUISIANA**

**FORTY-SEVENTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, June 14, 2001

The House of Representatives was called to order at 1:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

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

Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright

Total—105

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Salter.

**Pledge of Allegiance**

Rep. Bowler 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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Doerge, and under a suspension of the rules, the Journal of June 12, 2001, was corrected to reflect her as voting yea on final passage of Senate Bill No. 725.

On motion of Rep. Doerge, and under a suspension of the rules, the Journal of June 13, 2001, was corrected to reflect her as voting nay on the motion to adopt the Conference Committee Report to Senate Bill No. 239.

On motion of Rep. Clarkson, and under a suspension of the rules, the Journal of June 13, 2001, was corrected to reflect her as voting yea on final passage of Senate Bill No. 18.

On motion of Rep. Frith, the Journal of June 13, 2001, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 61, 161, and 162

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

### Message from the Senate

#### SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 990, 512, 624, 678, 742, 748, 855, 992, 1006, 1032, 1036, 417, 1080, 109, 191, 196, 247, 300, 445, 496, 508, 655, 732, 569, 718, 755, 792, 816, 965, 1007, 1022, 1029, 1060, 50, 592, 725, 885, 1016, 1028, 1061, 1072, 1073, 1104, 252, 525, 621, 653, 751, 770, 866, 884, 239, 4, 176, 177, 254, 281, 501, 532, 695, 730, and 833

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

### Message from the Senate

#### HOUSE BILLS

June 13, 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. 186  
Returned without amendments.

House Bill No. 231  
Returned without amendments.

House Bill No. 458  
Returned without amendments.

House Bill No. 640  
Returned without amendments.

House Bill No. 701  
Returned without amendments.

House Bill No. 734  
Returned without amendments.

House Bill No. 759  
Returned without amendments.

House Bill No. 780  
Returned without amendments.

House Bill No. 782  
Returned without amendments.

House Bill No. 842  
Returned without amendments.

House Bill No. 902  
Returned without amendments.

House Bill No. 903  
Returned without amendments.

House Bill No. 933  
Returned without amendments.

House Bill No. 996  
Returned without amendments.

House Bill No. 1016  
Returned without amendments.

House Bill No. 1056  
Returned without amendments.

House Bill No. 1144  
Returned without amendments.

House Bill No. 1151  
Returned without amendments.

House Bill No. 1210  
Returned without amendments.

House Bill No. 1229  
Returned without amendments.

House Bill No. 1255  
Returned without amendments.

House Bill No. 1302  
Returned without amendments.

House Bill No. 1307  
Returned without amendments.

House Bill No. 1350  
Returned without amendments.

House Bill No. 1386  
Returned without amendments.

House Bill No. 1439  
Returned without amendments.

House Bill No. 1638  
Returned without amendments.

House Bill No. 1649  
Returned without amendments.

House Bill No. 1708  
Returned without amendments.

House Bill No. 1840  
Returned without amendments.

House Bill No. 1844  
Returned without amendments.

House Bill No. 1848  
Returned without amendments.

House Bill No. 1851  
Returned without amendments.

House Bill No. 1875  
Returned without amendments.

House Bill No. 1892  
Returned without amendments.

House Bill No. 1950  
Returned without amendments.

House Bill No. 1955  
Returned without amendments.

House Bill No. 1959  
Returned without amendments.

House Bill No. 1966  
Returned without amendments.

House Bill No. 1967  
Returned without amendments.

House Bill No. 1982  
Returned without amendments.

House Bill No. 2001  
Returned without amendments.

House Bill No. 2049  
Returned without amendments.

House Bill No. 2074  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 13, 2001

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 1011 by Sen. Lentini, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 13, 2001

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 1017 by Sen. Lentini, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 13, 2001

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 974 by Sen. Ullo, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 14, 2001

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 500 by Sen. W. Fields, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 14, 2001

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill

No. 865 by Sen. Thomas, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 389: Senators Hollis, Theunissen, and Mount.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1721: Senators Boissiere, Tarver, and Schedler.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1565: Senators Dardenne, Hainkel, and Hines.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 13, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2051: Senators Hollis, Michot, and Smith.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 13, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1925: Senators Fontenot, Cain, and Malone.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 13, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1727: Senators Chaisson, Heitmeier, and C. Fields.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 13, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 953: Senators C. D. Jones, Ellington, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 13, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 20: Senators Romero, Heitmeier, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 81.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**House and House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 236—**  
BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To direct the Department of Insurance to investigate reimbursement of the provider fee by insurance or third party payors to pharmacy providers as mandated in Acts 1992, No. 260 and to take whatever actions are necessary to ensure compliance with reimbursement of the provider fee by such insurance or third party payors.

Read by title.

**Motion**

On motion of Rep. Johns, the resolution was returned to the calendar.

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

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

**HOUSE RESOLUTION NO. 112—**  
BY REPRESENTATIVES DEWITT AND HEBERT  
A RESOLUTION

To amend and readopt House Rule 5.8 of the Rules of Order of the House of Representatives to provide relative to the attire for members of the House during session and in committee.

Read by title.

Rep. Bruneau moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Pitre
Alexander, R	Hammett	Powell
Ansardi	Hebert	Pratt
Baldone	Hill	Quezaire
Baudoin	Holden	Richmond
Baylor	Hopkins	Riddle
Bowler	Hunter	Salter
Broome	Hutter	Scalise
Bruce	Iles	Schneider
Bruneau	Jackson, L	Schwegmann
Carter, K	Jackson, M	Shaw
Carter, R	Johns	Smith, G.—56th
Cazayoux	Katz	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.H.—8th
Crane	Kenney	Smith, J.R.—30th
Crowe	LaFleur	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Strain
Daniel	Lucas	Swilling
Dartez	Martiny	Thompson
Devillier	McCallum	Toomy
Diez	McDonald	Townsend
Donelon	McMains	Triche
Downer	McVea	Tucker
Erdey	Montgomery	Waddell
Farrar	Morrish	Walsworth
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Futrell	Perkins	Wright
Gallot	Pierre	
Total—95		

NAYS

Total—0

ABSENT

Alexander, E	Glover	Morrell
Doerge	Heaton	Romero
Durand	Hudson	
Fruge	LeBlanc	
Total—10		

The resolution was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 226—**

BY REPRESENTATIVE HOLDEN AND SENATOR C. FIELDS  
A CONCURRENT RESOLUTION

To request the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and function as a joint committee to study the application and imposition of the death penalty in the State of Louisiana.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 234—**

BY REPRESENTATIVE GLOVER  
A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and act jointly to study and make recommendations regarding the safe relinquishment of newborns.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions on  
Third Reading for Final Consideration**

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

**SENATE CONCURRENT RESOLUTION NO. 74—**

BY SENATOR CAIN  
A CONCURRENT RESOLUTION

To urge and request the office of state parks to conduct a study to determine if certain portions of Bundick Swamp in Beauregard Parish are suitable for inclusion in the state park system.

Read by title.

On motion of Rep. Hill, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 110—**

BY SENATOR JOHNSON  
A CONCURRENT RESOLUTION

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, at the end of line 6, delete the period "." and insert the following:

"and on Chef Menteur Boulevard (Highway 90) from Downman Road to Bullard Avenue."

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2 at the end of line 16, delete the period "." and insert the following:

"and on Chef Menteur Boulevard (Highway 90) from Downman Road to Bullard Avenue."

Rep. Richmond moved the adoption of the amendments.

Rep. Romero objected.

By a vote of 54 yeas and 36 nays, the amendments were adopted.

Rep. Richmond moved the concurrence of the resolution, as amended.

Rep. Romero objected.

By a vote of 62 yeas and 24 nays, the resolution, as amended, was concurred in.

**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.

On motion of Rep. Bruneau, the resolution was concurred in.

**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.

On motion of Rep. Damico, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 19—**

BY SENATOR SCHEDLER  
A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Winston, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 20—**  
BY SENATORS HINES, SCHEDLER, MCPHERSON AND THOMAS AND REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Riddle, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education together with the Department of Education, the Louisiana Community and Technical College System, and the Department of Public Safety and Corrections to collectively conduct a study of education programs for both adult and juvenile inmates who are incarcerated in both state and local penal institutions.

Read by title.

On motion of Rep. Michael Jackson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to address the problem of sexual trafficking.

Read by title.

On motion of Rep. Michael Jackson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 31—**  
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the availability of programs and resources for inmate rehabilitation and development and make a comparison among institutions.

Read by title.

On motion of Rep. Michael Jackson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 54—**  
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request a comprehensive study of the African American population in the state of Louisiana by Southern University's Nelson Mandela School of Public Policy and Urban Affairs.

Read by title.

On motion of Rep. Michael Jackson, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 57—**  
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Winston, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 68—**  
BY SENATORS B. JONES AND JOHNSON

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Winston, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 92—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue and provide with respect to the task force created to study the impact of assisted conception and artificial means of reproduction relative to state law established during the 1999 Regular Session pursuant to Senate Concurrent Resolution No. 141.

Read by title.

On motion of Rep. Alario, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 94—**  
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Winston, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 99—**  
BY SENATOR HOYT

A CONCURRENT RESOLUTION

To urge and request the governing authority of each public elementary and secondary school to develop, adopt, and implement a policy to provide for the preemployment drug screening and in-service testing of any person employed as a teacher, substitute teacher, bus driver, substitute bus driver, school administrator or any other school employee who might reasonably be expected to be placed in a position of supervisory or disciplinary authority over students.

Read by title.

On motion of Rep. Alario, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 100—**  
BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the state Department of Education to seek any and all federal grant opportunities to provide financial assistance for the start-up and operational expenses of charter schools in Louisiana.

Read by title.

On motion of Rep. Hunter, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 103—**

BY SENATOR DEAN

**A CONCURRENT RESOLUTION**

To urge and request the Blue Ribbon Commission on Teacher Quality, in consultation with the Louisiana School and District Accountability Advisory Commission, to study and make recommendations to the legislature on the usefulness, value and advisability of providing merit pay to teachers who demonstrate exemplary performance in the classroom and succeed in improving student achievement.

Read by title.

On motion of Rep. Odinet, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 105—**

BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

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

Read by title.

On motion of Rep. Townsend, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 118—**

BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

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

Read by title.

On motion of Rep. Crane, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 121—**

BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

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

Read by title.

On motion of Rep. Crane, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 124—**

BY SENATOR JOHNSON

**A CONCURRENT RESOLUTION**

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

Delete House Committee Amendments No. 2, 3, 5, and 6 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 6, 2001.

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

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

On motion of Rep. Alario, the resolution, as amended, was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 126—**

BY SENATORS W. FIELDS, HOYT, MOUNT AND THEUNISSEN

**A CONCURRENT RESOLUTION**

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

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

On motion of Rep. Pratt, the resolution, as amended, was concurred in.



**SENATE CONCURRENT RESOLUTION NO. 128—**  
BY SENATOR SCHEDLER AND REPRESENTATIVE R. ALEXANDER  
A CONCURRENT RESOLUTION

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

Read by title.

**Motion**

On motion of Rep. Winston, the resolution was returned to the calendar.

**SENATE CONCURRENT RESOLUTION NO. 129—**  
BY SENATOR THEUNISSEN  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the importance of international education as economic development and the feasibility of establishing a state international education policy to further economic competitiveness and to promote the international exchange of scholars through mutual understanding and cooperation among other countries.

Read by title.

On motion of Rep. Alario, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 130—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Alario, the resolution was concurred in.

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

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

Read by title.

On motion of Rep. Alario, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 139—**  
BY SENATOR THEUNISSEN  
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on May 24, 2001, to determine the cost of a minimum foundation program of education in all public elementary and

secondary schools as well as to equitably allocate the funds to parish and city school systems.

Read by title.

Rep. Crane moved the concurrence of the resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Nevers
Alario	Gallot	Odinot
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter, K	Hunter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	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
Total—102		

**NAYS**

Romero  
Total—1

**ABSENT**

Hutter  
Total—2  
Perkins

The resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 148—**  
BY SENATOR DARDENNE  
A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. McMains, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 156—**  
BY SENATOR ELLINGTON

**A CONCURRENT RESOLUTION**

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

Read by title.

On motion of Rep. Downer, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 128—**  
BY SENATOR SCHEDLER AND REPRESENTATIVE R. ALEXANDER

**A CONCURRENT RESOLUTION**

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

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

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

(11) The Voluntary Hospitals of America, Inc.

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

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

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

On motion of Rep. Winston, the resolution, as amended, was concurred in.

**Suspension of the Rules**

On motion of Rep. Bruce, the rules were suspended in order to take up and consider Conference Committee Reports for Consideration at this time.

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 81 By Representatives Bruce**

June 13, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 81 by Representatives Bruce, recommend the following concerning the reengrossed bill:

- 1. That the set of Senate Floor Amendments proposed by Senator Hines and adopted by the Senate on June 6, 2001, be adopted.
- 2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 8, after "notice;" and before "to" insert "to prohibit the assessment of civil penalties for certain violations;"

AMENDMENT NO. 2

On page 2, at the end of line 20, change the colon ":" to a comma "," and at the beginning of line 21 delete "(1) No" and insert "no"

AMENDMENT NO. 3

On page 2, at the beginning of line 24, change "(a)" to "(1)"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 4, line 8, after "citation" delete the remainder of the line and delete line 9 in its entirety and insert "for a violation of this Section"

AMENDMENT NO. 6

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

"F. The provisions of R.S. 32:57 shall not apply to a violation of this Section. No civil penalties or court costs shall be assessed for any violation of this Section."

Respectfully submitted,

Representative Beverly Bruce  
Representative John C. "Juba" Diez  
Representative Billy Montgomery  
Senator Donald E. Hines  
Senator Willie Mount

Rep. Bruce moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Durand	Morrell
Alario	Erdy	Murray
Alexander, E	Farrar	Odinot
Ansardi	Faucheux	Pierre
Baudoin	Futrell	Powell
Baylor	Gallot	Quezaire
Broome	Glover	Riddle
Bruce	Heaton	Romero
Bruneau	Holden	Salter
Carter, K	Hudson	Schwegmann
Carter, R	Hunter	Shaw
Clarkson	Hutter	Stelly
Crane	Jackson, L	Strain
Crowe	Katz	Thompson
Damico	Kennard	Tucker
Devillier	Landrieu	Waddell
Diez	LeBlanc	Welch
Doerge	McMains	
Donelon	Montgomery	
Total—55		

**NAYS**

Alexander, R	Johns	Schneider
Baldone	Kenney	Smith, G.—56th
Bowler	LaFleur	Smith, J.D.—50th
Cazayoux	Lancaster	Smith, J.H.—8th
Downer	McCallum	Smith, J.R.—30th
Flavin	McDonald	Sneed
Green	McVea	Toomy
Guillory	Nevers	Townsend
Hammett	Perkins	Walsworth
Hebert	Pinac	Winston
Hopkins	Pitre	Wooton
Iles	Pratt	Wright
Jackson, M	Scalise	
Total—38		

**ABSENT**

Curtis	Fruge	Morrish
Daniel	Hill	Richmond
Dartez	Lucas	Swilling
Frith	Martiny	Triche
Total—12		

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 590 By Representative Montgomery**

June 11, 2001

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

Ladies and Gentlemen:

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

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

AMENDMENT NO. 1

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

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

Respectfully submitted,

Representative Billy Montgomery  
Representative Pete Schneider  
Representative Rick Gallot  
Senator Lambert Boissiere, Jr.  
Senator Butch Gautreaux  
Senator Reggie Dupre

Rep. Montgomery moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Nevers
Alario	Gallot	Odinot
Alexander, E	Glover	Perkins
Alexander, R	Green	Pierre
Ansardi	Guillory	Pinac
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.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	Wright
Fruge	Murray	
Total—101		

NAYS

Total—0

ABSENT

Hill	Smith, J.H.—8th
Pitre	Wooton
Total—4	

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 987 By Representative Hammett**

June 13, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 987 by Representative Hammett, recommend the following concerning the engrossed bill:

1. That Senate Committee Amendments Nos. 1 through 10 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 1, 2001, be adopted.
2. That Senate Committee Amendment No. 11 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 1, 2001, be rejected.
3. That the following amendment to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 6, after "secretary." insert the following:

"C. The only interest which may be assessed and collected on recovered rebates is interest at a rate three percentage points above the rate provided in Civil Code Article 2924(B)(1), which shall be computed beginning on the date one year after the date of issuance of the rebate to the date payment is received by the secretary.

D."

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
Representative John A. Alario, Jr.

Representative T. Taylor Townsend  
Senator Bill Jones  
Senator Robert J. Barham  
Senator John L. "Jay" Dardenne

Rep. Hammett moved to adopt the Conference Committee Report.

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

NAYS

Schneider  
Total—1

ABSENT

Doerge	LeBlanc
Durand	Richmond
Total—4	

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

**Senate Bill No. 221 by Hines**

June 12, 001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 221 by Hines recommend the following concerning the Engrossed bill:

1. That House Committee Amendment Nos. 1 through 5 proposed by the House Committee on House and Governmental Affairs and adopted by the House on May 29, 2001 be adopted.
2. That House Floor Amendment Nos. 1 and 2 proposed by Representatives R. Carter and Bowler and adopted by the House of Representatives on June 7, 2001 be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

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

"(b) The exception in this Paragraph, shall be applicable to any person employed between July 1, 2001 through October 1, 2001, and shall continue for the duration of such employment. After October 1, 2001, a school board member shall only be eligible to be employed as a classroom teacher."

AMENDMENT NO. 2

On page 2, line 2, change "(b)" to "(c)"

AMENDMENT NO. 3

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

"Section 2. This Act shall become effective on July 1, 2001."

Respectfully submitted,

Senator Donald E.Hines  
Senator Gerald J. Theunissen  
Senator Chris Ullo  
Representative Eric LaFleur  
Representative Dan W. Morrish

Rep. Hill moved to adopt the Conference Committee Report.

As a substitute motion, Rep. Bowler moved to recommit the bill to the Conference Committee.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

YEAS

Alexander, E	Fruge	Pitre
Ansardi	Green	Powell
Baldone	Hammett	Pratt
Baudoin	Hebert	Quezaire
Baylor	Johns	Scalise
Bowler	Katz	Schneider
Bruce	Kennard	Schwegmann
Bruneau	Kenney	Shaw
Crane	Lancaster	Smith, J.D.—50th
Crowe	LeBlanc	Sneed
Damico	Lucas	Stelly
Devillier	Martiny	Strain

Diez	McCallum	Thompson
Donelon	McDonald	Townsend
Downer	McMains	Tucker
Erdey	Nevers	Walsworth
Faucheux	Odinot	Winston
Flavin	Perkins	Wooton
Total—54		

NAYS

Mr. Speaker	Hill	Pinac
Alario	Holden	Richmond
Alexander, R	Hopkins	Riddle
Broome	Hudson	Romero
Carter, K	Hunter	Salter
Daniel	Hutter	Smith, G.—56th
Doerge	Iles	Smith, J.H.—8th
Durand	Jackson, L	Smith, J.R.—30th
Farrar	Jackson, M	Swilling
Frith	LaFleur	Toomy
Futrell	Landrieu	Waddell
Gallot	Montgomery	Welch
Glover	Morrish	Wright
Guillory	Murray	
Heaton	Pierre	
Total—43		

ABSENT

Carter, R	Curtis	Morrell
Cazayoux	Dartez	Triche
Clarkson	McVea	
Total—8		

The House recommitted the bill to the Conference Committee.

**CONFERENCE COMMITTEE REPORT**

**Senate Bill No. 123 by Senator Malone**

June 13, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 123 by Senator Malone recommend the following concerning the Engrossed bill:

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

Respectfully submitted,

Senator Heulette "Clo" Fontenet  
Senator Max T. Malone  
Senator Chris Ullo  
Representative Roy Hopkins  
Representative Wayne Waddell

Rep. Hopkins moved to adopt the Conference Committee Report.

As a substitute motion, Rep. Lancaster moved to recommit the bill to the Conference Committee.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Nevers
Alario	Glover	Odinet
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Heaton	Pitre
Baldone	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hudson	Richmond
Broome	Hunter	Riddle
Bruneau	Hutter	Salter
Carter, K	Iles	Scalise
Carter, R	Jackson, M	Schneider
Cazayoux	Johns	Schwegmann
Clarkson	Katz	Smith, G.—56th
Damico	Kennard	Smith, J.D.—50th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Doerge	Lucas	Swilling
Downer	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McMains	Tucker
Faucheux	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Total—84		

NAYS

Bruce	Hopkins	Shaw
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Kenney	Thompson
Donelon	McVea	Waddell
Flavin	Montgomery	Walsworth
Gallot	Perkins	Wright
Hammett	Romero	
Total—20		

ABSENT

Curtis  
Total—1

The House recommitted the bill to the Conference Committee.

Suspension of the Rules

On motion of Rep. Powell, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 118 (Duplicate of Senate Bill No. 325)—  
BY REPRESENTATIVE POWELL AND SENATOR HAINKEL  
AN ACT

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

placed in the unclassified service; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

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

\* \* \*

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

AMENDMENT NO. 7

On page 2, line 1, change "Section 3." to "Section 2."

Rep. Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Total—105		

NAYS

Total—0

ABSENT

Total—0

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 245—**  
BY REPRESENTATIVE BAYLOR

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 245 by Representative Baylor

AMENDMENT NO. 1

On page 2, line 1, change "Public school" to "School"

Rep. Baylor moved that the amendments proposed by the Senate be concurred in.

**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
Baldone	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	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		

NAYS

Total—0

ABSENT

Diez  
Total—2  
Smith, J.R.—30th

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 275—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 15:1184(A) and (B) and 1188 and to enact R.S. 15:1191, relative to lawsuits filed by prisoners; to provide with respect to administrative remedies; to provide that available

administrative remedies be exhausted prior to assertion of claim under state law; to provide with respect to dismissal of a prisoner suit; to provide for definitions; to provide for service of a prisoner suit upon a governmental entity; to provide for judicial notice of administrative remedies; to provide for the transfer of suits filed in an improper venue; to provide for withholding of service of process pending an initial review of prisoner lawsuits by the courts; to provide for application of the Louisiana Prison Litigation Reform Act to civil rights claims brought in state courts; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 275 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 18, after "prejudice" insert a period "." and delete "as to" and insert "However, the prisoner shall be prohibited from filing"

AMENDMENT NO. 2

On page 2, line 18, after "subsequent" change "suit filed" to "suits"

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Table listing names of representatives: Flavin, Frith, Fruge, Futrell, Gallot, Morrell, Morrish, Murray, Nevers, Odinet, Winston, Wooton, Wright.

Total—103

NAYS

Total—0

ABSENT

Table listing names of representatives: Carter, R, Perkins.

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 400— BY REPRESENTATIVE FARRAR AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 400 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 33:4564(D)," and insert "amend and reenact R.S. 33:4564.3,"

AMENDMENT NO. 2

On page 1, line 10, delete "R.S. 33:4564(D) is hereby enacted" and insert "R.S. 33:4564.3 is hereby amended and reenacted"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16, and on page 2, delete lines 1 through 4, and insert:

"§4564.3. Ward Ten Recreation District of the parish of Rapides

Notwithstanding the provisions of R.S. 33:4564(A) and (C) or any other law to the contrary, the governing authority of the parish of Rapides may increase the membership of the board of commissioners of the Ward Ten Recreation District, of the parish of Rapides from seven to nine members. The terms of the two additional members so authorized shall be as determined by the appointing authority not to exceed seven years, and the initial additional members shall serve until their successors have been appointed and qualified. Any vacancy which occurs shall be filled by appointment of the parish governing authority for the unexpired term. All other provisions of law relative to members of the board shall apply to the additional members. Rapides Parish, Louisiana, shall be composed of nine members as follows:

(1) Six members shall be appointed by the governing authority of Rapides Parish.



(2) One member shall be appointed by the board of aldermen of the town of Ball with the approval of the mayor of Ball and shall be a qualified voter and resident of the town of Ball.

(3) The president of the Ward Ten girls softball program shall be a member.

(4) The president of the Ward Ten boys baseball program shall be a member."

AMENDMENT NO. 4

On page 2, line 5, after "Section 2." insert "(A)"

AMENDMENT NO. 5

On page 2, line 5, after "this Act that" delete "the" and delete lines 6 through 21 and insert:

"one of the members of the board of commissioners of Ward Ten Recreation District, Rapides Parish, Louisiana, in office on the effective date of this Act who is a qualified voter and resident of the town of Ball shall be replaced for the remainder of the unexpired term of such member by a member appointed by the board of aldermen of the town of Ball with approval of the mayor of Ball as provided in R.S. 33:4564.3(2) as enacted in this Act and on the effective date of this Act, the president of the Ward Ten girls softball program and the president of the Ward Ten boys baseball program shall become members of the board.

(B) In order to implement this Act, on the effective date of this Act the office of one of the members of the board who is a qualified voter and resident of the town of Ball, as determined by the board of aldermen of the town of Ball, shall be vacated by operation of law and this vacancy shall be filled for the remainder of the unexpired term by appointment of a qualified voter and resident of the town of Ball by the board of aldermen of the town of Ball with approval of the mayor of Ball as provided in this Act. The presidents of the Ward Ten girls softball program and the Ward Ten boys baseball program shall become members of the board on the effective date of this Act and, if they are not serving as appointed members of the board on that date, on that date they shall replace two members of the board who shall be designated by the parish governing authority."

Rep. Farrar moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:  
YEAS

Mr. Speaker	Glover	Odinot
Alario	Green	Perkins
Alexander, E	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Heaton	Pitre
Baldone	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Richmond
Broome	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
Clarkson	Jackson, M	Schwegmann
Crane	Johns	Shaw
Curtis	Katz	Smith, G.—56th

Damico	Kennard	Smith, J.D.—50th
Daniel	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Sneed
Devillier	Lancaster	Stelly
Diez	Landrieu	Strain
Doerge	LeBlanc	Swilling
Donelon	Lucas	Thompson
Downer	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McMains	Tucker
Faucheux	McVea	Waddell
Flavin	Montgomery	Walsworth
Frith	Morrell	Welch
Fruge	Morrish	Winston
Futrell	Murray	Wooton
Gallot	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Bruce	Crowe	Smith, J.H.—8th
Total—3		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 456—**  
BY REPRESENTATIVE ALARIO  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

"§4880. Maximum penalty for dumping; Orleans Parish

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

Rep. Alario moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Lucas  
Total—1

**ABSENT**

Crowe	Fruge	Swilling
Curtis	Hill	
Dartez	Richmond	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 495—**

BY REPRESENTATIVES SCHNEIDER, JOHN SMITH, CURTIS, DEWITT, DOERGE, DOWNER, HUDSON, WALSWORTH, ALARIO, R. ALEXANDER, BRUCE, BRUNEAU, R. CARTER, CAZAYOUX, DAMICO, DARTEZ, DONELON, ERDEY, FARRAR, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GUILLORY, HAMMETT, HEATON, HOPKINS, HUNTER, L. JACKSON, M. JACKSON, KENNARD, KENNEY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PINAC, PRATT, RIDDLE, ROMERO, SALTER, SCHWEGMANN, JACK SMITH, JANE SMITH, THOMPSON, TOWNSEND, TRICHE, WADDELL, WELCH, AND WRIGHT

**AN ACT**

To amend and reenact R.S. 11:1307(A) and R.S. 22:1419(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to benefits, including but not limited to the benefit accrual rate used for calculation of benefits, the age, service, and date of employment criteria used for determining eligibility for benefits, and the use of funds derived from assessments against insurers for the payment of actuarial costs related to increasing the benefit accrual rate and survivor benefits; to provide an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 495 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 22:1419(A)(3)" and the "," insert "and (4)"

AMENDMENT NO. 2

On page 2, line 13, between "and" and "percent" delete "one-half" and insert "one-third"

AMENDMENT NO. 3

On page 3, at the beginning of line 6, delete "one-half" and insert "one-third"

AMENDMENT NO. 4

On page 3, and the end of line 19, delete "one-half" and insert "one-third"

AMENDMENT NO. 5

On page 4, delete lines 20 through 24 in their entirety

AMENDMENT NO. 6

On page 5, line 12, after the phrase "funding the" delete the remainder of the line and delete lines 13 through 21 in their entirety

AMENDMENT NO. 7

On page 6, between lines 2 and 3, insert:

"(4)(a) After payment of the amounts established by the Public Retirement Systems' Actuarial Committee to the retirement systems and after the allocation provided for in Subparagraph (b) of this Paragraph, all remaining funds shall be remitted to the state general fund.

(b) Prior to the remittance set forth in Subparagraph (a) of this Paragraph, the State Police Pension and Retirement System shall receive

an allocation of assessed premiums, but the amount of such allocated assessed premiums shall not exceed an amount which is necessary to fund the annual actuarial cost incurred by the State Police Pension and Retirement System with regard to the implementation of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature. If there are no such funds available for this purpose, then the annual actuarial cost shall be included in the employer contribution rate attributable to the State Police Pension and Retirement System of the plan year immediately following the year that such funds are not available and in each plan year thereafter until such assessed funds become available for the purpose specified in this Subparagraph."

#### AMENDMENT NO. 8

On page 6, line 4, between "Section 3." and "the" insert "(A.)"

#### AMENDMENT NO. 9

On page 6, line 7, at the beginning of the line, after "2001." insert the following:

"Notwithstanding any other provision of law to the contrary, the Louisiana State Police Retirement System, on the effective date of this Act, shall apply the provisions of R.S. 11:1307(A)(1) to determine the monthly retirement benefit payable to any person who has attained age fifty and retired from or became a beneficiary of the Louisiana State Police Retirement System pursuant to the provisions of R.S. 11:272."

#### AMENDMENT NO. 10

On page 6, delete lines 9 through 26 in their entirety and on page 7, delete lines 1 through 8 in their entirety and insert in lieu thereof:

"(B)(1) However, notwithstanding any other provision of law to the contrary, with regard to any person who participated in the Deferred Retirement Option Plan on or before June 30, 2001, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remains in such continuous employment on July 1, 2001, the monthly retirement benefit payable to such person shall be the sum of three and one-third percent, multiplied by his monthly average salary, and further multiplied by the years of service credited to his account prior to the effective date of his participation in the Deferred Retirement Option Plan, but his total annual benefit shall not exceed one hundred percent of his average annual salary.

(2)(a) Notwithstanding any other provision of law to the contrary and specifically the provisions of R.S. 11:1310, the phrase "average salary" as used for the purpose of computing the regular retirement benefits of any member who entered the Deferred Retirement Option Plan based on less than twenty-five years of service shall mean the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the Civil Service Commission or the State Police Civil Service Commission for any twelve month period of service occurring while a member of this system, but limited to the first twenty-five years of state trooper service, regardless of whether such state trooper service occurred before, during, or after participation in the Deferred Retirement Option Plan. The phrase "average salary" as defined by this Subparagraph shall be used for purposes of computing the regular retirement benefit that is payable based on all service occurring prior the member's effective date of participation in the Deferred Retirement Option Plan.

(b) Any supplemental regular retirement benefit which is payable based on service which occurs after the member's termination of participation in the Deferred Retirement Option Plan shall be based on the greater of the average salary as determined in Subparagraph (a) of this Paragraph or the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the

Civil Service Commission or the State Police Civil Service Commission for any twelve month period of service occurring while a member of this system, but limited to the years of service which are attributable to twenty-five or more years of state trooper service.

(c) For purposes of this Section, "state trooper service" shall not include any service credited to the member's account based on the purchase of credit for military service or credit based on a transaction executed pursuant to R.S. 11:142, 143, or 158.

(d) For purposes of this Section, "average salary" shall not include overtime, expenses, clothing allowances, or any remuneration resulting from military service.

(3) Any member who is covered by the provisions of this Section and who is either participating in or who has terminated his participation in the Deferred Retirement Option Plan on or before July 1, 2001, shall not have the benefits that are either being credited to or have been credited to his Deferred Retirement Option Plan account recomputed. The Deferred Retirement Option Plan benefits that are either currently being credited to or have been credited to such member's Deferred Retirement Option Plan account shall be the same as they were upon the member's effective date of entry into the Deferred Retirement Option Plan.

(4) Any member whose regular or supplemental retirement benefits, or any combination of regular or supplemental retirement benefits, would be reduced because of the application of the provisions of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature, shall receive the highest combination of any such benefits."

### **LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 495 by Representative Schneider

#### AMENDMENT NO. 1

On page 4, line 6, following "(3)" and before "hereby" delete "is" and insert "and (4) are"

#### AMENDMENT NO. 2

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001, on line 41, after "prior" and before "the" insert "to"

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 495 by Representative Schneider

#### AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 5 through 10 proposed by the Senate Committee on Retirement and adopted by the Senate on May 15, 2001.

#### AMENDMENT NO. 2

On page 4, line 6, between "Section 2." and "hereby" delete "R.S. 22:1419(A)(3) is" and insert in lieu thereof "R.S. 22:1419(A)(3) and (4) are"

#### AMENDMENT NO. 3

On page 4, delete lines 11 through 24 in their entirety and delete pages 5 and 6 in their entirety and on page 7, delete lines 1 through 8 in their entirety and insert in lieu thereof:

"(3) Regardless of the percentage assessed by the commission, an amount equal to seven-tenths of one percent of the gross direct premiums received in this state, in the preceding year, by insurers doing business in this state and subject to this Part, less returned premiums shall be deposited by the commission with the state treasurer to the account on behalf of the Municipal Police Employees' Retirement System, the Sheriffs' Pension and Relief Fund, and the Firefighters' Retirement System for the exclusive use of these retirement systems or funds, and allocated as follows:

(a)(i) First, the assessment shall be used for funding of mergers of local retirement systems with these statewide retirement systems, such mergers to be funded over a period of thirty years, unless the Public Retirement Systems' Actuarial Committee deems a shorter period appropriate. Such shorter period shall not use more than five percent of the total assessment in any one year, nor shall the aggregate of all mergers being funded in any one year use more than twenty-five percent of the total assessment in any one year.

(ii) One million five hundred thousand dollars of the twenty-five percent of the total assessment which is allocated for the purpose of mergers shall be expended first to fund the annual actuarial cost incurred by the State Police Pension and Retirement System with regard to implementation of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature, and this one million five hundred thousand dollars shall be expended prior to the funding of any mergers.

(b)(i) First, Second, any funds that remain after the allocations provided for in Subparagraph (a) of this Paragraph shall be used as provided for in Item (ii) of this Subparagraph, in meeting the remaining portion of the actuarially required contributions after receipt of the employee contributions at the rate established in R.S. 11:62(3), (6), and (9), after receipt of the employer contributions at the rate established in R.S. 11:103(C), and after receipt of all dedicated funds and taxes referred to in R.S. 11:103(C)(2)(a), in the amounts determined by the Public Retirement Systems' Actuarial Committee. Second, the assessment shall be used for funding of mergers of local retirement systems or funds with these statewide systems or funds, such mergers to be funded over a period of thirty years, unless the Public Retirement Systems' Actuarial Committee deems a shorter period appropriate. Such shorter period shall not use more than five percent of the total assessment in any one year, nor shall the aggregate of all mergers being funded in any one year use more than twenty-five percent of the total assessment in any one year.

(ii)(aa) Any funds that remain after the allocations provided for in Subparagraph (3)(a) of this Paragraph shall be divided into three thirds and, then, a one-third portion shall be allocated separately to each of the three systems. Except as otherwise provided in this Item, each such system shall not receive a greater portion than one-third.

(bb) It is hereby acknowledged that any one system may not need the entire one-third portion that it receives each year to meet the remaining portion of its actuarially required contributions. In that event, any unused allocated funds shall be reallocated to such other system or systems of the three systems that have a need for additional funds to meet the remaining portion of the actuarially required contributions.

(cc) If one system does not need its total annual allocated portion, but two other systems do use their total annual allocated portions to meet the remaining portion of the actuarially required contributions and need additional funds for that purpose, then the unused allocated portion of the system that did not use its total annual allocated portion shall be divided equally between the two systems that need additional funds to

meet the remaining portion of their actuarially required contributions, except that any funds not needed by either such system shall be reallocated to the other such system to meet the remaining portion of the actuarially required contributions.

(dd) Funds that are reallocated to a system pursuant to Subitem (bb) or (cc) of this Item shall be limited to the amount that is necessary to meet the remaining portion of the actuarially required contributions of the receiving system.

(C) The phrase "retirement system" or "system" as used in Paragraphs (3), (4), and (5) of this Subsection shall include the Sheriffs' Pension and Retirement Fund, as applicable, notwithstanding that it is technically a retirement fund and not a retirement system.

(4) After payment of the amounts established by the Public Retirement Systems' Actuarial Committee to the retirement systems as provided for in Paragraph (3) of this Subsection, all remaining funds shall be remitted to the state general fund.

\* \* \*

Section 3.(A) The provisions of R.S. 11:1307(A) as set forth in Section 1 of this Act shall not be applicable to those persons who retired from or became beneficiaries of the Louisiana State Police Pension and Retirement System on or before June 30, 2001. The provisions of R.S. 11:1307(A) shall apply to any such person as R.S. 11:1307(A) was in effect at the time of such person's retirement.

(B)(1) However, notwithstanding any other provision of law to the contrary, with regard to any person who participated in the Deferred Retirement Option Plan on or before June 30, 2001, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remains in such continuous employment on July 1, 2001, the monthly retirement benefit payable to such person shall be the sum of three and one-third percent, multiplied by his monthly average salary, and further multiplied by the years of service credited to his account prior to the effective date of his participation in the Deferred Retirement Option Plan, but his total annual benefit shall not exceed one hundred percent of his average annual salary.

(2)(a) Notwithstanding any other provision of law to the contrary and specifically the provisions of R.S. 11:1310, the phrase "average salary" as used in this Subsection for the purpose of computing the regular retirement benefits of any member who entered the Deferred Retirement Option Plan based on less than twenty-five years of service shall mean the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the Civil Service Commission or the State Police Civil Service Commission for any twelve-month period of service occurring while a member of this system, but limited to the first twenty-five years of state trooper service, regardless of whether such state trooper service occurred before, during, or after participation in the Deferred Retirement Option Plan. The phrase "average salary" as defined by this Subparagraph shall be used for purposes of computing the regular retirement benefit that is payable based on all service occurring prior to the member's effective date of participation in the Deferred Retirement Option Plan.

(b) Any supplemental regular retirement benefit which is payable based on service which occurs after the member's termination of participation in the Deferred Retirement Option Plan shall be based on the greater of the average salary as determined in Subparagraph (a) of this Paragraph or the average salary including any pay or salary provided by the legislature in addition to that pay or salary that is set by either the Civil Service Commission or the State Police Civil Service Commission for any twelve-month period of service occurring while a member of this system, but limited to the years of service which are attributable to twenty-five or more years of state trooper service.

(c) For purposes of this Section, "state trooper service" shall not include any service credited to the member's account based on the purchase of credit for military service or credit based on a transaction executed pursuant to R.S. 11:142, 143, or 158.

(d) For purposes of this Section, "average salary" shall not include overtime, expenses, clothing allowances, or any remuneration resulting from military service.

(3) Any member who is covered by the provisions of this Section and who is either participating in or who has terminated his participation in the Deferred Retirement Option Plan on or before July 1, 2001, shall not have the benefits that are either being credited to or have been credited to his Deferred Retirement Option Plan account recomputed. The Deferred Retirement Option Plan benefits that are either currently being credited to or have been credited to such member's Deferred Retirement Option Plan account shall be the same as they were upon the member's effective date of entry into the Deferred Retirement Option Plan.

(4) Any member whose regular or supplemental retirement benefits, or any combination of regular or supplemental retirement benefits, would be reduced because of the application of the provisions of the Act which originated as House Bill No. 495 of the 2001 Regular Session of the Legislature, shall receive the highest combination of any such benefits."

Rep. Schneider moved that the amendments proposed by the Senate be concurred in.

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

Total—99

NAYS

Total—0

ABSENT

Bruce	Donelon	Johns
Crane	Heaton	Tucker
Total—6		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 669—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 14:73.7, relative to computer-related crime; to create the crime of computer tampering; to provide penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 669 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 8, after "is the" add "intentional"

Rep. LaFleur moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinet	
Glover	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, R	Frith	Riddle
Crowe	Heaton	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 704—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 40:2811(A)(1) and (2) and to enact R.S. 40:2811(C), relative to property abandoned to hospitals; to decrease the time period within which property must be held; to provide for the disposition of soiled clothing; to provide for notification; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Engrossed House Bill No. 704 by Representative Karen Carter

AMENDMENT NO. 1

On page 1, line 3, after "(C)" insert "and (D)"

AMENDMENT NO. 2

On page 1, line 5, after "notification;" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 9, after "(C)" delete "is" and insert "and (D) are"

AMENDMENT NO. 4

On page 1, line 14, after "state" delete "by a person" and insert "or a political subdivision by any person"

AMENDMENT NO. 5

On page 1, delete line 15 and on line 16, delete "died in such facility,"

AMENDMENT NO. 6

On page 2, line 4, delete "within"

AMENDMENT NO. 7

On page 2, line 5, change "one month." to "as follows:"

AMENDMENT NO. 8

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

"(a) Within thirty days if the owner was discharged from the hospital or died in such facility.

(b) Within one hundred thirty days if the owner is anyone other than a person who was discharged from the hospital or died in such facility."

AMENDMENT NO. 9

On page 2, line 7, change "one month" to "the time specified in Paragraph (1) of this Subsection"

AMENDMENT NO. 10

On page 2, after line 11, insert the following:

"D. "Owner", "person", and "property", for purposes of this Section, shall have the same meaning as defined in R.S. 9:153(10), (11), and (12) respectively."

Rep. Karen Carter moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Crowe                      Heaton                      Stelly  
Total—3

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 743—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to increase fees charged for the production of medical records; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 743 by Representative Ansardi

AMENDMENT NO. 1

On page 2, line 10, change "fifteen" to "twenty"

AMENDMENT NO. 2

On page 2, line 11, change "seven dollars and fifty cents" to "ten dollars"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Fruge	Morrish
Alexander, E	Futrell	Murray
Alexander, R	Gallot	Odinet
Ansardi	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Holden	Powell
Broome	Hudson	Pratt
Bruce	Hunter	Quezaire
Bruneau	Hutter	Richmond
Carter, K	Iles	Riddle
Carter, R	Jackson, L	Romero
Cazayoux	Jackson, M	Salter
Clarkson	Johns	Schwegmann
Crane	Katz	Shaw
Curtis	Kennard	Smith, J.D.—50th
Damico	Kennedy	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Doneion	Martiny	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Farrar	McVea	Welch
Flavin	Montgomery	Wooton
Total—84		

NAYS

Bowler	Hopkins	Smith, J.H.—8th
Crowe	McCallum	Toomy
Erdey	Nevers	Waddell
Faucheux	Perkins	Walsworth
Glover	Scalise	Wright
Hebert	Schneider	
Hill	Smith, G.—56th	
Total—19		

ABSENT

Heaton	Winston
Total—2	

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1391—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:301(14)(i)(ii)(bb) and (cc)(I) and (16)(d)(ii), 302(C), and 331(C), relative to the sales and use tax; to provide for the taxation of mobile telecommunications services; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1391 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert "R.S. 33:9109(C)(4) and 9126(F)," and after "(cc)(I)" delete the remainder of the line and insert ", (14)(i)(iii)(dd), (16)(d)(ii),"

AMENDMENT NO. 2

On page 1, line 4, after "services;" insert: "to provide for the effective date of certain provisions depending upon certain conditions;"

AMENDMENT NO. 3

On page 1, line 7, after "(cc)(I)" delete "and (16)(d)(ii)" and insert ", (14)(i)(iii)(dd), (16)(d)(ii),"

AMENDMENT NO. 4

On page 2, line 9, after "which means" delete the remainder of the line and insert the following:

"a mobile service that is provided for profit, is an interconnected service, and is available to the public or to such classes of eligible users as to be effectively available to a substantial portion of the public; or which is the functional equivalent of such a mobile service."

AMENDMENT NO. 5

On page 2, delete lines 10 and 11, and insert "Mobile telecommunications"

AMENDMENT NO. 6

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

"(I) "Charges for mobile telecommunications service" means any charge for, or associated with, the provision of mobile telecommunications service, or any charge for, or associated with, a service provided as an adjunct to a mobile telecommunications service, that is billed to the customer by or for the customer's home service provider regardless of whether individual transmissions originate or terminate within the licensed service area of the home service provider."

AMENDMENT NO. 7

On page 2, line 16, at the beginning of the line, change "(I)" to "(II)"

AMENDMENT NO. 8

On page 2, between lines 20 and 21, insert the following:

"(III) "Designated database provider" means a corporation, association, or other entity representing all of the political subdivisions of the state and that is:

(aaa) Responsible for providing an electronic database if the state has not provided the database.

(bbb) Approved by municipal and parish governing authorities of the state whose responsibility it would otherwise be to provide the electronic database.

(IV) "Electronic database" means the database provided to the home service provider. The electronic database may be provided by the state or if the state does not provide such a database to home service providers, then by the designated database provider.

(aaa) Such electronic database, whether provided by the state or the designated database provider, shall be provided in a format approved by the American National Standards Institute's Accredited Standards Committee X12, that, allowing for de minimis deviations, designates for each street address in the state, including to the extent practicable, any multiple postal street addresses applicable to one street location, the appropriate taxing jurisdictions, and the appropriate code for each taxing jurisdiction, for each level of taxing jurisdiction, identified by one

nationwide standard numeric code. Such electronic database shall also provide the appropriate code for each street address with respect to political subdivisions that are not taxing jurisdictions when reasonably needed to determine the proper taxing jurisdiction. The nationwide standard numeric codes shall contain the same number of numeric digits with each digit or combination of digits referring to the same level of taxing jurisdiction throughout the United States using a format similar to FIPS 55-3 or other appropriate standard approved by the Federation of Tax Administrators and the Multistate Tax Commission, or their respective successors. Each address must be provided in standard postal format.

(bbb) The state or the designated database provider that provides or maintains the electronic database shall provide notice of the availability of the then current electronic database and any subsequent revisions thereof, by publication in the manner normally employed for the publication of informational tax, charge, or fee notices to taxpayers in the state.

(ccc) The home service provider using the data contained in the electronic database shall not be liable for any tax, charge, or fee liability that otherwise would be due solely as a result of any error or omission in the database provided by the state or designated database provider, subject to the provisions of R.S. 47:301(14)(i)(ii)(bb)(XI)(fff) and (ggg). The home service provider shall reflect changes made to the database during the calendar quarter no later than thirty days after the end of the quarter.

(ddd) If neither the state nor designated database provider provides an electronic database, a home service provider shall not be liable for any tax, charge, or fee liability in the state that otherwise would be due solely as a result of an assignment of a street address to an incorrect taxing jurisdiction if, subject to R.S. 47:301(14)(i)(ii)(bb)(XI)(fff) and (ggg), the home service provider employs an enhanced zip code to assign each street address to a specific taxing jurisdiction for each level of taxing jurisdiction and exercises due diligence at each level of taxing jurisdiction to ensure that each such street address is assigned to the correct taxing jurisdiction. If an enhanced zip code overlaps boundaries of taxing jurisdictions of the same level, the home service provider must designate one specific jurisdiction within such enhanced zip code for use in taxing the activity for such enhanced zip code for each level of taxing jurisdiction. Any enhanced zip code assignment changed in accordance with R.S. 47:301(14)(i)(ii)(bb)(XI)(fff) or (ggg) is deemed to be in compliance with this Section. The protection provided in this Subsubitem (IV)(ddd) given to home service providers that are in compliance with this Subsubitem (IV)(ddd) shall apply until the later of eighteen months after the nationwide standard numeric code described in R.S. 47:301(14)(i)(ii)(bb)(IV)(aaa) has been approved by the Federation of Tax Administrators and the Multistate Tax Commission; or six months after the state or a designated database provider in the state provides such electronic database.

(eee) For purposes of R.S. 47:301(14)(i)(ii)(bb)(IV)(ddd), there is a rebuttable presumption that a home service provider has exercised due diligence if such home service provider demonstrates that it has expended reasonable resources to implement and maintain an appropriately detailed electronic database of street address assignments to taxing jurisdictions; implemented and maintained reasonable internal controls to promptly correct misassignments of street addresses to taxing jurisdictions; and used all reasonable obtainable and usable data pertaining to municipal annexations, incorporations, reorganizations and any other changes in jurisdictional boundaries that materially affect the accuracy of such database.

(V) "Enhanced zip code" means a United States postal zip code of 9 or more digits."

AMENDMENT NO. 9



On page 2, line 21, at the beginning of the line, change "(III)" to "(VI)"

AMENDMENT NO. 10

On page 2, between lines 23 and 24, insert the following:

"(VII) "Interconnected" means a direct or indirect connection through automatic or manual means, by wire, microwave, or other technologies such as store and forward, to permit the transmission or reception of messages or signals to or from points in the public switched network.

(VIII) "Interconnected service" means a service:

(aaa) That is interconnected with the public switched network or interconnected with the public switched network through an interconnected service provider that gives subscribers the capability to communicate to or receive communication from all other users on the public switched network; or

(bbb) For which a request for interconnection is pending with the Federal Communications Commission. A mobile service is deemed to offer interconnected service even if the service allows subscribers to access the public switched network only during specified hours of the day, or if the service provides general access to points on the public switched network but also restricts access in certain limited ways. Interconnected service does not include any interface between a licensee's facilities and the public switched network exclusively for a licensee's internal control purposes.

(IX) "Licensed service area" means the geographic area in which the home service provider is authorized by law or contract to provide mobile telecommunications service to the customer.

(X) "Mobile service" means a radio communication service carried on between mobile stations or receivers and land stations, and by mobile stations communicating among themselves, and includes:

(aaa) One-way and two-way radio communications services.

(bbb) A mobile service that provides a regularly interacting group of base, mobile, portable, and associated control and relay stations, whether licensed on an individual, cooperative, or multiple basis, for private one-way or two-way land mobile radio communications by eligible users over designated areas of operation.

(ccc) Any service for which a license issued by the Federal Communications Commission is required in a personal communications service."

AMENDMENT NO. 11

On page 2, line 24, at the beginning of the line, change "(III)" to "(XI)"

AMENDMENT NO. 12

On page 2, line 26, insert a period "." at the end of the line

AMENDMENT NO. 13

On page 3, line 3, after "customer" insert a period "." delete the remainder of the line and delete lines 4 through 8

AMENDMENT NO. 14

On page 3, between lines 8 and 9, insert the following:

"(bbb) The home service provider shall be responsible for obtaining and maintaining the customer's place of primary use."

AMENDMENT NO. 15

On page 3, line 9, change "(bbb)" to "(ccc)"

AMENDMENT NO. 16

On page 3, line 16, after "remitted" delete the remainder of the line and delete lines 17 through 20 and insert the following:

"unless a taxing jurisdiction or the state has given the home service provider a notice of determination as set forth in 47:301(14)(i)(ii)(bb)(XI)(fff) or (ggg)."

AMENDMENT NO. 17

On page 3, line 21, change "(ccc)" to "(ddd)"

AMENDMENT NO. 18

On page 3, at the beginning of line 21, after "If" insert "the"

AMENDMENT NO. 19

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

AMENDMENT NO. 20

On page 3, line 25, delete "customer" and change "notified" to "given"

AMENDMENT NO. 21

On page 3, line 26, after "provider" delete the remainder of the line and insert "a notice of determination as set forth in R.S. 47:301(14)(i)(ii)(bb)(XI)(fff) or (ggg)"

AMENDMENT NO. 22

On page 4, line 1, change "(ddd)" to "(eee)" and after "If" insert "the"

AMENDMENT NO. 23

On page 4, line 3, after "additional" insert "taxes,"

AMENDMENT NO. 24

On page 4, line 4, after "determination of the" insert "place of"

AMENDMENT NO. 25

On page 4, at the end of line 6, after "charge" and before the period "." insert "unless a taxing jurisdiction or the state has given the home service provider a notice of determination as set forth in R.S. 47:301(14)(i)(ii)(bb)(XI)(fff) or (ggg)"

AMENDMENT NO. 26

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

"(fff) A taxing jurisdiction, or the state on behalf of any taxing jurisdiction or taxing jurisdictions within the state, may determine that the address used for purposes of determining the taxing jurisdictions to which taxes, charges, or fees for mobile telecommunications services are remitted does not meet the definition of place of primary use and give binding notice to the home service provider to change the place of primary use on a prospective basis from the date of notice of determination. However, if the taxing jurisdiction making such determination is not the state, such taxing jurisdiction shall obtain the consent of all affected taxing jurisdictions within the state and shall give the customer an opportunity to demonstrate in accordance with

applicable state or local tax, charge, or fee administrative procedures that the address is the customer's place of primary use before giving such notice of determination.

(ggg) A taxing jurisdiction, or the state on behalf of any taxing jurisdiction or taxing jurisdictions within the state, may determine that the assignment of a taxing jurisdiction by a home service provider under R.S. 47:301(14)(i)(ii)(bb)(IV)(ddd) does not reflect the correct taxing jurisdiction and give binding notice to the home service provider to change the assignment on a prospective basis from the date of notice of determination. However, if the taxing jurisdiction making the determination is not the state, it must obtain the consent of all affected taxing jurisdictions within the state and give the home service provider an opportunity to demonstrate in accordance with applicable state or local tax, charge, or fee administrative procedures that the assignment reflects the correct taxing jurisdiction before giving such notice of determination."

AMENDMENT NO. 27

On page 4, line 7, change "(eee)" to "(hhh)"

AMENDMENT NO. 28

On page 5, line 1, change "(fff)" to "(iii)"

AMENDMENT NO. 29

On page 5, between lines 3 and 4, insert the following:

"(XII) "Prepaid telephone calling service" means the right to exclusively purchase telecommunications services that must be paid for in advance, and that enable the origination of calls using an access number, authorization code, or both, whether manually or electronically dialed, if the remaining amount of units of service that have been prepaid is known by the provider of the prepaid service on a continuous basis.

(XIII) "Reseller"

(aaa) Means a provider who purchases telecommunications services from another telecommunications service provider and then resells, uses as a component part of, or integrates the purchased services into a mobile telecommunications service; and

(bbb) Does not include a serving carrier with which a home service provider arranges for the services to its customers outside the home service provider's licensed service area.

(XIV) "Serving carrier" means a facilities-based carrier providing mobile telecommunications service to a customer outside a home service provider's or reseller's licensed service area."

AMENDMENT NO. 30

On page 5, delete lines 4 through 8

AMENDMENT NO. 31

On page 5, between lines 8 and 9, insert the following:

"(XV)(aaa) If a mobile telecommunications service is not subject to the taxes levied by the state pursuant to R.S. 47:302(C) and R.S. 47:331(C) or taxes levied by other taxing jurisdictions, and if the amount paid or charged for such mobile telecommunications service is aggregated with and not separately stated from the amount paid or charged for any service that is subject to such taxes, then the nontaxable mobile telecommunications service shall be treated as being subject to such taxes unless the home service provider can reasonably identify the

amount paid or charged for the mobile telecommunications service not subject to such taxes from its books and records kept in the regular course of business.

(bbb) If a mobile telecommunications service is not subject to the taxes levied by the state pursuant to R.S. 47:302(C) and 47:331(C) or by other taxing jurisdictions, a customer may not rely upon the nontaxability of such mobile telecommunications service unless the customer's home service provider separately states the amount charged for such nontaxable mobile telecommunications service or the home service provider elects, after receiving a written request from the customer in the form required by the provider, to provide verifiable data based upon the home service provider's books and records that are kept in the regular course of business that reasonably identifies the amount charged or paid for such nontaxable mobile telecommunications service."

AMENDMENT NO. 32

On page 5, between lines 16 and 17, insert the following:

"(iii) The term "telecommunication services" shall not include:

\* \* \*

(dd) The furnishing of any telecommunication services for resale, including charges for the use of intercompany facilities pursuant to shared network facility arrangements, access charges paid by intrastate or interstate interexchange telecommunications carriers and interconnection charges paid by providers of ~~cellular, mobile, and paging telecommunication services~~ any mobile telecommunications service, provided that any dealer making a sale of telecommunication services for resale shall obtain a certificate from the purchaser of such services certifying that such services are purchased for the purpose of resale, the form of the certification to be determined by rules and regulations to be promulgated by the secretary."

AMENDMENT NO. 33

On page 6, between lines 11 and 12, insert:

"(2) Notwithstanding any provision of law to the contrary, effective on April 1, 2016, as provided by Act 22 of the 2000 Regular Session, the tax levied by this Section shall not apply to the furnishing of interstate telecommunication services, as defined in R.S. 47:301(14)(i)(iv)(ff), which are reflected on bills submitted by telecommunication service providers to their customers which are dated on and after that date, regardless of when such services were provided."

AMENDMENT NO. 34

On page 6, line 12, change "(2)" to "(3)"

AMENDMENT NO. 35

On page 6, line 18, change "(3)" to "(4)" and after "telecommunications" delete the comma and the remainder of the line and insert "services, charges"

AMENDMENT NO. 36

On page 6, line 22, after "customer's" insert "place of"

AMENDMENT NO. 37

On page 7, line 1, after "C." insert "(1)"

AMENDMENT NO. 38

On page 7, between lines 15 and 16, insert:

"(2) Notwithstanding any provision of law to the contrary, effective from April 1, 2004 until April 1, 2016 as provided by Act 22 of the 2000 Regular Session, the tax levied by this Section shall not apply to the furnishing of interstate telecommunication services, as defined in R.S. 47:301(14)(i)(iv)(ff), which are reflected on bills submitted by telecommunication service providers to their customers which are dated during that time, regardless of when such services were provided."

AMENDMENT NO. 39

On page 7, line 10, change "Subparagraph" to "Subitem"

AMENDMENT NO. 40

On page 7, line 11, after "use" delete the remainder of the line and at the beginning of line 12, delete "of that Subparagraph."

AMENDMENT NO. 41

On page 7, delete line 15, and insert: "47:301(14)(i)(ii)(bb)(XI)(hhh) and (iii)"

AMENDMENT NO. 42

On page 7, between lines 16 and 17, insert the following:

"Section 2. R.S. 33:9109(C)(4) and R.S. 33:9126(F) are hereby amended and reenacted to read as follows:

§9109. Additional service charge on wireless telecommunications service

\* \* \*

C. Service Charge. The governing authority of any district may levy a CMRS emergency telephone service charge subject to and in accordance with the provisions of this Subsection. Such service charge:

\* \* \*

(4) Shall be levied against each CMRS connection for which the billing address is within the district. In the absence of a billing address, the service charge shall be levied against each CMRS connection for which the primary use is within the district. Notwithstanding the foregoing, the application of a CMRS emergency telephone service charge to any mobile telecommunications service, as defined in R.S. 47:301(14)(i)(ii)(bb), shall apply only if the customer's place of primary use is located within the boundaries of the political subdivision levying such CMRS emergency telephone service charge. For purposes of this Paragraph, the provisions of R.S. 47:301(14)(i)(ii)(bb) shall apply in the same manner and to the same extent as such provisions apply to the taxes levied pursuant to R.S. 47:302(C) and 331(C) on mobile telecommunications services.

\* \* \*

§9126. Emergency telephone service charge

\* \* \*

F. For cellular or other nonfixed location wireless telecommunications service users, such service charge shall be assessed against each cellular or other wireless phone number for which the billing address is within the boundaries of the district. Notwithstanding the foregoing, the application of such service charge to any mobile telecommunications service, as defined in R.S. 47:301(14)(i)(ii)(bb), shall apply only if the customer's place of primary use is located within

the boundaries of the political subdivision levying such CMRS emergency telephone service charge. For purposes of this Paragraph, the provisions of R.S. 47:301(14)(i)(ii)(bb) shall apply in the same manner and to the same extent as such provisions apply to the taxes levied pursuant to R.S. 47:302(C) and 331(C) on mobile telecommunications services.

\* \* \*

Section 3. R.S. 47:301(14)(i)(ii)(bb) and (cc)(I), 301(14)(i)(iii)(dd), 301(16)(d)(ii), 302(C), and 331(C) are hereby amended and reenacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(14) "Sales of services" means and includes the following:

\* \* \*

(i)

\* \* \*

(ii) Except as otherwise provided in this Subparagraph, the term "telecommunication services" means:

\* \* \*

(bb) Cellular mobile telephone or telecommunication service, specialized mobile radio or paging service, and any other form of mobile or portable one- way or two-way communication.

(cc)(I) Interstate telecommunication services; however, only the amounts paid for interstate telecommunication services which either originate or terminate in this state and which are charged to a service address in this state, regardless of where such amounts are billed or paid, shall be subject to the tax imposed by this Chapter.

\* \* \*

(iii) The term "telecommunication services" shall not include:

\* \* \*

(dd) The furnishing of any telecommunication services for resale, including charges for the use of intercompany facilities pursuant to shared network facility arrangements, access charges paid by intrastate or interstate interexchange telecommunications carriers and interconnection charges paid by providers of cellular, mobile, and paging telecommunication services, provided that any dealer making a sale of telecommunication services for resale shall obtain a certificate from the purchaser of such services certifying that such services are purchased for the purpose of resale, the form of the certification to be determined by rules and regulations to be promulgated by the secretary.

\* \* \*

(16)

\* \* \*

(d)

\* \* \*

(ii) Unless the sale of a prepaid telephone calling card or prepaid authorization number occurs at the vendor's place of business, it shall be conclusively presumed that the retail sale has occurred at the customer's shipping address. The reauthorization of a prepaid telephone calling card or a prepaid authorization number shall be conclusively presumed to be a retail sale which occurs at the customer's billing address.

\* \* \*

§302. Imposition of tax

\* \* \*

C.(1) There is hereby levied a tax upon all sales of services, as herein defined, in this state, at the rate of two percent per centum (2%) of the amounts paid or charged for such services.

(2) Notwithstanding any provision of law to the contrary, effective on April 1, 2016, as provided by Act 22 of the 2000 Regular Session, the tax levied by this Section shall not apply to the furnishing of interstate telecommunication services, as defined in R.S. 47:301(14)(i)(iv)(ff), which are reflected on bills submitted by telecommunication service providers to their customers which are dated on and after that date, regardless of when such services were provided.

(3) The tax levied in this Section shall be collected from the dealer, as defined herein, shall be paid at the time and in the manner hereinafter provided, and shall be, in addition to all other taxes, whether levied in the form of excise, license, or privilege taxes, and shall be in addition to taxes levied under the provisions of Chapter 3 of Subtitle II of this Title.

\* \* \*

§331. Imposition of tax

\* \* \*

C.(1) In addition to the tax levied on sales of services by R.S. 47:302(C) and collected under the provisions of Chapter 2 of Subtitle II of this Title 47 of the Louisiana Revised Statutes of 1950, there is hereby levied a tax upon all sales of services, as defined by said Chapter 2 of Subtitle II of this Title 47 of the Louisiana Revised Statutes of 1950, in this state, at the rate of ninety-seven one hundredths of one percentum percent of the amounts paid or charged for such services.

(2) Notwithstanding any provision of law to the contrary, effective from April 1, 2004 until April 1, 2016, as provided by Act 22 of the 2000 Regular Session, the tax levied by this Section shall not apply to the furnishing of interstate telecommunication services, as defined in R.S. 47:301(14)(i)(iv)(ff), which are reflected on bills submitted by telecommunication service providers to their customers which are dated during that time, regardless of when such services were provided.

\* \* \*

Section 4. R.S. 33:9109(C)(4) and 9126(F) are hereby amended and reenacted to read as follows:

§9109. Additional service charge on wireless telecommunications service

\* \* \*

C. Service charge. The governing authority of any district may levy a CMRS emergency telephone service charge subject to and in accordance with the provisions of this Subsection. Such service charge:

\* \* \*

(4) Shall be levied against each CMRS connection for which the billing address is within the district. In the absence of a billing address, the service charge shall be levied against each CMRS connection for which the primary use is within the district.

\* \* \*

§9126. Emergency telephone service charge

\* \* \*

F. For cellular or other nonfixed location wireless telecommunications service users, such service charge shall be assessed against each cellular or other wireless phone number for which the billing address is within the boundaries of the district.

\* \* \*

Section 5. The intent of this Act is to amend Louisiana law so that it conforms to the federal Mobile Telecommunications Sourcing Act, P.L. 106-252, codified at 4 U.S.C., Sections 116 through 126. If it is determined by the legislative oversight committees of the Department of Revenue, which are set forth in R.S. 49:968, that a court of competent jurisdiction has entered a final judgment on the merits that (1) is based on federal or state law; (2) is no longer subject to appeal; and (3) substantially limits or impairs the essential elements of Section 1 or 2 of this Act, then Sections 3 and 4 of this Act shall be effective as of the date of entry of such judgment."

AMENDMENT NO. 43

On page 7, delete lines 17 through 26

AMENDMENT NO. 44

On page 8, line 1, change "Section 3. This" to "Section 6. Sections 1, 2, and 5 of this"

AMENDMENT NO. 45

On page 8, line 1, change "July 1, 2001" to "August 2, 2002"

AMENDMENT NO. 46

On page 8, line 2, after "legislature," insert "Sections 1, 2, and 5 of"

AMENDMENT NO. 47

On page 8, line 3, change "July 1, 2001" to "August 2, 2002"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1391 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, after "331(C)," delete the remainder of the line and delete line 4 and insert in lieu thereof the following:

"relative to mobile telecommunications services; to conform Louisiana Law to the federal Mobile Telecommunications Servicing Act; and to provide for"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1391 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, after "331(C)" insert the following: "and to enact R.S. 47:301(3)(h), (10)(t), (13)(g), and (18)(h)"

AMENDMENT NO. 2

On page 8 before line 1 insert the following:

"Section 6. R.S. 47:301(3)(h), (10)(t), (13)(g) and (18)(h) are hereby enacted to read as follows:

§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(3)

\* \* \*

(h) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "cost price" shall mean the actual amount paid by the dealer for the item or article of equipment, accessories, fixtures or other tangible personal property.

\* \* \*

(10)

\* \* \*

(t)(i) For taxable periods that end prior to July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by any political subdivision, school board or other taxing entity in this state, in the case of the sale or other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, the term "retail sale" or "sale at retail" shall mean and include the sale or any other disposition of each such item or article of equipment, accessories, fixtures and other tangible personal property by the dealer to the purchaser, but shall not mean or include the withdrawal, use, distribution, consumption, storage, donation or any other disposition of any such item or article of equipment, accessories, fixtures or other tangible personal property. For purposes of this Section, the term "mobile telecommunications services" shall have the same meaning as that term has in R.S. 47:301(14)(i)(ii)(bb).

(ii) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the sale or any other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "retail sale" or "sale at retail" shall mean and include the sale, withdrawal, use, distribution, consumption, donation or any other

disposition of each such item or article of equipment, accessories, fixtures and other tangible personal property by the dealer.

\* \* \*

(13)

\* \* \*

(g)(i) For taxable periods that end prior to July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "sales price" shall mean and include only the amount of money, if any, actually received by the dealer from the purchaser for each such item or article of equipment, accessories, fixtures and other tangible personal property, but shall not include (1) any amount received by the dealer from the purchaser for providing mobile telecommunications services and (2) any commissions, fees, rebates or other amounts received by the dealer from any source other than the purchaser as a result of or in connection with the sale of the item or article of equipment, accessories, fixtures or other tangible personal property.

(ii) For taxable periods that begin on or after July 1, 2001, and for purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the retail sale by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "sales price" shall mean the greater of (1) the "sales price," as defined in R.S. 47:301(13)(g)(i), or (2) the "cost price," as defined in R.S. 47:301(3)(h).

\* \* \*

(18)

\* \* \*

(h) For purposes of the imposition of sales and use taxes imposed or levied by the state or by any political subdivision, school board or other taxing entity in this state, in the case of the sale or any other disposition by a dealer of any item or article of equipment, accessories, fixtures and other tangible personal property used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(t)(i), the term "use" shall not include the withdrawal, use, distribution, consumption, storage, donation or any other disposition of any such item or article of equipment, accessories, fixtures or other tangible personal property by the dealer.

\* \* \*

AMENDMENT NO. 3

In Senate Committee Amendment No. 44 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001, on line 12, change "Section 6" to "Section 7"

AMENDMENT NO. 4

On page 8 after line 4 insert the following:

"Section 8. Section 6 of this Act shall become effective on July 1, 2001; if vetoed by the governor and subsequently approved by the legislature, Section 6 of this Act shall become effective on July 1, 2001.

The provisions of Section 6 of this Act shall apply to taxable periods that end prior to July 1, 2001 and shall be remedial and shall be applied retroactively."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1391 by Representative Daniel

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001:

On page 3, line 39, after "(VIII)" insert "(aaa)" and at the end of the line delete the colon ":"

On page 3, line 40, change "(aaa) That" to "that"

On page 3, line 44, after "network" delete the semicolon ";"

On page 3, line 45, change "(bbb) For" to "for"

On page 3, line 46, after "Commission." insert "(bbb)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 41, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001, delete "R.S."

AMENDMENT NO. 3

In Senate Committee Amendment No. 42, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 31, 2001:

On page 12, line 7, after "then" insert:

"the provisions enacted by such Sections shall be repealed, and"

On page 12, line 8, after "effective" insert ", all"

Rep. Daniel moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members and their counts for YEAS, NAYS, and ABSENT.

Total—97

NAYS

Table listing names of members and their counts for NAYS.

Total—4

ABSENT

Table listing names of members and their counts for ABSENT.

Total—4

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1438— BY REPRESENTATIVE PINAC AND SENATOR HOLLIS AN ACT

To amend and reenact R.S. 51:651, 652(A), 653(A), 654, 655(A), and 656(C)(1)(f) and to enact R.S. 51:652(C), relative to fireworks; to provide conformity with federal classifications of fireworks; to impose penalties for the illegal sale of impermissible fireworks within the state; to prohibit igniting fireworks within one thousand feet of a fireworks retail location; to impose a penalty for the unlawful discharge of a fireworks from a motor vehicle; to require a work permit for anyone under the age of eighteen to work at a firework retail location; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1438 by Representative Pinac

AMENDMENT NO. 1

On page 12, at the bottom of the page, insert:

"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 by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1438 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 8, following "require" delete the remainder of the line; and on line 9, before "to work" delete "under the age of eighteen" and insert in lieu thereof: "compliance with regulations of the Louisiana Department of Labor for minors under the age of seventeen"

AMENDMENT NO. 2

On page 3, line 20, following "and" and before "classed" change "are" to "is"; and following "or" and before "not" change "are" to "is"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	
Gallot	Perkins	

Total—103

NAYS

Total—0

ABSENT

Crowe

Heaton

Total—2

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1468—**

BY REPRESENTATIVES LANCASTER, FAUCHEUX, WALSWORTH, PRATT, GALLOT, AND WELCH

AN ACT

To amend and reenact R.S. 33:1565(B)(1), relative to organ donation and coroners; to provide for prompt delivery of anatomical gifts; to provide immunity from civil litigation and criminal prosecution for delivery of anatomical gifts; to provide for judicial enforcement of anatomical gifts; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1468 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, change "33:1565(B)(1)" to "33:1563(E)(3) and 1565(B)(1)"

AMENDMENT NO. 2

On page 1, line 8, change "33:1565(B)(1) is" to "33:1563(E)(3) and 1565(B)(1) are"

AMENDMENT NO. 3

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

"§1563. Duty to hold autopsies, investigations, etc.

\* \* \*

E.

\* \* \*

(3) The cause of death, and the manner or mode in which the death occurred, as rendered by the coroner and incorporated in the death certificate as provided in the Vital Statistics Laws, R.S. 40:32 et seq.,

filed with the division of vital records of the Department of Health and Hospitals, shall be the legally accepted cause of death, unless the court of the parish in which the death occurred, after a hearing, directs the coroner to change his decision as to the cause, manner, or mode of death otherwise.

\* \* \*

Rep. Lancaster moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Carter, K	Frith	Stelly
Crowe	Hopkins	Waddell
Durand	Romero	
Total—8		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1584—**

BY REPRESENTATIVE K. CARTER

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

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

Rep. Karen Carter moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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



Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McMains	Walsworth
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Morrish	Wright
Fruge	Murray	
Futrell	Nevers	

Total—103

NAYS

Total—0

ABSENT

Pinac	Smith, J.H.—8th
Total—2	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 1601—**  
BY REPRESENTATIVE SNEED  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1601 by Representative Sneed

AMENDMENT NO. 1

On page 1, line 9, after "A." add "(1)"

AMENDMENT NO. 2

On page 1, at the end of line 14, change "paying for the merchandise or" to "payment for the merchandise having been made or permission having been obtained from the owner of the merchandise for the movement."

AMENDMENT NO. 3

On page 1, delete line 15 and add in lieu thereof the following:

"(2) As used in this Section, the meaning of "owner" shall include an agent or employee of the owner authorized by the owner."

Rep. Sneed moved that the amendments proposed by the Senate be concurred in.

**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

Baldone	Hebert
Baudoin	Hill
Baylor	Holden
Bowler	Hopkins
Broome	Hudson
Bruce	Hunter
Bruneau	Hutter
Carter, K	Iles
Carter, R	Jackson, L
Cazayoux	Jackson, M
Clarkson	Johns
Crane	Katz
Crowe	Kennard
Damico	Kenney
Daniel	LaFleur
Darteze	Lancaster
Devillier	Landrieu
Diez	LeBlanc
Doerge	Lucas
Donelon	Martiny
Downer	McCallum
Durand	McDonald
Erdey	McMains
Farrar	McVea
Faucheux	Montgomery
Frith	Morrish
Fruge	Murray
Futrell	Nevers
Gallot	Odinot

Total—100

NAYS

Morrell	Pratt	Welch
Total—3		

ABSENT

Curtis	Flavin
Total—2	

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1661—**  
BY REPRESENTATIVE DONELON  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1661 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 9, delete "or the information contained therein"

AMENDMENT NO. 2

On page 1, line 13, delete "or the information contained therein"

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

Rep. Donelon moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bowler	Walsworth
Total—2	

ABSENT

Triche
Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1725—

BY REPRESENTATIVES SNEED, FRITH, SCHWEGMANN, AND SCHNEIDER

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Judiciary C Committee to Reengrossed House Bill No. 1725 by Representative Sneed

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 14:72 and to" and after "property;" and before "to" insert "to provide relative to forgery;"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." and before "14:68.7" insert "14:72 is hereby amended and reenacted and R.S."

AMENDMENT NO. 3

On page 1, delete line 11, and insert "makes, alters, or counterfeits a"

AMENDMENT NO. 4

On page 1, at the end of line 12, insert "such sales receipt or label, or possesses a"

AMENDMENT NO. 5

On page 1, line 13, after "its" insert "specific"

AMENDMENT NO. 6

On page 2, delete line 4 and add the following:

"(a) Where the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section."

AMENDMENT NO. 7

On page 2, delete line 8, and insert the following:

"(b) Where the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section."

AMENDMENT NO. 8

On page 2, delete line 13, and insert the following:

"(c) Where the fair market value of the goods which are the subject of the falsified retail sales receipts or universal product code labels, as described in Subsection A of this Section."

AMENDMENT NO. 9

On page 3, at the beginning of line 7, change "ten" to "five"

AMENDMENT NO. 10

On page 3, after line 7, add the following:

" \* \* \*

§72. Forgery

A. Forgery is the false making or altering. It shall be unlawful to forge, with intent to defraud, of any signature to, or any part of, any writing purporting to have legal efficacy.

B. Issuing, or transferring, or possessing with intent to defraud, a forged writing, known by the offender to be a forged writing, shall also constitute forgery a violation of the provisions of this Section.

C. For purposes of this Section:

(1) "Forge" means the following:

(a) To alter, make, complete, execute, or authenticate any writing so that it purports:

(i) To be the act of another who did not authorize that act;

(ii) To have been executed at a time or place or in a numbered sequence other than was in fact the case; or

(iii) To be a copy of an original when no such original existed.

(b) To issue, transfer, register the transfer of, pass, publish, or otherwise utter a writing that is forged in accordance with the meaning of Subparagraph (1)(a).

(c) To possess a writing that if forged within the meaning of Subparagraph (1)(a).

(2) "Writing" means the following:

(a) Printing or any other method of recording information;

(b) Money, coins, tokens, stamps, seals, credit cards, badges, and trademarks; and

(c) Symbols of value, right, privilege, or identification.

D. Whoever commits the crime of forgery shall be fined not more than five thousand dollars, or imprisoned, with or without hard labor, for not more than ten years, or both."

Rep. Sneed moved that the amendments proposed by the Senate be concurred in.

**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
Baldone	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero

Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
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	LaFleur	Sneed
Dartz	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Martiny	Thompson
Donelon	McCallum	Toomy
Downer	McDonald	Townsend
Durand	McMains	Triche
Erdey	McVea	Tucker
Farrar	Montgomery	Waddell
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Futrell	Nevers	Wooton
Gallot	Odinot	Wright

Total—102

NAYS

Total—0

ABSENT

Curtis  
Total—3

Fruge  
Lucas

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1734—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1734 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 15, change "permit" to "allow"

AMENDMENT NO. 2

On page 2, line 14, after "standards" insert ", if needed,"

AMENDMENT NO. 3

On page 2, at the beginning of line 15, delete "and shall also meet hospice licensure standards"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, E	Guillory	Pitre
Alexander, R	Hammett	Powell
Ansardi	Heaton	Pratt
Baldone	Herbert	Quezaire
Baudoin	Hill	Richmond
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hutter	Scalise
Bruneau	Iles	Schneider
Carter, K	Jackson, L	Schwegmann
Carter, R	Jackson, M	Shaw
Cazayoux	Johns	Smith, G.—56th
Clarkson	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	
Gallot	Perkins	
Total—103		

**NAYS**

Total—0

**ABSENT**

Curtis	Hunter
Total—2	

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1790—**  
BY REPRESENTATIVE HEATON

**AN ACT**

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

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

AMENDMENT NO. 6

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

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

§1065.1. Criminal bail bond annual license fee

\* \* \*

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

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

\* \* \*

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

Rep. Heaton moved that the amendments proposed by the Senate be concurred in.

**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
Baldone	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
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	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Tucker
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinet	
Total—104		

**NAYS**

Total—0

**ABSENT**

Curtis  
Total—1

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1847—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1847 by Representative Holden

**AMENDMENT NO. 1**

On page 2, line 7, after "days," insert "Nothing contained in this Paragraph shall be construed to prohibit the law enforcement officer under investigation and the appointing authority from entering into a written agreement extending the investigation for up to an additional sixty days. Further, nothing in this Paragraph shall limit any investigation of alleged criminal activity."

Rep. Holden moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Crowe  
Lucas  
Total—4  
Morrish  
Romero

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1985—**

BY REPRESENTATIVE SHAW AND SENATOR MALONE  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1985 by Representative Shaw and Senator Malone

AMENDMENT NO. 1

On page 1, line 5, after "contracts;" insert "to provide for exclusion;"

AMENDMENT NO. 2

On page 2, line 10, delete "has" and insert "is willing to enter into"

AMENDMENT NO. 3

On page 2, line 11, delete "as it relates" and insert "including but not limited"

AMENDMENT NO. 4

On page 2, line 12, delete "the group purchasing" and delete line 13, and insert "required for all vendors. However, any qualified distributor may be excluded for good cause."

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

"Section 2. The provisions of this Act shall be deemed procedural and shall apply to any contracts between the Louisiana State University

Health Sciences Center and any group purchasing organization resulting from any request for proposal, notwithstanding the date of such contract."

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

Rep. Shaw moved that the amendments proposed by the Senate be concurred in.

**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
Baldone	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Pratt
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Sneed
Dartez	LaFleur	Stelly
Diez	Lancaster	Strain
Doerge	Landrieu	Swilling
Donelon	LeBlanc	Thompson
Downer	Lucas	Toomy
Durand	Martiny	Townsend
Erdey	McCallum	Triche
Farrar	McDonald	Tucker
Faucheux	McMains	Waddell
Flavin	McVea	Walsworth
Frith	Montgomery	Welch
Fruge	Morrell	Winston
Futrell	Morrish	Wooton
Gallot	Murray	Wright
Total—99		

**NAYS**

Total—0

ABSENT

Ansardi	Devillier	Quezaire
Crowe	Nevers	Salter
Total—6		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 2047 (Substitute for House Bill No. 966 by Representative Martiny)—**

BY REPRESENTATIVES MARTINY AND FAUCHEUX  
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 2047 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 6, after "incest," add "R.S. 14:89(A)(1) (crime against nature)."

AMENDMENT NO. 2

On page 2, line 14, after "aggravated incest," add "R.S. 14:89(A)(1) (crime against nature)."

AMENDMENT NO. 3

On page 3, line 13, after "aggravated incest," add "R.S. 14:89(A)(1) (crime against nature)."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2047 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, following "542(A)" insert a comma ","

AMENDMENT NO. 2

On page 1, line 3, before "(E)" change "and (B)(1)(b)" to "(B)(introductory paragraph) and (1)(b)"

AMENDMENT NO. 3

On page 1, line 14, following "542(A)" delete "(and" and insert a comma ","

AMENDMENT NO. 4

On page 1, line 15, before "(E)" change "(B)(1)(d)" to "(B)(introductory paragraph) and (1)(b)"

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

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

§89. Crime against nature

\* \* \*

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

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

AMENDMENT NO. 7

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

Rep. Martiny moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Holden	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	
Total—104		

NAYS

Total—0

ABSENT

Katz  
Total—1

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

ROLL CALL

Suspension of the Rules

On motion of Rep. Frith, the rules were suspended in order to take up and consider Conference Committee Reports for Consideration at this time.

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

CONFERENCE COMMITTEE REPORT

House Bill No. 1216 By Representative Frith

June 13, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1216 by Representative Frith, recommend the following concerning the engrossed bill:

1. That the Senate Floor Amendment proposed by Senator Campbell and adopted by the Senate on June 11, 2001, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "(iv)" delete "and (v)," and insert a comma "," and "(v), and (vi),"

AMENDMENT NO. 2

On page 1, line 6, "(iv)" delete "and (v)" and insert a comma "," and "(v), and (vi)"

AMENDMENT NO. 3

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

"(vi) Was a hospital facility licensed by the department that had no more than sixty hospital beds as of July 1, 1994, which hospital facility has been in continuous operation since July 1, 1994, is currently operating under a license issued by the department, and is located in a parish with a population, as measured by the 1990 census, of less than fifty thousand."

Respectfully submitted,

Representative Mickey Frith  
Representative Emma Devillier  
Representative Rodney Alexander  
Senator Fred Hoyt  
Senator Tom Schedler

Rep. Frith moved to adopt the Conference Committee Report.

The roll was called with the following result:



YEAS

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Curtis	Katz	Smith, J.H.—8th
Damico	Kennard	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	
Total—101		

NAYS

Total—0

ABSENT

Crowe	Schneider
Kenney	Smith, J.R.—30th
Total—4	

The Conference Committee Report was adopted.

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

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

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

treasury; to repeal certain special treasury funds; to provide for the transfer of certain balances and amounts by the state treasurer; to provide for effective dates; and to provide for related matters.

**Suspension of the Rules**

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider Conference Committee Reports just received at this time.

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 1565 By Representative LeBlanc**

June 14, 2001

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

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1565 by Representative LeBlanc, recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments 1 through 15, 17, and 18 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001 be adopted.
2. That Senate Committee Amendments 16 and 19 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 2001 be rejected.
3. That the set of 13 Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, be adopted.
4. That the set of two Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, be adopted.
5. That the set of four Senate Floor Amendments proposed by Senator Hines and adopted by the Senate on June 13, 2001, be rejected.

AMENDMENT NO. 1

In amendment No. 2 of the set of two Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, on page 1, line 12, change "Section 5" to "Sections 5 and 21"

AMENDMENT NO. 2

In amendment No. 2 of the set of two Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, on page 1, delete lines 16 and 17 and insert:

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

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AMENDMENT NO. 3

In amendment No. 2 of the set of two Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, on page 1, line 18, between "16," and "19," insert "18,"

AMENDMENT NO. 4

In amendment No. 2 the set of two Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on June 13, 2001, on page 1, line 21, between "16," and "19," insert "18,"

AMENDMENT NO. 5

On page 10, line 18, change "Act " to "Section"

AMENDMENT NO. 6

On page 10, line 25, after "Section" and before "of this" change "8" to "9"

AMENDMENT NO. 7

On page 11, line 6, after "Section" and before "of this Act" change "10" to "11"

AMENDMENT NO. 8

On page 11, line 11, change "10" to "13"

AMENDMENT NO. 9

On page 11, delete line 12 and insert:

"Section 18. Effective July 1, 2001, the treasurer is authorized and"

Respectfully submitted,

Representative Charlie DeWitt
Representative Jerry Luke LeBlanc
Representative John A. Alario, Jr.
Senator John Hainkel
Senator John L. "Jay" Dardenne

Rep. LeBlanc moved to adopt the Conference Committee Report.

As a substitute motion, Rep. Salter moved to recommit the bill to the Conference Committee.

Acting Speaker Jane Smith in the Chair

Speaker DeWitt in the Chair

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Baldone, Guillory, Powell, Baylor, Heaton, Pratt, Broome, Hebert, Quezaire, Carter, K, Hill, Riddle, Carter, R, Holden, Romero, Clarkson, Hudson, Salter

Curtis, Hunter, Schneider, Dartez, Hutter, Schwegmann, Devillier, Iles, Smith, G.—56th, Doerge, Jackson, L, Smith, J.D.—50th, Erdey, Jackson, M, Smith, J.R.—30th, Farrar, Lucas, Strain, Fauchoux, Morrell, Toomy, Frith, Murray, Triche, Glover, Nevers, Welch, Green, Pierre, Wright, Total—48

NAYS

Mr. Speaker, Futrell, Morrish, Alario, Gallot, Odinet, Alexander, E, Hammett, Perkins, Alexander, R, Hopkins, Pinac, Ansardi, Johns, Pitre, Baudoin, Katz, Scalise, Bowler, Kennard, Shaw, Bruce, Kenney, Smith, J.H.—8th, Bruneau, LaFleur, Sneed, Crane, Lancaster, Stelly, Damico, Landrieu, Thompson, Daniel, LeBlanc, Townsend, Diez, Martiny, Tucker, Donelon, McCallum, Waddell, Downer, McDonald, Walsworth, Durand, McMains, Winston, Flavin, McVea, Wooton, Fruge, Montgomery, Total—53

ABSENT

Cazayoux, Richmond, Crowe, Swilling, Total—4

The House refused to recommit the bill to the Conference Committee.

Suspension of the Rules

On motion of Rep. Triche, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

Rep. LeBlanc insisted on his motion to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker, Gallot, Odinet, Alario, Glover, Perkins, Alexander, E, Green, Pierre, Alexander, R, Guillory, Pinac, Ansardi, Hammett, Pitre, Baldone, Heaton, Powell, Baudoin, Hill, Quezaire, Bowler, Holden, Scalise, Bruce, Hopkins, Schwegmann, Bruneau, Hudson, Shaw, Carter, K, Hunter, Smith, G.—56th, Carter, R, Iles, Smith, J.D.—50th, Clarkson, Jackson, L, Smith, J.H.—8th, Crane, Johns, Smith, J.R.—30th

Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Donelon	Martiny	Tucker
Downer	McCallum	Waddell
Durand	McDonald	Walsworth
Farrar	McMains	Welch
Faucheux	McVea	Winston
Flavin	Montgomery	Wooton
Fruge	Morrish	
Futrell	Murray	
Total—85		

NAYS

Baylor	Hutter	Riddle
Broome	Jackson, M	Romero
Dartez	Morrell	Salter
Erdey	Nevers	Schneider
Frith	Pratt	Wright
Hebert	Richmond	
Total—17		

ABSENT

Cazayoux	Lucas	Swilling
Total—3		

The Conference Committee Report was adopted.

### Suspension of the Rules

On motion of Rep. Hutter, 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:

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

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

Called from the calendar.

Read by title.

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Original Senate Bill No. 409 by Senator Dupre

##### AMENDMENT NO. 1

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

"(3) A child may be placed, in accordance with manufacturer's instructions, in a more protective restraining device than those called for in the categories above."

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

#### Speaker Pro Tempore Bruneau in the Chair

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 409 by Senator Dupre

##### AMENDMENT NO. 1

On page 2, line 12 after "installation." insert "Any such child shall be secured in full body armor, a helmet, and a padded box."

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

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed Senate Bill No. 409 by Senator Dupre

##### AMENDMENT NO. 1

In House Floor Amendment No. 1 proposed by Representative Hutter and adopted by the House on June 14, 2001, on line 4, after "instructions," delete the remainder of the line and insert "of a device determined by the parents to be a more protective restraining."

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

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 409 by Senator Dupre, Mount, and Schedler

##### AMENDMENT NO. 1

On page 1, line 3, change "32:295(B)(3) and (I)," to "32:295(B)(3), (I), and (J)"

##### AMENDMENT NO. 2

On page 1, line 10, change "32:295(B)(3) and (I)," to "32:295(B)(3), (I), and (J)"

##### AMENDMENT NO. 3

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

"J. Notwithstanding any other provisions of this Section to the contrary, if the child is restrained in a manner that is not provided for in this Section, any law enforcement official who stops the parent on a first violation of this Section shall provide a warning to the parent and an explanation of the requirements of this Section."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Gallot	Odinot
Alexander, E	Glover	Pierre
Ansardi	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hunter	Pratt
Baylor	Hutter	Quezaire
Broome	Jackson, L	Riddle
Bruce	Johns	Schwegmann
Bruneau	Katz	Shaw
Carter, K	Kennard	Smith, J.H.—8th
Clarkson	Landrieu	Sneed
Crane	Lucas	Stelly
Curtis	Martiny	Thompson
Damico	McMains	Townsend
Daniel	Montgomery	Waddell
Devillier	Morrell	Winston
Diez	Morrish	
Faucheux	Nevers	
Total—52		

**NAYS**

Alexander, R	Heaton	Romero
Bowler	Hebert	Salter
Carter, R	Hill	Scalise
Cazayoux	Hopkins	Schneider
Crowe	Iles	Smith, G.—56th
Doerge	Kenney	Smith, J.D.—50th
Donelon	LaFleur	Smith, J.R.—30th
Downer	Lancaster	Strain
Durand	LeBlanc	Toomy
Erdey	McCallum	Triche
Farrar	McDonald	Tucker
Flavin	McVea	Walsworth
Frith	Murray	Welch
Fruge	Perkins	Wooton
Futrell	Pinac	Wright
Hammett	Richmond	
Total—47		

**ABSENT**

Mr. Speaker	Holden	Jackson, M
Dartez	Hudson	Swilling
Total—6		

Failed to pass.

Motion to reconsider pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 456: Reps. Alario, Broome, and Damico.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the

disagreement to House Bill No. 1584: Reps. Karen Carter, Bruneau, and Landrieu.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2047: Reps. Martiny, Faucheux, and Perkins.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 20: Reps. Donelon, Diez, and Murray.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 616: Reps. Diez, Pitre, and Hutter.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 865: Reps. Morrish, Donelon, and Hebert.

**SENATE BILL NO. 823—**

BY SENATOR IRONS

**AN ACT**

To amend and reenact R.S. 3:2093(9) and R.S. 14:102.1(A)(1)(c) and (e), and (B)(1) and (5), to enact Part VII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2501, and to repeal R.S. 14:102(7), (8), and (9), and 102.1(B)(2), relative to animal cruelty; to provide for the crime of livestock tampering; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Walsworth moved the bill be indefinitely postponed.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Riddle
Bowler	Hopkins	Romero
Broome	Hunter	Salter
Bruce	Hutter	Scalise
Bruneau	Iles	Schneider
Carter, K	Jackson, L	Schwegmann
Carter, R	Johns	Shaw
Cazayoux	Katz	Smith, G.—56th

Clarkson	Kennard	Smith, J.D.—50th
Crane	Kenney	Smith, J.H.—8th
Crowe	LaFleur	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Devillier	LeBlanc	Strain
Diez	Lucas	Swilling
Doerge	Martiny	Thompson
Donelon	McCallum	Toomy
Downer	McDonald	Tucker
Durand	McMains	Walsworth
Erdey	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Perkins	
Total—94		

NAYS

Glover  
Total—1

ABSENT

Curtis	Jackson, M	Triche
Dartez	Morrell	Waddell
Holden	Odinet	
Hudson	Townsend	
Total—10		

The bill was indefinitely postponed.

**SENATE BILL NO. 1055—**  
BY SENATOR BARHAM

AN ACT

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

**AMENDMENT NO. 1**

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

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
-------------	--------	---------

Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hill	Quezaire
Baylor	Hopkins	Richmond
Bowler	Hunter	Riddle
Broome	Hutter	Romero
Bruce	Iles	Salter
Bruneau	Jackson, L	Scalise
Carter, K	Jackson, M	Schwegmann
Carter, R	Johns	Shaw
Cazayoux	Katz	Smith, G.—56th
Clarkson	Kennard	Smith, J.D.—50th
Crane	Kenney	Smith, J.H.—8th
Crowe	LaFleur	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	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	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Hebert	Hudson
Dartez	Holden	Schneider
Total—6		

The Chair declared the above bill was finally passed.

Rep. Walsworth 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.

**Motion**

Rep. Rodney Alexander moved to call Senate Bill No. 361 from the calendar.

Rep. Pitre objected.

By a vote of 59 yeas and 32 nays, the bill was called from the calendar.

**SENATE BILL NO. 361—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1041(4), relative to the practice of optometry; to revise the definition of the term "diagnostic and therapeutic pharmaceutical agent"; to authorize certain licensed optometrists to use certain drugs and other substances in the treatment of diseases of the eye and its adnexa; to prohibit prescribing or using drugs and other substances listed in Schedule I and Schedule II of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Fauchaux moved to table the bill.

Rep. Rodney Alexander objected.

By a vote of 25 yeas and 69 nays, the House refused to table the bill.

**Motion**

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

Rep. Rodney Alexander objected.

By a vote of 35 yeas and 56 nays, the House refused to return the bill to the calendar.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pitre to Engrossed Senate Bill No. 361 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "37:1041(4)" and before the comma "," insert "and 1068"

AMENDMENT NO. 2

On page 1, line 8, after "Law;" and before "and" insert "to provide for civil penalties;"

AMENDMENT NO. 3

On page 1, line 11, after "37:1041(4)" and before "hereby" delete "is" and insert "and 1068 are"

AMENDMENT NO. 4

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

\* \* \*

§1068. Penalties, Civil and Criminal

A.(1) Any person who shall be determined by the board, after notice and an opportunity for a hearing, to have violated any provision of this Chapter that pertains to any drug listed in the Uniform Controlled Dangerous Substances Law shall be liable to the board for a civil penalty not to exceed five hundred dollars for each violation.

(2) The amount of the penalty shall be assessed by the board by written notice.

(3) In determining the amount of the penalty, the board shall consider the nature, circumstances, and gravity of the violation; and with respect to the person found to have committed the violation, the degree of culpability, any history of prior violations, ability to pay the penalty, and such other matters as justice may require.

B. The legal counsel employed or retained by the board may recover the assessed civil penalty by bringing action against the person so assessed in the court having jurisdiction. The board may compromise the civil penalty.

C. Whoever violates any provision of this Chapter shall be enjoined from the practice of optometry and shall:

(1) On first conviction, be fined not less than three hundred dollars nor more than two thousand dollars, and shall be imprisoned for not less than thirty days nor more than one hundred fifty days.

(2) On a second or subsequent conviction, regardless of whether the first offense occurred before or after the first conviction, be fined not less than six hundred dollars nor more than five thousand dollars, and shall be imprisoned for not less than ninety days nor more than one hundred fifty days."

**Point of Order**

Rep. Morrish asked for a ruling from the Chair as to the number of votes required to pass the bill if the proposed amendment is adopted.

**Ruling of the Chair**

The Chair ruled that the Constitution of 1974 states that bills which impose civil penalties require the favorable vote of two-thirds of the elected members.

Rep. Pitre moved the adoption of the amendments.

Rep. Rodney Alexander objected.

By a vote of 40 yeas and 55 nays, the amendments were rejected.

Rep. Rodney Alexander moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Heaton	Perkins
Alexander, R	Hebert	Pratt
Broome	Hill	Quezaire
Carter, K	Holden	Richmond
Carter, R	Hudson	Riddle
Cazayoux	Hunter	Romero
Clarkson	Hutter	Salter
Curtis	Iles	Smith, G.—56th
Diez	Johns	Smith, J.R.—30th
Durand	Kenney	Thompson
Erdey	LaFleur	Toomy
Farrar	Landrieu	Triche
Fauchaux	LeBlanc	Welch
Fruge	Lucas	Winston
Futrell	Montgomery	Wooton
Gallot	Morrell	Wright
Glover	Morrish	
Green	Nevers	
Total—52		

**NAYS**

Alexander, E	Jackson, L	Pitre
Ansardi	Jackson, M	Powell
Baldone	Katz	Scalise
Baylor	Kennard	Schneider

Bowler	Lancaster	Schwegmann
Bruneau	Martiny	Shaw
Crane	McCallum	Smith, J.H.—8th
Crowe	McDonald	Sneed
Damico	McMains	Stelly
Daniel	McVea	Strain
Donelon	Murray	Waddell
Downer	Odinet	Walsworth
Flavin	Pierre	
Hammett	Pinac	
Total—40		

ABSENT

Mr. Speaker	Doerge	Swilling
Baudoin	Frith	Townsend
Bruce	Guillory	Tucker
Dartez	Hopkins	
Devillier	Smith, J.D.—50th	
Total—13		

The Chair declared the above bill failed to pass.

### Suspension of the Rules

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

#### SENATE BILL NO. 1054— BY SENATOR THEUNISSEN AN ACT

To amend and reenact R.S. 32:383.1(A), relative to motor vehicles; to provide for an exemption, under certain conditions, to the required covering of loads of loose material; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Morrish moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Odinet
Alario	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Heaton	Pitre
Baldone	Hill	Powell
Cazayoux	Hudson	Quezaire
Clarkson	Hunter	Riddle
Crowe	Johns	Romero
Curtis	Katz	Salter
Damico	Kenney	Shaw
Daniel	LaFleur	Smith, G.—56th
Diez	Landrieu	Smith, J.H.—8th
Downer	LeBlanc	Stelly
Durand	Lucas	Thompson
Erdey	Martiny	Triche
Faucheux	McCallum	Waddell
Flavin	McDonald	Walsworth
Frith	McVea	Welch
Fruge	Montgomery	Wooton
Futrell	Morrish	Wright
Gallot	Murray	

Glover	Nevers
Total—64	NAYS

Alexander, E	Farrar	Pratt
Baudoin	Hebert	Scalise
Baylor	Holden	Schneider
Bowler	Hopkins	Smith, J.D.—50th
Broome	Iles	Sneed
Bruneau	Jackson, L	Strain
Carter, K	Jackson, M	Swilling
Carter, R	McMains	Toomy
Dartez	Morrell	Winston
Doerge	Perkins	
Total—29		

ABSENT

Bruce	Hutter	Schwegmann
Crane	Kennard	Smith, J.R.—30th
Devillier	Lancaster	Townsend
Donelon	Richmond	Tucker
Total—12		

The Chair declared the above bill was finally passed.

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.

### Regular Calendar

#### SENATE BILL NO. 762— BY SENATORS MALONE, CAIN AND ELLINGTON AN ACT

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

Read by title.

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

### HOUSE FLOOR AMENDMENTS

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

#### AMENDMENT NO. 1

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

#### AMENDMENT NO. 2

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

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

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

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Smith, J.R.—30th
Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McMains	Waddell
Farrar	McVea	Walsworth
Faucheux	Montgomery	Welch
Flavin	Morrell	Winston
Frith	Morrish	Wooton
Fruge	Murray	Wright
Futrell	Nevers	
Total—104		

NAYS

Total—0

ABSENT

Townsend  
Total—1

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 781—**  
BY SENATORS HINES, BAJOE AND SCHEDLER  
AN ACT

To enact R.S. 46:976(A)(5)(d) and (B)(1)(d), relative to the Louisiana Children's Health Insurance Program; to expand coverage to certain parents of Medicaid and LaCHIP eligible children and to certain pregnant women; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Nevers
Alario	Green	Odinot
Alexander, E	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Heaton	Pitre
Baldone	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Riddle
Carter, K	Hunter	Romero
Carter, R	Hutter	Salter
Cazayoux	Iles	Schwegmann
Clarkson	Jackson, L	Shaw
Crowe	Jackson, M	Smith, G.—56th
Curtis	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Doerge	Lucas	Thompson
Durand	Martiny	Townsend
Erdey	McCallum	Triche
Farrar	McDonald	Waddell
Faucheux	McMains	Welch
Flavin	Montgomery	Winston
Frith	Morrell	Wooton
Futrell	Morrish	Wright
Gallot	Murray	
Total—89		

NAYS

Bowler	Kennard	Sneed
Bruneau	Lancaster	Toomy
Crane	McVea	Tucker
Donelon	Perkins	Walsworth
Downer	Scalise	
Fruge	Schneider	
Total—16		

ABSENT

Total—0

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

On motion of Rep. Downer, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

**SENATE BILL NO. 835—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 48:756(B)(1) and to repeal R.S. 48:756(B)(2)(d), relative to the Parish Transportation Fund; to provide for funding for mass transit purposes; to provide for changes in funding amounts for certain local governments; to provide an effective date; and to provide for related matters.

Read by title.



Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Donelon	McCallum	Triche
Downer	McDonald	Tucker
Durand	McMains	Waddell
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinot	
Total—103		

**NAYS**

Hebert	Scalise
Total—2	

**ABSENT**

Total—0

The Chair declared the above bill was finally passed.

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

**Speaker DeWitt in the Chair**

**SENATE BILL NO. 877—**  
BY SENATOR CAMPBELL

**AN ACT**

To amend and reenact R.S. 39:252, 253(A), (B), (C), and (D), 254, 255, 256 and 257 and to enact R.S. 39:253(E) and (F), relative to energy management; to provide for purpose of the energy management policy; to provide for development and coordination of policy; to provide for implementation of recommendations; to provide for funding; to provide for capital investments; to provide

for compliance with reporting requirements; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 877 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 7 in their entirety, and at the beginning of line 8, delete "requirements" and insert:

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

AMENDMENT NO. 2

On page 1, delete lines 10 and 11 and insert:

"Section 1. Part VII of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:251 through 257, is hereby"

AMENDMENT NO. 3

On page 1, between lines 12 and 13 insert:

"PART VII. ENERGY MANAGEMENT ACT OF 2001

§251. Short title

This Part may be cited as the "Energy Management Act of 2001."

AMENDMENT NO. 4

On page 1, line 16, delete "that" and insert "in a manner which"

AMENDMENT NO. 5

On page 2, line 1, after "and" insert "insure that buildings and facilities are operated with maximum efficiency of energy use"

AMENDMENT NO. 6

On page 2, line 2, delete "costs"

AMENDMENT NO. 7

On page 2, delete lines 14 through 26 in their entirety and on page 3, at the beginning of line 1, delete "Paragraph B of this Section" and insert:

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

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suppliers, and energy costs. Such reports shall be made on a biannual basis.

(2) The division of administration shall use this information to develop and maintain a database on all state buildings and facilities and their associated energy use, energy demand, and energy cost."

## AMENDMENT NO. 8

On page 3, on line 2, after "training" and before "to" insert "upon request"

## AMENDMENT NO. 9

On page 3, delete lines 14 through 21 and insert:

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

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

(b) Energy costs per million British thermal units.

(c) Kilowatt demand by square foot by class.

(d) A target power factor.

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

## AMENDMENT NO. 10

On page 4, at the beginning of line 3, change "have" to "be"

## AMENDMENT NO. 11

On page 4, line 4, after "buildings" and before "with" insert "and facilities"

## AMENDMENT NO. 12

On page 4, line 7, after "include" delete the remainder of the line and insert "assessments of gas and electrical"

## AMENDMENT NO. 13

On page 4, at the end of line 8, insert "and"

## AMENDMENT NO. 14

On page 4, line 9, change "(or rate)" to "or rate"

## AMENDMENT NO. 15

On page 4, line 10, after "include" delete the remainder of the line and insert: "audits of occupancy and use"

## AMENDMENT NO. 16

On page 4, line 11, change "HVAC" to "heating, ventilation, and air conditioning"

## AMENDMENT NO. 17

On page 4, line 12, after "infiltration" and before "and" insert a comma ",."

## AMENDMENT NO. 18

On page 4, line 14, delete "out-of-pocket"

## AMENDMENT NO. 19

On page 4, line 16, after the period "." delete the remainder of the line and delete lines 17 through 22.

## AMENDMENT NO. 20

On page 5, at the end of line 14, change "(ECSSMs)" to "hereinafter referred to as 'ECSSMs'"

## AMENDMENT NO. 21

On page 5, at the end of line 15, delete "under"

## AMENDMENT NO. 22

On page 5, at the beginning of line 16, change "Paragraph" to "as provided in Subsection"

## AMENDMENT NO. 23

On page 5, line 18, change "factor" to "factors."

## AMENDMENT NO. 24

On page 5, line 18, after the period "." delete "Measures" and insert "Such measures"

## AMENDMENT NO. 25

On page 5, at the end of line 21, delete "have the authority to"

## AMENDMENT NO. 26

On page 5, line 26, after the period "." delete the remainder of the line

## AMENDMENT NO. 27

On page 6, delete lines 1 and 2 and insert "The division of"

## AMENDMENT NO. 28

On page 6, line 3, after "generation" and before the period "." insert "when the per unit costs or energy demand charges make on-site generation favorable on a life-cycle cost analysis"

## AMENDMENT NO. 29

On page 6, line 6, after "turbines" and before "and" insert a comma ","

## AMENDMENT NO. 30

On page 6, delete lines 20 through 27, and on page 7, delete lines 1 through 8 and insert:

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

AMENDMENT NO. 31

On page 7, delete lines 10 through 19 and insert:

"B.(1) Agencies able to demonstrate net savings from implementing ECSMs initiated by the agency may retain all of the utility expenditure savings until the investment costs of implementing the ECSMs are paid in full, and thereafter may retain one-half of the utility expenditure savings over the remaining useful life of the ECSMs. Such retained utility expenditure savings shall be from funds appropriated or allocated for utility costs to such agency.

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

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

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

AMENDMENT NO. 32

On page 7, line 23, after the period "." delete the remainder of the line, delete lines 24 through 26, and on page 8, delete line 1 and insert"

"The other provisions of this Part shall apply to state-owned buildings and facilities and to that portion occupied or used by state agencies in buildings or facilities leased by the agency."

AMENDMENT NO. 33

On page 8, delete lines 3 through 12 and insert:

"An agency unable failing to comply with the provisions of this Part shall file a report with the Division of Administration and the Joint Legislative Committee on the Budget stating the reasons it is unable to comply. The commissioner of administration shall withhold from the appropriations of any agency failing to comply with the provisions of this Part an amount equal to five percent of the amount appropriated to the agency for energy costs only if approved by the Joint Legislative Committee on the Budget. The commissioner of administration shall release any amounts withheld upon an agency's compliance with the provisions of this Part less the amount used by the division of administration for collecting energy data from the non-complying agency. The use and expenditure of such amounts by the division of administration are subject to approval by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 34

On page 8, delete lines 14 through 18 and insert:

"The division of administration shall report annually to the Joint Legislative Committee on the Budget and the Legislative Fiscal Office the results of the energy cost saving measures undertaken pursuant to this Part and the savings generated by such measures."

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

**Motion**

On motion of Rep. LeBlanc, the bill, as amended, was returned to the calendar.

**SENATE BILL NO. 883—**

BY SENATORS ELLINGTON AND SCHEDLER  
AN ACT

To enact Chapter 55 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2701, relative to health care; to create the Health Trust Fund within the state treasury; to provide for the appropriation of monies to the fund; to provide for investment and uses of monies in the fund; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 883 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 46:2701," and before "relative" insert "and to repeal R.S. 46:53(D) through (F),"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";" and before "and" insert "to repeal certain obsolete provisions of law;"

AMENDMENT NO. 3

Delete House Committee Amendment No. 35 proposed by the House Committee on Appropriations and adopted by the House on June 6, 2001, and on page 5, at the end of line 21, delete "In", and at the beginning of line 22, delete "administering the fund, the" and insert "The"

AMENDMENT NO. 4

On page 5, at the end of line 25, insert the following:

"In addition, if a hospital or other health care facility does not provide the required patient specific data, the secretary of the department may withhold an amount equal to five percent of Medicaid payments due that provider. Such withholding shall increase by five percent for each successive month that the required data is not received, but the total amount withheld shall not exceed twenty-five percent of the total monthly amount due the facility. Upon receipt of the required data, the department shall pay the facility all amounts previously withheld as a result of the failure to submit the required data. A hospital or other health care facility subject to withholding under this provision may request an administrative review as provided by R.S. 46:437.4."

AMENDMENT NO. 5

On page 6, between lines 20 and 21, insert:

"Section 2. R.S. 46:53(D) through (F) are hereby repealed in their entirety."

AMENDMENT NO. 6

On page 6, at the beginning of line 21, change "Section 2." to "Section 3."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Schneider  
Total—1

**ABSENT**

Bruneau LaFleur  
Total—2

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 917—**  
BY SENATORS HAINKEL AND SCHEDLER  
AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court; and to provide for related matters.

Read by title.

**Motion**

Rep. Robert Carter moved that the bill be returned to the calendar.

Rep. Riddle objected.

By a vote of 34 yeas and 61 nays, the House refused to return the bill to the calendar.

Rep. Riddle moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alexander, E	Fruge	Pratt
Baylor	Glover	Riddle
Broome	Hebert	Salter
Carter, K	Hudson	Scalise
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Smith, J.R.—30th
Crane	Johns	Stelly
Curtis	Katz	Strain
Daniel	Kenney	Thompson
Devillier	LaFleur	Triche
Diez	LeBlanc	Tucker
Doerge	McCallum	Walsworth
Durand	McMains	Winston
Erdey	Morrish	Wooton
Farrar	Odinet	Wright
Flavin	Pinac	
Frith	Powell	
Total—49		

**NAYS**

Mr. Speaker	Guillory	Nevers
Alario	Hammett	Perkins
Alexander, R	Hill	Pierre
Ansardi	Holden	Pitre
Baldone	Hopkins	Richmond
Baudoin	Hunter	Romero
Bowler	Hutter	Schneider
Bruce	Iles	Shaw
Bruneau	Kennard	Smith, J.D.—50th
Carter, R	Lancaster	Smith, J.H.—8th
Crowe	Lucas	Sneed
Damico	McDonald	Toomy
Donelon	McVea	Townsend
Downer	Montgomery	Waddell
Gallot	Morrell	
Green	Murray	
Total—46		

**ABSENT**

Dartez	Landrieu	Swilling
Faucheux	Martiny	Welch
Futrell	Quezaire	
Heaton	Smith, G.—56th	
Total—10		

The Chair declared the above bill failed to pass.

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

**SENATE BILL NO. 973—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 2:813(A)(2), R.S. 4:708(B), R.S. 9:3402, R.S. 12:2(A)(3), R.S. 14:403.2(E)(8)(a) and (b), R.S. 17:1253(1) and 1517(D)(4), R.S. 18:3(A)(1), 101(E)(1)(c), 103(B)(3)(a) and (C)(3)(a), 104(A)(15), 115(A)(2), 173(C), 562(C), 1280.22(A), 1300.2(B), 1300.3(A) and (B), 1300.6(A), 1300.8(B),

1303(A)(12), 1306(E)(1)(f) and (2), and 1308(A)(1)(b) and (2)(b), R.S. 22:2.1(E), R.S. 23:6(1), 11, 183, 1291.1(A)(1), (C)(3) introductory paragraph, and (D), 1292(A) introductory paragraph, and 1306(A) introductory paragraph, R.S. 26:346(A) and (B), 354(I), 355(A), 359(D), 360, and 373, R.S. 30:2043(D) and (E), R.S. 32:398(C) and 861(A)(3), R.S. 39:79(A) and (C)(1), 101(A)(1), 114(A) and (B), 461.1(C)(4), 461.4(C)(2), 1503(A)(1), (2), and (3), 1593(B), and 1594(I)(2), R.S. 40:1172(A), 1235.2(C)(1)(a), 1299.40(A)(1), and 2145(B), R.S. 47:12(B)(2)(b) and (c), 59.1(B)(2), 105(G), 114(F)(2), 115(A)(4), 166, 287.614(B), 287.651(D), 287.752(B)(3)(a), 299.35, 303(B)(2), 311, 315(A), 315.1(A), 315.3(A), 635(A)(1)(a) and (b), 640(A)(1) and (2), 720, 808(B), 823(C), 1006(A), 1034, and 1506.1(A) and (B), R.S. 48:56(A), 93(A), 201, 203, 224(B), 229(A), 231, and 232, and to enact R.S. 18:2(11), 151(C) and 1400.3(F), and R.S. 39:1410.33(D) and 1556(29), relative to electronics; to revise various laws applicable to state agencies; to provide for electronic transactions; and to provide for related matters.

Read by title.

Rep. Scalise 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
Baldone	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Futrell	Nevers	
Gallot	Odinet	
Total—103		

**NAYS**

Total—0

**ABSENT**

Fruge  
Waddell  
Total—2

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 1001—**  
BY SENATOR HAINKEL

**AN ACT**

To enact Subpart W of Part I of Chapter 1 of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.63, relative to state individual income taxes; to provide for a refund checkoff on individual state income tax returns for prostate cancer; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Baylor Schneider  
Powell Tucker  
Total—4

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 1026—**  
BY SENATOR CHAISSON

AN ACT

To enact R.S. 45:561 through 564, relative to railroads; to provide for requirements for railroads crossing public roads; to provide for enforcement and certification by the Louisiana Public Service Commission; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 1075—**  
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 9:3541.1(A), (D) and (E), relative to home solicitation sales; to provide for a consumer's right to cancel mail and check solicitation sales; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LaFleur to Reengrossed Senate Bill No. 1075 by Senator Wilson Fields

AMENDMENT NO. 1

On page 1, line 2, after "(A)" delete the comma "," and delete "(D)" and insert "(1)"

AMENDMENT NO. 2

On page 1, line 6, after "(A)" delete the comma "," and delete "(D)" and insert "(1)"

AMENDMENT NO. 3

On page 1, line 11, after "sale" insert the following:

" , except when the sale is made to and accepted by a customer who has an existing loan, revolving account, or other line of credit with the party making the mail and check solicitation sale

\* \* \*

AMENDMENT NO. 4

On page 1, delete lines 12 through 15 and on page 2, delete lines 1 through 10

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Baldone Curtis Martiny  
Total—3

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 1106 (Substitute for Senate Bill No. 1077 by Senators Thomas and Schedler)—**  
BY SENATORS THOMAS, SCHEDLER AND CAIN  
AN ACT

To enact Part III of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:951 and 952, relative to the dissemination of information regarding electricity produced in Louisiana where the state's groundwater is used as part of the generation process; to provide for entities that own, lease and/or operate new and expanded electric generation facilities that commence operation on or after January 1, 2002 and use groundwater or surface water to produce electricity; to provide notice of operation date and contact information for electric power sales; and to provide for related matters.

Read by title.

Rep. Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Murray
Alario	Guillory	Nevers
Alexander, E	Hammett	Odinot
Alexander, R	Heaton	Pierre
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	Schwegmann
Crowe	Katz	Shaw
Curtis	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Dartez	LaFleur	Sneed
Devillier	Lancaster	Stelly
Diez	Landrieu	Strain
Doerge	LeBlanc	Swilling
Donelon	Lucas	Thompson
Durand	Martiny	Townsend
Erdey	McCallum	Triche
Farrar	McDonald	Tucker
Faucheux	McMains	Waddell
Frith	McVea	Welch
Gallot	Montgomery	Winston
Glover	Morrell	Wooton
Total—90		

NAYS

Crane Morrish Toomy  
Daniel Perkins Walsworth  
Flavin Pinac Wright  
Fruge Smith, G.—56th  
Futrell Smith, J.R.—30th  
Total—13

ABSENT

Baldone Downer  
Total—2

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 77—**  
BY SENATOR MCPHERSON  
AN ACT

To amend and reenact R.S. 43:111.1, relative to public advertising; to prohibit the expenditure of any state funds for advertisement which mentions any elected official whether elected or appointed; to prohibit expenditure of public funds by any public entity for advertisement which mentions any elected official whether elected or appointed; to provide exceptions; and to provide for related matters.

Read by title.

Motion

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

Rep. Farrar objected.

By a vote of 78 yeas and 24 nays, the House returned the bill to the calendar.

**SENATE BILL NO. 98—**  
BY SENATORS HAINKEL AND SCHEDLER  
AN ACT

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

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, E	Jackson, L	Richmond
Ansardi	Jackson, M	Riddle
Baudoin	Johns	Scalise
Broome	Katz	Schneider
Bruneau	Lancaster	Schwegmann
Clarkson	Landrieu	Stelly
Daniel	McMains	Toomy
Erdey	Montgomery	Triche
Flavin	Murray	Walsworth

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Frith	Odinet	Welch
Glover	Pierre	Winston
Holden	Pratt	
Total—35		

NAYS

Mr. Speaker	Futrell	Perkins
Alario	Green	Pinac
Alexander, R	Guillory	Pitre
Baldone	Hammett	Powell
Baylor	Hebert	Quezaire
Bowler	Hill	Romero
Carter, K	Hopkins	Salter
Carter, R	Hunter	Shaw
Cazayoux	Hutter	Smith, G.—56th
Crane	Iles	Smith, J.D.—50th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Dartez	LeBlanc	Strain
Devillier	Lucas	Thompson
Diez	Martiny	Townsend
Doerge	McCallum	Tucker
Donelon	McDonald	Waddell
Downer	Morrell	Wooton
Farrar	Morrish	Wright
Frige	Nevers	
Total—59		

ABSENT

Bruce	Gallot	McVea
Damico	Heaton	Smith, J.H.—8th
Durand	Hudson	Swilling
Faucheux	LaFleur	
Total—11		

The Chair declared the above bill failed to pass.

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

**SENATE BILL NO. 217—**  
BY SENATOR MCPHERSON

AN ACT

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

Read by title.

Rep. Farrar moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Holden	Riddle

Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Donelon	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McMains	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Frige	Nevers	
Futrell	Odinet	
Total—103		

NAYS

Total—0

ABSENT

McVea	Smith, G.—56th
Total—2	

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 314—**  
BY SENATORS HEITMEIER AND HOYT

AN ACT

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

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

**HOUSE FLOOR AMENDMENTS**



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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

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

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

In Amendment No. 7 of the amendments proposed by the House Committee on Insurance and adopted by the House on June 7, 2001, on page 1, after line 23, insert the following:

"E. The provisions of this Section shall become null, void, and of no effect on December 31, 2003."

Rep. Faucheux moved the adoption of the amendments.

Rep. Alario objected.

By a vote of 20 yeas and 81 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:215.22" delete the comma "," and insert "and 642.1,"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";" insert "to provide with respect to assignment of health insurance benefits;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 22:215.22" delete "is" and insert "and 642.1 are"

AMENDMENT NO. 4

In Amendment No. 7 of the amendments proposed by the House Committee on Insurance and adopted by the House on June 7, 2001, on page 1, after line 23, insert a line of asterisks "\* \* \*" and the following:

"§642.1. Assignment of health insurance benefits

In the event a health care provider has accepted an assignment of health insurance benefits from any insured, beneficiary, subscriber, or enrollee and the insurer disputes a charge on the basis that the charge exceeds the usual and customary charge for the service rendered, then the health care provider shall not bill the balance of the charge to the insured, beneficiary, subscriber, or enrollee and the provider and the insurer shall resolve the dispute taking into account all circumstances surrounding the provision of the service."

**Point of Order**

Rep. Landrieu asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Nevers
Alario	Guillory	Odinot
Alexander, R	Hammett	Pierre
Ansardi	Heaton	Pinac
Baldone	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, R	Hutter	Schneider
Clarkson	Jackson, L	Schwegmann
Curtis	Johns	Smith, J.D.—50th
Damico	Kennard	Smith, J.R.—30th
Daniel	Kenney	Stelly
Dartez	Landrieu	Strain
Doerge	LeBlanc	Swilling
Durand	Lucas	Thompson
Farrar	Martiny	Toomy
Faucheux	McCallum	Townsend
Flavin	McMains	Triche
Frith	McVea	Tucker
Fruge	Montgomery	Welch
Gallot	Morrell	Wooton
Glover	Murray	
Total—74		

NAYS

Alexander, E	Futrell	Powell
Bowler	Iles	Scalise
Cazayoux	Katz	Smith, G.—56th
Crane	LaFleur	Smith, J.H.—8th
Crowe	Lancaster	Sneed
Devillier	McDonald	Waddell
Diez	Morrish	Walsworth
Donelon	Perkins	Winston
Downer	Pitre	Wright
Total—27		

ABSENT

Carter, K	Jackson, M
Erdey	Shaw
Total—4	

The Chair declared the above bill was finally passed.

Rep. Alario 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. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

SENATE BILL NO. 442—  
BY SENATOR DARDENNE

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

Motion

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

Rep. Devillier objected.

By a vote of 46 yeas and 50 nays, the House refused to return the bill to the calendar.

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

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

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gallot	Pitre
Alexander, E	Hammett	Powell
Alexander, R	Heaton	Riddle
Baldone	Hill	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Carter, K	Iles	Schwegmann
Cazayoux	Johns	Shaw
Clarkson	Katz	Smith, G.—56th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Landriau	Stelly
Devillier	LeBlanc	Strain
Diez	Martiny	Thompson
Doerge	McCallum	Toomy
Donelon	McDonald	Townsend
Durand	McMains	Triche
Erdey	Montgomery	Tucker
Farrar	Morrish	Waddell
Faucheux	Murray	Walsworth
Flavin	Nevers	Winston
Frith	Odinot	Wooton
Fruge	Perkins	Wright
Futrell	Pinac	
Total—77		

NAYS

Baylor	Guillory	Pierre
Broome	Holden	Pratt
Carter, R	Jackson, L	Quezaire
Downer	Jackson, M	Richmond
Glover	Lucas	Welch
Green	Morrell	
Total—17		

**ABSENT**

Mr. Speaker	Dartez	McVea
Ansardi	Hebert	Smith, J.D.—50th
Baudoin	Hopkins	Swilling
Curtis	Lancaster	
Total—11		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 458—**  
BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 37:3372(5), (6), (7), and(9)(a), 3374(4), (5), (7), (13), (14), (15), and (16), 3375(A)(2) and (B), 3376(A), the introductory paragraph of (C), (C)(5), (8), and (9), the introductory paragraph of (D), (D)(3)(c), (F)(3) and (4), the introductory paragraph of (H), (H)(3), and (4), 3376.1, the introductory paragraph of 3379(A), (A)(1), (2), (7), and (11), (B)(1) and (3), and (C), 3381(C), 3382, the introductory paragraph of 3384, 3384(2) and (4) and to enact R.S. 37:3374(17), 3376(C)(10), and (F)(5), 3379(A)(14) and (15), and (B)(4) and (D) relative to the Substance Abuse Counselor Certification Law; to change the name of a prevention counselor; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Certification for Substance Abuse Counselors; to provide for certification requirements of a substance abuse counselor, compulsive gambling counselor or prevention specialist; to provide for suspension of certification or registration and for hearing and appeal thereof; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Winston 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	Powell
Ansardi	Heaton	Pratt
Baldone	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	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	Odinot	
Total—100		

**NAYS**

Total—0

**ABSENT**

Baudoin	Hebert	Smith, J.D.—50th
Dartez	Pitre	
Total—5		

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 778—**  
BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 39:13(B), and to enact R.S. 39:13(C) and (D), relative to the administration of state lands; to provide for the identification of non-productive property; to require the commissioner of administration to make recommendations relative to non-productive property; to authorize the commissioner of administration to sell non-productive property; to provide for the proceeds of the sale; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 778 by Senator Dardenne

**AMENDMENT NO. 1**

On page 1, line 11, change "(C) is" to "(C) and (D) are"

**AMENDMENT NO. 2**

On page 2, delete lines 17 through 20 in their entirety and insert:

"R.S. 39:13(D) is all proposed new law."

**AMENDMENT NO. 3**

On page 2, delete lines 23 through 26 and on page 3, delete lines 1 through 11

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Huttrer	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.D.—50th
Crowe	Kennard	Smith, J.H.—8th
Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Donelon	McCallum	Townsend
Downer	McDonald	Triche
Durand	McMains	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	
Total—104		

NAYS

Total—0

ABSENT

Hebert  
Total—1

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 925—**  
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 14:403(A), 403.2(J)(1), 403.3(D), 403.4(F), and 403.5(E) and to enact R.S. 14:403.6 and 403.7, relative to offenses affecting law enforcement; to provide for cross-reporting cases of animal and human abuse; to require persons responsible for reporting abuse of adults and children to also report abuse and neglect of animals; to require persons responsible for reporting abuse and neglect of animals to report abuse of adults and abuse of children; to require training for such persons in recognizing situations of abuse and neglect; to prohibit persons with a history of abuse or violence from being employed in any care facility; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

Rep. LaFleur moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Alario	Gallot	Odinet
Alexander, E	Glover	Powell
Baldone	Green	Pratt
Baudoin	Guillory	Quezaire
Broome	Heaton	Richmond
Bruce	Holden	Romero
Bruneau	Hudson	Scalise
Carter, K	Huttrer	Schwegmann
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Sneed
Clarkson	Jackson, M	Strain
Crane	LaFleur	Swilling
Curtis	Landrieu	Thompson
Damico	Lucas	Townsend
Daniel	Martiny	Triche
Diez	McMains	Welch
Doerge	Montgomery	Winston
Donelon	Morrell	Wooton
Frith	Murray	Wright
Total—57		

NAYS

Mr. Speaker	Hammett	Pinac
Alexander, R	Hebert	Pitre
Baylor	Hill	Riddle
Bowler	Hunter	Salter
Crowe	Johns	Schneider
Devillier	Katz	Shaw
Downer	Kennard	Smith, G.—56th
Durand	Kenney	Smith, J.H.—8th
Erdey	LeBlanc	Smith, J.R.—30th
Farrar	McCallum	Stelly
Faucheux	McDonald	Toomy
Flavin	Morrish	Tucker
Fruge	Nevers	Waddell
Futrell	Perkins	Walsworth
Total—42		

ABSENT

Ansardi	Hopkins	McVea
Dartez	Lancaster	Pierre
Total—6		

The Chair declared the above bill was finally passed.

Rep. LaFleur 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. Baldone and Strain, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**SENATE BILL NO. 929—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 27:306(E)(1), relative to gaming; to provide with respect to state license qualifications for video draw poker; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed Senate Bill No. 929 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "relative" delete "R.S. 27:306(E)," and insert "R.S. 27:306(A)(5)(b) and (E)(1) and to repeal R.S. 27:306(A)(5)(d),"

AMENDMENT NO. 2

On page 1, line 3, after "poker;" and before "and" insert "to authorize the leasing or subleasing of fuel facilities at qualified truck stop facilities;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "hereby" delete "R.S. 27:306(E) is" and insert "R.S. 27:306(A)(5)(b) and (E)(1) are"

AMENDMENT NO. 4

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

"A.

\* \* \*  
\* \* \*

(5)

(b) An owner or lessor of a qualified truck stop facility may lease or sublease any restaurant, convenience store, fuel facility, or any other business operation located on the premises of the qualified truck stop facility to another person, provided that such person executes a written lease which contains a requirement that the lessee or sublessee comply with the laws and regulations which govern the operation of video draw poker devices. If such lease or sublease is granted, the owner or lessor of such qualified truck stop facility shall maintain ultimate supervision and control of his entire truck stop premise. No such lessee or sublessee shall be required to meet suitability requirements unless he receives, as a result of the lease, any video draw poker device operation revenue or unless he exercises some management or control over video draw poker devices. Any violation of the laws and regulations which govern the operation of video draw poker devices by such lessee or sublessee shall be considered a violation by the licensee. No financial lending institution or pawnshop shall be located on the premises of a qualified truck stop facility. Nothing herein shall prohibit the placement of automatic teller machines on the premises of a qualified truck stop."

AMENDMENT NO. 5

On page 1, line 14, change "five" to "fifteen"

AMENDMENT NO. 6

On page 1, line 16, change "five" to "fifteen"

AMENDMENT NO. 7

On page 2, after line 1, insert the following:

"Section 2. R.S. 27:306(A)(5)(d) is hereby repealed in its entirety."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 929 by Senator Boissiere

AMENDMENT NO. 1

Delete the amendments proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 7, 2001

AMENDMENT NO. 2

Delete the amendments proposed by the Legislative Bureau and adopted by the House on June 7, 2001

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Pitre
Alexander, R	Heaton	Pratt
Ansardi	Holden	Quezaire
Baldone	Hudson	Richmond
Baylor	Hunter	Romero
Bowler	Hutter	Salter
Bruneau	Jackson, L	Schwegmann
Carter, K	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.H.—8th
Curtis	LaFleur	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Swilling
Devillier	Martiny	Toomy
Doerge	Montgomery	Townsend
Faucheux	Morrell	Triche
Frith	Morrish	Welch
Gallot	Murray	Wooton
Glover	Odinet	
Green	Pierre	
Total—61		

NAYS

Alexander, E	Fruge	Powell
Baudoin	Futrell	Riddle
Broome	Hebert	Schneider
Carter, R	Hill	Shaw
Crane	Iles	Stelly

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Crowe	Katz	Strain
Dartez	Kenney	Thompson
Diez	LeBlanc	Tucker
Donelon	Lucas	Waddell
Downer	McCallum	Walsworth
Durand	McDonald	Winston
Erdey	McMains	Wright
Farrar	Nevers	
Flavin	Perkins	
Total—40		

ABSENT

Bruce	McVea
Hopkins	Scalise
Total—4	

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 991—**  
BY SENATOR GAUTREAU

AN ACT

To authorize and empower the Terrebonne Parish School Board to lease certain described property in Gibson, Louisiana; to provide for execution of lease documents; to provide for reservation of mineral rights; and to provide for related matters.

Read by title.

Rep. Downer moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Richmond
Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	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	Wright
Fruge	Murray	
Futrell	Nevers	
Total—103		

NAYS

Total—0

ABSENT

Scalise	Wooton
Total—2	

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 1035—**

BY SENATORS BAJOEI, DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN

AN ACT

To enact R.S. 17:416.15, relative to school discipline; to authorize elementary schools to develop and implement youth development and assistance programs for certain students; to provide for program approval; and to provide for related matters.

Read by title.

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

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

Total—102

NAYS

Alexander, E  
Total—1

ABSENT

Fruge  
Total—2

Katz

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 1048—**  
BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of Schedule II(D) of R.S. 40:964, 964.1, 966(A)(1), and 967(A)(1), relative to the classification of controlled dangerous substances; to provide for the classification of a controlled substance analogue as a Schedule II controlled dangerous substance; to provide for the treatment of an analogue of a Schedule II controlled dangerous substance to be the same as such substance; to provide for penalties for distribution and manufacture of controlled substance analogues in both Schedule I and II; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Donelon	McCallum	Triche
Downer	McDonald	Tucker
Durand	McMains	Waddell
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinet	

Total—103

NAYS

Total—0

ABSENT

Green  
Total—2

Richmond

The Chair declared the above bill was finally passed.

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

**Suspension of the Rules**

On motion of Rep. Martiny, 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:

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 347, 1000, 1018, 1052, 110, 283, 451, 480, 560, 578, 623, 627, 633, 704, 731, 776, 803, 922, 933, 956, 978, 979, 1042, and 1047

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

**Message from the Senate**

**HOUSE BILLS**

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June 14, 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. 18  
Returned with amendments.

House Bill No. 51  
Returned with amendments.

House Bill No. 96  
Returned with amendments.

House Bill No. 258  
Returned with amendments.

House Bill No. 268  
Returned without amendments.

House Bill No. 279  
Returned with amendments.

House Bill No. 285  
Returned with amendments.

House Bill No. 336  
Returned without amendments.

House Bill No. 337  
Returned without amendments.

House Bill No. 394  
Returned with amendments.

House Bill No. 432  
Returned with amendments.

House Bill No. 433  
Returned with amendments.

House Bill No. 435  
Returned with amendments.

House Bill No. 438  
Returned without amendments.

House Bill No. 446  
Returned with amendments.

House Bill No. 448  
Returned with amendments.

House Bill No. 510  
Returned with amendments.

House Bill No. 542  
Returned with amendments.

House Bill No. 574  
Returned without amendments.

House Bill No. 598  
Returned with amendments.

House Bill No. 629

Returned with amendments.

House Bill No. 632  
Returned with amendments.

House Bill No. 638  
Returned with amendments.

House Bill No. 665  
Returned with amendments.

House Bill No. 670  
Returned with amendments.

House Bill No. 765  
Returned with amendments.

House Bill No. 838  
Returned with amendments.

House Bill No. 844  
Returned with amendments.

House Bill No. 895  
Returned with amendments.

House Bill No. 904  
Returned with amendments.

House Bill No. 947  
Returned without amendments.

House Bill No. 960  
Returned with amendments.

House Bill No. 1015  
Returned with amendments.

House Bill No. 1036  
Returned with amendments.

House Bill No. 1103  
Returned with amendments.

House Bill No. 1132  
Returned with amendments.

House Bill No. 1187  
Returned with amendments.

House Bill No. 1196  
Returned with amendments.

House Bill No. 1211  
Returned with amendments.

House Bill No. 1245  
Returned with amendments.

House Bill No. 1247  
Returned with amendments.

House Bill No. 1335  
Returned with amendments.

House Bill No. 1398  
Returned with amendments.

House Bill No. 1408



Returned with amendments.  
House Bill No. 1427  
Returned without amendments.  
House Bill No. 1429  
Returned without amendments.  
House Bill No. 1537  
Returned with amendments.  
House Bill No. 1561  
Returned with amendments.  
House Bill No. 1603  
Returned with amendments.  
House Bill No. 1807  
Returned with amendments.  
House Bill No. 1821  
Returned with amendments.  
House Bill No. 1845  
Returned with amendments.  
House Bill No. 1870  
Returned with amendments.  
House Bill No. 1878  
Returned with amendments.  
House Bill No. 1893  
Returned with amendments.  
House Bill No. 1897  
Returned with amendments.  
House Bill No. 1900  
Returned with amendments.  
House Bill No. 1905  
Returned with amendments.  
House Bill No. 1917  
Returned with amendments.  
House Bill No. 1929  
Returned with amendments.  
House Bill No. 1942  
Returned with amendments.  
House Bill No. 1943  
Returned with amendments.  
House Bill No. 1960  
Returned with amendments.  
House Bill No. 1964  
Returned with amendments.  
House Bill No. 2000  
Returned with amendments.  
House Bill No. 2025  
Returned with amendments.  
House Bill No. 2033

Returned with amendments.  
House Bill No. 2044  
Returned with amendments.  
House Bill No. 2055  
Returned with amendments.  
House Bill No. 2066  
Returned with amendments.  
House Bill No. 2071  
Returned with amendments.

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

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 500: Senators W. Fields, Heitmeier, and Chaisson.

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

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 974: Senators Ullo, C. D. Jones, and Johnson.

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

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like

committee from the House to confer on the disagreement to House Bill No. 1178: Senators Cravins, Dardenne, and B. Jones.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 865: Senators Thomas, Tarver, and Hines.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1712: Senators Thomas, Heitmeier, and Marionneaux.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 914: Senators Boissiere, Hoyt, and Gautreaux.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 855: Senators Cravins, Chaisson, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 461: Senators Irons, Tarver, and Thomas.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1: Senators Hainkel, Dardenne, and Tarver.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like

committee from the House to confer on the disagreement to House Concurrent Resolution No. 111: Senators Thomas, Theunissen, and Mount.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**  
**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 616: Senators Heitmeier, Chaisson, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**  
**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 1011: Senators Lentini, Cravins, and Chaisson.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**  
**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 1017: Senators Lentini, Heitmeier, and Chaisson.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Concurrent Resolution No. 180: Senators Schedler, Heitmeier, and Dardenne.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 776: Senators Cravins, Campbell, and Malone.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1140: Senators Bajoie, Hainkel, and Schedler.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF**  
**CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1864: Senators Heitmeier, McPherson, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 963: Senators Heitmeier, Chaisson, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 14, 2001

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2053: Senators Heitmeier, McPherson, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Conference Committee Reports Received**

Conference Committee Reports were received for the following legislative instruments:

**HOUSE CONCURRENT RESOLUTION NO. 111—**  
BY REPRESENTATIVES NEVERS, KENNEY, AND THOMPSON  
A CONCURRENT RESOLUTION

To encourage the study of the Bible in schools.

**HOUSE BILL NO. 389—**  
BY REPRESENTATIVE SCALISE  
AN ACT

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

school in less than four years; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 776—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 27:96(A), relative to riverboat gaming; to provide that elected public officials can do business with riverboat gaming licensees as a performing musician; and to provide for related matters.

**HOUSE BILL NO. 914—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To enact Subpart C of Part VIII of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:942.1 through 942.9, relative to the Teachers' Retirement System; to provide with respect to an alternative contribution plan, including but not limited to the creation of the plan, eligibility for participation, investments, and the criteria used for selecting vendors of investment products, contributions, service credit, and benefits; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 945—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 14:30(A)(2), relative to first degree murder; to provide that specific intent to kill or to inflict great bodily harm on a fireman, peace officer, or employees of a crime forensic laboratory because of his status is first degree murder; and to provide for related matters.

**HOUSE BILL NO. 1041—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact Code of Civil Procedure Article 10(A)(1) and Children's Code Articles 1109, 1117, and 1122(B)(9) and (F) [Mother's and Father's Surrender Form], relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements; to require that surrendering parent or a prospective adoptive parent be domiciled in this state for at least eight months; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent has been domiciled in this state for no less than eight months; and to provide for related matters.

**HOUSE BILL NO. 1492—**  
BY REPRESENTATIVES DEWITT, LEBLANC, MURRAY, POWELL, THOMPSON, R. ALEXANDER, BAYLOR, BRUNEAU, K. CARTER, R. CARTER, CLARKSON, CRANE, DANIEL, DEVILLIER, DIEZ, DOERGE, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, GALLOT, HEATON, JOHNS, KATZ, KENNARD, KENNEY, LANCASTER, MCDONALD, MCMAINS, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, PRATT, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, STELLY, STRAIN, TOWNSEND, TRICHE, WADDELL, WALSWORTH, AND WELCH  
AN ACT

To amend and reenact R.S. 11:156, 225, 502.5(C), 827 through 829, 929(C), (D), and (E), and 1166(A), (B), and (C), R.S. 22:2(F), 11(A), 215(E), 215.11(D), 215.14(A), 215.21(A), 228.7(A), 230.1(A), 230.4(B), 232(13), 239.1(A)(2), 250.32(E), 250.33(D), 250.37(A)(2) and (B)(2), 669(A)(1)(a), 1061(B), and 3002(1)(b), R.S. 36:4(B)(15), R.S. 40:1300.145, 2204(D)(1) and (3), and 2724(E), R.S. 42:456(A)(1), Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:801 through 883, R.S. 44:12, and Code of Civil Procedure Article 84; to enact R.S. 49:968(B)(21)(c), all relative to the State Employees Group Benefits Program; to provide for reorganization of the group state life and health insurance program; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1556—**

BY REPRESENTATIVES KENNARD AND DURAND  
AN ACT

To amend and reenact R.S. 30:2373(D)(2) and (E)(2) and 2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; provides additional persons who may be subject to civil penalties for violations; provides applicable penalties; provides for reduction in certain fees; provides an extension date for certain fees; and to provide for related matters.

**HOUSE BILL NO. 1721—**

BY REPRESENTATIVE DONELON  
AN ACT

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

**HOUSE BILL NO. 1727—**

BY REPRESENTATIVE DIEZ  
AN ACT

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

**HOUSE BILL NO. 1886—**

BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 44:4(29), relative to records of the Louisiana Board of Pharmacy; to except certain records from the laws relative to public records; and to provide for related matters.

**HOUSE BILL NO. 1925—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 30:2040, R.S. 37:3155, and 3156(A) and to repeal R.S. 37:3151(6), relative to commercial solid waste disposal facilities; to provide that the Department of Environmental Quality shall classify commercial solid waste disposal facilities; to provide that the department shall determine the number of certified operators at such facilities; to prohibit the siting of certain solid or hazardous waste facilities within certain parishes; and to provide for related matters.

**HOUSE BILL NO. 2051 (Substitute Bill for House Bill No. 1486 by Representative Pinac)—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 51:1923(2), (3), and (7), 1924(A), (B), (D)(2)(introductory paragraph) and (a) and (4), and (G), 1925, 1926(D), (F)(1)(introductory paragraph), (2), and (3), (G)(2), and (H), 1927(A), (B), and (C)(introductory paragraph) and (5), 1928(A) and (B)(1) and (2), 1929(introductory paragraph) and (6), 1929.1(A), 1931, 1932(A), and 1934 and to enact R.S. 51:1922.1 and 1923(10), relative to the office of financial

institutions; to provide relative to the Louisiana Capital Companies Tax Credit Program; to provide relative to the administration of the program between the Department of Economic Development and the Office of Financial Institutions; to provide for definitions; to provide relative to tax credits; to provide relative to certification and continuance of certification of capital companies; to prohibit certain activities; to provide relative to decertification; to provide for the promulgation of rules and regulations; to provide relative to advisory opinions; to provide for termination of the program; to provide for certain tax exemptions; and to provide for related matters.

**SENATE BILL NO. 20—**

BY SENATOR ROMERO  
AN ACT

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

**SENATE BILL NO. 438—**

BY SENATORS DARDENNE, W. FIELDS, HOYT, IRONS, B. JONES, MOUNT AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3048.1(B)(2)(a), the introductory paragraph of (b), (c), and (d), and to enact R.S. 17:3048.1(B)(2)(e), relative to the Tuition Opportunity Program for Students; to provide for initial eligibility requirement for the TOPS-Tech Award; to provide relative to the core curriculum requirements; to provide for effectiveness; and to provide for related matters.

**SENATE BILL NO. 511—**

BY SENATORS LENTINI AND DUPRE AND REPRESENTATIVE DOWNER  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 924 and to enact Code of Criminal Procedure Art. 926.1, Art. 930.3(7), and R.S. 15:151.2(G), relative to post conviction relief; to provide for a procedure for filing post conviction relief to allow DNA testing; to establish a two year period within which an application may be filed; to provide for the burden of proof in such proceeding; to provide for definitions; to provide for the selection of a laboratory; to provide for the protection of evidence during pendency of the application; to require preservation of certain evidence from all cases concluding with a verdict or plea of guilty until August 31, 2003; to provide for a procedure to count the number of applications filed; to create the DNA Testing Post-Conviction Relief for Indigents Fund; to provide relative to legislative appropriations; to provide for the Louisiana Indigent Defender Assistance Board to administer such funds; and to provide for related matters.

**SENATE BILL NO. 616—**

BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 33:1975 and to enact R.S. 40:1392(C) and (D), relative to bridges; to provide for an exemption to tolls on the Crescent City Connection Bridge at New Orleans; to provide for enforcement of toll violations by a video or photo monitoring system; and to provide for related matters.

**SENATE BILL NO. 665—**

BY SENATORS B. JONES, DARDENNE AND GAUTREAUX AND REPRESENTATIVES HAMMETT, LANCASTER, MONTGOMERY AND GARY SMITH  
AN ACT

To amend and reenact R.S. 14:71(B) and to enact R.S. 14:71(A)(1)(e), relative to issuing worthless checks; to make the issuance and non-payment of certain checks, drafts, or orders a crime; and to provide for related matters.

**SENATE BILL NO. 892—**

BY SENATORS CRAVINS AND ROMERO  
AN ACT

To amend and reenact R.S. 13:996.35, relative to the authority to collect additional sheriffs' fees in certain parishes; to continue the applicability of such authority in certain parishes; and to provide for related matters.

**SENATE BILL NO. 1041—**

BY SENATOR SCHEDLER  
AN ACT

To enact R.S. 11:153(H), relative to the Municipal Police Employees' Retirement System; to authorize members with a vested military benefit to purchase credit for military service; and to provide for related matters.

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

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 1041.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 892.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 511.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 665.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 438.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 1796.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 1565.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 1216.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 987.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Bill No. 389.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 14, 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 the report of the Conference Committee on the disagreement to House Concurrent Resolution No. 111.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**HOUSE BILLS**

June 14, 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. 387  
Returned without amendments.

House Bill No. 471  
Returned without amendments.

House Bill No. 543  
Returned without amendments.

House Bill No. 556  
Returned without amendments.

House Bill No. 579  
Returned without amendments.

House Bill No. 634  
Returned without amendments.

House Bill No. 647  
Returned without amendments.

House Bill No. 648  
Returned without amendments.

House Bill No. 696  
Returned without amendments.

House Bill No. 718  
Returned without amendments.

House Bill No. 740  
Returned without amendments.

House Bill No. 781  
Returned without amendments.

House Bill No. 790  
Returned without amendments.

House Bill No. 894  
Returned without amendments.

House Bill No. 909  
Returned without amendments.

House Bill No. 979  
Returned without amendments.

House Bill No. 1069  
Returned without amendments.

House Bill No. 1081  
Returned without amendments.

House Bill No. 1256  
Returned without amendments.

House Bill No. 1267  
Returned without amendments.

House Bill No. 1275  
Returned without amendments.

House Bill No. 1433  
Returned without amendments.

House Bill No. 1447  
Returned without amendments.

House Bill No. 1602  
Returned without amendments.

House Bill No. 1740  
Returned without amendments.

House Bill No. 1761  
Returned without amendments.

House Bill No. 1856  
Returned without amendments.

House Bill No. 1940  
Returned without amendments.

House Bill No. 2018  
Returned without amendments.

House Bill No. 2059  
Returned without amendments.

House Bill No. 2069  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 14, 2001

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

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

House Concurrent Resolution No. 237  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

June 14, 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. 160, 163, and 164

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

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

**HOUSE RESOLUTION NO. 131—  
BY REPRESENTATIVES SALTER AND NEVERS  
A RESOLUTION**

To urge and request the conferees appointed to resolve the differences between the House of Representative and the Senate regarding House Bill No. 1565 of the 2001 Regular Session to report the bill in a form that reflects all actions taken by the Senate on this measure relative to the compensation of public elementary and secondary school support personnel.

Read by title.



Lies over under the rules.

**HOUSE RESOLUTION NO. 132—**

BY REPRESENTATIVE BRUCE

A RESOLUTION

To proclaim June 16, 2001, as Louisiana Blueberry Day.

Read by title.

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

**HOUSE RESOLUTION NO. 133—**

BY REPRESENTATIVE TOWNSEND

A RESOLUTION

To urge and request the Board of Regents to study its policy for state fund usage in athletic programs and the limits established by such policy and provide greater discretion and flexibility to the public postsecondary education management boards and the institutions under their respective supervision and management in assigning costs related to participation by a college or university in intercollegiate athletic programs.

Read by title.

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

**HOUSE RESOLUTION NO. 134—**

BY REPRESENTATIVE HUNTER

A RESOLUTION

To urge and request the Ouachita Parish School Board to comply fully with all provisions of the federal court order or orders applicable to the school system relative to student transfers and attendance.

Read by title.

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

**HOUSE RESOLUTION NO. 135—**

BY REPRESENTATIVES RICHMOND, GLOVER, AND L. JACKSON

A RESOLUTION

To recognize and congratulate Michael Hicks and Demessia Abner of Shreveport upon the occasion of their marriage on June 23, 2001.

Read by title.

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

**HOUSE RESOLUTION NO. 136—**

BY REPRESENTATIVES PITRE AND MCCALLUM

A RESOLUTION

To request the House Committee on Judiciary to study the implementation of the provisions of Senate Bill Nos. 364 and 365 of this 2001 Regular Session of the Legislature which authorize the modification of the fees charged by the clerks of court for filing and recording documents to determine if the revenue realized from those fees is reasonably related to the costs of performing the services for which those fees are charged and to study the feasibility of enacting a provision for the retention of any surplus revenue realized from those fees with the surplus, if any, to be used as the basis for adjustments in the amount of those fees.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 238—**

BY REPRESENTATIVES DIEZ AND FUTRELL

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expedite the implementation of the PrePass electronic clearance program into weigh scales throughout the state.

Read by title.

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

Ordered to the Senate.

**Privileged Report of the Committee on Enrollment**

June 14, 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. 125—**

BY REPRESENTATIVE HOLDEN

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Mr. Alfred Octave "Nick" Berggreen of Baton Rouge.

**HOUSE RESOLUTION NO. 126—**

BY REPRESENTATIVE FRITH

A RESOLUTION

To urge and request the Department of Transportation and Development to study the flooding in Erath and whether the recently built Louisiana Highway 14 bypass created a barrier to drainage flow and contributed to the flooding in the town of Erath and surrounding communities.

**HOUSE RESOLUTION NO. 127—**

BY REPRESENTATIVE GLOVER

A RESOLUTION

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

**HOUSE RESOLUTION NO. 128—**

BY REPRESENTATIVE GLOVER

A RESOLUTION

To urge and request the United States Congress and the President of the United States to institute and enforce legislation and diplomatic action toward the eradication of child slavery internationally.

**HOUSE RESOLUTION NO. 129—**

BY REPRESENTATIVE LUCAS

A RESOLUTION

To urge and request the city of New Orleans to study the feasibility of actively recruiting a supermarket chain to locate a store in the area comprised of House of Representatives District No. 99 by providing economic incentives, including but not limited to tax credits and rebates, and by assisting with zoning restrictions.

**HOUSE RESOLUTION NO. 130—**

BY REPRESENTATIVES GLOVER, BAYLOR, BRUCE, HOPKINS, L. JACKSON, MONTGOMERY, SHAW, JANE SMITH, AND WADDELL  
A RESOLUTION

To urge and request the Board of Regents to study and report in writing by not later than ninety days prior to the beginning of the 2002 Regular Session of the Legislature to the House Committee on Education on how the state can best meet the educational needs of students and the economic and workforce development needs of the region for public postsecondary education academic degree programs in northwest Louisiana in the fields of engineering and engineering-related technologies, including but not limited to meeting these needs through establishing new academic degree programs or departments of instruction at one or more existing institutions, creating a new institution of postsecondary education, or establishing a branch of an existing institution.

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 14, 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. 92—**  
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To create the Louisiana State Seafood Industry Advisory Board to review the regulatory and business needs of the seafood industry and to make recommendations for the sustainability and enhancement of the industry.

**HOUSE CONCURRENT RESOLUTION NO. 237—**

BY REPRESENTATIVES KENNARD, ALARIO, CRANE, DIEZ, FUTRELL, KENNEY, MARTINY, MCVEA, NEVERS, ODINET, PERKINS, POWELL, SALTER, THOMPSON, AND WOOTON AND SENATORS BAJIOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To congratulate LSU baseball coach Skip Bertman upon the end of his monumental coaching career and to commend him for his extraordinary achievements and for the distinction and honor he has brought to LSU and to Louisiana.

Respectfully submitted,

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 14, 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. 2 —**

BY REPRESENTATIVES HAMMETT, LEBLANC, AND THOMPSON AND SENATORS BARHAM AND DARDENNE  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**HOUSE BILL NO. 186—**

BY REPRESENTATIVE STRAIN  
AN ACT

To amend and reenact R.S. 47:463.18(A) and (C)(1), relative to special prestige license plates for veterans and retired veterans; to provide for issuance of such plates for motorcycles; and to provide for related matters.

**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.

**HOUSE BILL NO. 471—**

BY REPRESENTATIVE GALLOT  
AN ACT

To enact R.S. 47:302.51, 322.43, and 332.49, relative to the disposition of certain sales tax collections in Claiborne Parish; to establish the Claiborne Parish Tourism and Economic Development Fund in the state treasury; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 701—**

BY REPRESENTATIVE FARRAR AND SENATOR MCPHERSON  
AN ACT

To enact R.S. 33:3819(C), relative to the per diem of commissioners of certain waterworks districts in Rapides Parish; to provide for the per diem to be paid to members of the boards of commissioners of Rapides Parish Waterworks District Number Three and Kolin Ruby Wise Waterworks District 11A in Rapides Parish; to provide for meetings for which per diem may be paid; and to provide for related matters.

**HOUSE BILL NO. 780—**

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 33:1236(21)(e) and (30)(d), relative to the authority of the St. Martin Parish governing authority to regulate nuisances; to authorize the parish governing authority to regulate and provide for the removal of grass, weeds, trash, noxious matter, and the like, and of junk, wrecked or used automobiles, and other discarded items, in unincorporated areas in subdivisions or in clearly established residential areas on state highways or parish roads; to provide procedures, including charging the property owners for costs; to provide for enforcement, including provisions for charges to operate as a lien on the property; to provide for the ranking of such liens; and to provide for related matters.

**HOUSE BILL NO. 782—**

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 33:4681(C), relative to coliseum authority commissions; to provide relative to the membership of the Acadiana Fairgrounds Commission; and to provide for related matters.

**HOUSE BILL NO. 902—**

BY REPRESENTATIVE MCCALLUM

AN ACT

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

**HOUSE BILL NO. 903—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

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

**HOUSE BILL NO. 1151—**

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 15:255(G), relative to witness fees paid to off-duty law enforcement officers; to authorize the city of Hammond to transfer money in the witness fee fund to the general fund of that city to purchase police equipment; to provide for maintaining certain balances; and to provide for related matters.

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVE R. ALEXANDER

AN ACT

To enact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

**HOUSE BILL NO. 1229—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:668(A)(1), relative to drivers' licenses; to provide relative to certain suspensions of driving privileges; to provide relative to the scope of hearing following suspension of driver's license for certain offenses; and to provide for related matters.

**HOUSE BILL NO. 1255—**

BY REPRESENTATIVES LEBLANC AND DEWITT

AN ACT

To amend and reenact R.S. 17:3995(A)(2), relative to charter school funding; to authorize the State Board of Elementary and Secondary Education to provide for a second pupil membership count for purposes of adjusting allocations made to Type 2 charter schools resulting from changes in enrollment; and to provide for related matters.

**HOUSE BILL NO. 1302—**

BY REPRESENTATIVE PITRE

AN ACT

To enact R.S. 33:221.2, relative to taxation by local governmental subdivisions; to authorize taxation by parochial subdivisions within territory annexed by such subdivisions under certain circumstances; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1307—**

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 33:4720.15.1, relative to the sale of adjudicated property; to authorize the governing authority of Calcasieu Parish to sell, without notification to political subdivisions created by the parish, abandoned property that has been adjudicated to the parish; to provide for cancellation of certain tax liens, assessments, or other charges; and to provide for related matters.

**HOUSE BILL NO. 1350—**

BY REPRESENTATIVE MCVEA AND SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 17:58.2(G) and 64(F), relative to the Zachary community school system; to provide for the time that the school board is to begin its initial year of actual operation providing for the education of students within its jurisdiction; to provide for the reapportionment of the East Baton Rouge Parish School Board for the election of its members from the reapportioned election districts, including provisions that board members holding office on the date the Zachary Community School Board begins the actual operation of educating students within its jurisdiction as a separate school system shall serve the remainder of the terms of office for which elected; and to provide for related matters.

**HOUSE BILL NO. 1386—**

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON

AN ACT

To enact Part I-A of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4511 through 4513, relative to liens and privileges; to provide for privileges for the storage and repair of aircraft; to provide relative to rights and remedies; to provide for notice of privilege; and to provide for related matters.

**HOUSE BILL NO. 1439—**

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 9:374(E), relative to community property; to provide for the allocation of assets; to provide for a summary proceeding; and to provide for related matters.

**HOUSE BILL NO. 1638—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 46:1403.1, relative to children; to provide for the completion of educational courses or other programs offered by the residential home; and to provide for related matters.

**HOUSE BILL NO. 1649—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 33:2740.31(C)(1), relative to the Berwick Development District; to provide relative to the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; and to provide for related matters.

**HOUSE BILL NO. 1840—**

BY REPRESENTATIVES WOOTON AND MARTINY  
AN ACT

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

**HOUSE BILL NO. 1844—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact Code of Civil Procedure Article 152(D), relative to the recusal of judges; to provide for written reasons for recusal in certain circumstances; to provide for delays for submitting written reasons; and to provide for related matters.

**HOUSE BILL NO. 1848—**

BY REPRESENTATIVES SALTER, THOMPSON, AND WRIGHT  
AN ACT

To amend and reenact R.S. 17:3219, relative to postsecondary education management boards; to require each board to designate the physical location of its domicile and an agent for service of process; to require the filing of such information; and to provide for related matters.

**HOUSE BILL NO. 1851—**

BY REPRESENTATIVE QUEZAIRES AND SENATOR LAMBERT  
AN ACT

To enact R.S. 17:85, relative to naming a high school football stadium; to authorize the parish school board in certain parishes to name a high school football stadium in honor of a former principal and coach; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1875—**

BY REPRESENTATIVES ANSARDI, PITRE, AND MARTINY AND SENATOR LENTINI  
AN ACT

To enact R.S. 33:2740.51, to create and establish a political subdivision and special taxing district to be known as the Kenner Assistance District; to provide for the purposes and governance of the district; to provide for the rights, powers, and duties of the district including the right to levy ad valorem taxes; to provide for cooperative endeavor agreements between the district and the city of Kenner; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1955—**

BY REPRESENTATIVES ALARIO, KENNEY, POWELL, AND SALTER  
AN ACT

To enact R.S. 17:158.7 and R.S. 42:1123(28), relative to the lease of school buses; to authorize city, parish, and other local public school boards to lease school buses from school bus operators under certain circumstances; to provide an exception to the Code of Governmental Ethics for such leases; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1959—**

BY REPRESENTATIVE FUTRELL  
AN ACT

To enact R.S. 33:4574(C)(1)(b)(v), relative to the Baton Rouge Area Convention and Visitors Bureau; to provide relative to the terms of office of the board of commissioners of the bureau; and to provide for related matters.

**HOUSE BILL NO. 1982—**

BY REPRESENTATIVE GLOVER  
AN ACT

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

**HOUSE BILL NO. 2049 (Substitute for House Bill No. 807 by Representative DeWitt) —**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 37:86(A) and to enact Code of Evidence Articles 515 through 517, relative to accountants; to provide for confidential communications between accountants and clients; to protect certain communications from disclosure; to provide for subpoenas; and to provide for related matters.

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

BY REPRESENTATIVE FLAVIN  
AN ACT

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

**HOUSE BILL NO. 264—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 22:1076(B)(2) and (3) and to enact R.S. 22:1076.1, relative to local insurance premium license taxes; to provide for application of maximum taxes; to provide for qualifying investments; to provide for contracts for collection of the tax; to provide for access to certain records; to require confidentiality of certain records; and to provide for related matters.

**HOUSE BILL NO. 640—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 15:1186(A)(1), relative to proceeding in forma pauperis; to provide for requirements; to exempt prisoners from providing third-party affidavits; and to provide for related matters.

**HOUSE BILL NO. 734—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 9:154.1 and R.S. 19:111.1, relative to expropriation; to provide for the ownership of certain funds paid by the town of Berwick; to provide for the abandonment of the funds; to provide for the return of the funds; and to provide for related matters.

**HOUSE BILL NO. 759—**

BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact R.S. 13:4202(B)(1) and to enact R.S. 13:4202(A)(13) through (16), relative to the rate of legal interest; to statutorily codify the rate of legal or judicial interest for the last

four years; to provide for calculation of legal interest in future years; and to provide for related matters.

**HOUSE BILL NO. 762—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:311(J) and to enact R.S. 27:25.1, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of a conditional video draw poker license within ninety days of submission of a completed application absent a showing of unsuitability; to prohibit the assessment of costs for an administrative proceeding on a prevailing party; and to provide for related matters.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Chapter 5-H of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.51 through 380.56, and R.S. 36:744(R) and 801.12, to create the Louisiana Delta Music Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations and fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

**HOUSE BILL NO. 933—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1716(A) and 1731 and to enact R.S. 32:1717.1 and 1734(D), relative to towing and recovery of vehicles; to increase the annual fee paid by tow truck owners; to provide relative to the Louisiana Towing and Storage Fund; to require licensing of storage facilities; to require a fee for licensing of storage facilities; to prohibit towing and storage companies from charging certain fees during business hours; to authorize towing and storage companies to charge certain fees after business hours; to set the maximum fee which may be charged; to provide a cause of action for certain violations; and to provide for related matters.

**HOUSE BILL NO. 996—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 40:1299.39(I)(2) and (J), relative to court approval of settlement of medical malpractice claims against the state; to eliminate the requirement of court approval of settlements which exceed twenty-five thousand dollars; and to provide for related matters.

**HOUSE BILL NO. 1016—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 30:2531.3(F)(1) and to enact R.S. 30:2531.3(C)(3), relative to commercial littering; to require industrial, commercial, mining, or agricultural operations within the city of Donaldsonville to construct and maintain fences or walls to contain litter; to provide penalties for violations; and to provide for related matters.

**HOUSE BILL NO. 1056—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:98.3(C)(5), relative to the Education Excellence Fund; to provide for distribution of monies appropriated from the fund; and to provide for related matters.

**HOUSE BILL NO. 1393—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:542(C)(5), relative to the Louisiana State Employees' Retirement System; to provide with respect to benefits, including but not limited to certain minimum benefits payable to retirees and beneficiaries and the methods used for calculating such benefits; to provide for source of funding; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1892—**

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Subpart B-29 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.561 through 130.569, relative to the Louisiana Delta Authority; to authorize and provide for the creation of the Louisiana Delta Authority; to provide for a board of commissioners of the authority; to provide for the powers and functions of the authority and of the board; to provide for the levy of taxes and the issuance of bonds and other evidences of indebtedness; and to provide for related matters.

**HOUSE BILL NO. 1904—**

BY REPRESENTATIVE DARTEZ

AN ACT

To enact R.S. 27:43(C), relative to riverboat gaming; to provide that the Intracoastal Waterway includes all of Bayou Boeuf situated within St. Mary Parish; and to provide for related matters.

**HOUSE BILL NO. 231—**

BY REPRESENTATIVE MCCALLUM

AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to judicial sales; to increase the fees fixed by the sheriff for the appraisal of property; and to provide for related matters.

**HOUSE BILL NO. 458—**

BY REPRESENTATIVES CRANE AND DOWNER

AN ACT

To amend and reenact R.S. 17:154.1(A)(1) and (B) and 154.3(A), relative to the length of the school year; to increase the minimum number of instructional days per school year in public elementary and secondary schools; and to provide for related matters.

**HOUSE BILL NO. 543—**

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

AN ACT

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

**HOUSE BILL NO. 556—**

BY REPRESENTATIVE PINAC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2000-2001 to be used to pay the settlement in the suit entitled "Gordon P. Jeansonne v. Louisiana Department of Health and Human Resources, et al."; and to provide for related matters.

**HOUSE BILL NO. 579—**

BY REPRESENTATIVE WADDELL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled

"Gannett River States Publishing Corporation v. State of Louisiana"; and to provide for related matters.

**HOUSE BILL NO. 647—**  
BY REPRESENTATIVE DIEZ

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Alloy Piping Products v. State of Louisiana"; and to provide for related matters.

**HOUSE BILL NO. 648—**  
BY REPRESENTATIVE DOWNER

AN ACT

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

**HOUSE BILL NO. 696—**  
BY REPRESENTATIVES MCDONALD, HAMMETT, AND THOMPSON AND SENATOR JONES

AN ACT

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

**HOUSE BILL NO. 718—**  
BY REPRESENTATIVE MCMAINS AND SENATOR MOUNT

AN ACT

To amend and reenact R.S. 37:213 and 219(B) and to enact R.S. 37:219(C), relative to attorneys; to provide for increased penalties for the solicitation of employment for an attorney; to provide for increased penalties for certain unlawful payments by attorneys; and to provide for related matters.

**HOUSE BILL NO. 740—**  
BY REPRESENTATIVE SNEED

AN ACT

To amend and reenact Children's Code Article 1263, relative to the action to annul a final decree of adoption; to provide for the peremptory period in all cases; and to provide for related matters.

**HOUSE BILL NO. 781—**  
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact Code of Criminal Procedure Article 271, relative to bail in extradition cases; to provide that a person named in a governor's warrant for extradition shall not be eligible for release on bail; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 790—**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1821(C), relative to the Municipal Employees' Retirement System; to provide with respect to the board of trustees, including the length of the terms of office of certain board members; to provide an effective date; and to provide for related matters.

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

AN ACT

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

of East Baton Rouge, state of Louisiana; and to provide for related matters.

**HOUSE BILL NO. 909—**  
BY REPRESENTATIVE MCMAINS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Louisiana Health Service and Indemnity Company d.b.a. Blue Cross and Blue Shield of Louisiana v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

**HOUSE BILL NO. 1069—**  
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1801(1), 1802, 1804(1), and 1805(A), relative to the Municipal Employees' Retirement System; to provide with respect to the eligibility for Plan B normal retirement benefits; to provide with respect to the computation of Plan B normal and disability retirement benefits; to provide with respect to the computation of and eligibility for Plan B survivor benefits; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1081—**  
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:85(7), (10), and (11)(a), (b)(iv), (v), and (vi), relative to satisfaction of judgment of bond forfeiture; to provide a period of one year for the surety to satisfy a judgment of bond forfeiture for certain bail obligations; to provide for enforcement and collection of judgments; to provide for failure to satisfy judgments of bond forfeiture; and to provide for related matters.

**HOUSE BILL NO. 1144—**  
BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 33:423.12, relative to the town of Iowa; to authorize the chief of police to effect certain disciplinary actions; and to provide for related matters.

**HOUSE BILL NO. 1197—**  
BY REPRESENTATIVE DIEZ

AN ACT

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

**HOUSE BILL NO. 1256—**  
BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Steelcase, Inc. v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana", and to provide for related matters.

**HOUSE BILL NO. 1267—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact Chapter 1-B of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2262.1 through 2262.4, relative to trusts; to provide for foreign trusts; to provide for the law applicable to trusts; to provide for the transfer of property held in trust under the law of a foreign jurisdiction; to provide for the authority of certain trustees; and to provide for related matters.

**HOUSE BILL NO. 1275—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Ouachita Coca-Cola Bottling Company, Inc. v. State of Louisiana"; and to provide for related matters.

**HOUSE BILL NO. 1433—**

BY REPRESENTATIVE HOLDEN  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Missouri Pacific Railroad Company v. The Greater Baton Rouge Port Commission and the State of Louisiana through the Department of Transportation and Development"; to provide for costs; and to provide for related matters.

**HOUSE BILL NO. 1447—**

BY REPRESENTATIVES CROWE AND HOLDEN  
AN ACT

To repeal R.S. 17:154.3(B), (C), and (D), relative to staff development days; to repeal the provisions requiring teachers to work three additional days for staff development; and to provide for related matters.

**HOUSE BILL NO. 1708—**

BY REPRESENTATIVE ERDEY  
AN ACT

To amend and reenact R.S. 47:463.23(A), relative to special prestige license plates for active and retired firefighters; to provide for issuance of such plates for motorcycles; and to provide for related matters.

**HOUSE BILL NO. 1856—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To enact Code of Criminal Procedure Article 822(C), relative to amending or modifying sentences; to provide that the amendment or modification of a criminal sentence shall be conducted pursuant to procedures contained in present law; and to provide for related matters.

**HOUSE BILL NO. 1950—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 32:407(A)(1), relative to minors' drivers' licenses; to provide relative to the written approval of parents of a minor's application for a license or permit; and to provide for related matters.

**HOUSE BILL NO. 1966—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To repeal R.S. 33:4574.1-A(A)(6)(g), relative to the authority of tourist commissions to levy a hotel occupancy tax on overnight camping facilities; to repeal the provision prohibiting the levy of the tax on such facilities under certain conditions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 1967—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 33:4766(D) and 5062(C), relative to certain municipalities; to provide that the designee of the mayor may sign documents relative to demolition, removal, repair, or maintenance of dangerous structures and grass cutting, destruction, or removal of noxious weeds on private property; and to provide for related matters.

**HOUSE BILL NO. 2001—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To require the Department of Transportation and Development to erect signs indicating golf course locations on the Audubon Golf Trail.

**HOUSE BILL NO. 2059 (Substitute for House Bill No. 1915 by Representatives Daniel, Crane, and Hebert)—**

BY REPRESENTATIVES DANIEL, CRANE, AND HEBERT  
AN ACT

To amend and reenact R.S. 17:3351(A)(introductory paragraph) and to enact R.S. 17:3351(A)(5)(b)(vi), relative to tuition and mandatory attendance fee amounts at Louisiana public colleges and universities; to authorize the public postsecondary education management boards to establish proportional tuition and mandatory attendance fee amounts applicable to part-time students and to students enrolled for summer and intersession terms; to provide guidelines and limitations; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 245—**

BY REPRESENTATIVE BAYLOR  
AN ACT

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

**HOUSE BILL NO. 268—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:1505.2(H)(7)(a), to establish the aggregate limits on contributions a candidate may accept from political committees; and to provide for related matters.

**HOUSE BILL NO. 275—**

BY REPRESENTATIVE MARTINY  
AN ACT

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

**HOUSE BILL NO. 336—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact Code of Criminal Procedure Article 895.2(B) and R.S. 56:31.1(A)(1), (B), and (G)(1), 40.3(C) and (F), and 40.7(B), relative to hunting and fishing violations; to provide relative to restitution of values of wildlife as condition of probation; to provide for notice and consequences for failure to appear at hearings; to provide for payment of attorney fees; and to provide for related matters.

**HOUSE BILL NO. 337—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 56:30.1 and 31.1(F), relative to payment of fines resultant from class one hunting or fishing violations; to provide that a fine due the Department of Wildlife and Fisheries as a result of a class one violation may be paid through the electronic licensing system; and to provide for related matters.

**HOUSE BILL NO. 400—**

BY REPRESENTATIVE FARRAR  
AN ACT

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

**HOUSE BILL NO. 438—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 23:691, relative to loans by employers; to exempt certain financial institutions from interest rate requirements; and to provide for related matters.

**HOUSE BILL NO. 574—**

BY REPRESENTATIVES MCDONALD AND WALSWORTH  
AN ACT

To enact R.S. 33:1448(I), relative to retired sheriffs and retired sheriffs' deputies; to provide that in Ouachita Parish the sheriff shall pay for hospital, surgical, and medical insurance for certain retired sheriffs and deputy sheriffs; and to provide for related matters.

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 14:73.7, relative to computer-related crime; to create the crime of computer tampering; to provide penalties; and to provide for related matters.

**HOUSE BILL NO. 704—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 40:2811(A)(1) and (2) and to enact R.S. 40:2811(C), relative to property abandoned to hospitals; to decrease the time period within which property must be held; to provide for the disposition of soiled clothing; to provide for notification; and to provide for related matters.

**HOUSE BILL NO. 743—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to increase fees charged for the production of medical records; and to provide for related matters.

**HOUSE BILL NO. 1427—**

BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 56:302.1(C)(2)(c), relative to charter fishing licenses; to make charter passenger fishing trip licenses available to residents; and to provide for related matters.

**HOUSE BILL NO. 1429—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 56:302.9(A)(1), relative to charter boat fishing guide licenses; to provide with respect to who is required to possess such license; and to provide for related matters.

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS  
AN ACT

To amend and reenact R.S. 51:651, 652(A), 653(A), 654, 655(A), and 656(C)(1)(f) and to enact R.S. 51:652(C), relative to fireworks; to provide conformity with federal classifications of fireworks; to impose penalties for the illegal sale of impermissible fireworks within the state; to prohibit igniting fireworks within one thousand feet of a fireworks retail location; to impose a penalty for the unlawful discharge of a fireworks from a motor vehicle; to require a work permit for anyone under the age of eighteen to work at a firework retail location; and to provide for related matters.

**HOUSE BILL NO. 1468—**

BY REPRESENTATIVES LANCASTER, FAUCHEUX, WALSWORTH, PRATT, GALLOT, AND WELCH  
AN ACT

To amend and reenact R.S. 33:1565(B)(1), relative to organ donation and coroners; to provide for prompt delivery of anatomical gifts; to provide immunity from civil litigation and criminal prosecution for delivery of anatomical gifts; to provide for judicial enforcement of anatomical gifts; and to provide for related matters.

**HOUSE BILL NO. 1601—**

BY REPRESENTATIVE SNEED  
AN ACT

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

**HOUSE BILL NO. 1661—**

BY REPRESENTATIVE DONELON  
AN ACT

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

**HOUSE BILL NO. 1740—**

BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 23:984, relative to contracts; to provide that contracts made in violation of this Subpart are not enforceable; to provide for state policy on labor relations matters and employee freedom of choice; to prohibit any interference with employers' and employees' full exercise of their rights as provided under the federal labor laws; and to provide appropriate remedies for any infringement on those rights; and to provide for related matters.

**HOUSE BILL NO. 1761—**

BY REPRESENTATIVES POWELL, PITRE, AND BOWLER  
AN ACT

To amend and reenact R.S. 23:1161(B)(introductory paragraph), 1168(A)(1), 1174.1(A), 1200.3(A) and (B) and R.S. 39:1549, relative to group self-insurance funds; to clarify references to group self-insurance funds as insurers or providers of insurance coverage; to provide proper citations to group self-insurance within



the workers' compensation act and other statutes; and to provide for related matters.

**HOUSE BILL NO. 1847—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

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

**HOUSE BILL NO. 1940—**  
BY REPRESENTATIVE R. ALEXANDER  
AN ACT

To amend and reenact R.S. 13:1894 and 2493(C), R.S. 14:143, and Code of Criminal Procedure Article 843 and to repeal R.S. 14:34.2(C), 67(D), 67.10(C), 69(D), 71(H), 82(F), and 285(E), relative to the enactment, enforcement, and prosecution of certain municipal or parochial ordinances; to provide that governing authorities of political subdivisions may adopt ordinances which define certain conduct as a criminal offense; to provide limitations on and requirements for those ordinances; and to repeal provisions which allow the adoption of municipal ordinances defining certain crimes; to provide for the enforcement of certain ordinances; to provide for the applicable procedure in court; and to provide for related matters.

**HOUSE BILL NO. 1985—**  
BY REPRESENTATIVE SHAW AND SENATOR MALONE  
AN ACT

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

**HOUSE BILL NO. 2018—**  
BY REPRESENTATIVES SNEED, BRUCE, MORRELL, AND ROMERO  
AN ACT

To amend and reenact Children's Code Article 1121(C) and to enact R.S. 14:125.2 and Children's Code Article 1122(B)(10), relative to giving false statements concerning paternity; to create the crime of giving false statements concerning paternity; to provide for penalties; to provide for certain recitations in an act of surrender; to provide for recitations in the affidavit of counsel in a private surrender; and to provide for related matters.

**HOUSE BILL NO. 2069 (Substitute for House Bill No. 565 by Representative Hammett)—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; 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.

**Adjournment**

On motion of Rep. Johns, at 9:40 P.M., the House agreed to adjourn until Friday, June 15, 2001, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, June 15, 2001.

ALFRED W. SPEER  
Clerk of the House

