

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

TWELFTH DAY'S PROCEEDINGS

**Thirty-first Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, April 16, 2002

The House of Representatives was called to order at 3:30 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezairé
Beard	Hill	Richmond
Bowler	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	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
Downer	McCallum	Triche
Durand	McDonald	Tucker

Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	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. Lucas.

Pledge of Allegiance

Rep. Doerge 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. Frith, the Journal of April 11, 2002, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

April 15, 2002

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. 53: Senators Lentini, Dardenne, and Dupre.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

April 15, 2002

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. 71 by Sen. B. Jones, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement; and to inform your honorable body that the President of the Senate

has appointed the following members as conferees on the part of the Senate: Senators Hollis, B. Jones, and Michot.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

April 15, 2002

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. 77 by Sen. C. D. Jones, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement; and to inform your honorable body that the President of the Senate has appointed the following members as conferees on the part of the Senate: Senators Hollis, B. Jones, and C. D. Jones.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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. 77: Reps. Hunter, Pinac, and Hammett.

Message from the Senate

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

April 16, 2002

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. 21.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 16, 2002

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

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

House Concurrent Resolution No. 41
Returned without amendments.

House Concurrent Resolution No. 52
Returned without amendments.

House Concurrent Resolution No. 53
Returned without amendments.

House Concurrent Resolution No. 61
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

April 15, 2002

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. 85
Returned without amendments.

House Bill No. 91
Returned without amendments.

House Bill No. 94
Returned without amendments.

House Bill No. 96
Returned without amendments.

House Bill No. 102
Returned without amendments.

House Bill No. 123
Returned without amendments.

House Bill No. 125
Returned with amendments.

House Bill No. 129
Returned with amendments.

House Bill No. 134
Returned with amendments.

House Bill No. 145
Returned without amendments.

House Bill No. 146
Returned with amendments.

House Bill No. 149
Returned with amendments.

House Bill No. 152
Returned without amendments.

House Bill No. 154
Returned without amendments.

House Bill No. 156
Returned with amendments.

House Bill No. 157
Returned with amendments.

House Bill No. 159
Returned with amendments.

House Bill No. 161
Returned without amendments.

House Bill No. 164
Returned with amendments.

House Bill No. 167
Returned with amendments.

House Bill No. 169
Returned without amendments.

House Bill No. 173
Returned without amendments.

House Bill No. 174
Returned without amendments.

House Bill No. 175
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 16, 2002

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 No. 13

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 16, 2002

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. 37 and 38

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATORS C. JONES AND MARIONNEAUX

A CONCURRENT RESOLUTION

To request the Department of Insurance and the Department of Health and Hospitals to study the state's compliance with the administration simplification component of the Health Insurance Portability and Accountability Act of 1996.

Read by title.

On motion of Rep. Hammett, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATORS DUPRE, CHAISSON AND GAUTREAUX AND

REPRESENTATIVES PITRE, TRICHE, DOWNER AND BALDONE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former Lockport Mayor Alfred "Al" Robichaux.

Read by title.

On motion of Rep. Baldone, and under a suspension of the rules, the resolution was concurred in.

Privileged Report of the Legislative Bureau

April 15, 2002

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 116
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

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

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

SENATE BILL NO. 116—

BY SENATORS CAIN, IRONS, BAJOE, BOISSIERE, CRAVINS, ELLINGTON, FONTENOT, JOHNSON AND SMITH
AN ACT

To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 116 by Senator Cain

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and insert "enact R.S. 18:1491.1(F), 1501.2, 1505.3(E), and 1511.5(E)."

AMENDMENT NO. 2

On page 1, line 3, after "campaign finance;" delete the remainder of the line and delete lines 4 through 8, and insert the following:

"to prohibit the formation of political committees or other legal entities as a subterfuge to conceal certain information about contributions, loans, or transfers of funds or expenditures or to avoid compliance with provisions of the Campaign Finance Disclosure Act; to provide for certain enforcement actions; to provide for penalties;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16 and delete page 2 and insert the following:

"Section 1. R.S. 18:1491.1(F), 1501.2, 1505.3(E), and 1511.5(E) are hereby enacted to read as follows:

§1491.1. Registration of political committees

* * *

E. No person shall form a political committee as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds received by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any committee which violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

* * *

§1501.2. Subterfuge by persons not candidates or committees to avoid disclosure

No person shall form a corporation, limited liability company, or any other legal entity primarily as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any person who violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

* * *

§1505.3. Subterfuge to avoid compliance with Chapter

* * *

E.(1) As more specifically provided in R.S. 18:1491.1(F) and 1501.2, no person shall form a political committee, corporation, limited liability company, or any other legal entity as a subterfuge to avoid the reporting and other requirements of this Chapter.

(2) The committee chairman of any committee which violates or is formed in violation of the provisions of R.S. 18:1491.1(F) shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

(3) Any person who forms a corporation, limited liability company, or any other legal entity in violation of the provisions of R.S. 18:1501.2, and the officers, individual members of the board of directors, and partners of any corporation, limited liability company, or any other legal entity formed in violation of R.S. 18:1501.2 shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

* * *

§1511.5. Procedure for enforcement; civil

* * *

E. During the time period beginning twenty-nine days prior to an election through the last day prior to an election, if an elector has reason to believe that a violation of R.S. 18:1491.1(F) or 1501.2 has occurred, such elector may institute an action requesting the disclosure of the information required by R.S. 18:1491.7.

(1) Such an action shall be instituted by filing a petition in a court of competent jurisdiction and venue and posting a copy of the petition in a conspicuous place at the entrance of the office of the clerk of court where the petition is filed. The defendant shall be served with citation directing him to appear in court no later than 10:00 a.m. on the fourth day after suit was filed. The defendant is not required to answer the petition, but if he answers, he shall do so prior to trial. The clerk of court shall immediately notify the Board of Ethics, by telephone and by written notice sent certified mail, when such an action has been filed.

(2) Such actions shall be tried summarily, without a jury, and in open court. The trial shall begin no later than 10:00 a.m. on the fourth day after suit was filed. If the defendant does not appear on the date set for the trial, either in person or through counsel, the court shall appoint an attorney at law to represent him by instant appointment made prior to the commencement of the trial. In a case where a court appointment of an attorney to represent the defendant is made, the proceedings shall be conducted contradictorily against the court-appointed attorney. The court shall determine the amount of the fee payable to curators ad hoc in accordance with criteria used by the court in fixing curator fees under Code of Civil Procedure Article 5091 et seq. The court shall tax the curator's fee as costs, and such fee shall be paid by the plaintiff unless the defendant was served

personally at least twenty-four hours prior to the hearing and the appointment of a curator ad hoc was necessitated by his failure to appear at the trial, in which case the court may require the defendant to pay the curator's fee.

(3) In all actions, the trial judge shall render judgment within twenty-four hours after the case is submitted to him and shall indicate the date and time rendered on the judgment. If the court finds that a violation of R.S. 18:1491.1(F) or 1501.2 has occurred, the court may order the defendant to immediately and accurately disclose the information required by R.S. 18:1491.7 to the petitioner and the Board of Ethics. The clerk of the trial court shall immediately notify all parties or their counsel of record by telephone and/or facsimile transmission of the judgment.

(4) Within twenty-four hours after rendition of judgment, a party aggrieved by the judgment may appeal. All such appeals shall be subject to the time periods and provisions in R.S. 18:1409(D), (E), (F), and (G).

(5) No application for a new trial or for a rehearing shall be entertained by any court, but a court, upon its own motion, may correct manifest error to which its attention is called.

(6) Judgment shall be deemed to have been rendered when signed by the judge.

(7) Computation of time intervals for the purpose of this Subsection shall include Sundays and other legal holidays. However, if the time interval ends on a Sunday or other legal holiday, then noon of the next legal day shall be deemed to be the end of the time interval."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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. 18— BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to allow St. John the Baptist Parish to lease existing camps on the Reserve Relief Canal and Mississippi Bayou in the Maurepas Wildlife Management Area.

Read by title.

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

HOUSE RESOLUTION NO. 19— BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To request the Department of Transportation and Development to identify the right-of-way and to work with Kansas City Southern

to repair a railway crossing on Louisiana Highway 3223 south of United States Highway 61.

Read by title.

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

HOUSE RESOLUTION NO. 20—

BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To urge and request the Wildlife and Fisheries Commission to adopt rules and regulations to allow deer hunting with dogs in the Maurepas Wildlife Management Area.

Read by title.

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

HOUSE RESOLUTION NO. 21—

BY REPRESENTATIVE DOWNER

A RESOLUTION

To commend Daniel Snyder for being a member of the four-member Louisiana School for the Deaf quiz bowl team that will compete in national competition in Washington, D.C., in April, 2002.

Read by title.

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

HOUSE RESOLUTION NO. 22—

BY REPRESENTATIVE DOWNER

A RESOLUTION

To commend Chad LeBlanc for being a member of the four-member Louisiana School for the Deaf quiz bowl team that will compete in national competition in Washington, D.C., in April, 2002.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE BAUDOIN

A CONCURRENT RESOLUTION

To urge and request all state departments, agencies, boards, commissions, and all other entities to require vendors and service providers to maintain all manner of their operations, as they relate to this state, in the United States, preferably Louisiana.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To request that the Senate and House committees on insurance act as a joint committee to study the information submitted by insurers to the Insurance Rating Commission when seeking rate increases or adjustments and whether such information submitted is sufficient to justify such increase or adjustment and the practices of the commission and factors considered by the commission in granting or denying a rate increase or adjustment.

Read by title.

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

House Concurrent Resolutions Returned from the Senate with Amendments

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

HOUSE CONCURRENT RESOLUTION NO. 27—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To encourage each city, parish, and other local public school board to adopt a policy or policies to require an attendant for each school bus used to transport students in its system in grades kindergarten through eight.

Called from the calendar.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 27 by Representative Curtis

AMENDMENT NO. 1

On page 1, line 3, before "attendant" insert "unpaid"

AMENDMENT NO. 2

On page 2, line 22, before "attendant" insert "unpaid"

On motion of Rep. Curtis, the amendments proposed by the Senate were rejected.

Conference committee appointment pending.

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Schneider asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 125—

BY REPRESENTATIVES SCHNEIDER AND DANIEL

AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(b), to enact R.S. 11:502.2(A)(3), and to repeal Section 3 of Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for participation in such plan by members of the Executive Career Service; to provide for procedures and time limitations for application for participation in such plan; 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 Engrossed House Bill No. 125 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 17, after "such" and before "election" insert "written"

AMENDMENT NO. 2

On page 2, line 23, delete "is made and filed in writing" and insert in lieu thereof "is made in writing and filed"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 125 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after " R.S. 11:502.2(A)(2) and" change "(B)(1)(b)," to "(B)(1)(b) and (2),"

AMENDMENT NO. 2

On page 1, line 10, after "R.S. 11:502.2(A)(2) and" change "(B)(1)(b)" to "(B)(1)(b) and (2)"

AMENDMENT NO. 3

On page 3, between lines 26 and 27, insert:

"(2) If, pursuant to this ~~Paragraph~~ Subsection, an election is made by a current member of the defined benefit plan to participate in the optional retirement plan, then the employee contributions that were made on behalf of such member in the defined benefit plan shall be transferred to the participant's optional retirement plan."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander, E	Glover	Pitre
Alexander, R	Green	Powell

Ansardi	Guillory	Pratt
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Riddle
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Clarkson	Kennard	Smith, J.R.—30th
Crane	Kenney	Sneed
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McCallum	Tucker
Doerge	McDonald	Waddell
Downer	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—100		

NAYS

Perkins
Total—1

ABSENT

Flavin	Johns
Hill	Stelly
Total—4	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 129—
BY REPRESENTATIVES SCHNEIDER, DEWITT, AND DANIEL
AN ACT

To amend and reenact R.S. 11:502.2(A)(2) and (B)(1)(a), to enact R.S. 11:502.2(A)(3) and (B)(1)(c), and to repeal Section 2(B) of Act No. 1320 of the 1999 Regular Session of the Legislature, as amended by Act No. 454 of the 2001 Regular Session of the Legislature, relative to the optional retirement plan of the Louisiana State Employees Retirement System; to provide for eligibility for participation in such plan; to provide for procedures and time limitations for application for participation in such plan; 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. 129 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 19, after "such" and before "election" insert "written"

AMENDMENT NO. 2

On page 2, line 23, after "(c)" delete "Any" and insert "Notwithstanding the provisions of Subparagraph (a) of this Paragraph, any"

AMENDMENT NO. 3

On page 2, at the end of line 25, delete the comma "," and delete line 26 in its entirety

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 129 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after " R.S. 11:502.2(A)(2) and " change "(B)(1)(a)," to "(B)(1)(a) and (2),"

AMENDMENT NO. 2

On page 1, line 11, after "R.S. 11:502.2(A)(2) and" change "(B)(1)(a)" to "(B)(1)(a) and (2)"

AMENDMENT NO. 3

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

"(2) If, pursuant to this ~~Paragraph~~ Subsection, an election is made by a current member of the defined benefit plan to participate in the optional retirement plan, then the employee contributions that were made on behalf of such member in the defined benefit plan shall be transferred to the participant's optional retirement plan."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed

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Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McCallum	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright

Total—99

NAYS

Total—0

ABSENT

Carter, R	Hill	Perkins
Flavin	Johns	Stelly

Total—6

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 134— BY REPRESENTATIVES SCHNEIDER AND DANIEL AN ACT

To amend and reenact R.S. 11:542(A), (B), and (C)(1) and (2), relative to cost-of-living increases for retirees, survivors, and beneficiaries provided by the Louisiana State Employees Retirement System; to provide relative to credits and debits of the Employee Experience Account from which such increases are paid; to provide for payment of such increases on a calendar-year basis and based on the Employee Experience Account balance for the prior fiscal year; 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. 134 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 25 after "increase is" delete "granted" and insert "effective"

AMENDMENT NO. 2

On page 4, line 1, after "Section 2." insert "This bill shall become effective July 2, 2002." and delete the remainder of the line.

AMENDMENT NO. 3

On page 4, delete lines 2 through 6 in their entirety.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 134 by Representative Schneider

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Retirement and adopted by the Senate on April 8, 2002, on page 1, line 1 after "No." change "2" to "1"

AMENDMENT NO. 2

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Retirement and adopted by the Senate on April 8, 2002, on page 1, line 2 after "page" change "2" to "3"

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

Total—103

NAYS

Total—0

ABSENT

Flavin	Stelly
--------	--------

Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 146—

BY REPRESENTATIVE NEVERS
AN ACT

To authorize and provide for the transfer or lease of certain state property in Washington Parish to the city of Bogalusa from the Department of Health and Hospitals; 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 Natural Resources to Engrossed House Bill No. 146 by Representative Nevers

AMENDMENT NO. 1

On page 1, line 6, between "Hospitals" and "," insert "and the commissioner of administration"

AMENDMENT NO. 2

On page 1, line 7, change "is" to "are"

AMENDMENT NO. 3

On page 1, line 17, change "East" to "West"

AMENDMENT NO. 4

On page 2, line 6, change "West 307.00 feet and" to "East 307.00 feet to"

AMENDMENT NO. 5

On page 2, line 10, between "Hospitals" and "," insert "and the commissioner of administration"

AMENDMENT NO. 6

On page 2, line 11, change "is" to "are"

Rep. Nevers 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	Quezairé
Baylor	Hill	Richmond
Beard	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann

Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	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	Strain
Damico	Landrieu	Swilling
Daniel	LeBlanc	Thompson
Dartez	Lucas	Toomy
Devillier	Martiny	Townsend
Diez	McCallum	Triche
Doerge	McDonald	Tucker
Downer	McVea	Waddell
Durand	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	

Total—101

NAYS

Total—0

ABSENT

Erdey	Johns
Flavin	Stelly
Total—4	

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

HOUSE BILL NO. 149 (Substitute for House Bill No. 59 by Representative Hebert)—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:1401(J), relative to insurance rate filings; to limit the number of filings; to provide changes in rates; to provide for limits; to provide for approval; to provide for the Louisiana Insurance Rating Commission; to provide for actuarial justification; to provide for notice; 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 Insurance to Reengrossed House Bill No. 149 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1401(J)" insert "and 1403(B)"

AMENDMENT NO. 2

On page 1, line 6, after "notice;" insert "to provide for rate filings by certain insurers with the commission;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 22:22:1401(J)" delete "is" and insert "and 1403(B) are"

AMENDMENT NO. 4

On page 2, line 14, delete "the thirty days" and insert in lieu thereof the following:

"thirty days of receipt of the written notification by the insurer"

AMENDMENT NO. 5

On page 2, line 25, delete "the thirty days" and insert in lieu thereof the following:

"thirty days of receipt of the written notification by the insurer"

AMENDMENT NO. 6

On page 3, at the end of line 10, insert the following:

* * *

§1403. Scope of rate regulation

A. This Part applies to fire, marine and transportation (inland marine), title insurance and casualty insurance risks or operations in this state.

B.(1) For the purpose of this Part, fire insurance includes insurance coverage as defined in paragraphs (10), (11b), and (12) of R.S. 22:6(10), (11b), and (12), and such other coverages as are usually written by fire insurers other than motor vehicle insurance; marine and transportation (inland marine) insurance includes personal floater insurance and the kinds of insurance defined in paragraph (13) of R.S. 22:6(13) and such other inland marine coverages as may be so established by interpretation, by ruling of the commission, or by general customs of the business; title insurance includes the kind of insurance coverage as defined in paragraph (9) of R.S. 22:6(9), and casualty insurance includes the kinds of casualty insurance defined in paragraphs R.S. 22:6(3), (4), (5), and (6), except personal property floater, (7), (8), (11a) of R.S. 22:6(7), (8), and (11)(a), and such other coverages as are usually written by casualty insurers.

(2) Notwithstanding any other law to the contrary, any authorized insurer or approved unauthorized insurer providing liability coverage for public carrier vehicles, as defined by R.S. 45:200.2(2), shall be subject to the provisions of this Part.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Reengrossed House Bill No. 149 by Representative Hebert

AMENDMENT NO. 1

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

"(4) Prior to the implementation of a rate change approved by the commission which increases a rate for a policy holder, the insurer shall notify the policy holder at least thirty days prior to the date of renewal of the policy. No rate increases shall be implemented by the insurer during the term contracted between the policy holder and the insurer.

AMENDMENT NO. 2

On page 3, line 3, change "(4)" to "(5)"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 149 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:" insert "5(13) and"

AMENDMENT NO. 2

On page 1, line 5, after "justification;" insert "to provide relative to certain definitions;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 22:" insert "5(13) and"

AMENDMENT NO. 4

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

§5. General definitions

In this Code, unless the context otherwise requires, the following definitions shall be applicable:

* * *

(13) "Premium" as used in this Code means all sums charged, received or deposited as deposited as consideration for the purchase or continuance of insurance for a definitely stated term, and shall include any assessment, membership, policy, survey, inspection, service or similar fee or charge made by an insurer as a part of the consideration for the purchase or continuance of insurance. The term premium, as used in R.S. 22:627, 636(D), and 637(B) shall not include any assessment, membership, policy, survey, inspection, service or similar fee or charge made by an insurer as part of the consideration for the purchase or continuance of insurance.

* * *"

AMENDMENT NO. 5

On page 3, after line 10, insert the following:

"Section 2. The provisions of R.S. 22:13(5) as amended in this Act shall supersede the amendment of such provision contained in House Bill 75 of the First Extraordinary Session of 2002."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Riddle

Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	Hutter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McCallum	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Fauchoux	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright

Total—102

NAYS

Total—0

ABSENT

Flavin	Johns	Stelly
Total—3		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 156—
BY REPRESENTATIVES HILL AND THOMPSON AND SENATOR HINES
AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; 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 Hines to Reengrossed House Bill No. 156 by Representative Hill

AMENDMENT NO. 1

On page 3, line 24, after "C." delete "It" and insert in lieu thereof "Pursuant to, and without conflict with, any statewide laws for the management, protection, or regulation of surface water, the district"

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—100

NAYS

Total—0

ABSENT

Flavin	Scalise	Tucker
Johns	Stelly	
Total—5		

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

HOUSE BILL NO. 157—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; 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. 157 by Representative Crane

AMENDMENT NO. 1

On page 1, line 2, change "98.1(E)" to "99" and delete "authorize" and insert "provide relative to the disposition of certain monies accruing to city, parish, and other local public school systems; to require"

AMENDMENT NO. 2

On page 1, line 3, after "to" delete the remainder of the line and delete lines 4 through 10 and insert the following:

"enter into contracts to invest such monies on behalf of such school boards; to provide for the obligations of the state treasurer; to provide for the obligation of the school boards; to provide for the required contractual inclusions;"

AMENDMENT NO. 3

On page 1, line 11, delete "risk children for school;"

AMENDMENT NO. 4

On page 1, line 13, change "98.1(E)" to "99"

AMENDMENT NO. 5

On page 1, delete lines 14 and 15 and delete pages 2 and 3 and on page 4, delete lines 1 through 8 and insert the following:

"§99. Investment contracts; definitions; obligations of state treasurer; obligations of participating school boards; contractual requirements

R.S. 39:99 is all proposed new law.

A. As used in this Section the following terms shall have the meanings provided in this Subsection unless the context clearly requires otherwise:

(1) "Earnings" means the amount accruing to the credit of each participating local school board as a result of the investment strategies of the state treasurer.

(2) "Local school board" means any city, parish, or other local public school board.

(3) "Principal" means the amount of tobacco money each participating local school board entrusts to the treasurer for investment.

(4) "Tobacco money" means all monies accruing to the credit of each city, parish, or other local school board in the 2001-2002 Fiscal Year as a result of the operation of the provisions of Article VII, Section 10.8(A)(1)(d).

B. The state treasurer shall:

(1) Offer each local school board the opportunity to enter into a contract to have its tobacco money invested and managed on its behalf by the treasurer's office.

(2) Establish within his office the means to collectively invest such money to gain the maximum earnings for each local school board entering into a contract.

(3) In administering any such contracts, maintain separate accounts for each local school board entering into a contract pursuant to this Section.

(4) Develop a contractual agreement, reviewed and approved by the office of the attorney general, which establishes the obligations of the treasurer and each participating school board as provided in this Section.

(5) Provide each participating school board with quarterly reports regarding the results of investments and the school board's balance to that time.

(6) Transmit principal or earning amounts attributable to any participating local school board upon the warrant of that board in conformity with the contract and the requirements of this Section.

(7) Charge only such investment and administrative fees to any accounts that are prorated to reflect the variation in balances among accounts and only such as are established and approved in the same manner as required for such fees charged to the Millennium Trust.

(8) Adopt such rules as are required or necessary for the efficient and effective administration of the contracts provided for in this Section.

C. Each contract entered into pursuant to this Section shall contain:

(1) A guarantee of at least the maintenance of the principal amount entrusted by the participating local school board, less any principal amounts withdrawn by the contracting school board as permitted in this Section and by terms of the contract.

(2) The authority necessary for the treasurer to invest any money entrusted to his investment pursuant to this Section with the same authority and limitations applicable to his investment of the monies in the Louisiana Education Quality Trust Fund.

(3) A clear statement of the obligations of the local school board as provided in this Section at the time the contract is confected.

D. Each local school board which wishes to enter into such a contract shall agree to:

(1) Withdraw and expend monies from its account only as provided in this Paragraph and in the following order of priority:

(a) Withdraw and expend earnings and principal, if necessary, to stabilize the amount received in each year to be not less than that necessary to equal the total amount of money allocated and distributed to such school board pursuant to Article VII, Section 10.8 in the previous year.

(b) If, after withdrawing earnings pursuant to Subparagraph (a) of this Paragraph, any earnings remain, withdraw and expend earnings to provide or enhance the provision of age-appropriate early childhood education for four-year-old children at least equal to that provided pursuant to the early childhood education program requirements in the 2001-2002 school year of the program funded with Louisiana Education Quality Trust Fund money who would be eligible to attend kindergarten in a school over which the board has jurisdiction who are at risk of academic failure until all such children are provided such services.

(c) If, after withdrawing earnings pursuant to Subparagraphs (a) and (b) of this Paragraph, any earnings remain, withdraw and expend earnings only for any purpose consistent with the limitations for the expenditure of Education Excellence Fund monies in Article VII, Section 10.8 of the constitution.

(2) Submit a plan for approval as required in Article VII, Section 10.8 of the constitution which provides for entering into a contract with the state treasurer as provided in this Section and the expenditure of funds consistent with the provisions of this Section.

E. All monies in the account of any contracted local school boards shall remain to the credit of such local school board."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 157 by Representative Crane

AMENDMENT NO. 1

In Senate Committee Amendment No.1 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002 on page 1, line 3, delete "city, parish," and on line 4, change "and other local public school systems" to "local school boards"

AMENDMENT NO. 2

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002 on page 1, line 30, after "board" insert "or the governing authority of any other recipient of tobacco money"

AMENDMENT NO. 3

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002 on page 1, line 33, change "monies" to "or any significant portion of the money"

AMENDMENT NO. 4

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002 on page 2, line 2, after "contract" insert "at any time"

AMENDMENT NO. 5

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Education and adopted by the Senate on April 9, 2002 on page 2, line 47, after "year" insert "adjusted by the amount of increase in the Consumer Price Index, United States city average for all urban consumers (CPI-U), as prepared by the United States Department of Labor, Bureau of Labor Statistics, for the calendar year immediately preceding the adjustment"

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

NAYS

Romero
Total—1

ABSENT

Bruce
Curtis
Total—4

Honey
Wooton

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

HOUSE BILL NO. 159—
BY REPRESENTATIVE JACK SMITH
AN ACT

To repeal Act No. 142 of the 2001 Regular Session and to authorize and provide for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration; 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 Lambert to Engrossed House Bill No. 159 by Representative Jack Smith

AMENDMENT NO. 1

On page 2, line 7, following "Section 1" delete "of this"

AMENDMENT NO. 2

On page 2, line 8, at the beginning of the line change "Section" to "herein"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezairé
Beard	Hill	Richmond
Bowler	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	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
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Früge	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. 164—
BY REPRESENTATIVES DANIEL AND DEWITT
AN ACT

To amend and reenact R.S. 31:149(A) and to repeal R.S. 31:149(B)(3), (C), and (D) and 149.1 through 151, relative to prescription of mineral rights; to provide for the imprescriptibility of mineral rights on land acquired by government agencies or other specified nongovernmental entities; 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 Natural Resources to Engrossed House Bill No. 164 by Representatives Daniel and DeWitt

AMENDMENT NO. 1

On page 2, at the end of line 11, add the following:

"When lands are acquired under the provisions of this Section for the principle purpose of facilitating the development, design, and implementation of coastal restoration projects, the secretary of the Department of Natural Resources may contemporaneously enter into an agreement with the transferor of such lands with respect to the ownership of subsurface minerals as provided in R.S. 41:1702(D)(2)(a)."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 164 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 10, after "person," delete the remainder of the line and line 11 and insert the following:

"as long as that person is a public entity."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezairé
Beard	Hill	Richmond
Bowler	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	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
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell

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

Total—105

NAYS

Total—0

ABSENT

Total—0

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 167—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; 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 Chaisson to Engrossed House Bill No. 167 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:569.1" and before the "," insert "and 570(C)"

AMENDMENT NO. 2

On page 1, line 6, after "R.S. 15:569.1" delete "is" and insert in lieu thereof "and 570(C) are"

AMENDMENT NO. 3

On page 1, after line 11, insert the following:

"* * *

§570. Execution; officials and witnesses; minors excluded; time; notice to victim's relatives

* * *

C. Notwithstanding any other provision of law to the contrary, every execution of the death sentence shall take place between the hours of 6:00 p.m. and ~~11:59~~ 9:00 p.m.

* * *

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Pierre
Alexander, E	Gallot	Pinac
Alexander, R	Glover	Pitre
Ansardi	Green	Powell
Baldone	Guillory	Pratt
Baudoin	Hammett	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	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	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McCallum	Waddell
Durand	McDonald	Walsworth
Erdey	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Murray	Wright
Frith	Nevers	

Total—101

NAYS

Heaton
Total—1

ABSENT

Morrish Perkins Smith, J.R.—30th
Total—3

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

HOUSE BILL NO. 132—

BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT
AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

Called from the calendar.

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 Finance to Engrossed House Bill No. 132 by Representative LeBlanc

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AMENDMENT NO. 1

On page 2, line 7, delete ", up to an amount appropriated by the legislature,"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 132 by Representative LeBlanc

AMENDMENT NO. 1

On page 3, lines 3 and 4, change "Sixty-eight Million Nine Hundred Twenty-six Thousand Five Hundred Seventy-four and 31/100 (\$68,926,574.31)" to "Fifty Million and no/100 (\$50,000,000)"

AMENDMENT NO. 2

On page 3, line 6, between "as" and "satisfaction" insert "partial"

AMENDMENT NO. 3

On page 3, line 8, between "Center" and the period "." insert "and Eighteen Million Nine Hundred Twenty-six Thousand Five Hundred Seventy-four and 31/100 (\$18,926,574.31) Dollars for appropriation as a salary supplement to the following employees employed according to object and function codes provided as reported to the state Department of Education and reported annually by the department in the Summary of Reported Personnel and District Salaries:

Education media services personnel in function code 2259, contained in object code 110; food service personnel in function code 3100, contained in object code 111; all clerical and secretarial and other personnel in all function codes, except 2620 and 2844, contained in object code 114; all aides and other personnel in all function codes, except 1310 and 2211, contained in object code 115; all transportation, service workers, janitors, lunchroom workers, and other personnel in all function codes, except 1110, 2113, and 3300, contained in object code 116; all craftsman and mechanics and other employees in all function codes, except 2250, 2253, 2259, 2530, 2610, 2660, 2690, and 4500 contained in object code 117; all personnel in all function codes, except function codes 1210, 1300, 1600, 2113, 2122, 2123, 2134, 2144, 2190, 2220, 2252, 2253, 2254, 2255, 2259, 2290, 2312, 2510, 2520, 2640, 2710, 2830, 2839, 2840, 2844, 2849, 3200, and 4500, contained in object code 119.

However no such employee whose entire salary on June 30, 2002 is paid exclusively out of federal funds shall receive a salary supplement from such reserved funds."

AMENDMENT NO. 4

On page 3, on line 15, before "Self" insert the following:

"State General Fund for satisfaction of any remaining debt owed to the State General Fund by the Health Care Service Division of the Louisiana State University Health Sciences Center and then to the"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. Speaker, Alexander, E, Alexander, R, Ansardi, Baldone, Baudoin, Baylor, Bowler, Broome, Bruce, Bruneau, Capella, Carter, K, Cazayoux, Clarkon, Crane, Crowe, Curtis, Damico, Daniel, Dartez, Diez, Doerge, Downer, Durand, Farrar, Faucheux, Flavin, Frith, Fruge, Futrell, Total-92. Middle column: Gallot, Glover, Green, Hammett, Heaton, Hebert, Hill, Honey, Hopkins, Hudson, Hunter, Hutter, Iles, Jackson, L, Jackson, M, Johns, Katz, Kennard, Kenney, Lancaster, Landrieu, LeBlanc, Lucas, Martiny, McCallum, McDonald, McVea, Montgomery, Morrell, Morrish, Murray. Right column: Odinet, Pierre, Pinac, Pitre, Pratt, Quezaire, Richmond, Romero, Salter, Scalise, Schneider, Schwegmann, Shaw, Smith, G.—56th, Smith, J.D.—50th, Smith, J.H.—8th, Smith, J.R.—30th, Sneed, Stelly, Swilling, Thompson, Townsend, Triche, Tucker, Waddell, Walsworth, Welch, Winston, Wooton, Wright.

NAYS

Table with 3 columns: Alario, Beard, Erdey, Guillory, Total-11. Middle column: LaFleur, Nevers, Perkins, Powell. Right column: Riddle, Strain, Toomy.

ABSENT

Table with 3 columns: Carter, R, Total-2. Middle column: Devillier.

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 2— BY SENATORS THOMAS, HINES AND SMITH AN ACT

To amend and reenact R.S. 3:493 and R.S. 33:4831, 4832, and 4835, and to enact R.S. 33:4836, relative to the direct sale by a farmer to consumers of farm products; to prohibit requiring permits or licenses for the direct sale of farm products; to prohibit imposition of any permit or license fee or tax on a farmer selling farm produce directly to consumers; to prohibit the enactment of ordinances prohibiting the direct sale of farm produce by the

producing farmer or his employee; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	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	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McCallum	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Downer	Kennard	McDonald
Total—3		

The Chair declared the above bill was finally passed.

Rep. Thompson 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. 4—
BY SENATOR SMITH AND REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 13:2113, relative to the City Court of Winnfield; to provide for the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Alexander to Engrossed Senate Bill No. 4 by Senator Smith and Representative R. Alexander

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on Judiciary and adopted by the House on April 10, 2002, on page 1, line 5, after the period "." delete the remainder of the line and delete lines 6 through 9, and on line 10, delete "money is owed."

On motion of Rep. Rodney Alexander, the amendments were adopted.

Rep. Rodney Alexander moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	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	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Frith	Murray	
Fruge	Nevers	
Total—103		

NAYS

Total—0

ABSENT

Pinac	Walsworth
Total—2	

The Chair declared the above bill was finally passed.

Rep. Rodney Alexander 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. 22—
BY SENATORS SCHEDLER, HAINKEL AND THOMAS
AN ACT

To enact R.S. 13:961(F)(1)(n), relative to courts and judicial procedure; to provide with respect to court reporters; to provide for the compensation of court reporters in the Twenty-Second Judicial District Court; 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	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
Beard	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crane	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
Downer	McCallum	Triche
Durand	McDonald	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

Crowe
Total—1

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. 27—
BY SENATORS HAINKEL AND MALONE
A JOINT RESOLUTION

Proposing to enact Article X, Section 25.1 of the Constitution of Louisiana, relative to state and local public employees; to require that the legislature provide by law for the removal of a state or local public employee upon conviction of a felony; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Rep. Bruneau 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	Riddle
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	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

Crowe
Total—2
Richmond

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

Rep. Bruneau 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. 51—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 48:386.1, relative to railroads; to provide for the maintenance of railroad rights of way; to provide for definitions; to provide for notice for failure to maintain rights of way; to provide for fines; to provide for limitation of liability; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	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	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Total—104		

NAYS

Quezaire
Total—1

ABSENT

Total—0

The Chair declared the above bill was finally passed.

Rep. Townsend 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. 52—

BY SENATORS CAMPBELL, BARHAM, BEAN, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, HEITMEIER, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, TARVER, THEUNISSEN, AND ULLO

AN ACT

To amend and reenact R.S. 32:169(E), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; 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. 52 by Senator Campbell

AMENDMENT NO. 1

Delete Amendment No. 7 proposed by the House Committee on Transportation, Highways and Public Works, and adopted by the House on April 10, 2002.

AMENDMENT NO. 2

On page 3, line 11, after the period "." insert "The department is authorized to use" and change "At" to "at"

AMENDMENT NO. 3

On page 3, line 13, after "upgrades" and before "to" delete "shall be used"

AMENDMENT NO. 4

On page 3, at the end of line 15, after "cross-arms" and before the period "." insert "provided that such use complies with all other state and federal laws and regulations"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Futrell	Murray
Alexander, E	Gallot	Nevers
Alexander, R	Glover	Perkins
Ansardi	Green	Pinac
Baldone	Guillory	Powell
Baudoin	Hammett	Pratt
Baylor	Heaton	Richmond
Beard	Hebert	Riddle

Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Clarkson	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Waddell
Durand	McCallum	Walsworth
Erdey	McDonald	Welch
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Flavin	Morrell	Wright
Total—96		

NAYS

Fruge	Quezaire	Tucker
Total—3		

ABSENT

Carter, K	Odinet	Pitre
Hudson	Pierre	Scalise
Total—6		

The Chair declared the above bill was finally passed.

Rep. Townsend 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. 60—
BY SENATORS BAJOIE, BOISSIERE, JOHNSON AND IRONS
AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing, and construction of a new courthouse; and to provide for related matters.

Read by title.

Motion

Rep. Murray moved that Senate Bill No. 60 be designated as a duplicate of House Bill No. 55.

Which motion was agreed to.

Rep. Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander, E	Gallot	Pinac

Alexander, R	Glover	Pitre
Ansardi	Green	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Riddle
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Tucker
Doerge	McCallum	Waddell
Downer	McDonald	Walsworth
Durand	McVea	Welch
Erdey	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Guillory	Morrish	Triche
Hudson	Richmond	
Total—5		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 61—
BY SENATORS BAJOIE AND JOHNSON
AN ACT

To enact R.S. 13:2496.3, relative to the Municipal Court of New Orleans; to create the office of first appearance hearing officer; to authorize the judges of the court to appoint the hearing officer; to provide for qualifications for office; to provide for salary of office; to provide for duties of office; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 61 by Senator Bajoie

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, delete line 2 in its entirety

AMENDMENT NO. 3

On page 2, line 3, before "The" delete "is not in regular session."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hudson	Smith, J.D.—50th
Total—2	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 65—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 18:532.1(H), relative to precincts; to allow parish governing authorities to consolidate certain precincts; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hudson
Total—1

The Chair declared the above bill was finally passed.

Rep. Baldone 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. 66—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 44:4(36), relative to public records; to provide relative to the confidentiality of supplemental rebate information contained in the records of the Department of Health and Hospitals and its agents; to provide an exemption of such information from the Public Records Act; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 66 by Senator Schedler

AMENDMENT NO. 1

In Amendment No. 2 proposed by the House and Governmental Affairs Committee and adopted by the House on April 10, 2002, on page 1, line 6, after "and insert" delete the remainder of the line and insert "and the Legislative Fiscal Officer."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed Senate Bill No. 66 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 44:4(36)" and before the comma "," insert "and R.S. 49:258(4)"

AMENDMENT NO. 2

On page 1, between lines 5 and 6, insert the following:

"to provide for the procurement of private contractual legal services for state agencies; to provide for the procurement of such legal services for the Department of Health and Hospitals in certain cases; to provide for approval by the governor, the attorney general, and the court;"

AMENDMENT NO. 3

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

"Section 2. R.S. 49:258(4) is hereby enacted to read as follows:

§258. Procurement of private contractual legal services for state agencies

Notwithstanding the provisions of any other law to the contrary and specifically the provisions of any law that authorizes the state or a state agency to appoint, employ, or contract for private legal counsel to represent the state or a state agency, including but not limited to the provisions of R.S. 42:261, 262, and 263 and R.S. 40:1299.39(E), any appointment of private legal counsel to represent the state or a state agency shall be made by the attorney general with

the concurrence of the commissioner of administration in accordance with the following procedure:

* * *

(4) With the consent and approval of the governor or his designee and the secretary of the Department of Health and Hospitals, the attorney general may employ private counsel on a contingency fee basis to represent the secretary and the Medical Assistance Program in any suit to recover any overcharges, unpaid rebates, or other amounts, including but not limited to related civil fines, penalties, interest, and other recoveries allowed by law, which were improperly paid by or otherwise due and owing to the Medical Assistance Program for pharmaceuticals and related items and services. In addition, any contingent fee shall be payable only upon approval by the court in which the suit is filed upon a finding that said fee is reasonable and appropriate.

* * *"

AMENDMENT NO. 4

On page 2, line 8, after "Section" change "2" to "3"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Ansardi	Guillory	Powell
Baldone	Hammett	Pratt
Baudoin	Heaton	Quezairé
Beard	Hebert	Riddle
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hunter	Schneider
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	LaFleur	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Strain
Daniel	LeBlanc	Swilling
Dartez	Lucas	Thompson
Devillier	Martiny	Toomy
Diez	McCallum	Townsend
Doerge	McDonald	Triche
Downer	McVea	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—94		

NAYS

Futrell
Walsworth
Total—2

ABSENT

Alexander, R	Hopkins	Kenney
Baylor	Hudson	Richmond
Capella	Kennard	Scalise
Total—9		

The Chair declared the above bill was finally passed.

Rep. Landrieu 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. 68—

BY SENATORS SCHEDLER, HINES AND B. JONES
AN ACT

To enact Chapter 11-F of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1901, relative to the creation of the Louisiana Health Works Commission; to provide for membership of the commission; to provide for compensation for members; to provide for staff and facilities; to provide for powers and duties of the commission, including the creation of the Allied Health Workforce Council; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Alexander to Reengrossed Senate Bill No. 68 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 27, after "Relations" and before the period "." insert "or his designee"

AMENDMENT NO. 2

On page 3, line 3, after "Committee" and before the period "." insert "or his designee"

AMENDMENT NO. 3

In House Committee Amendment No. 3 proposed by the House Committee on Labor and Industrial Relations and adopted by the House of Representatives on April 10, 2002, between lines 19 and 20 insert the following:

"(bb) A representative of the Louisiana Ambulance Association.

(cc) The chairman of the Medical Education Commission or his designee, provided that the commission member provided herein shall also be a member of the Louisiana State Medical Society."

AMENDMENT NO. 4

In House Committee Amendment No. 7 proposed by the House Committee on Labor and Industrial Relations and adopted by the House of Representatives on April 10, 2002, between lines 5 and 6 insert the following:

"(t) Louisiana Ambulance Association.

(u) Louisiana Counseling Association."

AMENDMENT NO. 5

On page 3, delete line 20 and insert "of Regents, one to"

AMENDMENT NO. 6

On page 4, delete lines 4 through 8 and insert the following:

"(5) Nominating bodies shall submit their nominees to the Louisiana Workforce Commission not later than June 30, 2002. Members shall serve at the pleasure of nominating groups, organizations, or agencies.

(6)(a) There shall be an executive committee composed of the following:

(i) The commissioner of higher education or his designee for the commission.

(ii) The chairman of the Nursing Supply and Demand Commission or his designee for the commission.

(iii) The commission member representing the chairman of the Medical Education Commission.

(iv) The chairman of the Allied Health Workforce Council or his designee for the commission.

(v) The president of the Louisiana Hospital Association or his designee for the commission.

(b) The executive committee shall:

(i) Elect the chairperson of the commission.

(ii) Establish rules of procedure to be adopted in accordance with the Administrative Procedure Act.

(iii) Perform other tasks as the commission directs or the adopted rules of procedure require.

(7) The commission shall meet at least once each calendar quarter unless the executive committee determines that there is no necessity for such a meeting."

AMENDMENT NO. 7

On page 4, at the end of line 17, add the following:

"The commission shall submit its initial annual report to such committees by February 1, 2003."

AMENDMENT NO. 8

On page 6, line 5, change "G." to "G.(1)"

AMENDMENT NO. 9

On page 6, between lines 12 and 13, insert the following:

"(2) The Nursing Supply and Demand Commission, the Medical Education Commission, and the Allied Health Workforce Council shall each make initial reports to the commission no later than September 1, 2002."

On motion of Rep. Rodney Alexander, the amendments were adopted.

Rep. Rodney Alexander moved the final passage of the bill, as amended.

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	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McCallum	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	
Gallot	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Beard
Total—2 Flavin

The Chair declared the above bill was finally passed.

Rep. Rodney Alexander 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. 82—
BY SENATORS ELLINGTON AND SMITH
AN ACT

To enact R.S. 3:4617(C), relative to the direct sale by farmers of farm products to consumers; to provide for vendor fraud involving the sale of food products; and to provide for related matters.

Read by title.

Rep. Thompson 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	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	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
Downer	McCallum	Triche
Durand	McDonald	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

Beard
Total—1

The Chair declared the above bill was finally passed.

Rep. Thompson 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 Pro Tempore Bruneau in the Chair

SENATE BILL NO. 97—
BY SENATORS CAIN AND ULLO
AN ACT

To enact R.S. 18:1505.2(Q), relative to campaign finance; to prohibit the contribution, loan, expenditure, transfer, or other use of certain funds; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Reengrossed Senate Bill No. 97 by Senators Cain and Ullo

AMENDMENT NO. 1

On page 1, line 4, after "penalties;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, line 3, after "effective" delete the remainder of the line and delete lines 4 through 8 in their entirety and insert "on December 31, 2003."

Rep. Perkins moved the adoption of the amendments.

Rep. DeWitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, E	Flavin	Scalise
Baldone	Fruge	Schneider
Baudoin	Futrell	Schwegmann
Beard	Green	Shaw
Broome	Hopkins	Smith, J.H.—8th
Bruce	Hutter	Sneed
Cazayoux	Katz	Stelly
Clarkson	McVea	Strain
Crowe	Morrish	Toomy
Daniel	Nevers	Triche
Devillier	Odinet	Tucker
Diez	Perkins	Waddell
Doerge	Pitre	Walsworth
Downer	Powell	Winston
Erdey	Riddle	
Total—44		

NAYS

Mr. Speaker	Guillory	Montgomery
Alario	Hammitt	Morrell
Alexander, R	Hebert	Murray
Ansardi	Hill	Pierre
Baylor	Honey	Pinac
Bowler	Hunter	Pratt
Bruneau	Iles	Quezaire
Capella	Jackson, L	Richmond
Carter, K	Jackson, M	Romero
Carter, R	Johns	Salter
Crane	Kennard	Smith, G.—56th
Curtis	Kenney	Smith, J.D.—50th
Damico	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Swilling
Durand	Landrieu	Thompson
Farrar	LeBlanc	Townsend
Faucheux	Lucas	Welch
Frith	Martiny	Wooton
Gallot	McCallum	Wright
Glover	McDonald	
Total—59		

ABSENT

Heaton
Hudson
Total—2

The amendments were rejected.

Rep. DeWitt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Murray
Alario	Hebert	Pierre
Alexander, R	Hill	Pinac
Ansardi	Honey	Pratt
Baylor	Hunter	Quezaire
Broome	Iles	Richmond
Bruneau	Jackson, M	Salter
Carter, K	Johns	Schwegmann
Carter, R	Kenney	Smith, G.—56th
Curtis	LaFleur	Smith, J.D.—50th
Damico	Lancaster	Smith, J.R.—30th
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Durand	Lucas	Townsend
Farrar	Martiny	Triche
Frith	McCallum	Welch
Gallot	McDonald	Wooton
Glover	Montgomery	Wright
Guillory	Morrell	
Total—56		

NAYS

Alexander, E	Fruge	Romero
Baldone	Futrell	Scalise
Baudoin	Green	Schneider
Beard	Hudson	Shaw
Bowler	Jackson, L	Smith, J.H.—8th
Capella	Katz	Sneed
Clarkson	Kennard	Stelly
Crane	McVea	Strain
Crowe	Morrish	Toomy
Daniel	Nevers	Tucker
Diez	Odinet	Waddell
Downer	Perkins	Walsworth
Erdey	Pitre	Winston
Faucheux	Powell	
Flavin	Riddle	
Total—43		

ABSENT

Bruce
Cazayoux
Heaton
Hudson
Hutter
Total—6

The Chair declared the above bill was finally passed.

Rep. DeWitt 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. 26—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), 2212.1(B)(1), 2237(A)(6), and 2238.2(A)(2)(a) and (b), relative to public contracts; to authorize certain advertisements by electronic media; and to provide for related matters.

Called from the calendar.

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

NAYS

Total—0

ABSENT

Cazayoux	LaFleur
Kennard	McVea
Total—4	

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. 112—

BY SENATORS HOLLIS, HAINKEL, LENTINI, HEITMEIER AND ULLO AND REPRESENTATIVES ANSARDI, BOWLER, GREEN, SCALISE, SNEED AND TOOMY

AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iv), R.S. 47:820.2(B)(3)(d), and to enact R.S. 39:1367(E)(2)(a)(v), relative to the state debt limit; to provide for the use of funds subject to the state debt limit; to provide for the definition of net state tax supported debt; to authorize the Department of Transportation and Development to enter into cooperative endeavor agreements with certain local governing authorities for completion of certain projects; to authorize certain reimbursements from the TIMED program; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Lancaster moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baldone	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Riddle
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	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	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Baudoin McVea
Total—2

The Chair declared the above bill was finally passed.

Rep. Lancaster 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.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 53—

BY REPRESENTATIVES DOWNER, E. ALEXANDER, R.ALEXANDER, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CLARKSON, CRANE, CURTIS, DARTEZ, DIEZ, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, HAMMETT, HEATON, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, LANDRIEU, MCCALLUM, MCDONALD, MONTGOMERY, NEVERS, PINAC, POWELL, PRATT, QUEZAIRE, SHAW, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, WADDELL, WALSWORTH, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 14:30(A)(1), R.S. 15:1308(A)(introductory paragraph), and R.S. 44:3(A)(3) and to enact Subpart D of Part VII of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:128.1 and 128.2, and R.S. 15:1308(A)(2)(o) and (p), relative to terrorism; to enact the Louisiana Anti-terrorism Act; to create the crime of terrorism; to create the crime of aiding others in terrorism; to provide for criminal penalties; to provide relative to the interception and disclosure of wire and oral communications related to crimes of terrorism; to provide relative to first degree murder with respect to terrorism; to provide relative to the public records law; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; to provide for exceptions; and to provide for related matters.

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

Conference Committee Reports for Consideration

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

CONFERENCE COMMITTEE REPORT

Senate Bill No. 21 by Senator Schedler

April 9, 2002

Ladies and Gentlemen:

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 21 by Senator Schedler recommend the following concerning the Engrossed bill:

1. That House Committee Amendments No. 1 through 4 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on April 3, 2002 be rejected.

2. That Legislative Bureau Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on April 4, 2002 be rejected.
3. That House Floor Amendments No. 3, 4, 5, 6, 7, 8, 10, and 11 proposed by Representative Downer and adopted by the House of Representatives on April 8, 2002 be adopted.
4. That House Floor Amendments No. 1, 2, and 9 proposed by Representative Downer and adopted by the House of Representatives on April 8, 2002 be rejected.
5. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 11, delete "the Administrative Procedure Act"

AMENDMENT NO. 2

On page 2, line 26, delete "to exceed seventy-five" and insert "of twenty-six"

Respectfully submitted,

Senantor Tom Schedler
Senator Chris Ullo
Senator Arthur J. "Art" Lentini
Representative Hunt Downer
Representative Francis C. Thompson

Rep. Downer moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Capella	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
Downer	McCallum	Triche

Durand
Erdey
Farrar
Faucheux
Flavin
Frith
Fruge
Total—105

McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Tucker
Waddell
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Total—0

The Conference Committee Report, having received a two-thirds vote of the elected members, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 16, 2002

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. 64
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

April 16, 2002

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. 84
Returned with amendments.

House Bill No. 93
Returned with amendments.

House Bill No. 130
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 16, 2002

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 No. 36

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

April 16, 2002

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. 42, 76, 110, and 114

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.

**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. 23—
BY REPRESENTATIVE GALLOT
A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Reverend Oliver Will Billups.

Read by title.

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

HOUSE RESOLUTION NO. 24—

BY REPRESENTATIVE FUTRELL

A RESOLUTION

To recognize the work of Habitat for Humanity of Greater Baton Rouge, the Louisiana vinyl industry, the Vinyl Partners for Humanity, and other corporate and community partners working together to build seven houses in Baton Rouge and Plaquemine by declaring the week of April 20-26 to be "Habitat for Humanity-Rolling River Blitz Build Week", and to request that Louisiana communities consider supporting Habitat for Humanity projects across the state.

Read by title.

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

HOUSE RESOLUTION NO. 25—

BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To request the Department of Transportation and Development to conduct a traffic study at the intersection of Louisiana Highway 3188 (Belle Terre Boulevard) and Saint Andrews Boulevard in St. John the Baptist Parish.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Anthony "Tony" Rockforte.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, PITRE, AND TRICHE AND SENATORS DUPRE AND GAUTREUX

A CONCURRENT RESOLUTION

To commend and congratulate Don Gomez of Houma upon his receipt of a 2002 Governor's Arts Award.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To commend the members of the 2002 Carroll High Magnet School Basketball Team for an exceptional season and for winning the 3-A High School Basketball State Championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To commend the members of the Carroll Junior High Magnet School Basketball Team for an exceptional season and for winning the 2001-2002 USSSA Junior High School Basketball State Championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend the Louisiana State University Fighting Tiger baseball team and the Tulane University Green Wave baseball team for setting the national collegiate baseball attendance record of 27,673.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

April 16, 2002

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. 16—

BY REPRESENTATIVE BROOME

A RESOLUTION

To express the sincere and heartfelt condolences of the Louisiana House of Representatives upon the death of Farrakhan Lindsey.

HOUSE RESOLUTION NO. 17—

BY REPRESENTATIVE THOMPSON

A RESOLUTION

To request that the Louisiana Domestic Terrorism Advisory Committee include a provision for the centralized collection and distribution of information regarding grant funding available and received in its three- year plan for enhancing emergency response to terrorism in Louisiana; and to express the sentiments of the House on related matters.

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

April 16, 2002

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. 19—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To request the Office of State Parks of the Louisiana Department of Culture, Recreation and Tourism and the Louisiana Department of Wildlife and Fisheries to develop a plan for establishing state parks with rental cabins and recreational vehicle and camper parking areas in wildlife management areas.

HOUSE CONCURRENT RESOLUTION NO. 41—
BY REPRESENTATIVES PITRE, DEWITT, WALSWORTH, AND BALDONE
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to coastal restoration and make specific recommendations for limiting the liability of the state.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to study the possibility of allowing the use of air boats in the Maurepas Wildlife Management Area, including the tributaries and canals leading to Blind River, except during hunting and rutting season.

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE DANIEL
A CONCURRENT RESOLUTION

To request the House and Senate Natural Resources Committees to study the Artificial Reef Development Program in the Department of Wildlife and Fisheries.

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVES DOWNER, BALDONE, AND DARTEZ AND SENATORS DUPRE AND GAUTREAU
A CONCURRENT RESOLUTION

To urge and request the United States Army Corps of Engineers to reexamine plans relative to the Morganza to the Gulf Hurricane Protection Project, particularly with respect to certain areas in Terrebonne Parish.

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVES THOMPSON, BRUCE, CAZAYOUX, FRITH, FRUGE, HILL, HUDSON, ILES, KENNEY, LAFLEUR, MORRISH, AND STRAIN AND SENATORS SMITH AND ELLINGTON
A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation, the United States Congress, and the President of the United States to support the United States cattle producers by opposing any increased importation of foreign beef into the United States.

HOUSE CONCURRENT RESOLUTION NO. 57—
BY REPRESENTATIVE PERKINS
A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association at Louisiana State University and to recognize April 13, 2002, as the fourth annual PAISA Day.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVES NEVERS AND STRAIN
A CONCURRENT RESOLUTION

To recognize April 27, 2002, as William Bailey, Jr. Day.

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES CAZAYOUX, ANSARDI, CROWE, HILL, MONTGOMERY, JANE SMITH, JOHN SMITH, AND WINSTON AND SENATORS DARDENNE, CAIN, CAMPBELL, CHAISSON, MALONE, MARIONNEAUX, AND SCHEDLER
A CONCURRENT RESOLUTION

To commend the recipients of the 2002 Louisiana Young Heroes awards.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVES DOWNER, DARTEZ, DEVILLIER, PITRE, QUEZAIRE, GARY SMITH, AND TRICHE
A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs to establish a community-based outpatient clinic in the Houma area.

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

April 16, 2002

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. 3—
BY REPRESENTATIVE CROWE AND SENATORS BARHAM, BEAN, BOISSIERE, CAIN, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FONTENOT, GAUTREAU, HINES, HOYT, IRONS, LAMBERT, LENTINI, MALONE, MCPHERSON, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO
AN ACT

To enact R.S. 47:463.108 and 463.109, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate and to provide for the creation of a 4-H prestige license plate; to provide for the issuance of such plates; to provide for the style and color of the 4-H prestige license plate; to provide relative to the fees for such plates; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 13—
BY REPRESENTATIVES PERKINS, BEARD, BROOME, CROWE, FUTRELL, M. JACKSON, NEVERS, E. ALEXANDER, DOWNER, AND KATZ AND SENATORS CAIN, HOYT, AND MOUNT
AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer and meditation in schools; to require that prayer or meditation authorized for students and teachers be silent prayer or meditation; and to provide for related matters.

HOUSE BILL NO. 15—

BY REPRESENTATIVES DOWNER, FUTRELL, FAUCHEUX, PRATT, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT AND SENATOR ULLO

AN ACT

To amend and reenact R.S. 29:38(A), 403(9), and 422 and to enact R.S. 29:403(3.1) and (3.2), relative to military affairs; to provide for benefits and rights of persons called to service in the uniformed services; to provide for applicability; to provide for notice requirements; to provide for reemployment rights of persons called to duty in the national guard of this state and of any other state; to define certain terms under the Military Service Relief Act; and to provide for related matters.

HOUSE BILL NO. 22—

BY REPRESENTATIVES JANE SMITH, E. ALEXANDER, AND KATZ

AN ACT

To enact R.S. 17:2115.11, relative to voluntary student prayer; to provide relative to participation by students in Bossier Parish public schools in voluntary, student-led prayer; to provide conditions; to provide relative to certain costs; and to provide for related matters.

HOUSE BILL NO. 30 (Duplicate of Senate Bill No. 98)—

BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS AND COAUTHORED BY REPRESENTATIVES BRUNEAU, CAPELLA, CLARKSON, CRANE, DANIEL, DURAND, FAUCHEUX, JOHNS, TUCKER, AND STRAIN AND SENATORS MICHOT AND DARDENNE

AN ACT

To enact R.S. 47:301(16)(h), (22), and (23) and 305.52, relative to state and local sales and use taxes; to define tangible personal property for state sales and use tax purposes to exclude certain custom computer software; to provide that the exclusion shall be phased in over a four-year period; to allow governing authorities of political subdivisions to exempt sales of certain computer software; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVES GARY SMITH AND DANIEL

AN ACT

To enact R.S. 56:1855(L), relative to scenic rivers; to authorize the Department of Wildlife and Fisheries to permit certain activities on Bayou Trepagnier in St. Charles Parish; to provide for the procedures to be followed when permitting those activities; and to provide for related matters.

HOUSE BILL NO. 42 (Duplicate of Senate Bill No. 64)—

BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM AND COAUTHORED BY REPRESENTATIVES KATZ AND WALSWORTH

AN ACT

To amend and reenact R.S. 33:1448(I), relative to retired sheriffs and retired sheriff's 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. 47—

BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS

AN ACT

To enact R.S. 15:709, relative to prisons and correctional institutions; to prohibit prisoners convicted in other states from being housed in certain correctional facilities in Louisiana; to require that certain prisoners convicted in other states housed in local jails or private facilities in Louisiana be returned to the state where convicted for release in that state; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 48 (Duplicate of Senate Bill No. 3)—

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE AND COAUTHORED BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

HOUSE BILL NO. 50—

BY REPRESENTATIVES BALDONE, DOWNER, ROMERO, THOMPSON, AND FAUCHEUX

AN ACT

To amend and reenact R.S. 56:643(B), relative to hunting and fishing licenses; to provide for hunting and fishing licenses for nonresident military personnel on active duty in Louisiana; to provide for reduced fishing and hunting license fees for Louisiana residents on active military duty; and to provide for related matters.

HOUSE BILL NO. 60—

BY REPRESENTATIVES WALSWORTH, DURAND, GUILLORY, L. JACKSON, KATZ, MCDONALD, SCHWEGMANN, HUNTER, THOMPSON, AND BRUCE AND SENATORS HINES, B. JONES, MOUNT, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:2009.20(B)(1) and to enact R.S. 14:403.2(D)(4), relative to reporting incidents of abuse or neglect; to require agencies to notify local law enforcement of certain reports of abuse or neglect; and to provide for related matters.

HOUSE BILL NO. 62—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 51:911.22(11) and 911.24(I), relative to the Louisiana Manufactured Housing Commission; to provide for definitions; to authorize the collection of criminal history record information on applicants for licensure; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 63 —

BY REPRESENTATIVES CROWE AND BRUCE AND SENATORS CAIN, LENTINI, AND SCHEDLER

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph), (C), (D), and (E) and 542.1(J)(1) and to enact R.S. 15:542(F), relative to registration of sex offenders; to provide for an annual update to the registration information; to provide for an annual registration fee; to provide relative to a determination of indigency; to provide for written notification of an address change of an offender; to provide for criminal penalties for failure to register; and to provide for related matters.

HOUSE BILL NO. 64—

BY REPRESENTATIVES LEBLANC, DURAND, AND KATZ

AN ACT

To amend and reenact R.S. 46:460.6(A) and (E), relative to the individual development account program; to allow persons who meet income eligibility requirements to participate in the

individual development account program; and to provide for related matters.

HOUSE BILL NO. 68—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 36:4(Y) and R.S. 47:463.60, relative to motor vehicles; to provide for the creation of the "Animal Friendly" prestige license plate; to provide for the charge of the plate; to provide relative to the minimum number of applicants for such plate; to create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the adoption of policies and procedures; and to provide for related matters.

HOUSE BILL NO. 69—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph) and to repeal R.S. 40:1299.44(A)(5)(h), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide for minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the employment and delegation of authority to a claims manager; to provide certain procedures for the filing of claims; and to provide for related matters.

HOUSE BILL NO. 75—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 22:5(13), 1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; to provide for insurance premiums; to provide for the definition of premium; and to provide for related matters.

HOUSE BILL NO. 85—
BY REPRESENTATIVES MARTINY, DEWITT, CLARKSON, FRUGE, JOHNS, AND WALSWORTH
AN ACT

To amend and reenact R.S. 13:5101(B), R.S. 15:1172(B) and (C), 1177(A)(introductory paragraph) and (1) and (C), 1179, 1184(A)(2) and (D), 1186(A) and (B), to enact R.S. 15:1172(D) and (E), 1177(A)(10), and 1184(F) and (G), and to repeal R.S. 49:964(G)(7), relative to civil claims of prisoners; to provide with respect to the initiation and limitation of administrative remedies; to provide with respect to dismissal of claims; to provide liberative prescription for certain actions; to provide for judicial review; to exempt delictual actions from judicial review under the Corrections Administrative Remedy Procedure Act; to provide proper venue for prisoner suits; to provide for the proper party defendant in certain claims; to provide for proceeding in forma pauperis; to repeal certain provisions providing for service of process on the secretary of the Department of Public Safety and Corrections; and to provide for related matters.

HOUSE BILL NO. 91—
BY REPRESENTATIVES R. ALEXANDER, DURAND, ILES, KATZ,
AN ACT

To amend and reenact R.S. 40:31.16(A), relative to an immunization tracking registry; to delete the requirement that a child's parent or guardian provide written consent for a child's information to be entered into an immunization registry; to provide that general consent for treatment and information sharing shall be considered parental consent for sharing historical, current, and

future information; to require immunization providers to provide certain information to parents; to waive consent for mass immunizations in declared public health emergencies; and to provide for related matters.

HOUSE BILL NO. 94—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1952(B)(10), relative to procedures for hearings and appeals with respect to children with exceptionalities; to provide relative to the use of review panels and hearing officers under certain circumstances in such procedures; and to provide for related matters.

HOUSE BILL NO. 96—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:1943(9), relative to children with exceptionalities; to provide relative to the definition of "resident" as it applies to such children; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 102—
BY REPRESENTATIVES SCHNEIDER AND STRAIN
AN ACT

To authorize and provide for the transfer or lease of certain state properties in St. Tammany Parish to the St. Tammany Parish School Board from the Department of Health and Hospitals and the Department of Culture, Recreation and Tourism; and to provide for related matters.

HOUSE BILL NO. 103—
BY REPRESENTATIVES LEBLANC, MURRAY, AND WELCH
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 2001-2002 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 105 (Duplicate of Senate Bill No. 88)—
BY REPRESENTATIVE HAMMETT AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES DEWITT, PINAC, ALARIO, K. CARTER, DANIEL, DURAND, FARRAR, HILL, L. JACKSON, MONTGOMERY, ODINET, AND TOWNSEND AND SENATORS BARHAM AND HOLLIS
AN ACT

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 106 (Duplicate of Senate Bill No. 96)—
BY REPRESENTATIVE HAMMETT AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES DEWITT, PINAC, ALARIO, HILL, MONTGOMERY, ODINET, AND DANIEL AND SENATORS BARHAM AND HOLLIS
AN ACT

To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

HOUSE BILL NO. 123—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:21(B)(1)(d), relative to fees charged by the office of conservation, Department of Natural Resources; to authorize the commissioner of conservation to increase application fees; to authorize the adoption and increase of new application fees; to provide special effective dates; and to provide for related matters.

HOUSE BILL NO. 145—

BY REPRESENTATIVE BROOME

AN ACT

To repeal R.S. 11:411(10), relative to membership in the Louisiana State Employees' Retirement System; to repeal provisions making employees of the East Baton Rouge Parish Housing Authority members of the system and providing for related matters; to provide that neither the East Baton Rouge Parish Housing Authority nor any employee thereof shall be required or allowed to make contributions to the system pursuant to Act No. 404 of the 2001 Regular Session of the Legislature; and to provide for related matters.

HOUSE BILL NO. 152—

BY REPRESENTATIVES PIERRE, DEWITT, AND DANIEL

AN ACT

To amend and reenact R.S. 30:21(B)(1)(a), relative to fees charged by the office of conservation, Department of Natural Resources; to increase the maximum amount which may be generated by certain fees on oil and gas production; and to provide for related matters.

HOUSE BILL NO. 154—

BY REPRESENTATIVES PIERRE, DEWITT, DANIEL, BAYLOR, FRITH, AND HUDSON

AN ACT

To amend and reenact R.S. 30:124, 125, 126, 127(C), 128(A), 129(A), 130, 136.3(B), and 209(2) and (4), relative to functions of the office of mineral resources, Department of Natural Resources; to authorize the office to perform certain functions and to charge a fee for performance of such functions; to provide for the deposit of such fees; and to provide for related matters.

HOUSE BILL NO. 161—

BY REPRESENTATIVE POWELL

AN ACT

To authorize and provide for the transfer or lease of certain state property in Tangipahoa Parish to the city of Hammond from the Southeastern Louisiana University; and to provide for related matters.

HOUSE BILL NO. 166—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 51:2453(1)(d), relative to the Louisiana Quality Jobs Program Act; to add to the list of industries which may qualify for benefits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 169—

BY REPRESENTATIVES LEBLANC AND FAUCHEUX

AN ACT

To amend and reenact R.S. 25:1223.1(A) and 1224(A)(10) and to enact R.S. 25:1222(C), 1223(A)(3), 1224(A)(14), Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1226 through 1226.6, and R.S. 36:209(M)(3), relative to economic development; to provide for the abolishment of the Atchafalaya Trace advisory board; to provide relative to the membership of the Atchafalaya Trace Commission; to provide for the duties and authority of the

commission; to create the Atchafalaya Trace Heritage Area Development Zone; to provide for legislative findings and purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provide for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

HOUSE BILL NO. 173—

BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 23:1660(G), relative to employment records and reports; to provide for data sharing among certain agencies for the purposes of performance accountability and reporting; to provide for confidentiality of data; to provide for penalties for breach of confidentiality; and to provide for related matters.

HOUSE BILL NO. 174—

BY REPRESENTATIVES DEWITT, PITRE, E. ALEXANDER, BALDONE, BAUDOIN, BEARD, BRUCE, CAZAYOUX, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, ERDEY, GREEN, HEBERT, HUNTER, JOHNS, KATZ, LAFLEUR, MORRISH, ODINET, PIERRE, PINAC, QUEZAIRE, RIDDLE, SCALISE, JACK SMITH, SNEED, STELLY, STRAIN, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WINSTON, AND WOOTON

AN ACT

To enact R.S. 36:4(Y) and Subpart B-1 of Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.11 through 214.15, relative to the Governor's Advisory Commission on Coastal Restoration and Conservation; to create the commission and to provide for its powers, duties, functions, and responsibilities; to provide for the membership and terms; and to provide for related matters.

HOUSE BILL NO. 175—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 46:236.8, relative to child support; to specify the calculation of child support obligations in shared custodial arrangements; to provide for medical support orders; 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.

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 Concurrent Resolution No. 27: Reps. Curtis, Crane, 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. 71: Reps. Pinac, Doerge, and Gary Smith.

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. 125: Reps. Schneider, Stelly, and Flavin.

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. 129: Reps. Schneider, Stelly, and Flavin.

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. 132: Reps. LeBlanc, Salter, and Alario.

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. 134: Reps. Schneider, Stelly, and Flavin.

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. 149: Reps. Hebert, Erdey, and Morrish.

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. 164: Reps. Daniel, Pierre, and DeWitt.

Adjournment

On motion of Rep. Kenney, at 5:35 P.M., the House agreed to adjourn until Wednesday, April 17, 2002, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Wednesday, April 17, 2002.

ALFRED W. SPEER
Clerk of the House