

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

SEVENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, March 29, 2000

The Senate was called to order at 1:30 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Tarver
Total—1

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

Prayer

The prayer was offered by Senator Fontenot, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of
Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend the Slidell Junior Auxiliary on their exemplary service to their community and to Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneau
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Robichaux
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Johnson
Cravins	Tarver
Total—4	

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

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

March 29, 2000

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 77—

BY REPRESENTATIVES DEWITT, MCMAINS, AND WALSWORTH AND
SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(o), relative to parole eligibility; to provide for conditions of parole; to provide for reimbursement by parolees to the Board of Parole; to provide for the costs which may be reimbursed; and to provide for related matters.

HOUSE BILL NO. 170—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(a)(i) and (ii), relative to the definition of "political committee" and "committee" for purposes of the Campaign Finance Disclosure Act; to restate the definition of "political committee" and "committee"; and to provide for related matters.

March 29, 2000

HOUSE BILL NO. 141—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 11:780(C) and to enact R.S. 11:221(E), relative to all state and statewide public retirement systems, including the Teachers' Retirement System; to provide with respect to earnings limitations of certain disability beneficiaries; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 207—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
AN ACT

To enact R.S. 33:4574.12, relative to the parishes of St. Charles, St. John the Baptist, and St. James; to create the River Parishes Convention, Tourist, and Visitors District comprising such parishes; to create and provide for the appointment, powers, and duties of a commission to govern the district; to authorize the commission to levy and collect a hotel/motel occupancy tax to fund the activities of the commission; to provide relative to borrowing by the commission and budgetary matters; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Irons asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 77—
BY REPRESENTATIVES DEWITT, MCMAINS, AND WALSWORTH AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(o), relative to parole eligibility; to provide for conditions of parole; to provide for reimbursement by parolees to the Board of Parole; to provide for the costs which may be reimbursed; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 141—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 11:780(C) and to enact R.S. 11:221(E), relative to all state and statewide public retirement systems, including the Teachers' Retirement System; to provide with respect to earnings limitations of certain disability beneficiaries; to provide an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 170—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(a)(i) and (ii), relative to the definition of "political committee" and "committee" for purposes of the Campaign Finance Disclosure Act; to restate the definition of "political committee" and "committee"; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 207—
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE
AN ACT

To enact R.S. 33:4574.12, relative to the parishes of St. Charles, St. John the Baptist, and St. James; to create the River Parishes Convention, Tourist, and Visitors District comprising such parishes; to create and provide for the appointment, powers, and duties of a commission to govern the district; to authorize the commission to levy and collect a hotel/motel occupancy tax to fund the activities of the commission; to provide relative to borrowing by the commission and budgetary matters; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

March 29, 2000

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE ILES
A CONCURRENT RESOLUTION

To commend and congratulate Eldridge L. Morris, former distinguished member of the House of Representatives of the Legislature of Louisiana, upon the occasion of his receipt of the G.O. McGuffie Public Servant Award from the Louisiana Moral and Civic Foundation and the celebration on April 9, 2000, of Representative Eldridge Morris Day.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Cain asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE ILES
A CONCURRENT RESOLUTION

To commend and congratulate Eldridge L. Morris, former distinguished member of the House of Representatives of the Legislature of Louisiana, upon the occasion of his receipt of the G.O. McGuffie Public Servant Award from the Louisiana Moral and Civic Foundation and the celebration on April 9, 2000, of Representative Eldridge Morris Day.

The resolution was read by title. Senator Cain moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	McPherson
Barham	Fontenot	Michot
Bean	Gautreaux	Mount
Boissiere	Hines	Robichaux
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Jones, C	Theunissen
Dardenne	Lambert	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Fields, C	Marionneaux	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Johnson	Tarver
Heitmeier	Jones, B	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator Schedler, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the division of administration, when leasing or selling any state-owned properties used for inpatient care for persons with serious mental illness, including children and adolescents with serious emotional disturbances, to do so at fair market value and to place the proceeds of all such transactions in a state mental health trust fund to be dedicated in part to assure the availability and provision of community-based mental health services to such persons.

Reported with amendments.

HOUSE BILL NO. 56—
BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND SENATORS SCHEDLER AND DARDENNE
AN ACT

To amend and reenact R.S. 28:772(A), relative to funding for regional addictive disorder services; to change the method of allocating such funding; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 62—
BY REPRESENTATIVES STRAIN, BRUCE, FRITH, AND POWELL
AN ACT

To amend and reenact R.S. 46:286.1(C)(2) and (G) and to enact R.S. 46:286.1(C)(3), relative to the Kinship Foster Care Program; to eliminate the three-year limitation on eligibility for foster care payments made to kinship foster parents; to allow kinship foster parents to receive payment for the full foster care rate available to other foster parents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 67—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND MCMAINS AND SENATORS SCHEDLER, DARDENNE, AND HAINKEL
AN ACT

To amend and reenact R.S. 9:226(A), R.S. 17:167(A), 222(B)(1), and 236.1(B), R.S. 18:101(E)(1)(c), 105(A), and 114(F)(3), and R.S. 23:184(2)(a) and 992.2(1), relative to the use of birth records; to provide for the use of short-form birth certification cards as proof of the recorded facts of birth; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80—
BY REPRESENTATIVES MURRAY, DEWITT, MCMAINS, AND SCHWEGMANN AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 46:2633(B)(1) and (D)(1) and 2635(A) and to enact R.S. 46:2635(E), relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for expenditures for administrative costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 82—
BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 46:450.1(A), (C)(1) and (2), and (D)(2) and to repeal R.S. 46:450.1(E), (F), (G), and (H), relative to the electronic distribution of public assistance benefits and services; to delete provisions allowing for payment of transaction fees and other costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 153—
BY REPRESENTATIVES CLARKSON, DURAND, GLOVER, ILES, PERKINS, SCHWEGMANN, STRAIN, AND WILKERSON
AN ACT

To enact R.S. 40:1299.90.2, relative to the Breast Cancer Control Program; to provide breast cancer detection and prevention services and education; to provide for mammography examinations; to provide for breast cancer control agents; to provide for funding of the program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 181—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:32 and 34(B)(1)(i), (j), (k), (l), (m), (n), (o) (p), (q), and (r) and to enact R.S. 40:34(B)(1)(a)(viii), (h)(v), and (s), relative to birth certificates; to define biological parents; to require that the married couple proven by DNA testing to be the biological parents of a child shall be listed as the mother and father on the birth certificate; and to provide for related matters.

Reported favorably.

March 29, 2000

HOUSE BILL NO. 200—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 37:1281, relative to fees assessed by the Louisiana State Board of Medical Examiners; to require the board to charge and collect certain fees to cover programs administered by the board; to provide for the amount of such fees; to provide for the collection of such fees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TOM SCHEDLER
Chairman

**REPORT OF COMMITTEE ON
RETIREMENT**

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize congress to repeal the two federal Social Security provisions known as the Government Pension Offset and the Windfall Elimination Provision, and thereby prevent the reduction of Social Security benefits received by beneficiaries who also receive "uncovered" government retirement benefits earned through work for a state or local government employer.

Reported favorably.

HOUSE BILL NO. 20—
BY REPRESENTATIVES SCHNEIDER, FLAVIN, JOHNS, AND STELLY
AN ACT

To amend and reenact R.S. 11:102(B)(2)(b)(ii) and to enact R.S. 11:102(B)(2)(b)(iii), relative to all state public retirement systems; to provide with respect to the Employer Credit Account; to further provide with respect to the payment therefrom of employer contributions and the balance of previously accumulated excess employer contributions applicable to the Louisiana School Employees' Retirement System; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 35 (Duplicate of Senate Bill No. 76)—
BY REPRESENTATIVE BRUNEAU AND SENATOR BOISSIERE AND
COAUTHORED BY SENATOR LENTINI
AN ACT

To enact R.S. 11:558.2, relative to the Louisiana State Employees' Retirement System; to provide with respect to the method used to calculate retirement benefits of certain district court judges; to provide for retroactive application; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVES HILL AND FRITH
AN ACT

To amend and reenact R.S. 11:780(C), relative to the Teachers' Retirement System; to provide with respect to benefits; to further provide with respect to earnings of disability beneficiaries engaged in a gainful occupation; to provide an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LAMBERT BOISSIERE, JR.
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

HOUSE BILL NO. 88—
BY REPRESENTATIVES PIERRE, JACK SMITH, DEWITT, AND MCMAINS
AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 49:214.30(G) and to enact R.S. 49:214.23(13), relative to coastal use permits; to define residential coastal use; to authorize the imposition of certain fees; to provide for application fees for nonresidential coastal uses and evaluation fees for proposed excavation or filling in the coastal zone; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 99—
BY REPRESENTATIVE WRIGHT
AN ACT

To authorize and provide for the transfer or lease of certain state property in Grant Parish to the Grant Parish Police Jury from the Department of Health and Hospitals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 149—
BY REPRESENTATIVES ODINET, DEWITT, AND MCMAINS AND
SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 56:303.4, 303.7, 306.5, 306.6, 307.7, and 309.3, to enact R.S. 56:306.7, and to repeal R.S. 56:345, relative to commercial fishing reporting and recordkeeping requirements by wholesale/retail seafood dealers, retail seafood dealers, restaurants, retail grocers, soft shell crab sheddors, commercial fisherman, and fresh product licensees; to provide for the Commercial Fisherman's Sales Card and required information; to provide for the commercial receipt form and required information; to provide procedures for the sale or transfer of fish; to provide for records maintained when acquiring or selling fish; to provide for records of wholesale/retail seafood dealers; to provide for the maintenance and availability of records; to provide for the use and confidentiality of information; to provide for the transmission of information to the Department of Wildlife and Fisheries; to provide for the presumption of unrecorded transactions; to provide for definitions; to provide for marking fish shipments and bills of

lading with required information; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

March 28, 2000

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 98—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 13:2576(H)(2)(j), relative to administrative adjudication of public health, housing, fire code, environmental, and historic district violations; to provide for collection of civil fines assessed for such violations against immovable property in certain municipalities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 103—

BY SENATORS IRONS AND HAINKEL AND REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 33:9091(F)(2), relative to the parcel fee levied by the Lakeview Crime Prevention District; to provide relative to the levy of the fee on condominiums; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOE
Chairwoman

REPORT OF COMMITTEE ON

EDUCATION

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVES GARY SMITH AND DOWNER
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to devise and implement a program to grant high school diplomas to qualifying World War II veterans.

Reported favorably.

HOUSE BILL NO. 28—
BY REPRESENTATIVES DEWITT AND SALTER
AN ACT

To amend and reenact R.S. 17:348(B), relative to special education services at the Louisiana Special Education Center and the Cerebral Palsy Center; to authorize continuing such services until age thirty-two for certain persons with severe physically handicapping conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 47—
BY REPRESENTATIVES TOWNSEND, CRANE, AND DEWITT AND SENATORS THEUNISSEN, SMITH, AND HAINKEL
AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o), relative to certain fees for students attending the Louisiana School for Math, Science, and the Arts; to authorize the board of directors of the school to increase certain fees and to impose a new fee for students attending the school; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 121 (Duplicate of Senate Bill No. 35)—
BY REPRESENTATIVE DEWITT AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 17:3361(A)(5), relative to the authority of institutions or agencies of higher education to lease or acquire property; to authorize higher education management boards to lease a portion of university grounds, campus, or other immovable property to private for-profit entities under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 159—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 17:3048.1(S)(3), to provide Tuition Opportunity Program for Students eligibility for certain otherwise qualified students who graduated from high school during the 1998-1999 school year and who obtained a qualifying score on the American College Test after graduating but prior to July 1, 1999; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

Senator Theunissen asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 98—
BY SENATOR JOHNSON
AN ACT

To amend and reenact R.S. 13:2576(H)(2)(j), relative to administrative adjudication of public health, housing, fire code, environmental, and historic district violations; to provide for collection of civil fines assessed for such violations against immovable property in certain municipalities; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

March 29, 2000

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 98 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 14, after "taxes" delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 15, delete "and paving or other local assessments"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 103—

BY SENATORS IRONS AND HAINKEL AND REPRESENTATIVE BRUNEAU AN ACT

To amend and reenact R.S. 33:9091(F)(2), relative to the parcel fee levied by the Lakeview Crime Prevention District; to provide relative to the levy of the fee on condominiums; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 103 by Senator Irons

AMENDMENT NO. 1

On page 2, line 8, after "fee." delete the remainder of the line and insert in lieu thereof : "Except that with respect to condominiums the condominium association of unit owners shall be responsible for payment of the fee."

AMENDMENT NO. 2

On page 2, delete lines 9 thru 11 in their entirety

AMENDMENT NO. 3

On page 2, at the end of line 14, change "1999" to "2000"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Theunissen asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 20—

BY SENATORS HAINKEL, DARDENNE AND CAIN AND REPRESENTATIVES DUPRE, DEWITT AND MCMAINS AN ACT

To enact R.S. 32:300, relative to motor vehicles; to prohibit the possession of open alcoholic beverage containers in motor vehicles; to prohibit the consumption of alcoholic beverages in the passenger area of motor vehicles; to provide for definitions; to provide for penalties; to provide for exceptions; to provide relative to enforcement; and to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 28—

BY REPRESENTATIVES DEWITT AND SALTER AN ACT

To amend and reenact R.S. 17:348(B), relative to special education services at the Louisiana Special Education Center and the Cerebral Palsy Center; to authorize continuing such services until age thirty-two for certain persons with severe physically handicapping conditions; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 35 (Duplicate of Senate Bill No. 76)—

BY REPRESENTATIVE BRUNEAU AND SENATOR BOISSIERE AND COAUTHORED BY SENATOR LENTINI AN ACT

To enact R.S. 11:558.2, relative to the Louisiana State Employees' Retirement System; to provide with respect to the method used to calculate retirement benefits of certain district court judges; to provide for retroactive application; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 35 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 5, between "which" and "was" insert "a member"

AMENDMENT NO. 2

On page 2, line 6, delete "in whole or in part"

AMENDMENT NO. 3

On page 2, line 9, between "submitted" and "before" insert "by a member"

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 39—

BY REPRESENTATIVES HILL AND FRITH AN ACT

To amend and reenact R.S. 11:780(C), relative to the Teachers' Retirement System; to provide with respect to benefits; to further provide with respect to earnings of disability beneficiaries engaged in a gainful occupation; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 39 by Representative Hill

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:" change "780(C)" to "221(A), 542(C)(4), 780(C), and 883.1(C)(4)," and after "relative to" insert "the Municipal Police Employees Retirement System, the Louisiana State Employees' Retirement System, and"

AMENDMENT NO. 2

On page 1, line 3, after "benefits;" and before "to further provide" insert the following:

"to provide with respect to the payment of cost-of-living adjustments and the criteria used for determining eligibility therefor; to provide for retroactive application;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S." and before "hereby" delete "11:780(C) is" and insert in lieu thereof "11:542(C)(4), 780(C), and 883.1(C)(4) are"

AMENDMENT NO. 4

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

"§221. Authority of retirement boards to modify benefits; earnings statements

A.(1) Should the board of trustees of a state or statewide retirement system determine that a disability beneficiary is engaged in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the board of trustees concur in such report then the amount of his pension shall be reduced to an amount, which, together with his annuity and the amount earnable by him, shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension shall be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted nor an amount, which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, any member of the Municipal Police Employees Retirement System who was a full-time police officer, who is a disability beneficiary, and whose disability was caused while the police officer was in the line of duty shall not have his benefit be reduced as a result of any earned income attributable to gainful employment. Such earned income shall not be considered or included in any calculation otherwise required by Paragraph (1) of this Subsection.

* * *

§542. Employee Experience Account

* * *

C. * * *

(4)(a) ~~In~~ Except as provided in Subparagraph (c) of this Paragraph, in order to be eligible for the cost-of-living increase, a retiree;

(i) ~~shall have attained at least age fifty-five and shall~~ Shall have received a benefit for at least one year; and

(ii) Shall have attained at least age fifty-five.

(b) ~~A~~ Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary will be eligible for the cost-of-living increase; (i) ~~if~~ If benefits had been paid to the retiree or the beneficiary, or both combined, for at least one year; ~~but in and~~

(ii) In no event before the retiree would have attained age fifty-five.

(c)(i) The provisions of Items (a)(ii) and (b)(ii) of this Paragraph shall not apply to any person who receives disability benefits from this system, or who receives benefits based on the death of a disability retiree of this system.

(ii) The provisions of this Subparagraph shall be effective July 1, 1999, and shall be applied prospectively and shall also be applied retroactively to that date.

(iii) Any person covered by Item (c)(i) of this Subparagraph between July 1, 1999 and June 30, 2000, inclusive, who, due to the application of Items (a)(ii) or (b)(ii)

of this Paragraph, did not receive any cost-of-living increase that was granted to retirees who had attained age fifty-five, shall receive all such increases granted during that period, without regard to age and shall have his benefits adjusted accordingly.

* * *

AMENDMENT NO. 5

On page 2, line 18, after "system to" delete the remainder of the line and insert "implement the provisions of this Paragraph."

AMENDMENT NO. 6

On page 2, between lines 19 and 20, insert the following:

"§883.1. Employee experience account

* * *

C. * * *

(4)(a) ~~In~~ Except as provided in Subparagraph (c) of this Paragraph, in order to be eligible for the cost-of-living increase, a retiree;

(i) ~~shall have attained at least age fifty-five and shall~~ Shall have received a benefit for at least one year; and

(ii) Shall have attained at least age fifty-five.

(b) ~~A~~ Except as provided in Subparagraph (c) of this Paragraph, a nonretiree beneficiary will be eligible for the cost-of-living increase; (i) ~~if~~ If benefits had been paid to the retiree or the beneficiary, or both combined, for at least one year; ~~but in and~~

(ii) In no event before the retiree would have attained age fifty-five.

(c)(i) The provisions of Items (a)(ii) and (b)(ii) of this Paragraph shall not apply to any person who receives disability benefits from this system, or who receives benefits based on the death of a disability retiree of this system.

(ii) The provisions of this Subparagraph shall be effective July 1, 1999, and shall be applied prospectively and shall also be applied retroactively to that date.

(iii) Any person covered by Item (c)(i) of this Subparagraph between July 1, 1999 and June 30, 2000, inclusive, who, due to the application of Items (a)(ii) or (b)(ii) of this Paragraph, did not receive any cost-of-living increase that was granted to retirees who had attained age fifty-five, shall receive all such increases granted during that period, without regard to age and shall have his benefits adjusted accordingly.

* * *

AMENDMENT NO. 7

On page 2, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on July 1, 2000; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2000, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Boissiere, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 47—

BY REPRESENTATIVES TOWNSEND, CRANE, AND DEWITT AND SENATORS THEUNISSEN, SMITH, AND HAINKEL

AN ACT

To amend and reenact R.S.17:1964(C)(2)(o), relative to certain fees for students attending the Louisiana School for Math, Science, and the Arts; to authorize the board of directors of the school to increase

March 29, 2000

certain fees and to impose a new fee for students attending the school; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 47 by Representative Townsend

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert "* * *

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 56—

BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND SENATORS SCHEDLER AND DARDENNE AN ACT

To amend and reenact R.S. 28:772(A), relative to funding for regional addictive disorder services; to change the method of allocating such funding; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 56 by Representative Murray, et al.

AMENDMENT NO. 1

On page 1, line 17, after "changes," delete the remainder of the line and on page 2, delete lines 1 through 3 in their entirety

On motion of Senator Schedler, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 62—

BY REPRESENTATIVES STRAIN, BRUCE, FRITH, AND POWELL AN ACT

To amend and reenact R.S. 46:286.1(C)(2) and (G) and to enact R.S. 46:286.1(C)(3), relative to the Kinship Foster Care Program; to eliminate the three-year limitation on eligibility for foster care payments made to kinship foster parents; to allow kinship foster parents to receive payment for the full foster care rate available to other foster parents; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 67—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND MCMAINS AND SENATORS SCHEDLER, DARDENNE, AND HAINKEL AN ACT

To amend and reenact R.S. 9:226(A), R.S. 17:167(A), 222(B)(1), and 236.1(B), R.S. 18:101(E)(1)(c), 105(A), and 114(F)(3), and R.S. 23:184(2)(a) and 992.2(1), relative to the use of birth records; to provide for the use of short-form birth certification cards as proof of the recorded facts of birth; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 80—

BY REPRESENTATIVES MURRAY, DEWITT, MCMAINS, AND SCHWEGMANN AND SENATORS HAINKEL AND DARDENNE AN ACT

To amend and reenact R.S. 46:2633(B)(1) and (D)(1) and 2635(A) and to enact R.S. 46:2635(E), relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for expenditures for administrative costs; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 82—

BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND SENATORS HAINKEL AND DARDENNE AN ACT

To amend and reenact R.S. 46:450.1(A), (C)(1) and (2), and (D)(2) and to repeal R.S. 46:450.1(E), (F), (G), and (H), relative to the electronic distribution of public assistance benefits and services; to delete provisions allowing for payment of transaction fees and other costs; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 88—

BY REPRESENTATIVES PIERRE, JACK SMITH, DEWITT, AND MCMAINS AND SENATORS HAINKEL AND DARDENNE AN ACT

To amend and reenact R.S. 49:214.30(G) and to enact R.S. 49:214.23(13), relative to coastal use permits; to define residential coastal use; to authorize the imposition of certain fees; to provide for application fees for nonresidential coastal uses and evaluation fees for proposed excavation or filling in the coastal zone; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 99—

BY REPRESENTATIVE WRIGHT AN ACT

To authorize and provide for the transfer or lease of certain state property in Grant Parish to the Grant Parish Police Jury from the Department of Health and Hospitals; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 121 (Duplicate of Senate Bill No. 35)—

BY REPRESENTATIVE DEWITT AND SENATOR HAINKEL AN ACT

To amend and reenact R.S. 17:3361(A)(5), relative to the authority of institutions or agencies of higher education to lease or acquire property; to authorize higher education management boards to lease a portion of university grounds, campus, or other immovable property to private for-profit entities under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 121 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 5, after "board" and before "that" change "and provided further" to "; provided"

AMENDMENT NO. 2

On page 2, at the end of line 6, after "process" and before the period "." insert "; and provided such a lease results in no additional cost to the college or university"

On motion of Senator Theunissen, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 149—

BY REPRESENTATIVES ODINET, DEWITT, AND MCMAINS AND SENATORS HAINKEL AND DARZENNE
AN ACT

To amend and reenact R.S. 56:303.4, 303.7, 306.5, 306.6, 307.7, and 309.3, to enact R.S. 56:306.7, and to repeal R.S. 56:345, relative to commercial fishing reporting and recordkeeping requirements by wholesale/retail seafood dealers, retail seafood dealers, restaurants, retail grocers, soft shell crab shadders, commercial fisherman, and fresh product licensees; to provide for the Commercial Fisherman's Sales Card and required information; to provide for the commercial receipt form and required information; to provide procedures for the sale or transfer of fish; to provide for records maintained when acquiring or selling fish; to provide for records of wholesale/retail seafood dealers; to provide for the maintenance and availability of records; to provide for the use and confidentiality of information; to provide for the transmission of information to the Department of Wildlife and Fisheries; to provide for the presumption of unrecorded transactions; to provide for definitions; to provide for marking fish shipments and bills of lading with required information; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 153—

BY REPRESENTATIVES CLARKSON, DURAND, GLOVER, ILES, PERKINS, SCHWEGMANN, STRAIN, AND WILKERSON
AN ACT

To enact R.S. 40:1299.90.2, relative to the Breast Cancer Control Program; to provide breast cancer detection and prevention services and education; to provide for mammography examinations; to provide for breast cancer control agents; to provide for funding of the program; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 159—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 17:3048.1(S)(3), to provide Tuition Opportunity Program for Students eligibility for certain otherwise qualified students who graduated from high school during the 1998-1999 school year and who obtained a qualifying score on the American College Test after graduating but prior to July 1, 1999; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 181—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:32 and 34(B)(1)(i), (j), (k), (l), (m), (n), (o) (p), (q), and (r) and to enact R.S. 40:34(B)(1)(a)(viii), (h)(v), and (s), relative to birth certificates; to define biological parents; to require that the married couple proven by DNA testing to be the biological parents of a child shall be listed as the mother and father on the birth certificate; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 200—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 37:1281, relative to fees assessed by the Louisiana State Board of Medical Examiners; to require the board to charge and collect certain fees to cover programs administered by the board; to provide for the amount of such fees; to provide for the collection of such fees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 200 by Representative R. Alexander

AMENDMENT NO. 1

On page 1, line 6, after "fees;" insert "to provide for exemptions;"

AMENDMENT NO. 2

On page 2, line 1, change "of" to "issued to"

AMENDMENT NO. 3

On page 2, line 2, after "an" insert "additional" and after "dollars" insert "from each physician"

AMENDMENT NO. 4

On page 2, line 9, after "of" delete the remainder of the line and delete lines 10 through 12 in their entirety and insert the following:

"application for the issuance, renewal, or restatement of any license, permit, certificate, or registration."

AMENDMENT NO. 5

On page 2, line 15, change "of" to "issued to"

AMENDMENT NO. 6

On page 2, line 16, after "additional" insert "annual" and after "dollars" insert "from each physician"

AMENDMENT NO. 7

On page 2, line 20, after "of" delete the remainder of the line and delete lines 21 through 23 and insert the following:

"application for the issuance, renewal, or reinstatement of any license, permit, certificate, or registration."

D.(1) The fees established in Subsections B and C of this Section shall not be collected from a licensed physician who has retired from active practice.

(2) The board may adopt rules and regulations to provide for certain other exemptions from payment of such fees."

AMENDMENT NO. 8

On page 2, line 25, change "July" to "August"

March 29, 2000

On motion of Senator Schedler, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 88—

BY SENATORS DARDENNE, HAINKEL AND HOLLIS AND REPRESENTATIVES DEWITT AND MCMAINS AN ACT

To amend and reenact R.S. 3:559.3(B)(4), R.S. 4: 61(A), 143(2) and (3), 144(A), 161(B), and 161.2(B), R.S. 6:101(A) and 966(J)(4)(f), R.S. 8:61(A), R.S. 9:2341(E)(4) and 3574.2(4), R.S. 11:502.2(A)(2), R.S. 12:953(8), R.S. 15:587(A)(1)(a), R.S. 17:3128.1(C), 3389(B)(4) and (8), 3396.4(A)(12) and 3932(A)(2), R.S. 23:73(E)(2), 2043(A)(3), 2051(B), and 2064(A), R.S. 24:802(B)(5), R.S. 25:900(C)(1), R.S. 27:323(B), R.S. 30:142(D)(5)(c), 2005(E), 2062(C)(5), and 2308(4), R.S. 32:772(A)(1) and the introductory paragraph of R.S. 32:1253(A), R.S. 33:130.19(I) and 4708(B)(3), R.S. 34:3405(B) and 3474(B)(1)(b), the introductory paragraph of R.S. 36:801, R.S. 36:801.1(A), the introductory paragraph of R.S. 36:802, R.S. 36:803(A), 908, and 957, R.S. 37:74(A), 142, 493(A)(1), 1361(B), 1432(A), 1474(A), 1782(1), the introductory paragraph of R.S. 37:2151(A), R.S. 37:2303(A)(1), 2551(A), 2835(A)(1), 3103(A)(6), 3111(A), 3173(A)(1), and 3394(A), R.S. 38:2216(C)(1), (D)(1) and (3), and (F), and 2233.3(C), R.S. 39:33(A)(2), 112(A)(3)(a)(i), 291(C)(5)(a)(ii), 1734, 1736, and 1953(A), R.S. 40:2745(B)(9), R.S. 43:31(B)(2) and 111(A)(8), R.S. 45:1163.2(E), the introductory paragraph of R.S. 46:231.12(A), 812(A)(3), 813.1(B)(3), the introductory paragraph of R.S. 46:1443(A), the introductory paragraph of R.S. 47:318(B)(2), R.S. 47:318(D), 1123(2), (6), and (9), 1125, 1128, 3202(A)(5) and (B), 3203, 3204(A), (C), and (G), 3205, 4302(A), 4303, 4306, 4313(A)(2), 4314(A), (B)(4) and (C), 4315(A)(1) and (B), and 4319, R.S. 48:82(B)(1)(b), 1403, the introductory paragraph of R.S. 48:2053(A)(1), R.S. 48:2055, R.S. 49:229.1(B)(1), 968(B)(1) and (21)(a), and 1053(C)(8), R.S. 51:922(1), 923(A) and (C), 924(A), 929, 930, 936.1(A), the introductory paragraph of R.S. 51:936.1(C), R.S. 51:936.1(D) and (E), 937, 938, 940, 961(A), (B)(1) and (2), 1103(3), 1142(B), 1143(1), 1146, the introductory paragraph of R.S. 51:1256(B), R.S. 51:1259(9), the introductory paragraph of R.S. 51:1318(B), R.S. 51: 1782, 1783(3), 1786(4), 1787(A)(1), the introductory paragraph of R.S. 51:1787(C), R.S. 51:1787(C)(1), and (G), 1923(3) and (7), 1924(G), 1927.1(B), 2141(C)(2), 2205(C)(3)(c), 2321(A), 2322(2), 2332(2) and (6), 2333, 2335(B), 2336(2), 2337, 2377(A), 2378(A), 2379(A)(3), 2381(A), 2382, 2383(A)(2) and (B)(3), 2388(5), 2402(A), 2452(A)(3), 2453(1)(b), (2), (3), (4), the introductory paragraph of R.S. 51:2453(9)(a), R.S. 51:2453(9)(a)(iii) and (v) and (9)(b), 2455(A), (D), (E)(2), (G), and (H), 2459, and 2461, and the title to Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, to enact R.S. 11:502.2(A)(3), R.S. 13:3238, R.S. 14:70.6, R.S. 36:4(E), (H), (I), and (V), 209(R), and 459(H), and Chapter 48 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3025 through 3043, and to repeal R.S. 12:492(E), Chapter 4-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:315 through 317, Chapter 3 of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:101 through 109, R.S. 46:231.12(A)(6) and 1443(A)(11), R.S. 48:2053(A)(1)(p), R.S. 49:191(11)(a) and 968(B)(1), R.S. 51:935, 936, Part VII of Chapter 3 of Title 51 of the Louisiana Revised Statutes of 1950, R.S. 51:981 through 984, R.S. 51:1157.1, 1157.2, 1318(B)(4), 1256(B)(1)(c), Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1361 through 1368,

Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1751 through 1766, Chapter 32 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2131 through 2134, Part II of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2311 through 2320.3, R.S. 51:2323 and 2334, and Part V of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2341 through 2345, relative to economic development; to create Louisiana, Inc. as the central source principal economic development organization of the state; to provide for the membership, powers, duties, functions, obligations, and responsibilities of Louisiana, Inc. and its board of directors; to provide for the composition of the board of directors of the corporation; to provide for the applicability or exemption of certain laws as to the corporation; to provide for legislative oversight and funding; to abolish the Department of Economic Development and transfer certain functions of the department and other agencies within the department to Louisiana, Inc.; to provide for the crime of deceptive certification of a small and emerging business; to transfer certain boards and commissions to other state departments; to provide for venue in suits against the corporation; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 26, following "459(H)," insert "R.S. 51:1256(B)(1)(c),"

AMENDMENT NO. 2

On page 3, line 8, delete "1256(B)(1)(c),"

AMENDMENT NO. 3

On page 12, line 24, following "Statutes" insert "of 1950"

AMENDMENT NO. 4

On page 12, line 26, before "Revised" insert "Louisiana"

AMENDMENT NO. 5

On page 15, line 13, before "Revised" insert "Louisiana"

AMENDMENT NO. 6

On page 15, line 27, following "to" and before "the" delete "in"

AMENDMENT NO. 7

On page 22, line 26, following "contract" change "of" to "or"

AMENDMENT NO. 8

On page 34, line 23, change "3121" to "2131"

AMENDMENT NO. 9

On page 56, line 26, following "East Baton Rouge" insert ", Nineteenth Judicial District Court"

AMENDMENT NO. 10

On page 66, between lines 4 and 5, insert asterisks "****"

AMENDMENT NO. 11

On page 76 between lines 12 and 13, insert asterisks "****"

AMENDMENT NO. 12

On page 103, line 7, change "R.S. 51:1781(C), R.S. 51:1781(C)(1)" to "R.S. 51:1787(C), R.S. 51:1787(C)(1)"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 12, change "937," to "the introductory paragraph of R.S. 51:936.2(A), 936.2(B), 937,"

AMENDMENT NO. 2

On page 8, between lines 21 and 22, insert the following:

"(c) To assist the rural areas of the state in addressing their unique economic development needs in an effort to reduce poverty and unemployment in these areas."

AMENDMENT NO. 3

On page 8, line 22, change "(c)" to "(d)"

AMENDMENT NO. 4

On page 8, line 24, change "(d)" to "(e)"

AMENDMENT NO. 5

On page 8, line 25, change "(e)" to "(f)"

AMENDMENT NO. 6

On page 8, line 27, change "(f)" to "(g)"

AMENDMENT NO. 7

On page 9, line 3, change "(g)" to "(h)"

AMENDMENT NO. 8

On page 9, line 5, change "(h)" to "(i)"

AMENDMENT NO. 9

On page 10, delete lines 22 through 26 in their entirety.

AMENDMENT NO. 10

On page 10, line 27, change "E." to "D."

AMENDMENT NO. 11

On page 11, line 21, change "or written proxies" to "of the ex-officio members to the board"

AMENDMENT NO. 12

On page 11, line 23, change "51:3031(B)(1)" to "51:3031(C)(1)"

AMENDMENT NO. 13

On page 13, line 17, after "42:4, et seq." delete the remainder of the line and delete lines 18 through 27 in their entirety and insert in lieu thereof the following:

"and shall be considered a public body for purposes of such law. However, board members are specifically authorized and are not prohibited from participating in board meetings if the member can hear or be heard at such meetings by way of a telephone, video phone, or other electronic means as provided in R.S. 51:3029."

AMENDMENT NO. 14

On page 14, line 3, after "that" delete the remainder of the line and delete lines 4 through 14 in their entirety and insert in lieu thereof the following:

"records containing proprietary or trade secret business information of a prospective project or private entity with which the corporation is dealing shall not be subject to the public records law. All records

relative to the expenditure of funds appropriated by the legislature to the corporation or the expenditure of private funds and other non-state funds received by the corporation shall be subject to the public records law."

AMENDMENT NO. 15

On page 14, line 15, change "(3)(a)" to "(3)"

AMENDMENT NO. 16

On page 14, line 17, after "employees" add a period "." and delete the remainder of the line and delete lines 18 through 27 in their entirety.

AMENDMENT NO. 17

On page 15, delete lines 1 through 10 in their entirety.

AMENDMENT NO. 18

On page 32, line 19, change "division" to "corporation"

AMENDMENT NO. 19

On page 34, delete lines 2 and 3 in their entirety.

AMENDMENT NO. 20

On page 34, line 4, change "F." to "E."

AMENDMENT NO. 21

On page 34, line 7, change "G." to "F."

AMENDMENT NO. 22

On page 34, line 10, change "H." to "G."

AMENDMENT NO. 23

On page 34, lines 10 and 11, change "the commission" to "Louisiana, Inc."

AMENDMENT NO. 24

On page 34, line 16, change "the commission" to "Louisiana, Inc."

AMENDMENT NO. 25

On page 37, line 4, change "the commission" to "and be"

AMENDMENT NO. 26

On page 37, line 8, change "commissioner" to "commission and Louisiana, Inc."

AMENDMENT NO. 27

On page 44, line 4, delete "A."

AMENDMENT NO. 28

On page 45, delete lines 4 through 11 in their entirety.

AMENDMENT NO. 29

On page 45, line 16, change "proprietary, sensitive, or confidential" to "proprietary or business trade secret"

AMENDMENT NO. 30

On page 45, line 21, change "proprietary, sensitive or confidential" to "proprietary or business trade secret"

AMENDMENT NO. 31

On page 51, line 20, change "secretary" to "commissioner"

AMENDMENT NO. 32

On page 53, line 11, change "division of administration" to "office of the governor"

AMENDMENT NO. 33

On page 53, lines 23 and 24, change "division of administration" to "office of the governor"

AMENDMENT NO. 34

March 29, 2000

On page 55, line 12, change "division of administration" to "office of the governor"

AMENDMENT NO. 35

On page 58, line 14, change "division of administration" to "office of the governor"

AMENDMENT NO. 36

On page 69, delete lines 9 and 10

AMENDMENT NO. 37

On page 69, line 11, change "(2)" to "(1)"

AMENDMENT NO. 38

On page 69, line 13, change "(3)" to "(2)"

AMENDMENT NO. 39

On page 71, line 4, between "institutions" and "hereby" delete "is" and insert the following:

"and the commissioner of securities are"

AMENDMENT NO. 40

On page 71, line 5, change "division of administration" to "office of the governor"

AMENDMENT NO. 41

On page 73, line 16, between "36:4(G)" and the comma "," insert "and (V)"

AMENDMENT NO. 42

On page 78, line 26, change "division of administration" to "office of the governor"

AMENDMENT NO. 43

On page 103, line 4, change "937," to "the introductory paragraph of R.S. 51:936.2(A), 936.2(B), 937,"

AMENDMENT NO. 44

On page 106, between lines 10 and 11, insert the following:

"§936.2. Fees

A. The secretary Board of Commerce and Industry shall charge the following fees:

* * *

B. The amount of any fee authorized by this Section may be lowered by the secretary board by rule adopted pursuant to the Administrative Procedure Act. However, the amount of any such fee shall not exceed the cost of the services provided for that fee."

AMENDMENT NO. 45

On page 112, line 11, change "division of administration" to "Department of Revenue"

AMENDMENT NO. 46

On page 112, lines 25 and 26, change "division of administration" to "Department of Revenue"

AMENDMENT NO. 47

On page 113, lines 8 and 9, change "commissioner of administration" to "chief executive of Louisiana, Inc., or its successor organization."

AMENDMENT NO. 48

On page 113, line 22, change "division of administration" to "Department of Revenue"

AMENDMENT NO. 49

On page 114, lines 1 and 2, change "commissioner of administration" to "chief executive officer of Louisiana, Inc., or its successor organization."

AMENDMENT NO. 50

On page 114, lines 20 and 21, change "commissioner of administration" to "chief executive officer of Louisiana, Inc., or its successor organization."

AMENDMENT NO. 51

On page 115, lines 17 and 18, change "division of administration" to "office of the governor"

AMENDMENT NO. 52

On page 115, delete line 21 in its entirety.

AMENDMENT NO. 53

On page 116, line 6, after "Louisiana" insert a period "." and delete the remainder of the line and delete line 7 in its entirety.

AMENDMENT NO. 54

On page 124, line 22, change "division of administration" to "office of the governor"

AMENDMENT NO. 55

On page 125, delete line 7 in its entirety and insert in lieu "the The Louisiana"

AMENDMENT NO. 56

On page 127, lines 25 and 26, change "Louisiana, Inc., or its successor organization." to "the Department of Revenue"

AMENDMENT NO. 57

On page 128, lines 14 and 15, change "Louisiana, Inc., or its successor organization." to "the Department of Revenue"

AMENDMENT NO. 58

On page 130, line 20, between "Development" and "to receive" insert the following:

"and/or the Department of Revenue"

AMENDMENT NO. 59

On page 130, lines 24 and 25, change "Louisiana, Inc., or its successor organization." to "The Department of Revenue"

AMENDMENT NO. 60

On page 133, line 15, change "36" to "31"

AMENDMENT NO. 61

On page 133, between lines 16 and 17, insert the following:

"Section 39. The provisions of Sections 32 through 36 of this Act shall take effect on January 1, 2001."

AMENDMENT NO. 62

On page 133, line 17, change "Section 39." to "Section 40." and between "38," and "and this" insert "39,"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 28, between lines 24 and 25 insert the following:

"C. No loan, loan guarantee, or other obligation of the corporation shall be an obligation of the state or any political subdivision or agency of the state."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed Senate Bill No. 88 by Senators Dardenne and Hainkel

AMENDMENT NO. 1

On page 39, between lines 11 and 12, insert the following

"§3035.4 Accountability

R.S. 51:3035.4 is all proposed new law.

A. Louisiana, Inc. shall develop a written statement articulating public policy objectives for entities seeking or receiving financial assistance from the corporation or from any program administered by the corporation and a copy of these policy objectives shall be forwarded, at the time the initial request for assistance is made, to each business or entity seeking financial assistance from the corporation or through any program administered by the corporation.

B. The public policy objectives required in Subsection A of this Section may include, but shall not be limited to:

- (1) Retaining existing businesses in the state.
- (2) Expanding the level of economic activity by existing businesses in the state.
- (3) Expanding employment opportunities with existing businesses in the state.
- (4) Attracting new jobs to the state.
- (5) Providing jobs for underemployed persons, laid-off workers and public assistance recipients.
- (6) Increasing, enhancing and updating the capacity of businesses in the state.
- (7) Increasing, enhancing and updating employee skills and employee training in the state.
- (8) Increasing state and municipal tax revenues from increased economic activity and increased employment.
- (9) Providing other benefits to the state, local community, citizens and employers.

C. Each business or other entity seeking assistance from Louisiana, Inc. or which participates in a program administered by Louisiana, Inc. shall, prior to any decision by Louisiana, Inc. regarding such assistance or participation, submit the following information:

(1) A statement explaining how the assistance will be used to further the public policy objectives articulated by Louisiana, Inc., including but not limited to, the number of jobs to be retained, the number of jobs to be created and the wage and benefit levels of such jobs. This statement shall not be construed to be a contractual or otherwise binding obligation on the entity seeking such assistance, provided nothing in this Section shall prohibit Louisiana, Inc. from imposing any lawful conditions on the award of such assistance.

(2) If the business or entity seeking assistance from the corporation is to be located in a municipality or if participation in a program administered by the corporation will occur within a municipality, then a statement regarding the municipality indicating the following:

(a) Whether the business or entity has consulted the municipality concerning its request for financial assistance and the public policy objectives which the request is intended to serve and, if not, the reasons why and whether the business intends to consult the municipality.

(b) Whether the municipality supports the entity's request for assistance or participation.

(c) Whether the municipality has made any commitment to the business or entity and, if so, the nature of the commitments and a description of the manner in which the commitments relate to the business or entity's plan for using such assistance to further the public policy objectives of the corporation.

(d) Whether the entity or business has made any commitment to a municipality which relate to the request to Louisiana, and, if so, a description of the relationship between the assistance sought and such commitments.

(3) If there are employee representatives of the business and:

(a) The business has not consulted with such employee representatives concerning the request for financial assistance and the public policy objectives which the request is intended to serve, a statement to that effect that also indicates the following:

(i) The reasons for not consulting with the employee representatives.

(ii) Whether the business intends to consult the employee representatives.

(b) The business has consulted with the employee representatives of the business concerning the request and such objectives, a statement prepared jointly by the business and the employee representatives or separate statements by the business and the employee representatives, indicating the following:

(i) Whether the employee representatives support the application.

(ii) Whether the employee representatives have made any commitments to the business and, if so, the nature of such commitments and a description of the manner in which the commitments relate to the business's plan for using the assistance received from Louisiana, Inc. to further the public policy objectives articulated by Louisiana, Inc.

(iii) Whether the entity or business has made any commitment to the employee representatives relative to the request to Louisiana, Inc. and, if so, a description of the relationship between the assistance sought and these commitments.

(iv) Whether the entity or business has developed a plan for on-going cooperation between itself and its employees through a labor-management committee or any other mechanism, for the purpose of promoting the public policy objectives of Louisiana, Inc.

(4) If there is no employee representative of an entity or business seeking assistance from Louisiana, Inc. or seeking to participate in a program administered by Louisiana, Inc. then such entity or business and its employees may submit either a joint statement or separate statements to Louisiana, Inc. awarding authority, containing the information described in Subsection (C)(3)(b) of this Section with regard to employees of the business.

D. Notwithstanding any other provision in this Chapter to the contrary, Louisiana, Inc. shall consider the following criteria when evaluating any request for assistance:

(1) The extent to which the request addresses the stated public policy objectives of Louisiana, Inc.

(2) The probability of achieving the projected benefits to the state, local community and employees.

(3) The extent of participation by the local community and employees of the entity or business in planning and development of the project for which assistance is sought from Louisiana, Inc.

E.(1) Upon approval of any request for assistance to an entity or business and as a condition of receiving or participating in such assistance or program, Louisiana, Inc. and the entity or business shall sign a statement containing the following information:

(a) Identifying the public policy objectives of Louisiana, Inc. to be addressed by the project and the extent to which the project will further these objectives, including but not limited to, the number of jobs to be retained, the number of jobs to be created, and the wage and benefit levels of such jobs.

(b) A recitation that the entity or business fully understands and agrees that assistance is being given or participation in a

March 29, 2000

program allowed with the expectation that such will be utilized to produce the benefits articulated in the policy objectives.

(2) The statement required under this Subsection shall not be a contractually binding obligation on the entity or business, but Louisiana, Inc. may, in a separate document, require such additional contractual obligations as it deems appropriate to implement its public policy objectives. Louisiana, Inc. shall provide a copy of any statement executed under this Subsection to the mayor of any municipality in which the project is or will locate and to the employee representative of the entity or business.

F. Each entity or business receiving assistance from Louisiana, Inc. or participating in any program administered by Louisiana, Inc. shall file an annual report to Louisiana, Inc. as to the status of implementing the public policy objectives articulated pursuant to Subsection E of this Section. A copy of this report shall be made available to the mayor of the municipality in which the project is or will be located and to the employee representative of such entity or business, upon their request.

G. The mayor of each municipality in which a Louisiana, Inc. economic development project is located and the employee representative of the entity or business involved in such project shall receive a report prepared by Louisiana, Inc. on each such project which shall include the name of any recipient of any financial assistance, the type and amount of financial assistance awarded, and the economic impact of each project for which financial assistance was awarded. Each report shall include an indication that the information contained therein is being submitted to the Senate Committee on Commerce and Consumer Protection, the House Committee on Commerce, the Senate Committee on Finance and the House Committee on Appropriations and that comments, including those on employee and community participation in implementing the project, may be submitted to such committees.

H.(1) Each contract between Louisiana, Inc. and the recipient of any financial assistance from the corporation shall contain provisions requiring that such funds received by the recipient to use only for economic development purposes approved by Louisiana, Inc. and shall establish damages or other remedies, which may include liquidated damages, to be imposed if the recipient violates such requirements.

(2) Upon any breach of contract by the recipient as to the use of such financial assistance, Louisiana, Inc. shall seek damages or other remedies provided by law and, notwithstanding any provision of law to the contrary, no additional financial assistance shall be advanced to the recipient body until contract issue is resolved.

I. Louisiana, Inc. shall maintain a list of all requests for economic development assistance pending before the corporation. This list shall list the municipalities affected and shall show the name of each business requesting assistance, a brief statement of the purpose of the application, and a means for members of the public to obtain additional information concerning the request. Information contained in this list shall be made available, on request, to members of the public, subject to the provisions of Subsection J of this Section regarding confidentiality.

J. (1) No entity seeking economic development financial assistance shall be required to disclose confidential or proprietary information or trade secrets to a municipality, the employees of the business or any other person, except to the extent required by Louisiana, Inc. as a condition of receipt of such assistance.

(2) Nothing in this Section shall require Louisiana, Inc. to disclose confidential or proprietary information or trade secrets of an entity or business seeking assistance from Louisiana, Inc.

(3) Neither an entity or business nor Louisiana, Inc. shall be required to disclose the existence of a request for financial assistance if the existence of such a request is itself confidential, proprietary information or a trade secret."

Senator Robichaux moved adoption of the amendments.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Bean	Gautreaux	McPherson
Campbell	Hines	Robichaux
Cravins	Irons	Romero
Fields, C	Jones, C	
Total—14		

NAYS

Mr. President	Fontenot	Michot
Barham	Heitmeier	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Lambert	Ullo
Ellington	Lentini	
Total—23		

ABSENT

Marionneaux	Tarver
Total—2	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 6, change "3202(A)(5)" to "3202(A)"

AMENDMENT NO. 2

On page 2, line 7, change "(C), and (G)," to "(B)(1), (C), (D), and (G)"

AMENDMENT NO. 3

On page 2, line 7, change "4302(A)," to "4302(A), (B), and (C),"

AMENDMENT NO. 4

On page 2, line 7, between "4303," and "4306," insert "4305(A),"

AMENDMENT NO. 5

On page 2, line 22, after "(9)(b)" delete the remainder of the line and insert the following:

"2454, 2455, 2457, 2458,"

AMENDMENT NO. 6

On page 2, line 23, before "and 2461," delete "(E)(2), (G), and (H), 2459," and insert "2459, 2460,"

AMENDMENT NO. 7

On page 2, line 26, between "459(H)," and "and Chapter 48" insert the following:

"R.S. 47:1711, 3204.1, and 4305.1, R.S. 51:2462,"

AMENDMENT NO. 8

On page 3, line 27, between "business;" and "to transfer" insert the following:

"to provide for certain provisions in contracts executed by the Board of Commerce and Industry for economic development;"

AMENDMENT NO. 9

On page 89, line 10, change "3202(A)(5)" to "3202(A)"

AMENDMENT NO. 10

On page 89, line 11, between "(C), and (G)," to "(B)(1), (C), (D), and (G)"

AMENDMENT NO. 11

On page 89, line 11, change "4302(A)," to "4302(A), (B), and (C),"

AMENDMENT NO. 12

On page 89, line 11, between "4303," and "4306," insert "4305(A),"

AMENDMENT NO. 13

On page 89, line 13, between "reenacted" and "to read" insert the following:

"and R.S. 47:1711, 3204.1, and 4305.1 are hereby enacted to read as follows:

AMENDMENT NO. 14

On page 92, between lines 3 and 4, insert the following:

"§1711. Regulation of tax exemption contracts for manufacturing establishments

R.S. 47:1711 is all proposed new law.

A. It is the intention of the legislature in this law to utilize its police and regulatory authority to monitor the granting of and compliance with contracts of tax exemption provided for in Article VII, Section(21)(F) of the Constitution of Louisiana by the board of commerce and industry, upon approval of the governor with new manufacturing establishments and additions to existing manufacturing establishments.

B.(1) Insofar as the grant of the exemptions to such manufacturing establishments has been made by the board because the applicants for such contracts have made assertions to the board regarding the creation of, or increase in, the number of permanent jobs of the business in the state as a result of the establishment, and at a salary range, such assertions should be carefully reviewed so that any failure to achieve the number and kinds of jobs asserted may be reported to the board and the governor as a failure in consideration or inducements offered to the board for such contract.

(2)(a) Therefore, such creation, increase, and salary range shall be evidenced by valid employment information submitted by the business to the Departments of Revenue and Labor on the due date of the Louisiana income tax each year (exclusive of extensions). Both the departments shall cooperate in a program to review and audit the employment information submitted and the employment files and information of the business owning the establishment at least once every three years and verify the correctness of the information. The audit shall include an audit of employment information for years prior to the term of the contract.

(b) The departments shall provide written notification of any failure to achieve the job creation, job increase, and salary ranges as asserted by the business owning the establishments to the board.

(c) Notwithstanding any other provision of law to the contrary, the employment information referred to in this Section shall not be considered confidential for this purpose.

C. Upon receipt of any notice of any deficiency the board shall hold a public hearing as soon as possible with the departments and the owner of the establishment in attendance. If the evidence at the hearing shows that the establishment has materially failed to achieve the job creation, job increase, and salary ranges as asserted by the business owning the establishments, the board shall find that the consideration for such contracts and the inducements offered for such contracts are invalid and that the contract shall be terminated.

* * *

AMENDMENT NO. 15

On page 92, delete lines 10 through 14 in their entirety and insert in lieu thereof the following:

"(1) The new manufacturing establishment, new headquarters, or new warehousing and distribution establishment at the time it is locating in Louisiana, must either be located in another state ~~or be contemplating locating in another state~~ which has equivalent or comparable advantages as exist at the particular area in Louisiana at which such establishment is locating.

(2) The state in which the establishment is located ~~or is contemplating locating~~ must have a total state, parish (county) and local tax structure which offers a greater tax advantage to such establishment than does the taxing structure of Louisiana.

(3) In the case of a new headquarters, or a new manufacturing establishment or new warehousing and distribution establishment, the applicant for tax equalization may be any form of business entity. For purposes of this Chapter, "business entity" shall mean any individual, firm, joint venture, association, corporation, estate, partnership, business trust, receiver, syndicate, or any other legal business entity.

~~(4) The sites under consideration must be valid and viable for the proposed operations.~~

~~(5)(4) The secretary of the Department of Economic Development Revenue~~ must have made a recommendation to the governor to extend an invitation to apply for tax equalization.

~~(6)(5) An invitation from the governor to apply must have been received by the business entity.~~

* * *

AMENDMENT NO. 16

On page 92, line 15, between "B." and "Each" insert "(1)"

AMENDMENT NO. 17

On page 92, between lines 18 and 19, insert the following:

"R.S. 47:3202(B)(2) is all proposed new law.

(2)(a)The applicant shall present to the secretary of the Department of Revenue all of the tax returns and other tax records for its three tax years most recent to the date of application. In addition the applicant shall sign a waiver of confidentiality, authorizing the secretary of the Department of Revenue to have access to any of the state and local tax records of the applicant, as well as any federal tax data necessary for the department to do the estimate required by this Paragraph.

(b) Using the data provided for in this Paragraph, the secretary, in cooperation with the Louisiana Tax Commission and such other agencies as the secretary deems necessary, shall make an estimate of the state and local tax burden of the applicant in the state where it is located."

AMENDMENT NO. 18

On page 92, line 22, between "A." and "Applications" insert "(1)"

AMENDMENT NO. 19

On page 93, delete lines 1 through 4 and insert in lieu thereof the following:

"Industry the appropriate action to be taken.

(2) The Department of Revenue shall ~~aid the Department of Economic Development in determining~~ **determine** whether the tax information furnished by the applicant is true and correct **and provide to the Board of Commerce and Industry, after a review of the information submitted and an on-sight audit of the applicant's books and records, a written certification that the state in which the establishment is located is estimated to have a total state, parish (county) and local tax structure which offers a greater tax advantage to such establishment**

March 29, 2000

than does the taxing structure of Louisiana, and the amount of such advantage. In the alternative, the department may certify that it is unable to make an estimate and shall provide the reason for its inability."

AMENDMENT NO. 20

On page 93, line 25, between "satisfied" and the comma "," insert the following:

"and upon approval of the Joint Legislative Committee on the Budget,"

AMENDMENT NO. 21

On page 94, line 6, between "Revenue" and "deems" insert the following:

"and with the approval of the committee"

AMENDMENT NO. 22

On page 94, between lines 6 and 7, insert the following:

"B.(1) Each contract of exemption entered into under authority of this Chapter shall be reviewed and reevaluated, and shall be subject to renegotiation, five years from the date of the execution of the contract and may be renewed for an additional five-year period in the same manner as provided for the initial contract, provided that the total number of years of exemption shall not exceed ten years."

AMENDMENT NO. 23

On page 94, between lines 11 and 12, insert the following:

"D.**(1)(a)** A violation of any of the terms and conditions of the contract under which exemptions are granted is grounds for termination of the contract. If the Board of Commerce and Industry determines that a violation of the terms and conditions of the contract under which exemptions are granted has occurred, it shall notify the business entity of the determination. If the violation is not corrected within ninety days, the Board of Commerce and Industry shall hold a hearing to determine whether the contract of exemption should be terminated.

(b) If the contract is terminated, all amounts exempted under the contract shall become due and payable, with interest from such due date, ninety days from the date of such notice.

R.S. 47:3204(D)(2) is all proposed new law.

(2) The following shall be included as a condition of the contracts granted in this Chapter and the contract shall be terminated and the establishment, or any successor or affiliate of such establishment, shall not be eligible for any other contract for a period of ten years from the date of the violation:

(a) Conviction or the plea of nolle contendere to the willful or knowing violation of an environmental law, regulation, permit, or license during the term of the contract resulting in any of the following:

- (i) The discharge, emission, or disposal of a hazardous substance that endangers or could endanger human life or health.
- (ii) Irreparable damage to the environment.

(b) Closure of any establishment in the state owned by the business which has the contract during the existence of the contract.

AMENDMENT NO. 24

On page 94, line 15, after "state" delete the remainder of the line and delete lines 16 through 18 and insert in lieu thereof the following:

"as indicated in the certification provided to the board by the Department of Revenue pursuant to R.S. 47:3202(A)(2). The Department of Economic Development may make and promulgate such rules and regulations necessary to determine the annual equalization amount."

AMENDMENT NO. 25

On page 94, between lines 19 and 20, insert the following:

"§3204.1. Exempt tax to be refunded

R.S. 47:3204.1 is all proposed new law.

A. The tax exemption benefit in the contracts provided for in this Chapter shall be granted to the establishments in the manner provided for in this Section.

B. Each establishment with a contract as provided for in this Chapter shall pay all taxes of the state of Louisiana. At the end of the establishment's income tax year, the establishment shall file a claim for refund with the Department of Revenue for taxes exempted pursuant to the contract, with supporting documentation as required by the department. The department shall make the refund in the manner and according to the procedure provided for in this Title.

C. All amounts refunded pursuant to the provisions of this Section shall be included in the executive budget and as a line item in the annual general appropriations bill."

AMENDMENT NO. 26

On page 95, between lines 9 and 10, insert the following:

"B. Each contract of exemption entered into under authority of this Chapter may be renewed in the same manner as provided for the initial contract for periods of up to five years, provided that the total number of years of exemption shall not exceed ten years.

C. **(a)** Upon violation of any of the terms and conditions of the contract under which exemptions are granted, the Board of Commerce and Industry, with approval of the governor, shall give notice thereof in writing, and unless the violation is corrected within ninety days, any remaining portion of the exemption from taxation granted under any contract entered into under this Chapter may be terminated.

(b) If the contract is terminated, all amounts exempted under the contract shall become due and payable, with interest from such due date, ninety days from the date of such notice.

AMENDMENT NO. 27

On page 96, between lines 12 and 13, insert the following:

"§4305. Granting of contract

A. **(1)** Whenever the governor and the Legislative Budget Committee finds that a manufacturing establishment satisfies the requirements of this Chapter, they shall advise the Board of Commerce and Industry that it may enter into a contract with such establishment exempting it from taxation as provided in this Section.

R.S. 47:4305(A)(2) is all proposed new law.

(2) The following shall be included as a condition of the contracts granted in this Chapter and the contract shall be terminated and the establishment, or any successor or affiliate of such establishment, shall not be eligible for any other contract for a period of ten years from the date of the violation:

(a) Conviction or the plea of nolle contendere to the willful or knowing violation of an environmental law, regulation, permit, or license during the term of the contract resulting in any of the following:

- (i) The discharge, emission, or disposal of a hazardous substance that endangers or could endanger human life or health.
- (ii) Irreparable damage to the environment.

(b) Closure of any establishment in the state owned by the business which has the contract during the existence of the contract.

* * *
§4305.1. Exempt tax to be refunded

R.S. 47:4305.1 is all proposed new law.

A. The tax exemption benefit in the contracts provided for in this Chapter shall be granted to the establishments in the manner provided for in this Section.

B. Each establishment with a contract as provided for in this Chapter shall pay all taxes of the state of Louisiana. At the end of the establishment's income tax year, the establishment shall file a claim for refund with the Department of Revenue for taxes exempted pursuant to the contract, with supporting documentation as required by the department. The department shall make the refund in the manner and according to the procedure provided for in this Title.

C. All amounts refunded pursuant to the provisions of this Section shall be included in the executive budget and as a line item in the annual general appropriations bill."

AMENDMENT NO. 28

On page 103, line 12, after "(9)(b)," delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof the following:

"2454, 2455, 2457, 2458, 2459, 2460, and 2461 are hereby amended and reenacted and R.S. 51:2462 and R.S."

AMENDMENT NO. 29

On page 127, between lines 18 and 19, insert the following:

"§2454. Incentive approval

A. The Board of Commerce and Industry or its successor, after consultation with the secretaries of the Department of Labor and the Department of Revenue, with the approval of the governor **and the joint legislative committee on the budget**, may enter into a contract with an establishment complying with the provisions of this Chapter for a period of up to five years. The contract may be renewed for an additional five years **in the same manner as is provided for the initial contract.**

R.S. 51:2454(B) is all proposed new law.

B.(1) The following shall be included as a condition of the contracts granted in this Chapter and the contract shall be terminated and the establishment, or any successor or affiliate of such establishment, shall not be eligible for any other contract for a period of ten years from the date of the violation:

(a) Conviction or the plea of nolle contendere to the willful or knowing violation of an environmental law, regulation, permit, or license during the term of the contract resulting in any of the following:

(i) The discharge, emission, or disposal of a hazardous substance that endangers or could endanger human life or health.

(ii) Irreparable damage to the environment.

(b) Closure of any establishment in the state owned by the business which has the contract during the existence of the contract.

(c) A finding by the Department of Labor that the recipient of a contract pursuant to this Chapter does not meet the qualifications provided for in this Chapter and is thus not eligible for such contract.

(2) The following shall be included as a condition of the contracts granted in this Chapter and the contract shall be adjusted, modified or terminated as decided by the board on their violation:

(a) The Department of Labor finds that the recipient has failed to create and sustain the number of new direct jobs for which it is obligated under the contract.

(b)(i) A legislative audit that the net benefit rate provided by the department of economic development is invalid.

(ii) The net benefit rate calculations for all outstanding contracts on the effective date of this Subsubparagraph and those issued thereafter shall be reviewed by the legislative auditor. The legislative auditor shall report any finding of invalidity to the Department of ~~Economic Development~~ **Revenue** and the Department of Labor."

AMENDMENT NO. 30

On page 127, line 19, change "credits" to "**refunds**"

AMENDMENT NO. 31

On page 127, line 21, change "credit against" to "**refund of**"

AMENDMENT NO. 32

On page 128, between lines 2 and 3, insert the following:

"B. Notwithstanding anything to the contrary in either Chapter 1 or Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, the following rules shall apply with respect to the application of the **credit refund** allowed in Subsection A of this Section:

(1) ~~The incentive tax credit allowed a corporation shall be applied against Louisiana corporation income and corporation franchise taxes of such corporation.~~

(2) ~~The incentive tax credit allowed an individual shall be applied against Louisiana personal income taxes.~~

(3) ~~(1) The incentive tax credit refund allowed a corporation classified under Subchapter S of the Internal Revenue Code of 1954, as amended, as an S corporation shall be applied refunded first against any Louisiana corporation income and corporation franchise taxes due by such S corporation, and the remainder of any such incentive tax credit shall be allocated to the shareholder or shareholders of such S corporation in accordance with their respective interests and applied against the Louisiana income tax of such shareholder or shareholders of the S corporation as indicated on the corporation's refund claim.~~

(4) ~~(2) The incentive tax credit refund allowed a partnership, limited liability partnership, or limited liability company shall be allocated refunded to the partners or members according to their distributive share of the entity's gross income and applied against any Louisiana income tax and corporation franchise tax liability of such partners or members as indicated on the partnership's refund claim.~~

(5) ~~(3) The character of the incentive tax credit refund allowed on behalf of a partnership, limited liability partnership, limited liability company, or S corporation and allocated to the partners, members, or shareholders, respectively, of such partnership, limited liability partnership, limited liability company, or S corporation, shall be determined as if such credit refund were incurred by such partners, members, or shareholders, as the case may be in the same manner as incurred by the partnership, limited liability partnership, limited liability company, or S corporation, as the case may be, all as provided for in the respective refund claims.~~

C. Notwithstanding any other provision of law to the contrary in Title 47 of the Louisiana Revised Statutes of 1950, as amended, ~~any excess of allowable credit established by this Section over the aggregate tax liabilities against which such credit can be applied, the incentive tax refund~~ as provided in this Section, shall constitute an overpayment, as defined in R.S. 47:1621(A), and the secretary shall make a refund of such overpayment from the current collections of the taxes imposed by Chapter 1 or Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended. The right to a **credit or refund** of any such overpayment shall not be subject to the requirements of R.S. 47:1621(B)."

AMENDMENT NO. 33

On page 128, line 4, change "credits" to "**refunds**"

AMENDMENT NO. 34

On page 128, line 10, change "credits" to "**refunds**"

AMENDMENT NO. 35

On page 128, delete line 12 and insert the following:

"(1) Be engaged in a basic industry as defined in R.S. 51:2453(1)(a)."

AMENDMENT NO. 36

March 29, 2000

On page 128, line 17, change "credit" to "refund"

AMENDMENT NO. 37

On page 128, delete line 18 and insert in lieu thereof the following:

"(3) Have a number of full-time employees working an average of twenty-five or more hours per week in new direct jobs equal to or in excess of eighty percent of the total number of new direct jobs.

F. The department shall determine if the applicant is qualified to receive incentive tax credits refunds."

AMENDMENT NO. 38

On page 129, line 3, change "credits" to "refunds"

AMENDMENT NO. 39

On page 129, line 13, change "credits" to "refunds"

AMENDMENT NO. 40

On page 129, line 18, change "credits" to "refunds"

AMENDMENT NO. 41

On page 129, delete line 22 and insert in lieu thereof the following:

"§2457. Filing claim to receive incentive tax credit refunds; determination; repayment

A. As soon as practicable after the end of a twelve-month taxable period for which an establishment has qualified to receive an incentive tax credit refund, the establishment shall file a special report with the Department of Revenue and shall specify the actual number and gross payroll of new direct jobs for the establishment for the twelve-month taxable period and certification from the Department of Labor of such amounts. If the Department of Labor is not able to provide such certification, it may request such additional information from the establishment as may be necessary, or the Department of Revenue may request the establishment to revise its claim.

B. If, within three years of the date that the establishment first qualifies for the tax credit refund, the actual verified gross payroll for twelve consecutive months does not equal or exceed a total of one million dollars, the tax liability for the current taxable period shall be increased by the amount of incentive tax credits refunds previously allowed. If at any other time during the ten-year period after the date the establishment first qualifies for the incentive tax credit refund, the actual verified gross payroll for twelve consecutive months does not equal or exceed a total of one million dollars, the incentive tax credits refunds shall be suspended and shall not be resumed until such time as the actual verified gross payroll equals or exceeds the amounts specified in this Subsection. However, in no event shall incentive tax credits refunds cumulatively exceed the estimated net direct state benefits.

C. An establishment that has qualified pursuant to R.S. 51:2455 is eligible to receive incentive tax credits refunds only in accordance with the provisions under which it initially applied and was approved. If an establishment that is receiving incentive tax credits refunds expands, it may apply for additional incentive tax credits refunds based on the gross payroll anticipated from the expansion only, pursuant to R.S. 51:2455.

§2458. Establishments receiving incentive tax credits refunds not eligible to receive certain other tax credits and exemptions

Notwithstanding any other provision of law, if a qualified establishment receives an incentive tax credit refund pursuant to the provisions of this Chapter, a qualified establishment shall not be eligible to receive the other credits or exemptions tax benefits provided for in the following provisions of law in connection with the activity for which the incentive tax credit refund was received:

(1) R.S. 47:34 (tax credit for generation of new jobs in Louisiana).

(2) R.S. 47:38 and 287.757 (income tax credit for conversion of vehicles to alternate fuel usage).

(3) R.S. 47:3201 through 3205, R.S. 47:4301 through 4306 and contracts provided for in Article VII, Section 21(F) of the Constitution of Louisiana (contracts for tax exemption for manufacturing establishments by Board of Commerce and Industry).

(4) R.S. 47:6004 (employer credit for employment of previously unemployed person).

(5) R.S. 47:6009 (Louisiana basic skills training tax credit -- income tax credit).

(6) R.S. 47:6010 (employer income tax credit for employee alcohol and substance abuse treatment programs).

(7) R.S. 51:1787 (incentives tax exemption from sales and use tax materials to be used in the construction of a building and for machinery and income tax credit for each employee in enterprise zone).

(8) R.S. 47:287.748 (re-entrant jobs credit for formerly incarcerated employees -- corporate income tax).

(9) R.S. 47:287.749 (corporate income tax credit for new jobs).

(10) R.S. 47:287.753 (neighborhood assistance income tax credit)."

AMENDMENT NO. 42

On page 130, delete line 5 and insert in lieu thereof the following:

"§2460. False or fraudulent information in making application, claim for tax credit refund, or other instrument; penalties

A. Any person making an application, claim for tax credit or refund, or any report, return, statement, or other instrument or providing any other information pursuant to the provisions of this Chapter who willfully makes a false or fraudulent application, claim, report, return, statement, invoice, or other instrument or who willfully provides any false or fraudulent information, any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice, or other instrument, or any person who willfully aids or abets another in providing any false or fraudulent information, shall be guilty, upon conviction, of a felony and shall be punished by the imposition of a fine of not less than one thousand dollars and not more than fifty thousand dollars, or imprisoned for not less than two years and not more than five years, or both. Any person convicted of a violation of this Section shall be liable for the repayment of all incentive tax refunds or credits which were granted to the establishment. Interest shall be due on such incentive tax credits or refunds at the rate of fifteen percent per annum.

R.S. 51:2460(B) is all proposed new law.

B. The following shall be included as a condition of the contracts granted in this Chapter and the contract shall be terminated and the establishment, or any successor or affiliate of such establishment, shall not be eligible for any other contract for a period of ten years from the date of the violation:

(a) Conviction or the plea of nolle contendere to the willful or knowing violation of an environmental law, regulation, permit, or license during the term of the contract resulting in any of the following:

(i) The discharge, emission, or disposal of a hazardous substance that endangers or could endanger human life or health.

(ii) Irreparable damage to the environment.

(b) Closure of any establishment in the state owned by the business which has the contract during the existence of the contract."

AMENDMENT NO. 43

On page 130, line 14, after "than" delete the remainder of the line and insert in lieu thereof the following:

~~March 1, 2001~~ **November 1, 1999. If the report is not submitted, no new contracts or applications for contracts may be approved pursuant to the provisions of this Chapter.**

AMENDMENT NO. 44

On page 130, line 16, change "credits" to "refunds"

AMENDMENT NO. 45

On page 130, line 21, change "credits" to "refunds"

AMENDMENT NO. 46

On page 130, below line 26, add the following:

"§2462. Incentives to be refunded

R.S. 51:2462 is all proposed new law.

A. The tax benefit in the contracts provided for in this Chapter shall be granted to the establishments in the manner provided for in this Section.

B. Each establishment with a contract as provided for in this Chapter shall pay all taxes of the state of Louisiana. At the end of the establishment's income tax year, the establishment shall file a claim for refund with the Department of Revenue for taxes exempted pursuant to the contract, with supporting documentation as required by the department. The department shall make the refund in the manner and according to the procedure provided for in this Title.

C. All amounts refunded pursuant to the provisions of this Section shall be included in the executive budget and as a line item in the annual general appropriations bill."

Senator Robichaux moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields, W	Malone
Bean	Gautreaux	McPherson
Campbell	Hines	Robichaux
Cravins	Irons	
Fields, C	Jones, C	
Total—13		

NAYS

Mr. President	Fontenot	Mount
Barham	Heitmeier	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Theunissen
Chaisson	Jones, B	Thomas
Dardenne	Lambert	Ullo
Dean	Lentini	
Ellington	Michot	
Total—22		

ABSENT

Johnson	Smith
Marionneaux	Tarver
Total—4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 9, line 12, after "members." insert "The fifteen members should be representative of the state's population by race and gender to ensure diversity."

Senator C. Fields moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Bean	Fontenot	Tarver
Total—3		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

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

"(j) In implementing the provisions of this Chapter, preference shall be given to any Louisiana business applicant. Any recipient of assistance pursuant to this Chapter shall obtain materials, supplies, products and services grown, manufactured, processed, provided, or otherwise produced in Louisiana, provided that the quality and cost of such items or services are comparable in quality and cost to those otherwise available."

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

March 29, 2000

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 29, line 13, delete "for" and insert "to assist licensed insurance agents and approved and licensed surety companies in"

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed Senate Bill No. SB 88 by Senator Dardenne

AMENDMENT NO. 1

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

"(j) To provide targeted economic development efforts pursuant to R.S. 36:106(A)(14), in priority economic development zones. Such targeted programs shall be in addition to programs already in existence or any programs that may have been implemented in these areas under normal circumstances. "Priority economic development zone" means any parish listed as one of the ten parishes with the highest unemployment rates in Louisiana as of July first of any given year and according to statistics compiled by the Louisiana Department of Labor. The Board shall submit, prior to March first of every year, a report detailing actions taken by Louisiana, Inc. to the Senate Committee on Commerce and Consumer Protection, the House Committee on Commerce, and the Joint Legislative Committee on the Budget."

On motion of Senator C. Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

On page 11, between lines 7 and 8, insert the following:

"(E) Notwithstanding any other provision of the law to the contrary, no former elected official or member of the executive branch of state government who is subject to Senate confirmation shall, for a period of two years following the termination of his public service as such elected official or member of the executive branch of state government, contract with, or be employed in any capacity by Louisiana, Inc."

On motion of Senator Fontenot, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

Delete Senate Floor Amendments 19 through 22 proposed by Senator Dardenne and adopted by the Senate on March 29, 2000

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 88 by Senator Dardenne

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 1 proposed by Senator Fontenot and adopted by the Senate on March 29, 2000.

AMENDMENT NO. 2

On page 11, between lines 7 and 8, insert the following:

"(E) Notwithstanding any other provision of the law to the contrary, except for employees of the Department of Economic Development, no former elected official or member of the executive branch of state government who is subject to Senate confirmation shall, for a period of two years following the termination of his public service as such elected official or member of the executive branch of state government, contract with, or be employed in any capacity by Louisiana, Inc."

On motion of Senator Dardenne, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fontenot	Michot
Barham	Heitmeier	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, C	Ullo
Dean	Lambert	
Total—29		

NAYS

Campbell	Hines	McPherson
Fields, W	Malone	Robichaux
Gautreaux	Marionneaux	
Total—8		

ABSENT

Fields, C	Tarver
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 74—
 BY SENATORS HOLLIS, HAINKEL AND DARDENNE AND REPRESENTATIVES DEWITT, TRAVIS AND MCMAINS
A JOINT RESOLUTION

Proposing to amend Article XII, Section 12 of the Constitution of Louisiana, relative to economic development; to authorize the creation, by law, of a corporation as a central source principal economic development organization of the state; to provide for the creation, administration, and powers, duties, and functions of such entity; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Malone
Bajoie	Fontenot	Michot
Barham	Heitmeier	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, C	Ullo
Dean	Lambert	
Ellington	Lentini	
Total—31		

NAYS

Campbell	Hines	Robichaux
Fields, W	Marionneau	
Gautreaux	McPherson	
Total—7		

ABSENT

Tarver
 Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

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

SENATE BILL NO. 16—
 BY SENATOR MICHOT
AN ACT

To amend and reenact R.S. 32:1253(A)(2), relative to the Louisiana Motor Vehicle Commission; to provide for qualifications of the broker member of the commission; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
 Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 36—
 BY SENATORS HAINKEL AND DARDENNE AND REPRESENTATIVES DEWITT AND MCMAINS
AN ACT

To enact R.S. 39:1514(A)(1)(d), relative to contracts for professional, personal, consulting, or social services; to provide for multiyear contracts to higher education institutions for certain purposes; to provide exceptions; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins
 Irons
 Total—4
 Tarver
 Thomas

March 29, 2000

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 37— BY SENATORS DARDENNE AND HAINKEL AND REPRESENTATIVES DEWITT AND MURRAY

AN ACT

To enact R.S. 27:271, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 46— BY SENATOR LENTINI

AN ACT

To enact R.S. 13:847(E), relative to clerks of court in Jefferson Parish; to authorize an additional fee for the clerk in each traffic case; to authorize an additional fee for an extension of time for payment of traffic ticket fine; to authorize an additional fee for every attachment summary subpoena, and court order for arrest; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 47— BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 893(F) and 894(E), relative to filing fees for expungement proceedings; to provide for a filing and processing fee for certain expungement proceedings filed in the Twenty-Fourth Judicial District Court and the first and second parish courts in Jefferson Parish; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 64— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 40:1484.2(8), to enact R.S. 40:1484.4(C)(4) and 1484.5(A)(4), and to repeal R.S. 40:1484.11(5), relative to amusement attractions and rides; to provide for the inspection and regulation of air-supported structures; to provide for regulation of other nonmotorized rides and attractions; to provide for fees for inspection certificates; to provide for exemptions; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 66— BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:701(33)(c) and Part II-B of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1970.21 through 1970.27, and R.S. 36:651(D)(8), relative to the New Orleans Center for Creative Arts/Riverfront; to establish the New Orleans Center for Creative Arts/Riverfront as a state agency; to provide for such center in the organization of the executive branch of state government; to provide for the location, governance, and affiliation of the center; to provide relative to certain obligations and agreements relative to the existence and operation of the center; to provide for the governance of the center; to establish and provide for a board of directors to govern the center and provide for its management; to provide for the appointment, terms, compensation, powers, and duties of the members of the board; to provide relative to the eligibility of students to attend the center and for their admission; to provide for the employees of the center; to provide relative to the retirement membership for employees of the center; to provide relative to the funding for the center; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 66 by Senator Boissiere

AMENDMENT NO. 1

On page 8, between lines 14 and 15, insert the following:

"(m) Adopt rules, regulations, and policies necessary to establish a grievance procedure that shall guarantee a fair hearing and a fair and objective resolution of complaints on grievances by any nonclassified employee by the board.

(n) Applicable to nonclassified employees of the New Orleans Center for Creative Arts/Riverfront who were employed by the Orleans Parish School Board at the New Orleans Center for the Creative Arts prior to July 1, 2000, provide for the availability of health insurance coverage and benefits that result in no diminishment of coverage or benefits over the health insurance coverage and benefits available to such employees as Orleans Parish school employees at the time of the transfer or provide sufficient additional salary to compensate for any diminishment."

AMENDMENT NO. 2

On page 11, between lines 19 and 20, insert the following:

"C. The following laws may be made applicable to any nonclassified employee and shall be applicable to each nonclassified employee of the New Orleans Center for Creative Arts/Riverfront who was employed by the Orleans Parish School Board at the New Orleans Center for the Creative Arts prior to July 1, 2000, to the same degree as such provisions apply generally and subject to revision by law:

- (1) Tenure (R.S. 17:461 through 463).
(2) Sabbatical leave, both professional and medical (R.S. 17:1170 through 1187).
(3) Sick leave (R.S. 17:1201 through 1202).
(4) Personal leave (R.S. 17:1208).
(5) Leave for jury duty (R.S. 17:1210).
(6) Maternity leave (R.S. 17:1211).
(7) Military leave (R.S. 17:1215).
(8) Provisions relative to service credit (R.S. 17: 424, 424.1., 424.2, and 424.3).
(9) Provisions relative to compensation for extended school days (R.S. 17:154.2).
(10) Provisions relative to the minimum number of work days (R.S. 17:154.3).
(11) Provisions prohibiting the reduction of salary below that of the previous year (RS 17:421.3(E)).
(12) Provisions prohibiting certain persons from influencing a student's grade (R.S. 17: 414.2).
(13) Provisions relative to school employee personnel files (R.S. 17:1231 through 1238).
(14) Provisions relative to school personnel evaluation (R.S. 17:3901 through 3904)"

AMENDMENT NO. 3

On page 12, between lines 15 and 16, insert the following:

"Section 4. Notwithstanding any provision of law to the contrary, the principal of the New Orleans Center for Creative Arts as operated by the Orleans Parish School Board shall, in anticipation of the transition of the center to its operation as a state agency, review and evaluate each member of the administration, faculty, and staff as it relates to the anticipated staffing needs of the New Orleans Center for Creative Arts/Riverfront, shall provide written notice to each member of the administration, faculty, or staff whose transfer to the new agency will not be accepted based on this review, and shall be provided written notice from each

member of the administration, faculty, and staff who will not accept a transfer to the new agency. The principal shall provide documentation of all such notices and the accompanying reviews and evaluations, as appropriate, to the executive director of senior high schools for Orleans Parish schools. The Orleans Parish School Board shall reassign any member of the administration, faculty, or staff who is not transferring to the new agency to a comparable position as soon as practicable after such notice. In addition, when any Orleans Parish public school is opened which has as a mission providing preparatory training to facilitate admission of its students to the New Orleans Center for Creative Arts/Riverfront, any faculty member not transferred shall be offered comparable employment in such school.

Section 5. This Section, Section 4, and Section 6 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 4

On page 11, delete line 17 and insert "Section 6. Section 1 through 3 of this Act shall become effective on July 1, 2000; if vetoed by"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 70— BY SENATOR JOHNSON

AN ACT

To enact Subpart G of Part VI of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:300.1 through 300.6, relative to economic development; to provide for economic development through trademarks; to provide for logos;

March 29, 2000

to provide for registration; to provide for remedies; and to provide for related matters.

The bill was read by title. Senator Johnson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell Tarver
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Johnson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 95—
BY SENATORS BEAN, MALONE AND TARVER AND REPRESENTATIVES BAYLOR, BRUCE, DOERGE, GLOVER, HOPKINS, L. JACKSON, MONTGOMERY, SHAW, JANE SMITH AND WADDELL
AN ACT

To authorize the state of Louisiana to release the city of Shreveport from certain obligations owed by the city, acting through the Shreveport Airport Authority; to release and discharge the city of Shreveport from the outstanding balance of certain debts owed the state; and to provide for related matters.

The bill was read by title. Senator Bean moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean Lentini
Total—2

ABSENT

Mr. President Robichaux Tarver
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Bean moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 101—
BY SENATORS DARDENNE AND HAINKEL AND REPRESENTATIVES DEWITT AND MCMAINS
AN ACT

To amend and reenact the introductory paragraph of R.S. 27:13(C), R.S. 27:13(C)(1) and (2), relative to standards of conduct of the Louisiana Gaming Control Board; to provide for limitations on employment of certain employees of the Department of Public Safety and Corrections and the office of the attorney general; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Malone Tarver
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 108—
BY SENATOR MOUNT
AN ACT

To enact R.S. 27:392(B)(3)(c), relative to the disposition of certain proceeds derived from slot machine gaming at a live horse racing facility in Calcasieu Parish; to create the Calcasieu Parish Education Excellence Fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the allowable uses of monies in the fund; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 108 by Senator Mount

AMENDMENT NO. 1

On page 2, line 5, following "Parish" and before "is" delete "which"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed Senate Bill No. 108 by Senator Mount

AMENDMENT NO. 1

On page 2, line 4, after "(c)" insert "(I)"

AMENDMENT NO. 2

On page 2, line 5, after "created" delete the remainder of the line, delete lines 6 and 7 and on line 8, delete "legislature and" and insert the following:

"as a special fund in the state treasury. All funds deposited into the fund shall be transferred to the depository of the Calcasieu Parish School Board. The principal of the Calcasieu Education Excellence Fund may not be appropriated and shall be used only for making income-producing investments. The school board shall invest the principal of the fund only in direct obligations of the United States government and in time certificates of deposit of state banks organized under the laws of Louisiana and national banks having their principal office in Louisiana. Earnings on principal may also be invested. However, the amount of earnings shall be kept account of separately from fund principal and shall be available for the school board to withdraw as provided in this Subparagraph. Such earnings may be withdrawn"

AMENDMENT NO. 3

On page 2, line 9, after "Subparagraph." delete the remainder of the line and delete line 10 and on line 11, delete "monies in the state general fund."

AMENDMENT NO. 4

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

"(ii) Beginning January first of each year, the Calcasieu Parish School Board, on its own warrant, may withdraw from the fund an amount not to exceed the earnings which have accrued to the fund during the prior calendar year.

(iii) The Calcasieu Parish School Board shall use earnings from the fund only for enhancements to the education program in Calcasieu Parish. Earnings may not be used for administrative, custodial, or maintenance expenses nor for capital expenses. Equipment and supplies purchased with such funds shall be for educational purposes only. Audits of the Calcasieu Parish School Board by the legislative auditor shall specifically address compliance with the provisions of this Subparagraph."

On motion of Senator Mount, the amendments were adopted.

The bill was read by title. Senator Mount moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Ellington, Fields, C, Total—35; Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo

NAYS

Table with 2 columns: Dean, Total—2; Marionneaux

ABSENT

Table with 2 columns: Robichaux, Total—2; Tarver

The Chair declared the amended bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 110— BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 15:609(C), relative to the incarceration, parole, and release of certain persons convicted of certain offenses; to provide for DNA testing of certain persons and evidence; to provide for circumstances where DNA samples are taken and testing done; and to provide for related matters.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 110 by Senator C. Fields

AMENDMENT NO. 1

On page 2, at the end of line 17, after "testing" insert the following:

"Any person found not to have committed the crime due to such testing shall be eligible to be reimbursed by the state."

On motion of Senator Dean, the amendments were adopted.

The bill was read by title. Senator C. Fields moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Barham; Fontenot, Gautreaux; Malone, Marionneaux

March 29, 2000

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

Total—36

NAYS

Total—0

ABSENT

Mr. President	Dardenne	Tarver
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator C. Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Schedler asked that Senate Bill No. 71 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 71—
BY SENATORS SCHEDLER, HINES AND B. JONES
AN ACT

To enact Chapter 54 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2691 through 2692, relative to intergovernmental relations; to create the Medicaid Nursing Home Trust Fund within the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; to provide for the intergovernmental transfer program; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 71 by Senators Schedler, Hines and B. Jones

AMENDMENT NO. 1
On page 2, line 19, after "which are" insert "recommended by the Intergovernmental Transfer Subcommittee provided for in R.S. 46:2692 and"

AMENDMENT NO. 2
On page 2, line 20, after "Budget" insert:

"and for reimbursing the Department of Health and Hospitals the costs incurred in preparing the application for and implementing the program provided for in this Chapter"

AMENDMENT NO. 3

On page 2, at the beginning of line 22, delete "facilities" and insert "health-care facilities or health-care programs"

AMENDMENT NO. 4
On page 2, line 23, after "which are" insert "recommended by the Intergovernmental Transfer Subcommittee provided for in R.S. 46:2692 and"

AMENDMENT NO. 5
On page 3, line 18, after "Fiscal Year" insert "unless the final, pre-session official estimate of revenues by the Revenue Estimating Conference for that fiscal year as provided for in R.S. 39:26 indicates that revenues for such year will be insufficient to fund the state budget at the same level as the previous year"

AMENDMENT NO. 6
On page 3, line 23, after "A." insert "(1)"

AMENDMENT NO. 7
On page 3, line 24, after "September 30, 2000," delete "make" and insert "have prepared for submission an"

AMENDMENT NO. 8
On page 3, line 27, after "program." delete the remainder of the line and on page 4, delete lines 1 through 3, and insert the following:

"The application shall be submitted by the department on a date to be determined by the Joint Legislative Committee on the Budget based on the recommendation of the Intergovernmental Transfer Subcommittee provided for in this Section.

(2) The Intergovernmental Transfer Subcommittee, hereinafter referred to as the "subcommittee," is hereby created and established as a subcommittee of the Joint Legislative Committee on the Budget created by R.S. 24:651. The subcommittee and the chairman of the subcommittee shall be appointed by the chairman of the Joint Legislative Committee on the Budget. No action shall be taken by the subcommittee except by the favorable vote of a majority of the members. A quorum of the subcommittee shall consist of a majority of the total membership thereof. The members of the subcommittee shall receive the same per diem and travel allowance in the performance of their duties as is provided for standing committees of the legislature.

B.(1) Subject to such recommendations and approval, the department shall make application to the United States Department of Health and Human Services for the implementation of an intergovernmental transfer program. The application shall include a detailed explanation of the department's plan to utilize plan funds for the following, all as provided for in R.S. 46:692:

(a) Providing reimbursements and enhancements to participating local governments.

(b) Re-basing Medicaid nursing home rates in accordance with the state Medicaid plan.

(c) Implementing a case mix reimbursement system for nursing homes.

(d) Providing that the remainder of any plan funds remaining in a state fiscal year after the payments provided for in Subparagraphs (a), (b), and (c) shall be used solely and exclusively for the purpose of being kept in a permanent trust fund of which only the earnings from investment of such money may be used for programs of the state which are subject to Federal Financial Participation matching funds and which are in existence on March 1, 2000."

AMENDMENT NO. 9
On page 4, line 4, change "B." to "(2)"

AMENDMENT NO. 10
On page 4, line 6, after "purpose" insert "and recommended and approved"

AMENDMENT NO. 11

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

"C. No program shall be implemented under the provisions of this Section unless and until the application submitted to the United States Department of Health and Human Services is given final, written approval."

AMENDMENT NO. 12

On page 4, line 7, change "C." to "D."

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Mr. President Tarver
Total—2

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Hollis asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Senate Bills and Joint Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 118—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:146(B) through (E), relative to indigent defense; to provide for a uniform fee for indigent defender funds to be imposed on all criminal convictions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 15—
BY SENATOR THOMAS

A RESOLUTION

To designate March 30, 2000, as Doctors Day and to urge all citizens and all community organizations to join in this observance.

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATORS BOISSIERE, BAJOIE, JOHNSON AND IRONS

A CONCURRENT RESOLUTION

To commend and congratulate Joseph Bouie, Jr. on being selected as the chancellor of Southern University Agricultural and Mechanical College in New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell Ellington Tarver
Total—3

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

Messages from the House

The following Messages from the House were received and read as follows:

March 29, 2000

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

March 29, 2000

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 17— BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend the Slidell Junior Auxiliary on their exemplary service to their community and to Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATORS C. FIELDS, BOISSIERE, CRAVINS, W. FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER AND REPRESENTATIVES BAYLOR, BROOME, K. CARTER, CURTIS, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, RICHMOND, WELCH, WILKERSON, AND WILLARD

A CONCURRENT RESOLUTION

To commend and congratulate Adam Smith for achieving national recognition for exemplary volunteer service from The National Association of Secondary School Principals and The Prudential Insurance Company of America.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To designate the third Saturday in June as "Juneteenth National Freedom Day" in Louisiana.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

March 29, 2000

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 36— BY REPRESENTATIVES HAMMETT AND DEWITT AN ACT

To enact R.S. 47:302(O) and 331(M), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

HOUSE BILL NO. 179— BY REPRESENTATIVES DANIEL, THOMPSON, AND PERKINS A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F) and to add Article VII, Section 10(K) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the reduction of certain mandatory expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for other nonmandatory uses under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 187— BY REPRESENTATIVES WELCH AND KENNARD AN ACT

To enact R.S. 13:783(D)(6), relative to clerks of court; to authorize the clerk of court for East Baton Rouge Parish to purchase or lease a total of two automobiles for the transportation of documents, equipment, and employees or for use for any purpose related to the operation of the office; to provide for insurance; to provide for disbursement of funds from the clerk's salary fund; and to provide for related matters.

HOUSE BILL NO. 201— BY REPRESENTATIVES WELCH AND BAYLOR AN ACT

To amend and reenact R.S. 40:2116(E)(1) and to enact R.S. 40:2116(E)(4), relative to nursing homes; to authorize the secretary of the Department of Health and Hospitals to provide an extension of the completion deadline for nursing home beds which have been approved but are not yet enrolled in the Medicaid program; to provide for the conditions necessary for such extension; and to provide for related matters.

HOUSE BILL NO. 74— BY REPRESENTATIVE SCALISE AN ACT

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for the Fraternal Order of Police; to provide for its charge; and to provide for related matters.

HOUSE BILL NO. 96— BY REPRESENTATIVES JANE SMITH AND KATZ AN ACT

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for Quota International; to authorize the imposition and provide for the charge for such plate; to provide for the payment of a royalty fee; to provide for the use of the monies; to provide for the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 134— BY REPRESENTATIVE DEWITT AND SENATORS DARDENNE AND HAINKEL AN ACT

To amend and reenact R.S. 51:911.24(A)(1) and (6), 911.32(D), 912.21(8), 912.22(introductory paragraph), 912.24(1) and (2)(d), 912.25(3), 912.27(A), (B), and (C), and 912.28(A), to enact R.S. 51:911.24(C)(2), 912.21(9) and (10), 912.27(E), 912.29, and 912.30, and to repeal R.S. 51:911.24(C)(3), relative to the state fire marshal; to provide relative to licensure of manufacturers and dealers; to establish penalties for interference with the duties of the state fire marshal; to provide for definitions; to change installation standards for manufactured housing; to require installation permit stickers to install manufactured homes; to require installation permit stickers for electrical utility services; to establish fees for installation permit stickers; to provide for the disposition of certain fees; to establish penalties for improper installation of

manufactured homes; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 139—
BY REPRESENTATIVES TRICHE, DEWITT, MCMAINS, AND LEBLANC AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 30:2075.2(A)(1) and to enact R.S. 30:2075.2(A)(6), relative to the Department of Environmental Quality and financial security requirements for privately owned sewage treatment facilities; to provide that the secretary of the Department of Environmental Quality may waive the bond or other financial security of applicants for discharge permits for privately owned sewage treatment facilities under certain circumstances; to provide for the issuance, renewal, modification, or transfer of permits without financial security; and to provide for related matters.

HOUSE BILL NO. 162—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:412.1 and to enact R.S. 32:429.2, relative to the office of motor vehicles; to provide for a fee increase for handling charges; to create the Office of Motor Vehicles Customer Service and Technology Fund; to provide for the deposit of monies into the fund and for the use of such monies; and to provide for related matters.

HOUSE BILL NO. 195—
BY REPRESENTATIVES DEWITT, BRUNEAU, AND LEBLANC AND SENATORS HAINKEL, LAMBERT, AND DARDENNE
AN ACT

To appropriate the sum of One Million Four Hundred Six Thousand Three Hundred Ninety-six and No/100 (\$1,406,396.00) Dollars, or so much thereof as may be necessary, out of the state general fund, to defray the expenses of the First Extraordinary Session of 2000 of the Louisiana Legislature, by providing funds for payment of mileage and per diem of members of the legislature, for payment of per diem, salaries, and/or expense allowances of legislative officers, employees, and staff, for payment of costs of printing and supplies and for other expenses of the legislature at this session and to provide for retention and use of such funds by the two houses; and to provide for related matters.

HOUSE BILL NO. 214 (Duplicate of Senate Bill No. 37)—
BY REPRESENTATIVE DEWITT AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVE MURRAY AND SENATOR HAINKEL
AN ACT

To enact R.S. 27:271.1, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 36—
BY REPRESENTATIVES HAMMETT AND DEWITT
AN ACT

To enact R.S. 47:302(O) and 331(M), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 74—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for the Fraternal Order of Police; to provide for its charge; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 96—
BY REPRESENTATIVES JANE SMITH AND KATZ
AN ACT

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for Quota International; to authorize the imposition and provide for the charge for such plate; to provide for the payment of a royalty fee; to provide for the use of the monies; to provide for the promulgation of rules and regulations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 134—
BY REPRESENTATIVE DEWITT AND SENATORS DARDENNE AND HAINKEL
AN ACT

To amend and reenact R.S. 51:911.24(A)(1) and (6), 911.32(D), 912.21(8), 912.22(introductory paragraph), 912.24(1) and (2)(d), 912.25(3), 912.27(A), (B), and (C), and 912.28(A), to enact R.S. 51:911.24(C)(2), 912.21(9) and (10), 912.27(E), 912.29, and 912.30, and to repeal R.S. 51:911.24(C)(3), relative to the state fire marshal; to provide relative to licensure of manufacturers and dealers; to establish penalties for interference with the duties of the state fire marshal; to provide for definitions; to change installation standards for manufactured housing; to require installation permit stickers to install manufactured homes; to require installation permit stickers for electrical utility services; to establish fees for installation permit stickers; to provide for the disposition of certain fees; to establish penalties for improper installation of manufactured homes; to provide for rules and regulations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

HOUSE BILL NO. 139—
BY REPRESENTATIVES TRICHE, DEWITT, MCMAINS, AND LEBLANC AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 30:2075.2(A)(1) and to enact R.S. 30:2075.2(A)(6), relative to the Department of Environmental Quality and financial security requirements for privately owned sewage treatment facilities; to provide that the secretary of the Department of Environmental Quality may waive the bond or other financial security of applicants for discharge permits for privately owned sewage treatment facilities under certain circumstances; to provide for the issuance, renewal, modification, or transfer of permits without financial security; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 162—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:412.1 and to enact R.S. 32:429.2, relative to the office of motor vehicles; to provide for a fee increase for handling charges; to create the Office of Motor Vehicles Customer Service and Technology Fund; to provide for the deposit

of monies into the fund and for the use of such monies; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 179—
BY REPRESENTATIVES DANIEL, THOMPSON, AND PERKINS
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F) and to add Article VII, Section 10(K) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the reduction of certain mandatory expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for other nonmandatory uses under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 187—
BY REPRESENTATIVES WELCH AND KENNARD
AN ACT

To enact R.S. 13:783(D)(6), relative to clerks of court; to authorize the clerk of court for East Baton Rouge Parish to purchase or lease a total of two automobiles for the transportation of documents, equipment, and employees or for use for any purpose related to the operation of the office; to provide for insurance; to provide for disbursement of funds from the clerk's salary fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 195—
BY REPRESENTATIVES DEWITT, BRUNEAU, AND LEBLANC AND SENATORS HAINKEL, LAMBERT, AND DARDENNE
AN ACT

To appropriate the sum of One Million Four Hundred Six Thousand Three Hundred Ninety-six and No/100 (\$1,406,396.00) Dollars, or so much thereof as may be necessary, out of the state general fund, to defray the expenses of the First Extraordinary Session of 2000 of the Louisiana Legislature, by providing funds for payment of mileage and per diem of members of the legislature, for payment of per diem, salaries, and/or expense allowances of legislative officers, employees, and staff, for payment of costs of printing and supplies and for other expenses of the legislature at this session and to provide for retention and use of such funds by the two houses; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 201—
BY REPRESENTATIVES WELCH AND BAYLOR
AN ACT

To amend and reenact R.S. 40:2116(E)(1) and to enact R.S. 40:2116(E)(4), relative to nursing homes; to authorize the secretary of the Department of Health and Hospitals to provide an extension of the completion deadline for nursing home beds which have been approved but are not yet enrolled in the Medicaid program; to provide for the conditions necessary for such extension; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 214 (Duplicate of Senate Bill No. 37)—
BY REPRESENTATIVE DEWITT AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVE MURRAY AND SENATOR HAINKEL
AN ACT

To enact R.S. 27:271.1, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

March 29, 2000

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to deny Louisiana Land Systems, Inc., a permit for the operation of a solid waste, hazardous waste, or industrial waste facility in East Baton Rouge Parish near Alsen, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to name that portion of Louisiana Highway 1 lying within the city limits of Marksville, Louisiana, Avoyelles Parish, as the Blue Star Memorial Highway in honor of the citizens of Marksville who have served in the armed forces of the United States.

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE SALTER AND SENATOR SMITH
A CONCURRENT RESOLUTION

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House of Representatives with a view of acting on same:

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE SALTER AND SENATOR SMITH
A CONCURRENT RESOLUTION

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to name that portion of Louisiana Highway 1 lying within the city limits of Marksville, Louisiana, Avoyelles Parish, as the Blue Star Memorial Highway in honor of the citizens of Marksville who have served in the armed forces of the United States.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to deny Louisiana Land Systems, Inc., a permit for the operation of a solid waste, hazardous waste, or industrial waste facility in East Baton Rouge Parish near Alsen, Louisiana.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Environmental Quality.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE BILL NO. 1 (Duplicate of Senate Bill No. 103)—
BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS AND
COAUTHORED BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 33:9091(F)(2), relative to the parcel fee levied by the Lakeview Crime Prevention District; to provide relative to the levy of the fee on condominiums; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 11—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 46:1053(K)(1), relative to Hospital Service District No. 1 of Vermilion Parish; to provide relative to the composition of the district governing authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 17—
BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 33:423.9, relative to the Crowley police department; to repeal the authorization for the police chief to appoint, discipline, and discharge police personnel.

Reported favorably.

HOUSE BILL NO. 65—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 25:215(C), relative to library boards; to authorize the St. John the Baptist Parish Library Board of Control to pay per diem to the members of the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 110—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo) and to enact R.S. 33:4574(A)(2)(qq) and 4574.1-A(A)(1)(qq), relative to tourist commissions for certain parishes; to create tourist commissions composed of all the territory in Morehouse Parish and East Carroll Parish as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; to remove provisions for such commissions in parishes within a certain population range; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 158—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:130.552(A)(1)(k) and (l), relative to economic development in north Lake Charles; to provide for additional members of the board of commissioners of the North Lake Charles Economic Development District; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 188—
BY REPRESENTATIVES BROOME, CAZAYOUX, AND DEVILLIER AND
SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 33:103(C)(1)(d) and to enact R.S. 33:106.2, relative to the West Baton Rouge Parish Planning Commission; to authorize an increase in the per diem allowance for members of the planning commission; to establish limits; to provide that the parish home rule charter controls in cases of conflict with the general law governing planning commissions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 194—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:1501.5, relative to fire protection districts in St. Tammany Parish; to prohibit the levy and collection of certain ad valorem taxes by such districts in areas which have been annexed by municipalities; to provide for exceptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE

March 29, 2000

Chairwomen

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

SENATE BILL NO. 61— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:574.4(A)(3) and to enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide with respect to parole eligibility for certain prisoners; to provide for conditions of parole; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 113— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2334(A) and (B)(1), relative to appearance bond fees payable to municipal chiefs of police; to increase the fee; to provide for the disposition thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 16— BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:1428(A)(1), (2), (4), and (12)(a), (b), and (c), relative to sheriffs; to provide for an increase in certain fees in civil matters; and to provide for related matters.

Reported favorably.

Respectfully submitted, DONALD R. CRAVINS Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

March 29, 2000

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 3— BY SENATOR LENTINI

A RESOLUTION

To adopt Senate Rule No. 1.1(D) of the Senate Rules of Order, to prohibit the possession, custody, and use of a dangerous weapon in any part of the capitol and capitol complex that are set apart for the use of the Senate and its officers; and to provide for enforcement and exceptions.

Reported with amendments.

SENATE BILL NO. 10— BY SENATOR CAIN AND REPRESENTATIVE SALTER AN ACT

To enact R.S. 38:2322(D), relative to boards and commissions; to provide relative to the Sabine River Authority; to prohibit certain activities by commission members of such authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 85— BY SENATOR ULLO AN ACT

To enact R.S. 18:1908, relative to the creation of certain election districts; to provide for the use of certain population data for districting, redistricting, remapping, or reapportionment purposes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2— BY REPRESENTATIVES CLARKSON AND DURAND AND SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 46:1844(W), relative to victims of sexual offenses; to provide for confidentiality of certain information related to the victim; to provide for access to certain information by public officials, officers, and agencies; to define "sex offense"; to provide for waiver of confidentiality; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 30— BY REPRESENTATIVES MONTGOMERY, BRUNEAU, ALARIO, AND LANCASTER

AN ACT

To amend and reenact R.S. 42:1483 and 1485, relative to the Compensation Review Commission; to provide for the scope of commission study and recommendations; to provide for commission reports; to provide for the effectiveness and implementation of commission recommendations; to provide for payment of commission expenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 171— BY REPRESENTATIVES DARTEZ, DOWNER, DUPRE, AND TRICHE AND SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 17:71.5, relative to school board reapportionment; to require a school board to reapportion itself under certain circumstances; to provide relative to the procedures to be used in such reapportionment; and to provide for related matters.

Reported favorably.

Respectfully submitted, CHRIS ULLO Chairman

Senate and Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE RESOLUTION NO. 3—

BY SENATOR LENTINI

A RESOLUTION

To adopt Senate Rule No. 1.1(D) of the Senate Rules of Order, to prohibit the possession, custody, and use of a dangerous weapon in any part of the capitol and capitol complex that are set apart for the use of the Senate and its officers; and to provide for enforcement and exceptions.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Resolution No. 3 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 4, change "and capitol complex" to "building" and change "are" to "is"

AMENDMENT NO. 2

On page 1, line 13, delete "and" and at the beginning of line 14, change "capitol complex" to "building"

On motion of Senator Ullo, the committee amendment was adopted. The amended resolution was read by title and ordered engrossed and passed to a third reading.

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 10—

BY SENATOR CAIN AND REPRESENTATIVE SALTER AN ACT

To enact R.S. 38:2322(D), relative to boards and commissions; to provide relative to the Sabine River Authority; to prohibit certain activities by commission members of such authority; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate and Governmental Affairs Committee to Original Senate Bill No. 10 by Senator Cain et al

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 38:2337 and to" and after "enact" change "R.S. 38:2322(D)" to "R.S. 42:1123(27)"

AMENDMENT NO. 2

On page 1, line 3, after "Authority;" delete the remainder of the line and delete line 4 and insert the following: "to provide for the applicability of certain contract and procurement laws; to provide exceptions; and to provide for related"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 38:2322(D)" to "R.S. 38:2337"

AMENDMENT NO. 4

On page 1, delete lines 8 through 16 and on page 2 delete lines 1 through 11 and insert the following:

" * * *

§2337. Chapter as complete authority; audits and reports; construction of Chapter

A. Except as provided in Subsection B, This Chapter shall be full, complete and independent authority for the performance of all acts herein authorized, and no other statute or legislative act shall be applicable to the carrying out of the powers herein granted unless herein expressly so made applicable. No publication of any notice or proceeding shall be necessary except as expressly herein provided, nor shall any proceedings adopted by the board of commissioners hereunder be subject to referendum nor to any election requirement. A complete book of accounts shall be kept by the Authority. Within ninety days after the close of each fiscal year, the account books and records of the Authority and of the depository of the Authority shall be audited by the state legislative auditor or his legal successor in such manner as to enable him to report to the legislature as to the manner and purpose of the expenditure of all funds of the Authority, and report thereon shall be submitted at the first regular meeting of the board of commissioners thereafter. Two copies of such report shall be filed in the office of the Authority, one shall be filed with the governor, one shall be filed with the lieutenant governor, one shall be filed with the president of the Senate, and one shall be filed with the speaker of the House of Representatives. All of such copies shall be open to public inspection. This Chapter being intended to carry out a function of the state to protect the health and welfare of the inhabitants of the portion of the state to be affected hereby, shall be liberally construed by the courts to effect its purposes.

R.S. 38:2337(B) is all proposed new law.

B. Notwithstanding any provision of this Chapter or of any other law, the authority shall be subject to, and comply with, the provisions of Parts I, II, III, IV, V, and VII of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 and Chapters 16 and 17 of Title 39 of the Louisiana Revised Statutes of 1950, and Chapter 10 of Title 41 of the Louisiana Revised Statutes of 1950 to the extent that such provisions are applicable to the Department of Transportation and Development.

Section 2. R.S. 42:1123(27) is hereby enacted to read as follows:

§1123. Exceptions

This Part shall not preclude:

* * *

R.S. 42:1123(27) is all proposed new law.

(27)Any board member of the Sabine River Authority who owns a residential lot contiguous to the "lease back" or "shore line" area from exercising his option to lease the shore line area contiguous to his residential lot and obtaining a permit for "domestic use" of the authority's water. As used in this Paragraph, the "lease back" area, which is also known as the "shore line", is that area owned by the Sabine River Authority, state of Louisiana, that is below the one hundred seventy-two foot flood pool elevation and which area is subject to an option to lease by the land owner of the contiguous lot as is provided in the Policy, Rules and Regulations of the Sabine River Authority as adopted by the board of commissioners on August 24, 1967.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

March 29, 2000

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 61—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:574.4(A)(3) and to enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide with respect to parole eligibility for certain prisoners; to provide for conditions of parole; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. SB61 by Senator C. Jones

AMENDMENT NO. 1

On page 2, line 12, after "has" and before "participated" insert "served at least thirty years of the term of imprisonment in actual custody, reached the age of sixty and".

On motion of Senator Cravins, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 85—
BY SENATOR ULLO

AN ACT

To enact R.S. 18:1908, relative to the creation of certain election districts; to provide for the use of certain population data for districting, redistricting, remapping, or reapportionment purposes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 85 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 3, change "105-109" to "105-119" and change "basis" to "population data used"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 113—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 33:2334(A) and (B)(1), relative to appearance bond fees payable to municipal chiefs of police; to increase the fee; to provide for the disposition thereof; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Cravins, the bill was read by title and passed to a third reading.

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 1 (Duplicate of Senate Bill No. 103)—
BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS AND
COAUTHORED BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 33:9091(F)(2), relative to the parcel fee levied by the Lakeview Crime Prevention District; to provide relative to the levy of the fee on condominiums; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1 by Representative Bruneau

AMENDMENT NO. 1

On page 2, line 10, after "fee." delete the remainder of the line and delete lines 11 and 12 and insert "The tax collector shall submit the bill for a parcel fee, which is to be collected from condominium owners, to the condominium owners association and the association shall pay the fee from funds available for that purpose. The association shall remain liable for the entire fee until it is paid."

AMENDMENT NO. 2

On page 2, at the end of line 15, change "December 31, 1999." to "December 31, 2000."

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2—
BY REPRESENTATIVES CLARKSON AND DURAND AND SENATOR
BAJOIE

AN ACT

To amend and reenact R.S. 46:1844(W), relative to victims of sexual offenses; to provide for confidentiality of certain information related to the victim; to provide for access to certain information by public officials, officers, and agencies; to define "sex offense"; to provide for waiver of confidentiality; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 11—
BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 46:1053(K)(1), relative to Hospital Service District No. 1 of Vermilion Parish; to provide relative to the composition of the district governing authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 16—
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:1428(A)(1), (2), (4), and (12)(a), (b), and (c), relative to sheriffs; to provide for an increase in certain fees in civil matters; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 17—
BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 33:423.9, relative to the Crowley police department; to repeal the authorization for the police chief to appoint, discipline, and discharge police personnel.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 30—
BY REPRESENTATIVES MONTGOMERY, BRUNEAU, ALARIO, AND LANCASTER
AN ACT

To amend and reenact R.S. 42:1483 and 1485, relative to the Compensation Review Commission; to provide for the scope of commission study and recommendations; to provide for commission reports; to provide for the effectiveness and implementation of commission recommendations; to provide for payment of commission expenses; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 30 by Representative Montgomery

AMENDMENT NO. 1

On page 3, line 6, change "shall" to "may" and after "implemented" insert "only"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 65—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 25:215(C), relative to library boards; to authorize the St. John the Baptist Parish Library Board of Control to pay per diem to the members of the board; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 110—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo) and to enact R.S. 33:4574(A)(2)(qq) and 4574.1-A(A)(1)(qq), relative to tourist commissions for certain parishes; to create tourist commissions composed of all the territory in Morehouse Parish and East Carroll Parish as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; to remove provisions for such commissions in parishes within a certain population range; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 158—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:130.552(A)(1)(k) and (l), relative to economic development in north Lake Charles; to provide for additional members of the board of commissioners of the North Lake Charles Economic Development District; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 171—
BY REPRESENTATIVES DARTEZ, DOWNER, DUPRE, AND TRICHE AND SENATOR GAUTREAUX
AN ACT

To amend and reenact R.S. 17:71.5, relative to school board reapportionment; to require a school board to reapportion itself under certain circumstances; to provide relative to the procedures to be used in such reapportionment; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 188—
BY REPRESENTATIVES BROOME, CAZAYOUX, AND DEVILLIER AND SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 33:103(C)(1)(d) and to enact R.S. 33:106.2, relative to the West Baton Rouge Parish Planning Commission; to authorize an increase in the per diem allowance for members of the planning commission; to establish limits; to provide that the parish home rule charter controls in cases of conflict with the general law governing planning commissions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 194—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:1501.5, relative to fire protection districts in St. Tammany Parish; to prohibit the levy and collection of certain ad valorem taxes by such districts in areas which have been annexed by municipalities; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the
Legislative Bureau**

March 29, 2000

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

March 29, 2000

HOUSE BILL NO. 1 (Duplicate of Senate Bill No. 103)—
BY REPRESENTATIVE BRUNEAU AND SENATOR IRONS AND
COAUTHORED BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 33:9091(F)(2), relative to the parcel fee levied by the Lakeview Crime Prevention District; to provide relative to the levy of the fee on condominiums; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2—
BY REPRESENTATIVES CLARKSON AND DURAND AND SENATOR
BAJOIE
AN ACT

To amend and reenact R.S. 46:1844(W), relative to victims of sexual offenses; to provide for confidentiality of certain information related to the victim; to provide for access to certain information by public officials, officers, and agencies; to define "sex offense"; to provide for waiver of confidentiality; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 11—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 46:1053(K)(1), relative to Hospital Service District No. 1 of Vermilion Parish; to provide relative to the composition of the district governing authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 16—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:1428(A)(1), (2), (4), and (12)(a), (b), and (c), relative to sheriffs; to provide for an increase in certain fees in civil matters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 17—
BY REPRESENTATIVE PINAC
AN ACT

To repeal R.S. 33:423.9, relative to the Crowley police department; to repeal the authorization for the police chief to appoint, discipline, and discharge police personnel.

Reported without amendments.

HOUSE BILL NO. 20—
BY REPRESENTATIVES SCHNEIDER, FLAVIN, JOHNS, AND STELLY
AN ACT

To amend and reenact R.S. 11:102(B)(2)(b)(ii) and to enact R.S. 11:102(B)(2)(b)(iii), relative to all state public retirement systems; to provide with respect to the Employer Credit Account; to further provide with respect to the payment therefrom of employer contributions and the balance of previously accumulated excess employer contributions applicable to the Louisiana School Employees' Retirement System; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 28—
BY REPRESENTATIVES DEWITT AND SALTER
AN ACT

To amend and reenact R.S. 17:348(B), relative to special education services at the Louisiana Special Education Center and the Cerebral Palsy Center; to authorize continuing such services until

age thirty-two for certain persons with severe physically handicapping conditions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 30—
BY REPRESENTATIVES MONTGOMERY, BRUNEAU, ALARIO, AND
LANCASTER
AN ACT

To amend and reenact R.S. 42:1483 and 1485, relative to the Compensation Review Commission; to provide for the scope of commission study and recommendations; to provide for commission reports; to provide for the effectiveness and implementation of commission recommendations; to provide for payment of commission expenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 35 (Duplicate of Senate Bill No. 76)—
BY REPRESENTATIVE BRUNEAU AND SENATOR BOISSIERE AND
COAUTHORED BY SENATOR LENTINI
AN ACT

To enact R.S. 11:558.2, relative to the Louisiana State Employees' Retirement System; to provide with respect to the method used to calculate retirement benefits of certain district court judges; to provide for retroactive application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 39—
BY REPRESENTATIVES HILL AND FRITH
AN ACT

To amend and reenact R.S. 11:780(C), relative to the Teachers' Retirement System; to provide with respect to benefits; to further provide with respect to earnings of disability beneficiaries engaged in a gainful occupation; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 47—
BY REPRESENTATIVES TOWNSEND, CRANE, AND DEWITT AND
SENATORS THEUNISSEN, SMITH, AND HAINKEL
AN ACT

To amend and reenact R.S. 17:1964(C)(2)(o), relative to certain fees for students attending the Louisiana School for Math, Science, and the Arts; to authorize the board of directors of the school to increase certain fees and to impose a new fee for students attending the school; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 56—
BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND
SENATORS SCHEDLER AND DARDENNE
AN ACT

To amend and reenact R.S. 28:772(A), relative to funding for regional addictive disorder services; to change the method of allocating such funding; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 62—
BY REPRESENTATIVES STRAIN, BRUCE, FRITH, AND POWELL
AN ACT

To amend and reenact R.S. 46:286.1(C)(2) and (G) and to enact R.S. 46:286.1(C)(3), relative to the Kinship Foster Care Program; to eliminate the three-year limitation on eligibility for foster care payments made to kinship foster parents; to allow kinship foster parents to receive payment for the full foster care rate available to other foster parents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 65—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 25:215(C), relative to library boards; to authorize the St. John the Baptist Parish Library Board of Control to pay per diem to the members of the board; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 67—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND MCMAINS AND
SENATORS SCHEDLER, DARDENNE, AND HAINKEL
AN ACT

To amend and reenact R.S. 9:226(A), R.S. 17:167(A), 222(B)(1), and 236.1(B), R.S. 18:101(E)(1)(c), 105(A), and 114(F)(3), and R.S. 23:184(2)(a) and 992.2(1), relative to the use of birth records; to provide for the use of short-form birth certification cards as proof of the recorded facts of birth; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 80—
BY REPRESENTATIVES MURRAY, DEWITT, MCMAINS, AND
SCHWEGMANN AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 46:2633(B)(1) and (D)(1) and 2635(A) and to enact R.S. 46:2635(E), relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for expenditures for administrative costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 82—
BY REPRESENTATIVES MURRAY, DEWITT, AND MCMAINS AND
SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 46:450.1(A), (C)(1) and (2), and (D)(2) and to repeal R.S. 46:450.1(E), (F), (G), and (H), relative to the electronic distribution of public assistance benefits and services; to delete provisions allowing for payment of transaction fees and other costs; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 88—
BY REPRESENTATIVES PIERRE, JACK SMITH, DEWITT, AND MCMAINS
AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 49:214.30(G) and to enact R.S. 49:214.23(13), relative to coastal use permits; to define residential coastal use; to authorize the imposition of certain fees; to provide for application fees for nonresidential coastal uses and evaluation fees for proposed excavation or filling in the coastal zone; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 99—
BY REPRESENTATIVE WRIGHT
AN ACT

To authorize and provide for the transfer or lease of certain state property in Grant Parish to the Grant Parish Police Jury from the Department of Health and Hospitals; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 110—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo) and to enact R.S. 33:4574(A)(2)(qq) and 4574.1-A(A)(1)(qq), relative to tourist commissions for certain parishes; to create tourist commissions composed of all the territory in Morehouse Parish and East Carroll Parish as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; to remove provisions for such commissions in parishes within a certain population range; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 121 (Duplicate of Senate Bill No. 35)—
BY REPRESENTATIVE DEWITT AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 17:3361(A)(5), relative to the authority of institutions or agencies of higher education to lease or acquire property; to authorize higher education management boards to lease a portion of university grounds, campus, or other immovable property to private for-profit entities under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 149—
BY REPRESENTATIVES ODINET, DEWITT, AND MCMAINS AND
SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 56:303.4, 303.7, 306.5, 306.6, 307.7, and 309.3, to enact R.S. 56:306.7, and to repeal R.S. 56:345, relative to commercial fishing reporting and recordkeeping requirements by wholesale/retail seafood dealers, retail seafood dealers, restaurants, retail grocers, soft shell crab sheddors, commercial fisherman, and fresh product licensees; to provide for the Commercial Fisherman's Sales Card and required information; to provide for the commercial receipt form and required information; to provide procedures for the sale or transfer of fish; to provide for records maintained when acquiring or selling fish; to provide for records of wholesale/retail seafood dealers; to provide for the maintenance and availability of records; to provide for the use and confidentiality of information; to provide for the transmission of information to the Department of Wildlife and Fisheries; to provide for the presumption of unrecorded transactions; to provide for definitions; to provide for marking fish shipments and bills of lading with required information; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 153—
BY REPRESENTATIVES CLARKSON, DURAND, GLOVER, ILES, PERKINS,
SCHWEGMANN, STRAIN, AND WILKERSON
AN ACT

To enact R.S. 40:1299.90.2, relative to the Breast Cancer Control Program; to provide breast cancer detection and prevention services and education; to provide for mammography examinations; to provide for breast cancer control agents; to provide for funding of the program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 158—
BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 33:130.552(A)(1)(k) and (l), relative to economic development in north Lake Charles; to provide for additional members of the board of commissioners of the North Lake Charles Economic Development District; and to provide for related matters.

March 29, 2000

Reported without amendments.

HOUSE BILL NO. 159—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 17:3048.1(S)(3), to provide Tuition Opportunity Program for Students eligibility for certain otherwise qualified students who graduated from high school during the 1998-1999 school year and who obtained a qualifying score on the American College Test after graduating but prior to July 1, 1999; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 171—
BY REPRESENTATIVES DARTEZ, DOWNER, DUPRE, AND TRICHE AND SENATOR GAUTREAUX
AN ACT

To amend and reenact R.S. 17:71.5, relative to school board reapportionment; to require a school board to reapportion itself under certain circumstances; to provide relative to the procedures to be used in such reapportionment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 181—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 40:32 and 34(B)(1)(i), (j), (k), (l), (m), (n), (o) (p), (q), and (r) and to enact R.S. 40:34(B)(1)(a)(viii), (h)(v), and (s), relative to birth certificates; to define biological parents; to require that the married couple proven by DNA testing to be the biological parents of a child shall be listed as the mother and father on the birth certificate; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 188—
BY REPRESENTATIVES BROOME, CAZAYOUX, AND DEVILLIER AND SENATOR MARIONNEAUX
AN ACT

To amend and reenact R.S. 33:103(C)(1)(d) and to enact R.S. 33:106.2, relative to the West Baton Rouge Parish Planning Commission; to authorize an increase in the per diem allowance for members of the planning commission; to establish limits; to provide that the parish home rule charter controls in cases of conflict with the general law governing planning commissions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 194—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 40:1501.5, relative to fire protection districts in St. Tammany Parish; to prohibit the levy and collection of certain ad valorem taxes by such districts in areas which have been annexed by municipalities; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 200—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 37:1281, relative to fees assessed by the Louisiana State Board of Medical Examiners; to require the board to charge and collect certain fees to cover programs administered by the board; to provide for the amount of such fees; to provide for the collection of such fees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Motion to Recommit

Senator Lentini asked for and obtained a suspension of the rules and recommitted House Bill No. 15 from the Committee on Judiciary B to the Committee on Judiciary C.

Rules Suspended

Senator Gautreaux asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 14 from the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR GAUTREAUX
A CONCURRENT RESOLUTION

To memorialize Congress to increase the mandated depth from twenty feet to thirty-five feet for that portion of the Atchafalaya River south of the railroad bridge at Morgan City to the mouth of the river.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	McPherson
Bajoie	Gautreaux	Michot
Barham	Hines	Mount
Bean	Hollis	Robichaux
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Chaisson	Jones, B	Smith
Cravins	Jones, C	Theunissen
Dardenne	Lambert	Thomas
Ellington	Lentini	Ullo
Fields, C	Marionneaux	
Total—32		

NAYS

Dean

Total—1

ABSENT

Campbell	Heitmeier	Malone
Fontenot	Johnson	Tarver
Total—6		

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

March 29, 2000

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE HOLDEN AND SENATOR C. FIELDS
A CONCURRENT RESOLUTION

To commend and congratulate Sidney Poitier upon his richly deserved receipt of the Screen Actors Guild Life Achievement Award and to recognize his paramount contributions to the American silver screen and the inspiration he has provided.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVE SCHNEIDER AND SENATORS HAINKEL AND SCHEDLER
A CONCURRENT RESOLUTION

To commend and congratulate the wrestling team of The Saint Paul's School in Covington upon winning the state championship.

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE DANIEL
A CONCURRENT RESOLUTION

To express the tribute of the Legislature of Louisiana to Adam Theodore "Ted" Bourgoyne, Junior, upon his retirement from Louisiana State University, and to commend him for his truly distinguished academic career, his many achievements in scholarly research and writing in the field of petroleum engineering, and for his highly significant contributions to higher education in Louisiana.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Tarver 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, March 30, 2000 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, March 30, 2000.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk