

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

NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 13, 1999

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

ROLL CALL

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

PRESENT

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38		

ABSENT

Bajoie
Total—1

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

Prayer

The prayer was offered by Rev. Leland Briggs, 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 Cain, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

The following messages from the Governor were received and read as follows:

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

April 13, 1999

To the Honorable President and members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through April 2, 1999. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

Sincerely,
M. J. "MIKE" FOSTER, JR.

ACADIA

Ruby Allen
327 North Ave. C
Crowley, La 70526

Dawn O. Doucet
527 S. Adair St.
Church Point, La 70525

ASCENSION

Mary M. Dean
18208 Bill Morgan Rd.
Prairieville, La 70769

BEAUREGARD

Carol Lebleu
960 Hunts Rd.
Ragley, La 70657

BOSSIER

Lisa A. Phelps
4608 Lawndale Dr.
Benton, La 71006

Denice Washburn
105 Southfield Rd.
Shreveport, La 71105

CALCASIEU

Shyla J. Ellender
2211 Patton St., Trlr C20
Sulphur, La 70665

Lisa Lacombe
2568 West Gauthier Rd.
Lake Charles, La 70605

Rebecca Fleming Todd
P. O. Drawer 7820
Lake Charles, La 70606

Margaret Ann Vitello
6310 Nelson Rd.
Lake Charles, La 70605

CLAIBORNE

Calvin Wayne Elmore
24605 Hwy. 2
Homer, La 71040

Judy A. Williams-Brown
301 West Alabama
Ruston, La 71270

EAST BATON ROUGE

Eldon Harvey
13021 Braxton Ave.
Baton Rouge, La 70817

Donna Patin
10313 Airline Hwy.
Baton Rouge, La 70816

Gary Taylor
9430 Jackie Cochran, Ste. 212
Baton Rouge, La 70807

Patsy G. Thomas
14255 Eastridge Ave.
Baton Rouge, La 70817

GRANT

Charles E. Thomas, Jr.
664 Crawford Loop
Pollock, La 71467

JEFFERSON

Norma B. Broussard
546 Gretna Blvd.
Harvey, La 70058

Troy A. Broussard
616 Girod St., Ste.200
New Orleans, La 70130

Edward J. Sisk
3829 Veterans Blvd., Ste. 205
Metairie, La 70002

LAFAYETTE

Almarie W. Barilleaux
214 Jefferson St., Ste.202
Lafayette, La 70501

Mary Bernard
112 Hillside Dr., #48
Lafayette, La 70503

Cathy Jagneau
1509 Moss St.
Lafayette, La 70501

Gail M. Miller
207 Fernway Lane
Duson, La 70529

April 13, 1999

Jamie D. Parker
556 Jefferson St.
Lafayette, La 70502

LINCOLN

Melodye Patterson
579 Leachman Rd.
Ruston, La 71270

ORLEANS

Laura Leigh Blackston
201 St. Charles, 49th Fl.
New Orleans, La 70170

Christy F. Kane
4500 One Shell Square
New Orleans, La 70139

Elizabeth M. Mayeaux
1100 Poydras St., Ste. 3600
New Orleans, La 70163-3600

Bradley P. Naccari
3838 N. Causeway, Ste. 2500
Metairie, La 70002

OUACHITA

Kenneth D. Baker
1240 Hwy. 594
Monroe, La 71203

Sheree Driver
P. O. Box 94245
Baton Rouge, La 70804-9245

Randall Lowery
1240 Hwy. 594
Monroe, La 71203

Reginald Smith
400 St. John St., Ste. 301
Monroe, La 71201

RAPIDES

Tracy D. Alletag
2250 Hwy. 28 East
Pineville, La 71360

Angie D. Basco
5800 Masonic Dr.
Alexandria, La 71301

Allen Filipi
910 Main St.
Pineville, La 71360

Mike Gates
910 Main St.
Pineville, La 71360

Ben Gremillion
910 Main St.
Pineville, La 71360

Claudette B. Harvey
2434 Vance Ave.
Alexandria, La 71301

Bruce E. Helaire
2715 Mason St.
Alexandria, La 71303

Tricia M. Roy
309 Melody Dr.
Lafayette, La 70503

LIVINGSTON

Dawn Ogden Bennett
30883 Meadowwood Blvd.
Denham Springs, La 70726

Churita H. Hansell
201 St. Charles, Ste.3300
New Orleans, La 70170

Melissa S. Labauve
4500 One Shell Square
New Orleans, La 70139

James Meza III
201 St. Charles Ave.,Fl.49
New Orleans, La 70170

Ernest Davis
400 St. John St., Ste. 301
Monroe, La 71201

Johnny D. Ezell
400 St. John St., Ste. 301
Monroe, La 71201

Bruce A. Robinson
1240 Hwy. 594
Monroe, La 71203

Michael S. Swallow
400 St. John St., Ste. 301
Monroe, La 71201

Billy Alvarado
910 Main St.
Pineville, La 71360

Mickey Basco
910 Main St.
Pineville, La 71360

Marty Fletcher
910 Main St.
Pineville, La 71360

Kelly C. Gaugler
7605 Coliseum Blvd.
Alexandria, La 71303

Henry William Griffin
3421 Curtis Dr.
Alexandria, La 71301

Robert Heimbach
910 Main St.
Pineville, La 71360

Greg Henley
910 Main St.
Pineville, La 71360

Monica M. Hennings
5796 Gene Ball Dr.
Alexandria, La 71302

Lane Litton
910 Main St.
Pineville, La 71360

Keith Mclain
910 Main St.
Pineville, La 71360

Jesse Paul
910 Main St.
Pineville, La 71360

Kenneth Secoy
910 Main St.
Pineville, La 71360

Jodi K. Smith
P. O. Box 1171
Ball, La 71405

Krista Z. Winfree
2250 Hwy. 28 East
Pineville, La 71360

SABINE

Christie Rains Eaves
588 Eaves Lane
Zwolle, La 71486

ST. JOHN

Brett D. Maurin
110BelleTerre Blvd.,Ste.200
Laplace, La 70068

ST. MARTIN

Emelie Colley
P. O. Box 90204
Lafayette, La 70509

Curtis J. Payne
P. O. Box 604
St. Martinville, La 70582

ST. TAMMANY

Bobbie K. Calandro
109 Beau Chasse
Mandeville, La 70471

TERREBONNE

Timothy C. Ellender, Jr.
1143 Bayou Black Dr.
Houma, La 70360

Kenneth Johnson
910 Main St.
Pineville, La 71360

Rita S. Mann
901 Main St.
Pineville, La 71360

Dianne Netherlin
910 Main St.
Pineville, La 71360

Joseph Salmon
910 Main St.
Pineville, La 71360

David L. Sikes
2040 Marye St.
Alexandria, La 71301

Douglas Washington
910 Main St.
Pineville, La 71360

ST. BERNARD

Cynthia Lerouge Franatovich
2817 Moss Lane
Violet, La 70092-9116

ST. LANDRY

Christie Campbell
618 Country Ridge Rd.,#92
Opelousas, La 70570

April Leblanc
P. O. Box 90783
Lafayette, La 70509

Julia C. Spear
1130 Rue Orleans
Slidell, La 70458-2228

UNION

Amy G. Allred
1974 Phillips Ferry Rd.
Sterlington, La 71280

**Introduction of Senate Bills
and Joint Resolutions**

Senator Bean 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. 1011—
BY SENATOR EWING

AN ACT

To enact R.S. 46:450.6, relative to families; to require the Department of Social Services to develop a community-based family center program; to provide for purposes of program; to require DSS to promulgate rules; to provide for a pilot project; to require certain reports on the pilot program; and to provide for related matters.

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

SENATE BILL NO. 1012—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 26:933(A)(1)(g), relative to the responsible vendor program; to replace the administrative committee member named by the Highway Safety Council with one named by the Highway Safety Commission; and to provide for related matters.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR EWING

A CONCURRENT RESOLUTION

To extend the heartfelt condolences of the Legislature of Louisiana and its staff to the family of Delmar "Dee Dee" Fulmer-Gilbert, a longtime and treasured member of legislative staff.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theuissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

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

April 13, 1999

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. 403—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:8(25), 303(A), and 303.4(A) and to enact R.S. 56:303.1.1, relative to commercial fishing; to provide with respect to a fresh products license; and to provide for related matters.

HOUSE BILL NO. 405—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:325.2 and 326(E)(1), relative to possession of finfish; to set limits for possession of finfish consumption at sea; to exempt bait species; and to provide for related matters.

HOUSE BILL NO. 1527—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 56:804, relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to define the boundaries of the sanctuary; to provide for administration of the sanctuary; to provide for fishing regulations and restrictions within the sanctuary; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 1528—
BY REPRESENTATIVES JACK SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 56:14, relative to sale of fish and wildlife; to provide relative to prohibited acts involving interstate commerce; to provide for definitions; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1529—
BY REPRESENTATIVES HEBERT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 56:332(L), relative to taking of crabs; to establish a recreational daily and possession limit for blue crabs; and to provide for related matters.

HOUSE BILL NO. 1530—
BY REPRESENTATIVES HEBERT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 56:326(F)(4), relative to size and possession limits for commercial fish; to provide penalties for possession of undersize crabs; and to provide for related matters.

April 13, 1999

HOUSE BILL NO. 1558—

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:500(B), relative to fishing; to provide relative to shrimp and recreational possession limits; to provide relative to the amount of shrimp which can be taken with a castnet from a land vehicle; and to provide for related matters.

HOUSE BILL NO. 1565—

BY REPRESENTATIVES FRITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:326(A), relative to size limits for commercial fish; to prohibit the selling or purchase of commercial fish species under or over the prescribed size or creel limit; and to provide for related matters.

HOUSE BILL NO. 1566—

BY REPRESENTATIVES TRICHE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:36, relative to wildlife and fisheries; to provide relative to violations and penalties; to provide relative to class six violations and penalties; and to provide for related matters.

HOUSE BILL NO. 1567—

BY REPRESENTATIVES GAUTREAU, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:497(C) and (D), relative to bait shrimp permits; to provide relative to penalties for violation of the bait shrimp regulations; and to provide for related matters.

HOUSE BILL NO. 1525—

BY REPRESENTATIVES FAUCHEUX, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:8(12)(a)(introductory paragraph) and (69) and 301.2(introductory paragraph) and to enact R.S. 56:8(69.1) and 301.2(B), relative to wildlife and fisheries; to provide relative to the obtaining of certain commercial licenses by persons or entities who are not United States citizens or not organized and domiciled in the United States; to provide definitions, requirements and fees; and to provide for related matters.

HOUSE BILL NO. 1115—

BY REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 33:2740.37(B)(1), relative to educational facilities improvement districts; to create such a district in certain parishes; to provide for district boundaries; and to provide for related matters.

HOUSE BILL NO. 282—

BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 24:204(B) and to enact R.S. 24:204(C), relative to the Louisiana State Law Institute; to allow a member of the Louisiana State Law Institute to submit and present a minority report on legislation proposed by the law institute; to provide for the content of such report; to provide for the distribution of such report; to require the inclusion of a summary of each minority report in the digest of such proposed legislation; and to provide for related matters.

HOUSE BILL NO. 283—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 24:202(A)(18) and (19), relative to the membership of the council of the Louisiana State Law Institute; to provide that any Louisiana members of the Board of Governors of the National Bar Association shall serve as ex officio members of the council of the law institute; and to provide for related matters.

SENATE BILL NO. 461—

BY SENATOR CAIN

AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.5 - 844.7, relative to wireless telephones; to require explanation of contracts; to prohibit certain transactions; and to provide for related matters.

HOUSE BILL NO. 542—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 17:54(B), relative to appointments of local superintendents of schools; to require each city and parish school board to advertise vacancies and solicit applications for the position of local superintendent; to provide for publication thereof; and to provide for related matters.

HOUSE BILL NO. 1395—

BY REPRESENTATIVES LONG, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, CLARKSON, DURAND, GLOVER, SCHWEGMANN, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 46:450.2(C), relative to nonemergency, nonambulance transportation service providers; to provide for classes of violations by a provider; to provide for civil fines for violations; and to provide for related matters.

HOUSE BILL NO. 1941—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development and implementation of a pilot education and nutrition summer program for children; to provide relative to the selection of sites and participation in the program; to provide for rules and regulations and funding for the program; and to provide for related matters.

HOUSE BILL NO. 156—

BY REPRESENTATIVE FARVE

AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and implement a pilot program to improve English and language arts instruction; to provide relative to program components; and to provide for related matters.

HOUSE BILL NO. 196—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 40:1485.10, relative to regulation of charitable gaming; to provide for de novo review of charitable gaming decisions; to provide for venue in certain actions; and to provide for related matters.

HOUSE BILL NO. 197—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 40:1485.8(B), relative to charitable gaming; to provide for commercial lease of premises for two-hour sessions; and to provide for related matters.

HOUSE BILL NO. 284—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.4(10), relative to the functions and duties of the division of charitable gaming control in the office of state police of the Department of Public Safety and Corrections; to provide with regard to rulemaking procedures of the division of charitable gaming control; and to provide for related matters.

HOUSE BILL NO. 312—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 40:1485.5(G), relative to the regulation of charitable gaming; to provide for a time limit on effectiveness of agreements between the division of charitable gaming control of the office of state police within the Department of Public Safety and Corrections and charitable gaming licensees; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Bean 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. 156—
BY REPRESENTATIVE FARVE
AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and implement a pilot program to improve English and language arts instruction; to provide relative to program components; and to provide for related matters.

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

HOUSE BILL NO. 196—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.10, relative to regulation of charitable gaming; to provide for de novo review of charitable gaming decisions; to provide for venue in certain actions; and to provide for related matters.

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

HOUSE BILL NO. 197—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.8(B), relative to charitable gaming; to provide for commercial lease of premises for two-hour sessions; and to provide for related matters.

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

HOUSE BILL NO. 282—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 24:204(B) and to enact R.S. 24:204(C), relative to the Louisiana State Law Institute; to allow a member of the Louisiana State Law Institute to submit and present a minority report on legislation proposed by the law institute; to provide for the content of such report; to provide for the distribution of such

report; to require the inclusion of a summary of each minority report in the digest of such proposed legislation; and to provide for related matters.

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

HOUSE BILL NO. 283—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 24:202(A)(18) and (19), relative to the membership of the council of the Louisiana State Law Institute; to provide that any Louisiana members of the Board of Governors of the National Bar Association shall serve as ex officio members of the council of the law institute; and to provide for related matters.

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

HOUSE BILL NO. 284—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.4(10), relative to the functions and duties of the division of charitable gaming control in the office of state police of the Department of Public Safety and Corrections; to provide with regard to rulemaking procedures of the division of charitable gaming control; and to provide for related matters.

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

HOUSE BILL NO. 312—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 40:1485.5(G), relative to the regulation of charitable gaming; to provide for a time limit on effectiveness of agreements between the division of charitable gaming control of the office of state police within the Department of Public Safety and Corrections and charitable gaming licensees; and to provide for related matters.

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

HOUSE BILL NO. 403—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:8(25), 303(A), and 303.4(A) and to enact R.S. 56:303.1.1, relative to commercial fishing; to provide with respect to a fresh products license; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 405—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:325.2 and 326(E)(1), relative to possession of finfish; to set limits for possession of finfish consumption at sea; to exempt bait species; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 461—
BY REPRESENTATIVES BRUNEAU, ANSARDI, BARTON, BOWLER, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, DAMICO, DONELON, DUPRE, FAUCHEUX, FONTENOT, FRITH, GREEN, HEATON, HOLDEN, HOPKINS, KENNEY, LANCASTER, LEBLANC, MARTINY, MCMAINS, MONTGOMERY, MORRELL, MURRAY, POWELL, PRATT, SCHNEIDER, SCHWEGMANN, SHAW, THORNHILL, TOOMY, VITTER, WARNER, WILLARD, WINSTON, AND WOOTON AND SENATORS HAINKEL, BAJOLE,

BARHAM, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, HETTMEIER, IRONS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, MALONE, ROMERO, SCHEDLER, SIRACUSA, THEUNISSEN, AND ULLO

AN ACT

To enact R.S. 49:149.25, relative to state buildings; to provide that the former Wildlife and Fisheries building on Royal Street in New Orleans be renamed as the Judge Fred J. Cassibry Building; and to provide for related matters.

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

HOUSE BILL NO. 542—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 17:54(B), relative to appointments of local superintendents of schools; to require each city and parish school board to advertise vacancies and solicit applications for the position of local superintendent; to provide for publication thereof; and to provide for related matters.

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

HOUSE BILL NO. 1115—

BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 33:2740.37(B)(1), relative to educational facilities improvement districts; to create such a district in certain parishes; to provide for district boundaries; and to provide for related matters.

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

HOUSE BILL NO. 1395—

BY REPRESENTATIVES LONG, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, CLARKSON, DURAND, GLOVER, SCHWEGMANN, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 46:450.2(C), relative to nonemergency, nonambulance transportation service providers; to provide for classes of violations by a provider; to provide for civil fines for violations; and to provide for related matters.

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

HOUSE BILL NO. 1525—

BY REPRESENTATIVES FAUCHEUX, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:8(12)(a)(introductory paragraph) and (69) and 301.2(introductory paragraph) and to enact R.S. 56:8(69.1) and 301.2(B), relative to wildlife and fisheries; to provide relative to the obtaining of certain commercial licenses by persons or entities who are not United States citizens or not organized and domiciled in the United States; to provide definitions, requirements and fees; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1527—

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 56:804, relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to define the boundaries of the sanctuary;

to provide for administration of the sanctuary; to provide for fishing regulations and restrictions within the sanctuary; to provide penalties for violations; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1528—

BY REPRESENTATIVES JACK SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 56:14, relative to sale of fish and wildlife; to provide relative to prohibited acts involving interstate commerce; to provide for definitions; to provide for penalties; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1529—

BY REPRESENTATIVES HEBERT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 56:332(L), relative to taking of crabs; to establish a recreational daily and possession limit for blue crabs; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1530—

BY REPRESENTATIVES HEBERT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:326(F)(4), relative to size and possession limits for commercial fish; to provide penalties for possession of undersize crabs; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1558—

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:500(B), relative to fishing; to provide relative to shrimp and recreational possession limits; to provide relative to the amount of shrimp which can be taken with a castnet from a land vehicle; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1565—

BY REPRESENTATIVES FRITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:326(A), relative to size limits for commercial fish; to prohibit the selling or purchase of commercial fish species under or over the prescribed size or creel limit; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1566—
BY REPRESENTATIVES TRICHE, DEWITT, DOWNER, MCMAINS, DIEZ,
AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,
AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:36, relative to wildlife and fisheries; to provide relative to violations and penalties; to provide relative to class six violations and penalties; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1567—
BY REPRESENTATIVES GAUTREUX, DEWITT, DOWNER, MCMAINS,
DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL,
BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 56:497(C) and (D), relative to bait shrimp permits; to provide relative to penalties for violation of the bait shrimp regulations; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 1941—
BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development and implementation of a pilot education and nutrition summer program for children; to provide relative to the selection of sites and participation in the program; to provide for rules and regulations and funding for the program; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Jordan, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 13, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 15—
BY SENATOR ROMERO

AN ACT

To enact R.S. 46:2135(I), relative to domestic abuse assistance; to provide for hearing officers to hear certain rules to show cause in the process of the enforcement of protective orders; to provide for hearing officer selection and qualifications and for hearing procedures; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 157—
BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 793, 801, and 808, relative to juries; to allow jurors in criminal cases to take notes and use them during deliberations; to permit written instructions

and charges to go to the jury room and be used during deliberations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 519—
BY SENATOR BAJOE

AN ACT

To amend and reenact R. S. 14:79(A)(1) and (E) and to enact R. S. 14:79(A)(3), relative to domestic violence offenses; to define the crime of violation of protective orders; to provide for failure to comply with conditions of bail, probation, or parole relative to protective orders; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 694—
BY SENATOR CAIN

AN ACT

To enact R.S. 32:430.1, relative to alcoholic beverages; to provide for the denial of driving privileges as a penalty for the crime of unlawful purchase or possession of alcoholic beverages; to provide for a hardship license under certain circumstances; to provide for reinstatement of a license; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 795—
BY SENATOR IRONS

AN ACT

To enact Children's Code Art. 606(A)(6), relative to grounds for determining child in need of care status; to add unlawful possession of a firearm by a child as an additional ground; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
J. LOMAX JORDAN, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

April 13, 1999

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. 110—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 32:429.1; to establish a toll free hotline in the Department of Public Safety and Corrections; to provide for information; to provide for a live person; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 159—
BY SENATOR LENTINI

AN ACT

To enact R.S. 9:164.1, relative to the disposition of unclaimed property; to authorize the clerks of court of parishes with a population in excess of four hundred thousand to retain abandoned or unclaimed court cost deposits which have remained unclaimed for more than three years; to provide for reclamation by the owner; to provide for

the commencement of the three-year period; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 217—
BY SENATOR MALONE

AN ACT
A JOINT RESOLUTION

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana; to delete the automatic pardon provision except for persons convicted of a non-violent crime committed while under the age of twenty-one; to specify an election date for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 366—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:574, relative to the adoption of rules; to provide with respect to the Board of Pardons; to provide for applications; and to provide for related matters.

Reported Favorably.

SENATE BILL NO. 382—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 13:1899(C), relative to court cost in criminal cases; to increase certain cost in criminal matters to defray the expenses of the marshal or constable of the court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 388—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:1704(A)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (13), (14), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), and (31)(a), relative to fees and costs authorized for constables and marshals; to increase the fees and costs authorized for certain services of constables and marshals; to remove the authorization for mileage reimbursement for service of process; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 570—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 15:574.7(B)(1)(c) and (2)(a), and 574.8(B), relative to parole; to provide for the custody and supervision of parolees; to provide for modification or suspension of supervision; to provide for violation of conditions of parole; to provide for the summary arrest and confinement of parolees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 779—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:255(A)(1) and to enact R.S. 15:255(A)(3), relative to compulsory process; to provide with respect to witness fees to off-duty law enforcement officers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 893—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 40:1379.1(I), relative to public health and safety; to provide for length of term that judges may be licensed to carry concealed weapons; and to provide for related matters.

Reported Favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

AGRICULTURE

Senator Cain, Chairman on behalf of the Committee on Agriculture, submitted the following report:

April 13, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 936—
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 37:1518(A)(4), 1526(A)(2) and (B), 1549(A), 1551, 1552(3) and (4), 1553(4)(b), the introductory paragraph of 1554(A) and 1554(A)(2) through (6), 1556, 1557(C), and 1558 and to enact R.S. 37:1552(5), 1553(4)(c) and (d) and (6), 1554(A)(7) through (14), relative to the Louisiana Veterinary Practice Act; to provide for the issuance of subpoenas under certain circumstances; to provide for disciplinary actions of licensees; to provide for costs of proceedings; to provide for fees; to provide for legislative intent; to provide for rules; to provide for duties for a lead certified animal euthanasia technician; to provide for disciplinary actions of certified animal euthanasia technician; to provide for applicant license requirements; to provide for penalties for violations; and to provide for related matters.

Reported Favorably.

SENATE BILL NO. 945—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 51:614(A), relative to agricultural commodities; to require corporations to label products containing beef from a foreign country after January 1, 2000; to provide for penalties; to provide for administration and enforcement; to provide for exceptions; and to provide for related matters.

Reported Favorably.

SENATE BILL NO. 967—
BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To enact R.S. 3:4278.3, relative to forestry products; to provide that a person harvesting timber products shall maintain appropriate records as required by the commissioner of agriculture and forestry; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 988—
BY SENATORS DYESS AND CAIN

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(c), relative to the Department of Agriculture and Forestry including provisions

to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part of the department by law; to provide for the effective termination date of all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported Favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

SENATE BILL NO. 2—
BY SENATOR HINES AND REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 11:1002(12) and 1192(A), relative to the Louisiana School Employees' Retirement System; to provide for the inclusion of certain school bus operation expenses in computing compensation for retirement purposes; 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 Original Senate Bill No. 2 by Senator Hines

AMENDMENT NO. 1

On page 2, line 13, after "compensation" insert ", and such earnable compensation shall be applicable to the calculation of benefits only for service years earned during and after the 1999-2000 school year."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 20—
BY SENATOR HINES
AN ACT

To amend and reenact R.S. 17:1681.1(A), relative to educational benefits for children of police officers, deputy sheriffs, or certain probation and parole officers killed or permanently disabled in performance of duty; to provide relative to the amount and applicability of the allowance for such children; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Greene, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 31—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to registration; to create the American-Italian Renaissance Foundation prestige license plate; to provide for fees; to provide for disbursement of such fees; to provide for design of such plates; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 75—
BY SENATOR DYESS
AN ACT

To amend and reenact R.S. 47:463.8(B)(1), (2), and (4), and (D), relative to motor vehicles; to provide relative to license plates for antique motor vehicles; to decrease the one-time fee for such plates issued after a certain date; to delete annual fee for personalized prestige plates for antique motor vehicles issued after a certain date; to require a one-time fee for such plates; to decrease fee for the registration symbol used on an antique license plate issued after a certain date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 75 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 5, after "date;" delete "to repeal standard registration fee for such plates;"

AMENDMENT NO. 2

On page 1, delete line 8 and insert "to decrease fee for"

AMENDMENT NO. 3

On page 1, delete line 10 and insert "certain date; and to"

AMENDMENT NO. 4

On page 2, delete lines 11 through 14 and insert:

"fee of twenty-five dollars, which shall be in addition to the regular motor vehicle registration license fee and a one-time fee of fifty dollars for the personalized prestige plates in addition to the regular motor vehicle registration license fee."

AMENDMENT NO. 5

On page 2, delete lines 24 through 27 and insert:

"regular motor vehicle registration license fee. After August 15, 1999, a one-time fee of twenty-five dollars shall be paid for the symbol, which shall be in addition to the regular motor vehicle registration license fee. The fee for transferring a special license plate for an"

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

SENATE BILL NO. 137—
BY SENATOR EWING
AN ACT

To amend and reenact R.S. 56:320(A)(1) and (2), and to repeal R.S. 56:320(A)(4), relative to the methods of taking freshwater or saltwater fish; to repeal the provisions that authorize the taking of certain freshwater gamefish by bow and arrow and certain provisions prohibiting the use of bow and arrow on certain trophy and quality lakes; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 154—
BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 56:303(A), (B), and (D), 303.1, and 303.4(A), and to enact R.S. 56:303.4(C), relative to commercial fishing licenses; to create the "fresh products license"; and to provide for related matters.

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Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 154 by Senator Smith

AMENDMENT NO. 1

On page 3, delete lines 7 through 11 and insert the following:

"C. Anyone holding a fresh products license shall, on or before the tenth day of each month, submit to the department, on forms provided or approved by the department for that purpose, information required by the department as provided in R.S. 56:303.7."

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

SENATE BILL NO. 168— BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 47:463.12(B), relative to motor vehicles; to provide relative to prestige license plates for street rods; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 168 by Senator Dyess

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "to repeal the" and delete line 4 and insert "and"

AMENDMENT NO. 2

On page 2, at the end of line 1, delete "only." and delete lines 2 and 3 and insert "in addition to the regular fee charged under the provisions of R.S. 47:463."

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

SENATE BILL NO. 190— BY SENATORS W. FIELDS, BAJOIE, C. FIELDS AND JOHNSON AN ACT

To enact R.S. 29:730.1, relative to the Louisiana Emergency Assistance and Disaster Act; to authorize a parish president, a parish governing authority, or a parish emergency/disaster agency to enter other parishes upon the request of the president, governing authority, or emergency/disaster agency of such parish to provide assistance during emergencies and disasters; 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. 190 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 10, after "Interjurisdictional" delete the remainder of the line and insert the following: "emergency preparedness agency; providing assistance within another parish"

AMENDMENT NO. 2

On page 1, line 15, change "emergency disaster" to "emergency/disaster"

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. 198— BY SENATOR W. FIELDS AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a), relative to the Tuition Opportunity Program for Students; to provide relative to eligibility; to provide for residency requirements; 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 Original Senate Bill No. 198 by Senator W. Fields

AMENDMENT NO. 1

On page 2, line 4, after "years" insert "who actually enrolled in an eligible institution and received an award letter notifying him that he was an eligible recipient of a TOPS award beginning in the fall of 1998"

AMENDMENT NO. 2

On page 2, line 15, after "years." beginning with "For" start a new paragraph and insert "(iii)"

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

SENATE BILL NO. 199— BY SENATOR ULLO AN ACT

To enact Subpart D of Part II of Chapter 3 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:1641 through 1645, relative to coroners; to authorize coroners to form an interlocal risk management agency and group insurance program; to provide for definitions, contributions, record keeping and limited liability of members; 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. 199 by Senator Ullo

AMENDMENT NO. 1

On page 3, line 6, change "sheriffs" to "coroners"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 614, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 249— BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS AN ACT

To amend and reenact R.S. 17:24.4(G)(4) and 346.1 and to repeal 24.4(H), relative to competency-based education programs; to

require that summer school remediation programs be offered to certain students; to provide relative to the requirements for summer school remediation programs; to provide relative to the funding for certain competency-based education programs, including summer school remediation programs; to provide relative to maximum required length of a school year for teachers and students; 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 Original Senate Bill No. 249 by Senator Dardenne

AMENDMENT NO. 1

On page 3, between lines 11 and 12, insert the following:

"(c) Local school boards may require students who fail to meet the required achievement level on a test necessary for promotion to the next grade to attend a remediation program, including requiring attending the summer remediation program, but shall exempt from such summer program any student whose parent or guardian signs a form which states, at a minimum, all of the following:

(i) That such parent or guardian understands that the student has failed to meet the required achievement level for promotion to the next grade.

(ii) That a summer school remediation program is being offered by the district to improve the skills of students who have failed to meet the required achievement level.

(iii) That the parent or guardian will take the responsibility of remediation to help the student improve his skills necessary for meeting the required achievement level on the test.

(iv) That the student will not be fully promoted to the next grade level unless a retest is taken and the student obtains the required achievement level."

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 251—

BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS
AN ACT

To amend and reenact R.S. 17:24.4(F)(3), and to enact R.S. 17:24.4(F)(4), relative to the Louisiana Educational Assessment Program; to require that alternate assessments be administered to certain students with disabilities who meet specific criteria developed by the Department of Education; and to provide for related matters.

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

SENATE BILL NO. 253—

BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS AND BRUCE
AN ACT

To enact R.S. 17:10.4, relative to school and district accountability; to require the establishment of a program of distinguished educators; to provide for required inclusions in the program; to provide relative to the employment status and the terms of employment of persons identified and selected as distinguished educators; to provide relative to the responsibilities of the state Department of Education and city and parish school boards; and to provide for related matters.

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

SENATE BILL NO. 258—

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND MCMAINS
AN ACT

To amend and reenact R.S. 47:1576(A)(2), relative to the remittance of taxes to the secretary of revenue under protest; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 259—

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS
AN ACT

To enact R.S. 47:1522, relative to authorizing the secretary of the Department of Revenue to enter into contracts for the conduct of alternative dispute resolution procedures to arbitrate any issue to assist in the collection of any taxes, penalties, or interest due; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 259 by Senators Barham, Dardenne, Ewing, and Hainkel

AMENDMENT NO. 1

On page 1, line 3, delete "use" and insert "enter into contracts for the conduct of"

AMENDMENT NO. 2

On page 1, delete lines 10 through 14

AMENDMENT NO. 3

On page 1, at the beginning of line 15, delete "B."

AMENDMENT NO. 4

On page 2, line 1, after "resolution" insert the following:

"to arbitrate any issue in order to assist in the collection of any taxes, penalties, or interest due under Sub-Title II of Title 47 when such procedures are deemed to be in the best interest of the state"

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

SENATE BILL NO. 260—

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS
AN ACT

To amend and reenact R.S. 47:852 and 853, and to enact R.S. 26:143(C) and 355(C) and (D) and R.S. 47:806(H), relative to tax administration; to authorize providing for an alternative to an invoice record; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 261—

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS
AN ACT

To amend and reenact R.S. 47:101(B)(7), relative to the innocent spouse rule; to provide for liability relief for certain joint filers of income tax; to authorize the secretary of the Department of

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Revenue to grant relief from liability under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 262— BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS AN ACT

To amend and reenact R.S. 47:1519(B), relative to requiring the electronic funds transfer of tax payments for certain taxpayers; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 263— BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(d), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 264— BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL, AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND MCMAINS AN ACT

To enact R.S. 47:1601(D), relative to income tax; to provide for suspension of interest on certain individual income tax liabilities if the secretary fails to notify the taxpayer within a certain period; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 264 by Senators Barham, Dardenne, Ewing, and Hainkel

AMENDMENT NO. 1 On page 1, line 14, change "18" to "eighteen"

AMENDMENT NO. 2 On page 1, line 15, after "date" insert a comma "," and after "extensions" insert a comma ","

AMENDMENT NO. 3 On page 2, at the end of line 1, after "date" insert a comma ","

AMENDMENT NO. 4 On page 2, line 2, after "extensions" insert a comma ","

AMENDMENT NO. 5 On page 2, between lines 7 and 8, insert the following:

"(3) The suspension of interest shall not apply when a taxpayer whose federal income tax return has been adjusted fails to furnish a statement to the secretary disclosing the nature and amounts of such adjustments within the

prescribed period of time pursuant to R.S. 47:103(C). If the taxpayer timely furnishes such a statement and the taxpayer did not receive notice of additional amounts owed to the Internal Revenue Service within eighteen months of the tax return's due date, without regard to extensions, or date of filing, whichever is later, the provisions of Subsection (D)(1) shall apply."

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

SENATE BILL NO. 269— BY SENATOR DYESS AN ACT

To amend and reenact R.S. 33:130.542(A)(3), relative to development districts; to provide relative to the Esler Industrial Development District; to increase the length of the commissioners' term of office; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 270— BY SENATOR DYESS AN ACT

To enact R.S. 40:1501(E)(9), relative to fire protection districts; to authorize the governing authority of the fire protection districts located in Rapides Parish to levy additional ad valorem taxes; to provide for voter approval of such tax; 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. 270 by Senator Dyess

AMENDMENT NO. 1 On page 1, lines 2, 8 and 15, change "40:1501(9)" to "40:1501(E)(9)"

AMENDMENT NO. 2 On page 1, between lines 11 and 12, insert the following:

"E. * * *"

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. 290— BY SENATOR CAMPBELL AN ACT

To amend and reenact R.S. 47:463.45(B) and (C), 463.46(B) and (C) and R.S. 56:10(B)(6)(a) and to enact R.S. 56:10(B)(9) and (10), relative to motor vehicles; to provide relative to license plates; to provide relative to the Louisiana Quail and Black Bear Unlimited prestige license plates; to reduce the fees for such plates; to create special accounts; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 290 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:"delete the remainder of the line and insert "463.45(B) and (C), 463.46(B) and (C) and R.S. 56:10(B)(6)(a) and to enact R.S. 56:10(B)(9) and (10), relative to motor vehicles;"

AMENDMENT NO. 2

On page 1, delete line 4 and insert "Quail and Black Bear Unlimited prestige license plates; to reduce the fees for such plates; to create special accounts;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 47:"delete the remainder of the line and insert "463.45(B) and (C) and 463.46(B) and (C) are hereby amended and"

AMENDMENT NO. 4

On page 1, between lines 8 and 9 insert the following:

"\$463.45. Special prestige license plates; Louisiana black bear

B. The charge for this special license plate shall be fifty dollars ~~twenty-six dollars, which shall be assessed every two years~~ in addition to the regular fee charged under the provisions of R.S. 47:463.

C.(1) Except as provided in Paragraph (2) of this Subsection, the revenues realized from the additional ~~fifty- twenty-six~~ dollar fee imposed by Subsection B of this Section shall be remitted to the state as provided by law. The state treasurer shall place an amount equal to those revenues in the Conservation Fund, after complying with the requirements of R.S. 56:10(B), and shall credit that amount to the "natural heritage black bear account" which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(6) (9). The funds raised from the license plate sales shall be used solely for nongame purposes.

(2) Five percent of the net proceeds from the ~~fifty- twenty-six~~ dollar fee imposed by Subsection B of this Section shall be used to promote the existence of the black bear prestige license plate and its availability for use on passenger vehicles. Notwithstanding any other provision of law to the contrary, every hunting and fishing license issued by the Department of Wildlife and Fisheries shall include a notice with a telephone number and mailing address for information on how to acquire a black bear prestige license plate for use on one's passenger car, pickup truck, or van.

* * *

AMENDMENT NO. 5

On page 1, at the beginning of the line 13, delete "twenty-five dollars annually" and insert "~~twenty-six dollars, which shall be assessed every two year~~"

AMENDMENT NO. 6

On page 1, line 16, change "~~twenty-five~~" to "~~twenty-six~~"

AMENDMENT NO. 7

On page 2, line 5, after "amount to the" delete "natural heritage" and insert "~~quail~~"

AMENDMENT NO. 8

On page 2, line 7, change "10(B)(6)" to "10(B)(10)"

AMENDMENT NO. 9

On page 2, line 8, change "~~twenty-five~~" to "~~twenty-six~~"

AMENDMENT NO. 10

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

** * *

Section 2. R.S. 56:10(B)(6)(a) is hereby amended and reenacted and R.S. 56:10(B)(9) and (10) are hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

* * *

B. * * *

(6)(a) There is hereby created within the Conservation Fund a special account known as the "natural heritage account" which shall consist of those revenues collected from the sale of "Wild Louisiana" stamps and prints provided for in R.S. 56:1832; ~~and those funds donated or allocated for the protection and stewardship of Louisiana's wild lands and waters to support the functions of the Louisiana Natural Heritage Program; those revenues collected from the sale of the Louisiana black bear license plate provided for in R.S. 47:463.45, and those revenues collected from the sale of the Louisiana quail unlimited plate provided for in R.S. 47:463.46.~~ The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph 1 of this Subsection. The funds in this account shall be used solely for the implementation and administration of Parts I, II, III, and IV of Chapter 8 of this Title and the natural heritage and nongame programs within the department.

* * *

R.S. 56:10(B)(9) is all prosed new law.

(9) There is hereby created within the Conservation Fund a special account known as the "black bear account" which shall consist of those revenues collected from the sale of the black bear unlimited license plates provided for in R.S. 47:463.45. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of conserving, restoring, and enhancing black bear habitat in Louisiana.

R.S. 56:10(B)(10) is all proposed new law.

(10) There is hereby created within the Conservation Fund a special account known as the "quail account" which shall consist of those revenues collected from the sale of the quail unlimited license plates provided for in R.S. 47:463.46. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of conserving, restoring, and enhancing quail habitat in Louisiana.

* * **

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

SENATE BILL NO. 316—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 11:1321 and 1322(B), relative to survivor benefits; to provide for the resumption of survivor benefits after the dissolution of a remarriage; to provide for limitations; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

April 13, 1999

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 316 by Senator Cox

AMENDMENT NO. 1

On page 2, line 12, after "application" insert "not later than January 1, 2000,"

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

SENATE BILL NO. 321— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:62(9) and 2178(C)(1), (2), (3), and (4), relative to the Sheriffs' Pension and Relief Fund; to increase contribution rates; to provide with respect to service accrual rates; to provide for 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 Original Senate Bill No. 321 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 2, after "C." insert "(1)"

AMENDMENT NO. 2

On page 3, line 9, after "4" change "(1)" to "(2)"

AMENDMENT NO. 3

On page 3, at the beginning of line 19, change "(2)" to "(3)"

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

SENATE BILL NO. 324— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:502, relative to the Louisiana State Employees' Retirement System; to provide for a death benefit for retirees age sixty-five or older; to provide for 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 Original Senate Bill No. 324 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3, change "65" to "sixty-five"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 326— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:479, relative to the Louisiana State Employees' Retirement System; to provide for the payment through electronic fund transfer of any retirement benefit to a member or beneficiary who becomes eligible for the benefit on or after January 1, 2000; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 332— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1422, relative to Assessors' Retirement Fund; to increase the benefit accrual rate; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 334— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:2178(B)(1)(c) and to amend and reenact R.S. 11:2178(B)(2), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to disability retirement; to increase the benefit for partial disability; to permit earning a certain income during total disability; to provide for 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 Original Senate Bill No. 334 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, delete line 1

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

SENATE BILL NO. 349— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 56:259(C), relative to open seasons and the taking of animals; to allow for the use of dogs while hunting nutria; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 368— BY SENATORS BARHAM AND SCHEDLER

AN ACT

To amend and reenact R.S. 9:162(B), relative to unclaimed property; to provide that the administrator shall be responsible for taking all reasonable measures to return property to the owner; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 373— BY SENATORS IRONS, CAIN, CAMPBELL, HINES, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES BRUNEAU, SCALISE AND WILLARD

AN ACT

To enact Part IX of Chapter 20 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3391.1 through 3391.13, relative to a Formosan Termite Initiative project; to provide for a short title; to provide for purposes and legislative intent; to provide for the powers and duties of the commissioner; to provide for cooperative agreements and funding; to provide for

quarantines; to provide for suppression zones and control programs; to provide for entry into premises and inspections; to provide for investigations; to provide for regulated articles and stop orders; to provide for enforcement and civil penalties; and to provide for related matters.

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

SENATE BILL NO. 403—
BY SENATOR LAMBERT

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the River Region Cancer Center prestige license plate; to provide relative to the design of such plate; to establish the fee for such plate; to provide for the disbursement and use of such fee; to require promulgation of rules; to provide for department approval of logo or symbol; to provide for a handling fee; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 403 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 6, after "rules;" insert "to provide for department approval of logo or symbol; to provide for a handling fee;"

AMENDMENT NO. 2

On page 2, line 1, change "twenty-five" to "twenty-six" and on line 2 after "dollars" insert " , which shall be assessed every two years"

AMENDMENT NO. 3

On page 2, after line 13, insert:

"E. The department shall approve any logo, symbol, or design before production of such plates is commenced.

F. All prestige license plates issued after August 15, 1999, shall include a handling charge of three dollars and fifty cents to offset the administrative costs of the department for the issuance of such plates."

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

SENATE BILL NO. 480—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:1101.1(B)(2), relative to bridge and ferry authorities; to provide for the authority of the Crescent City Connection police; to limit the geographic jurisdiction of those police officers on the Westbank Expressway; 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. 480 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 48:1101.1(B)(2)" and before "to" insert ", relative to bridge and ferry authorities;"

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. 502—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the Charles E. Dunbar Award recipient prestige license plate; to provide relative to certification of applicants; to provide relative to fees; to require the promulgation of rules; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 502 by Senator Hainkel

AMENDMENT NO. 1

On page 2, delete lines 4 through 6 and insert:

"C. The charge for this special license plate shall be a one-time fee of twenty-five dollars in addition to the regular fee charged under the provisions of R.S. 47:463."

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

SENATE BILL NO. 514—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(4)(a) and (d) and (L), relative to the Tuition Opportunity Program for Students; to provide continuing eligibility requirements for certain program awards; to provide limitations; to provide for the reinstatement of certain award payments under specified circumstances; to provide for an effective date; 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 Original Senate Bill No. 514 by Senator Greene

AMENDMENT NO. 1

On page 1, line 2, after "and (d)" insert "and (L)"

AMENDMENT NO. 2

On page 1, line 9, after "and (d)" insert "and (L)"

AMENDMENT NO. 3

On page 1, line 13, after "A." insert "* * *

AMENDMENT NO. 4

On page 2, line 19, after "(d)" insert "(i)"

AMENDMENT NO. 5

On page 2, line 20, change "A" to "(A)" and after "(d)" insert "**of this Section**"

AMENDMENT NO. 6

April 13, 1999

On page 2, line 22, beginning with "However" start a paragraph and insert "(ii)"

AMENDMENT NO. 7

On page 3, at the end of line 5, insert "The provisions of this Subsubparagraph shall apply to all students who receive state payments pursuant to a Performance Award or an Honors Award, including all such students from the beginning of the program."

AMENDMENT NO. 8

On page 3, after line 6, insert the following:

"L. Students Each student who initially qualify qualifies for more than one award under the provisions of this Section shall choose the award they wish to receive and thereafter shall be bound by the provisions of this Section relative to continued state payments pursuant to such award the award requiring the most rigorous eligibility criteria, unless the student chooses to receive the TOPS Tech Award and enrolls in a Louisiana public postsecondary institution pursuant to Paragraph (B)(2) of this Section. Once the student who has chosen a TOPS Tech Award enrolls in a Louisiana public postsecondary institution pursuant to Paragraph (B)(2) of this Section, his choice becomes irrevocable."

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 522— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1196(A)(2), relative to group self-insurance funds for workers' compensation; to provide a time limitation within which to conduct premium audits after termination of participation in the fund; to provide for payroll reporting and auditing; to provide penalties for failure to cooperate with required audits and for intentional misrepresentations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 522 by Senator Dardenne

AMENDMENT NO. 1

on page 1, line 13 after "within" and before "months" delete "two" and insert "four"

AMENDMENT NO. 2

On page 2, line 2, delete "Each" and insert in lieu thereof "If requested, each"

AMENDMENT NO. 3

On page 2, line 13 after "result," delete "the employer shall pay" and insert "the fund may charge the employer to pay"

AMENDMENT NO. 4

On page 2, at the beginning of line 20 delete "employer shall pay" insert in lieu thereof "fund may charge the employer to pay" and after premium delete "to the funds"

AMENDMENT NO. 5

On page 2, line 27 after "calculations" delete "," and insert ". The fund may charge" and after "employer" delete "shall" and insert "to"

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

SENATE BILL NO. 523— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1291.1(A)(2), relative to workers' compensation; to provide for the method of calculation of assessment of workers' compensation benefits for the office of workers' compensation administration; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 523 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 1, between "parties" and the ":" and insert "with the exception of recoveries made by reinsurers."

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

SENATE BILL NO. 528— BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 47:463.57, relative to license plates; to create a Native American prestige plate; to provide for the use of revenue from the plate; to require the establishment of certain scholarship programs; to provide relative to the design of the plate; to authorize promulgation of rules; to provide for department approval of logo or symbol; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 528 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 6, after "rules;" insert "to provide for department approval of logo or symbol;"

AMENDMENT NO. 2

On page 2, line 4, change "twenty-five" to twenty-six"

AMENDMENT NO. 3

On page 2, line 5, delete "annually" and insert "which shall be assessed every two years"

AMENDMENT NO. 4

On page 2, line 7, change "twenty-five" to twenty-six"

AMENDMENT NO. 5

On page 2, line 10, change "twenty-five" to twenty-six"

AMENDMENT NO. 6

On page 2, after line 17, insert:

"F. The department shall approve any logo, symbol, or design before production of such plates is commenced."

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

SENATE BILL NO. 535—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:495.1(F)(1), relative to wildlife and fisheries; to provide relative to shrimping vessels and nets; to provide certain total maximums per vessel; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 536—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:578.2(A) and (C), relative to the Louisiana Seafood Marketing and Promotion Board; to provide for changes in board membership; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 537—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:332(C)(1), (E), (G) and (H), and to enact R.S. 56:8(28.1) and (28.2), relative to fishing; to provide relative to methods and requirements for the taking of crabs; to provide relative to crab traps and disposal of crab traps; to provide requirements and penalties; to provide definitions; to provide for effective date; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 537 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 3, change "56:8(132)" to "56:8(28.1) and (28.2)"

AMENDMENT NO. 2

On page 1, line 10, change "56:8(132)" to "56:8(28.1) and (28.2)"

AMENDMENT NO. 3

On page 1, delete line 16 and insert the following:

"(28.1) "Serviceable crab trap" means any crab trap of legal construction and condition maintained in such a manner with the potential to harvest crabs. Maintained condition shall include being legally tagged, legally marked with float and float line attached and two escapement rings affixed whether obstructed or not.

(28.2) "Unserviceable crab trap" shall mean any crab trap which is not a serviceable crab trap."

AMENDMENT NO. 4

On page 2, delete lines 1 and 2.

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

SENATE BILL NO. 545—
BY SENATOR BRANCH

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; provides relative to license plates; to create the Louisiana Notary Association prestige license plate; to provide relative to the fee for such plate; to provide for the design of such plate; to provide relative to the application process for such plate; to provide for department approval of logo or symbol; to require the promulgation of rules; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 545 by Senator Branch

AMENDMENT NO. 1

On page 1, line 6, after "for such plate;" insert "to provide for department approval of logo or symbol;"

AMENDMENT NO. 2

On page 2, after line 21, insert the following:

"F. The department shall approve any logo, symbol, or design before production of such plates is commenced."

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

SENATE BILL NO. 548—
BY SENATOR ROMERO

AN ACT

To enact R.S. 56:451.1 and to repeal R.S. 56:450(E), relative to shell dredging; to prohibit shell dredging from any state owned waterbottom; to provide penalties; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 574—
BY SENATOR JORDAN

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to create a prestige license plate for veterans of the Cold War; to provide relative to the design of such plate; to provide relative to the issuance of such plate; to prohibit transference of such plate; to require promulgation of rules and regulations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 606—
BY SENATOR GREENE AND REPRESENTATIVE MARIONNEAUX

AN ACT

To enact R.S. 33:1236.25, relative to police juries; to authorize the governing authority of Pointe Coupee Parish to regulate construction of buildings and other structures over False River; to authorize the regulation of the filling in of portions of False River adjacent to private and public property by the governing authority of Pointe Coupee Parish; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 612—
BY SENATOR SIRACUSA

AN ACT

To repeal R.S. 30:607 and Chapter 10 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:1001 through 1011, relative to conservation; to repeal certain requirements regarding the first sale of new natural gas; to provide effective date; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill, which was designated a duplicate of House Bill No. 565, was read by title and passed to a third reading.

SENATE BILL NO. 623—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:965(B)(1), relative to jury duty; to require any person called for a central jury pool to be granted a leave of absence by his employer; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator Jones, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 661—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:578.12(A) and to enact R.S. 56:10(B)(1)(b), 305(B)(17) and 578.12(B), relative to shrimping; to provide for the establishment of certain special accounts and uses of monies therein; to provide for additional gear fees; to provide for certain duties, responsibilities and functions of the Louisiana Seafood Promotion and Marketing Board; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 670—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1272(A), relative to administrative procedure; to provide for settlement before workers' compensation judges; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 670 by Senator Jones

AMENDMENT NO. 1

On page 1, line 14, after "settlement" and before "in open" insert "and acknowledgment by the parties"

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

SENATE BILL NO. 672—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 49:316.1, relative to state agencies; to authorize state departments, agencies, boards, and commissions to accept credit, debit or similar cards in payment of obligations; to authorize the treasurer to contract with providers for such card services to state departments, agencies, boards and commissions; to require the treasurer to promulgate rules and guidelines for the processing of credit and debit card transactions with the treasury; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Hainkel, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 673—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1521(C), relative to the Clerks' of Court Retirement and Relief Fund; to increase the benefit accrual rate; to provide for prospective application only; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 682—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Subpart G of Part II of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1791 and R.S. 17:1792, relative to collegiate athletic scholarships; to provide relative to the nature of an athletic scholarship as an agreement among certain parties; to provide for certain obligations of the parties to such an agreement; to provide for the reimbursement of the cost of an athletic scholarship 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 Original Senate Bill No. 682 by Senator Dardenne

AMENDMENT NO. 1

On page 3, at the beginning of line 24, before "Department " insert "Louisiana"

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

SENATE BILL NO. 693—
BY SENATOR CAIN, REPRESENTATIVES ILES AND JOHN SMITH

AN ACT

To enact Subpart B-14 of Part IV of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of 33:130.361 through 33:130.365, relative to physical development of parishes and municipalities; to authorize creation of the Beauregard Parish Economic and Industrial Development District; to provide for membership and terms of office; to provide for powers of the district; 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. 693 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3, change "to R.S." to "through"

AMENDMENT NO. 2

On page 1, line 3, after "33:130.365" and before ";" insert ", relative to physical development of parishes and municipalities"

AMENDMENT NO. 3

On page 1, line 10, change "to" to "through"

AMENDMENT NO. 4

On page 4, line 14, change "authority" to "board"

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. 696—

BY SENATOR CAIN AND REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 11:1316, R.S. 23:1233, and R.S. 42:851.7, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement system as an accessory retirement benefit; to further provide with respect to the continuation of workers' compensation benefits and group health insurance benefits provided by the State Employees Group Benefits Program; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 736—

BY SENATOR ELLINGTON
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the Catahoula Cur prestige license plate; to provide relative to fees for such plates; to require promulgation of rules; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 739—

BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 33:385.1, relative to municipal powers; to provide for the qualifications of an elected chief of police of a village; 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. 739 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "to" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 3, change "chief of police" to "municipal powers"

AMENDMENT NO. 3

On page 2, lines 3 and 5, change "municipality" to "village"

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. 753—

BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 11:2175(E)(6), relative to the Sheriffs Pension and Relief Fund; to provide for reemployment, to provide with respect to recomputation of retirement benefits; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 788—

BY SENATOR COX
AN ACT

To amend and reenact R.S. 23:1294(A)(2) and (B) and to repeal 1294(C); relative to workers' compensation; to provide with respect to the administration of claims; to provide for the membership of the Workers' Compensation Advisory Council; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 788 by Senator Cox

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 23:1294" and before "(B)" insert "(A)(2) and"

AMENDMENT NO. 2

On page 1, line 4, after ";" and before "and" insert "to provide for the membership of the Workers' Compensation Advisory Council;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 23:1294" insert "(A)(2) and" and after "(B)" delete "is" and insert in lieu thereof "are"

AMENDMENT NO. 4

On page 1, delete line 9 and insert the following:

A. * * *

(2) It shall consist ~~thirteen~~ **fourteen** members appointed by the governor to serve at the pleasure of the governor. Each appointment by the governor shall be submitted to the Senate for confirmation.

(a) Two council members shall be representatives of labor and shall be presently or formerly affiliated with labor and residing and working in Louisiana;

(b) Two shall be representative of business interests in Louisiana;

(c) One shall be a representative of self-insured industries in Louisiana;

(d) One shall be an attorney licensed to practice law in Louisiana who has previously represented employers in workers' compensation claims;

(e) One shall be an attorney licensed to practice law in Louisiana who has previously represented claimants in workers' compensation claim;

(f) One shall be a representative from the Louisiana State Medical society; ~~and~~

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(g) Five shall be members of the general public; and R.S. 23:1294(A)(2)(h) is all proposed new law.

(h) One shall be a representative from the Louisiana Orthopaedic Association.

* * *

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

SENATE BILL NO. 801— BY SENATOR MALONE

AN ACT

To enact R.S. 47:463.57 and R.S. 56:10(B)(9), relative to revenue and taxation; to provide relative to license plates; to establish the Coastal Conservation Association license plate; to provide for a fee; to create the "coastal conservation account"; to provide for department approval of logo or symbol; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 801 by Senator Malone

AMENDMENT NO. 1

On page 1, line 5, after "account"; insert "to provide for department approval of logo or symbol;"

AMENDMENT NO. 2

On page 1, line 16, change "twenty-five" to "twenty-six"

AMENDMENT NO. 3

On page 2, line 1, delete "annually" and insert ", which shall be assessed every two years"

AMENDMENT NO. 4

On page 2, line 4, change "twenty-five" to "twenty-six"

AMENDMENT NO. 5

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

"E. The department shall approve any logo, symbol, or design before production of such plates is commenced."

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

SENATE BILL NO. 852— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1196(A)(6), relative to self-insurance funds for workers' compensation; to provide for premium discounts based on certain criteria; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 852 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, after "for more than" and before "years" delete "five" and insert in lieu thereof "three"

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

SENATE BILL NO. 865—

BY SENATORS HAINKEL, JONES AND SCHEDLER AN ACT

To enact R.S. 23:343, relative to prohibited discrimination in employment; to provide with respect to discrimination based on pregnancy, childbirth, or related medical conditions; to provide remedies; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator Jones, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 891—

BY SENATOR HEITMEIER AN ACT

To amend and reenact the introductory paragraph of R.S. 11:102(B)(3) and to enact R.S. 11:102(B)(3)(e) and Chapter 22 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:2201 through 2208, relative to the issuance of bonds; to authorize the issuance of pension obligation revenue bonds by the State Bond Commission; to provide for the funding of all or part of the unfunded accrued liability of state retirement systems; to authorize cooperative endeavor agreements among entities; to provide for the security for and payment of such revenue bonds; to provide for deposit of state funds; to provide for the use of proceeds of such revenue bonds by the retirement systems; to provide for an employer pension obligation revenue bond charge; to authorize the creation of necessary dedicated funds and accounts; to provide for the payment of employer contributions; 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 Original Senate Bill No. Senate Bill No. 891 by Senator Heitmeier.

AMENDMENT NO. 1

On page 5, line 12, after "Definitions" insert "; interpretations"

AMENDMENT NO. 2

On page 5, at the beginning of line 14, insert "A."

AMENDMENT NO. 3

On page 5, line 22, after "means" insert "any or all of"

AMENDMENT NO. 4

On page 5, line 23, after "trustee" insert ", the employer,"

AMENDMENT NO. 5

On page 6, between lines 16 and 17, insert:

"B. "Employer" shall be interpreted to have the same application as used in Chapter 2 of this Title."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 912—
BY SENATOR EWING

AN ACT

To enact Part I-A of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2511 through 2523, relative to water conservation; to authorize the creation of multiparish groundwater conservation districts; to provide relative to a board of commissioners to administer such district; to provide for the membership, appointments, terms, replacement, compensation, meetings, elections of officers, and powers of the board; to provide relative to the adoption and enforcement of water conservation laws, rules, regulations, and orders; to provide for administrative procedures; to provide for the assessment of certain pumping charges; to provide for judicial review and injunctive relief relative to certain actions of the board; to provide relative to violations and penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 912 by Senator Ewing

AMENDMENT NO. 1

On page 2, delete lines 14 through 27 and delete pages 3 through 21 in their entirety and insert the following:

"§2512. District and board; creation

R.S. 38:2512 is all proposed new law.

A.(1) Two or more parishes may create and establish a multiparish groundwater conservation district. The district shall be a body politic and corporate and a political subdivision of the state.

(2) A district shall be established upon the adoption of an identical ordinance by the governing body of each parish included within the district and the filing of each such ordinance with the secretary of state. The ordinance shall designate a name for the district, set forth the parishes included in the district, and provide that the parish agrees to be included within the district. In addition, each parish shall submit a copy of the ordinance to the Department of Transportation and Development, office of public works and intermodal transportation, and to the Department of Environmental Quality, office of water resources. B. Each district established pursuant to this Part shall be administered by a board of commissioners whose members shall be appointed as provided by R.S. 38:2514.

§2513. Definitions

R.S. 38:2513 is all proposed new law.

Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Part:

(1) "Beneficial purpose" or "beneficial use" means the use of groundwater for domestic, municipal, industrial, agricultural, recreational, or therapeutic purposes or any other advantageous use.

(2) "Board" means the board of commissioners of a district formed in accordance with this Part.

(3) "Commissioner" means a member of the board of a district who has been appointed in accordance with this Part.

(4) "District" means a multiparish groundwater conservation district formed in accordance with this Part.

(5) "Governing body" means the police jury, commission, council, or other legislative body of a parish.

(6) "Groundwater" is water suitable for any beneficial purpose percolating below the earth's surface.

(7) "Just and equitable share" of the groundwater underlying a tract within an area subject to an order limiting pumping rates means that portion of the recoverable groundwater within an aquifer which is to be apportioned to such tract on the basis of

demonstrable geologic and hydrologic data taking into consideration the volume of groundwater in storage, the maximum perennial recharge potential, and any groundwater use priorities established by the board.

(8) "Person" means any individual, partnership, corporation, association, governmental board, commission, district, political subdivision, or public or private organization of any character, including any agency, corporation, and quasi-public corporation of the federal, state, municipal, or local government.

(9) "Premises" means a tract or tracts of land, whether or not contiguous, operated by a single person and used principally for bona fide agricultural or horticultural purposes or the production of aquatic life for human consumption.

(10) "Office of public works" means the Department of Transportation and Development, office of public works and intermodal transportation.

(11) "User" means any person who produces groundwater in the district in excess of fifty thousand gallons for any day during any calendar year from a well or wells owned or operated by such person or from a well or wells owned or operated solely for the production of water used by such person.

(12) "Well" or "water well" means any well drilled or constructed for the principal purpose of producing groundwater.

§2514. Board of commissioners; appointments; tenure; replacement; compensation

R.S. 38:2514 is all proposed new law.

A. The board of commissioners for a multiparish groundwater conservation district established pursuant to this Part shall consist of no more than thirty-two members as provided in this Subsection who shall be appointed and commissioned by the governor. Each appointment shall be submitted to the Senate for confirmation. The following members shall be appointed and commissioned within ninety days after the establishment of a district pursuant to this Part:

(1) One member from each parish composing the district which uses a minimum of one million gallons of groundwater per day for beneficial purposes, the nominee of each parish to be nominated by the governing authority of the parish.

(2) Five members from the nominees of the industrial users in the district.

(3) Five members from the nominees of the users furnishing groundwater supply for any municipality or rural water system in the district, whether privately owned or publicly owned, provided that at least two of the five members shall always be from the nominees of privately owned users furnishing such a municipal or rural water supply, unless there are no privately owned users in the district.

(4) The assistant secretary of the Department of Transportation and Development, office of public works and intermodal transportation, or his designee, representing the department as well as other state institutions which are users of the groundwater, but not members of the commission.

(5) One member from the nominees of the Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association.

(6) The assistant secretary of the Department of Environmental Quality, office of water resources, or his designee, representing the department.

(7) The commissioner of the Department of Agriculture and Forestry, or his designee, representing the department.

(8) The district chief of the United States Geological Survey, or his designee, representing that agency.

(9) Two members being the nominees of the members of the board appointed pursuant to Paragraphs (1) through (8) of this Subsection for purposes of the first nomination and all members of the board for subsequent nominations.

B. Within sixty days after the establishment of a district, the nominees pursuant to Paragraphs (1) through (8) of Subsection A of this Section shall be presented to the governor. Within thirty days after the nominees are presented, the governor shall appoint and commission one member each from the nominees from each

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of the parishes composing the district; five members from the list nominated by industrial users; five members from the list nominated by the users furnishing water supply for municipalities or rural water systems, with at least two being from the nominees supplied by privately owned water utilities; the assistant secretary of the Department of Transportation and Development, office of public works and intermodal transportation, or his designee; one member from the joint lists submitted by the Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association; the assistant secretary of the Department of Environmental Quality, office of water resources, or his designee; the commissioner of the Department of Agriculture and Forestry, or his designee; and the district chief of the United States Geological survey or his designee. The governor shall appoint and commission the members nominated by the board when their names are submitted by the board.

C. The governor shall designate the term of office for each member of the initial board so that:

(1) Those members appointed by the parish governments shall serve overlapping terms of no more than three years per member. Insofar as possible, one-third of these initial members shall be appointed for a one-year term, one-third for a two-year term, and one-third for a three-year term.

(2) From those members appointed to represent industry, two shall be appointed for a one-year term; two shall be appointed for a two-year term; and one shall be appointed for a three-year term.

(3) From those members appointed to represent users furnishing water for municipalities or rural water systems, two shall be appointed for a term of one year; two for a term of two years; and one for a term of three years.

(4) The members representing the Department of Transportation and Development, the Department of Environmental Quality, the Department of Agriculture and Forestry, and the United States Geological Survey shall serve a term of three years and shall be eligible to succeed themselves for an unrestricted number of terms.

(5) All other members of the board shall serve a term of three years.

D. No commissioner shall be entitled to serve more than two consecutive regular terms, with the exception of the representatives of the Department of Transportation and Development, the Department of Environmental Quality, the Department of Agriculture and Forestry, and the United States Geological Survey. Terms shall commence for those initially appointed on the date the district is established. Terms for commissioners subsequently appointed shall commence on the anniversary date of the date the district is established.

E. The board shall procure replacements for those members whose terms expire by the following procedure:

(1) Sixty days prior to the expiration of the term of members representing parish governments, the board shall notify the governing authority in the appropriate parish or parishes to nominate a replacement for a three-year term.

(2) Sixty days prior to expiration of the term of members representing industrial users, the board shall notify all qualified industrial users that each user is entitled to make one nomination for membership.

(3) Sixty days prior to the expiration of the term of members representing users in the district furnishing the water supply for rural or municipal use in the district, the board shall notify each qualified user in this classification that it is entitled to make one nomination for membership with the condition that, if the expiring term would result in total elimination of members representing privately owned users furnishing water to municipalities or rural water systems from this classification of the board, the member for this category will be chosen from among only those nominees supplied by privately owned users.

(4) Sixty days prior to the expiration of the term of the member representing the Department of Transportation and Development, the Department of Environmental Quality, the Department of Agriculture and Forestry, and the United States

Geological Survey, the board shall notify the assistant secretary of the Department of Transportation and Development, office of public works and transportation, the assistant secretary of the Department of Environmental, office of water resources, the commissioner of the Department of Agriculture and Forestry, and the district chief of the United States Geological Survey that each shall name a nominee for membership.

(5) Sixty days prior to expiration of the term of the member nominated by the board, the board shall nominate two nominees for membership.

(6) Sixty days prior to expiration of the term of the member representing the Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association, the board shall notify the federation and the association that each is entitled to make one nominee for membership.

(7) Thirty days prior to the expiration of the terms of office, the board shall present all applicable nominees or lists of nominees to the governor, who shall thereafter appoint and commission one member for each of the categories for a three-year term.

(8) In case a vacancy occurs more than ninety days prior to the normal expiration date, the governor shall appoint and commission a replacement within thirty days of its occurrence to fill the unexpired term, such replacement to be the nominee of:

(a) The governing body of the parish if the vacancy is the parish representative.

(b) The governor, if the vacancy is a representative of industrial users; users furnishing water for municipal or rural use; or of the Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association. The governor shall make his appointment from the most recent list of nominees furnished him by the board, provided that appointment of the representative of users furnishing water for municipal or rural use must be made only from the list of nominees supplied by privately owned users furnishing water to municipalities or rural water systems if, because of such vacancy, this classification of the board is left without two representatives of such users on the board.

(c) The assistant secretary of the Department of Transportation and Development, office of public works and intermodal transportation, if the vacancy is the member representing the department and other state institutions that are users of groundwater, but not members of the commission.

(d) The assistant secretary of the Department of Environmental Quality, office of water resources, if the vacancy is the member representing the department.

(e) The commissioner of the Department of Agriculture and Forestry, if the vacancy is the member representing the department.

(f) The district chief of the United States Geological Survey, if the vacancy is the member representing that agency.

(g) The board, if the vacancy is the member nominated by the board.

F. Commissioners shall not be compensated for their services, except that the board may, by regulation, provide for the payment of expenses for travel outside the district on official business.

§2515. Meetings; election of officers

R.S. 38:2515 is all proposed new law.

A. Immediately upon establishment of a district, the nominations or appointments shall commence. Within thirty days after the date of their appointment, the board of commissioners of the district shall meet, and it shall meet at its domicile no less than quarterly thereafter. At its organizational meeting, the board shall: elect a chairman, vice-chairman, secretary, and treasurer; establish its domicile within the district; take nominations for the two members to be nominated by the board; and begin the formulation and consideration of a plan for the conservation of groundwater and where appropriate, prevention or alleviation of damaging or potentially damaging land surface subsidence and groundwater quality degradation. At its second meeting, the board shall nominate, from among the nominees presented at the first meeting, the member to be nominated by the board and shall immediately submit the nominee's name to the governor.

§2516. Powers of the board

R.S. 38:2516 is all proposed new law.

A. The board may do all things necessary to prevent waste of groundwater resources and to prevent or alleviate damaging or potentially damaging subsidence of the land surface caused by withdrawal of groundwater within the district. The board may do the following:

- (1) Hold hearings.
- (2) Require permits for the drilling or construction of all wells drilled within the district after the district is established, having a capacity in excess of fifty thousand gallons per day.
- (3) Require registration with the board of all wells drilled within the district after the district is established, having a capacity in excess of fifty thousand gallons per day, showing the date drilled, the name of the driller, if available, and the current ownership together with any other information the board may reasonably require to permit it to accomplish the purposes of this Part. Registration may be satisfied by submittal of a copy of the water well registration form to the office of public works by the drilling contractor. No charge shall be assessed for such registration.
- (4) In collaboration with the office of public works, require all users of groundwater within the district to register with the board, showing the number, location, and capacity of wells owned or operated by them or solely for their benefit and designating the beneficial use or uses of that groundwater. The board shall classify each user as an industrial, irrigation/aquaculture, rural, or municipal user of groundwater upon the basis of such information and in accordance with the Louisiana Water Well Rules, Regulations, and Standards promulgated by the office of public works. The board may require periodic renewals of registrations to determine alterations in uses of water within the district. Such registrations may be required on an annual basis or such greater periods of time as the board may deem appropriate. Copies of water well data obtained shall be provided to office of public works by the board, to be used by the office of public works to update the State's Water Well Registration Data File.
- (5) Adopt Louisiana's Water Well Rules, Regulations and Standards promulgated by the office of public works for:
 - (a) The construction of wells subject to the jurisdiction of the district drilled after the district is established.
 - (b) The control of existing and future flowing wells and the sealing of abandoned wells within the district.
 - (c) Enforcing requirements that all abandoned wells within the district be reported and sealed in accordance with such standards.
- (6) Specify spacing of wells drilled after the district is established in limited areas upon a showing that the water quality, quantity of withdrawal, or subsidence in such area threatens the public interest.
- (7) Require well owners who are users, well owners providing water to other users, and users of groundwater who are not well owners to keep and furnish on request information necessary to carry out this Part pertinent to wells, drawdowns, grouting, casing sizes, property descriptions, and other pertinent information reasonably required by the board, provided that as to wells in existence at the time of establishment of the district such information is available.
- (8) Collect data; make investigations and inspections; examine properties, papers, books, and records relevant to groundwater use or conservation; examine, survey, check test, and gauge all water wells within the district; and require well owners who are users or well owners providing water to other users, at their own expense, to meter wells to allow accurate determination of pumping rates. Metering may be required on a continuous or periodic basis, and the board may require approval of metering devices; and provide for the keeping of records and making of reports by owners of water wells providing water to users, and users of groundwater within the district.

(9) Require authorized representatives of the board be enabled to enter property at reasonable times and under reasonable conditions to inspect wells, perform tests, and examine records.

(10) Establish groundwater use priorities, if required, and under conditions supported by research data, which indicate depletion of water subject to this Part.

(11) Acquire by all legal means property or property rights necessary to achieve the purposes of this Part and enter into all contracts necessary to the achievement of such purposes.

(12) Assess against all users within the district a charge based upon the annual rate of use of each user sufficient to meet costs and expenses of operation. Such charges must be uniform as to all users, being assessed on the basis of units of water used, whether a cubic, gallon, or other unit to be used, and without distinctions or graduations as to total amounts of water produced by individual users or classes of users, except that no charge shall be made against the quantity of water pumped from the Red River, Ouachita River, or Mississippi River alluvial aquifers, as defined by the State's Water Well Registration Data File. Further, such charges shall be assessed and income therefrom used only to defray the costs and expenses of operation of the district assessing them.

(13) Cooperate with and enter into contracts or cooperative agreements with other governmental units and agencies of this state, with governments and agencies of other states and of the United States, and with private agencies or other groundwater conservation districts for the achievement of the purposes of this Part.

(14) Receive grants and enter into contracts for groundwater resource development.

(15) Conduct studies and investigations of all problems concerning groundwater resources of the district.

(16) Take all necessary steps to prevent intrusion of salt water or any other form of pollutant into any aquifer or aquifers, including the power to operate withdrawal wells for the extraction of salt water or water affected by any pollutant and to dispose of such water by injection or otherwise; operate injection wells to create freshwater barriers against salt water intrusion or the intrusion of any other pollutant; and control pumping rates by users in any area threatened by intrusion of salt water or other form of pollutant.

(17) Within affected areas, limit rates of production of water from any aquifer or aquifers, after detailed research, considering both recharge and withdrawal data, when the quality or quantity of the supply of water afforded by such aquifer or aquifers is in danger for any reason or where the danger of damaging subsidence exists.

(18) Use and allow the use of any of its property or facilities for recreational purposes and operate thereon such concessions as may be appropriate to such recreational use or uses as long as such activities do not increase the net operating expenses of the district.

(19) Sue and be sued as a body corporate.

(20) Expand the district to include adjacent parishes upon approval by the board and with the consent of the governing body of each parish composing the district and of each parish involved with the expansion. The expanded district shall be established upon the adoption of an identical ordinance by the governing body of each parish included within the district and of the governing body of each parish involved in the expansion of the district and the filing of each ordinance with the secretary of state. The ordinance shall designate a name for the district, set forth the parishes included in the district, and provide that the parish agrees to be included within the district. In addition, each parish shall submit a copy of the ordinance to the Department of Transportation and Development, office of public works and intermodal transportation, and to the Department of Environmental Quality, office of water resources. Each added parish shall have the same representation on the board, and be subject to the same conditions, as provided for the original parishes included in the district.

(21) Hire such personnel and retain such consultants as shall be reasonably necessary to the performance of its functions.

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Personnel from other agencies shall be used wherever practical and possible.

(22) After notice and hearing, enforce reasonable rules, regulations, or orders necessary from time to time to achieve the purposes and powers established pursuant to this Part, and such rules, regulations and orders shall be effective and enforceable immediately upon promulgation in the official journal of each parish affected.

B. No order limiting rates of production as authorized in Subsection A of this Section shall have the effect of in any way denying to any owner of the land or any other person holding rights to water derivative from any landowner a reasonable opportunity to produce and beneficially use his just and equitable share of the groundwater supply affected by an order limiting rates of production.

C. Notwithstanding any other provision of law to the contrary, the board shall have no authority to:

(1) Regulate water produced from formations producing oil or gas or both for commercial purposes or to issue any rule, regulation, or order conflicting with the regulation of drilling to and production from or disposition of water from such formations by the commissioner of conservation.

(2) Regulate the production of salt water used for pressure maintenance, secondary recovery operations, or other operations for the production of oil or gas.

(3) Assess pumping charges for a well or wells in the Red River, Ouachita River, or Mississippi River alluvial aquifers, as defined by the State's Water Well Registration Data File. However, the board may require the owners or users of such wells to furnish pertinent technical data.

§2517. Suits and failure to bring suit

R.S. 38:2517 is all proposed new law.

A. Whenever it appears that a person is violating or is threatening to violate this Part or a rule, regulation, or order of the board, the board shall bring suit to restrain that person from continuing the violation or from carrying out the threat.

B. Venue shall be in the district court in the parish in which the board is domiciled.

C. In any such suit, the board may obtain injunctions, including temporary restraining orders and preliminary injunctions as the facts warrant.

D. If the board fails to bring suit within ten days to restrain a violation of this Part or any rule, regulation, or order of the board, any person in interest adversely affected by the violation who has notified the board in writing of the violation or threat thereof and has requested the board to sue, may bring suit to prevent any current or continuous violation in the district court of the parish in which the board is domiciled. If the court finds that injunctive relief should be granted, the board shall be made a party and shall be substituted for the person who brought the suit, and the injunction shall be issued as if the board has at all times been the complaining party.

§2518. Limiting rate of production; notice

R.S. 38:2518 is all proposed new law.

Any order limiting rates of production of groundwater, except emergency orders, shall be issued only after sixty days notice and a public hearing. The board shall give notice by registered mail to all users within the district within which pumping is to be limited. In addition, the board may give notice to such other individual landowners and well owners as it deems appropriate. The board shall also give notice by publication as hereinafter provided of the hearing on the prospective order.

§2519. Pumping charges

R.S. 38:2519 is all proposed new law.

A. The pumping charge assessed against each user within the district shall be fixed annually upon at least thirty days notice to each user within the district and general notice by publication; however, the charges assessed against users shall not be increased

without a public hearing held for the purpose of fixing the pumping charges and opportunity for the submission of all pertinent data concerning total rates of consumption of groundwater within the district, estimated rates of consumption by users within the district, the costs and expenses which must be met during the coming year, costs and expenses which must be met by the pumping charge, and the manner in which the computation of the pumping charge is made. Any user within the district shall have a right to make a presentation by testimony and introduction of evidence and exhibits, and any other interested person shall have a right to be heard by making a personal statement of reasonable length. Any user intending to make a presentation at the hearing resulting in the assessment of pumping charges shall so advise the board at least five days in advance of the hearing and shall indicate the estimated time to be consumed for the presentation. When necessary, in its discretion, the board may limit the time allotted users for their presentations. However, no pumping charge shall be made against the quantity of water pumped from wells screened in the Red River, Ouachita River, or Mississippi River alluvial aquifers, or wells not capable of producing fifty thousand gallons or more per day.

B. Pumping charges may be made payable by users monthly, quarterly, or on any other reasonable basis set by the board.

§2520. Administrative procedure

R.S. 38:2520 is all proposed new law.

A. Except as may be inconsistent with the express provisions of this Part, the board shall be governed by and subject to the Administrative Procedure Act.

B. At hearings conducted by the board, members of the board or members of its staff may testify and present exhibits or other evidence.

C. Notice of hearings by the board must be given by publication in the official journal of each parish or parishes to be affected. The board may designate one of its members to conduct public hearings on its behalf.

D. The chairman of the board may subpoena witnesses and require their attendance and testimony before the board. The chairman may require the production of any books, papers, or records material to the questions lawfully before the board. Subpoenas shall be served by any agent of the board, by the sheriff, or by any other officer authorized by law to serve process in this state. No person shall be excused from attending and testifying or producing books, papers, or records, or from obeying the subpoena of the board or of a court of record on the ground that the testimony or evidence required by such person may tend to incriminate or subject the person to penalty or forfeiture. Nothing in this Section shall be construed as requiring any person to produce books, papers, or records, or to testify in response to any inquiry not pertinent to some question lawfully before the board or a court for determination. No natural person shall be subject to criminal prosecution or to any penalty or forfeiture relative to any testimony or evidence required to be provided to the board or a court. However, no person testifying shall be exempt from prosecution and punishment for perjury.

E. In the case of failure or refusal of a person to comply with a subpoena issued by the chairman of the board, or in the case of the refusal of a witness to testify or answer as to a matter regarding which the person may be lawfully interrogated, any district court on application of the board may, in term time or in vacation, issue an attachment to compel the person to comply with the subpoena and to appear before the board with the requested documents and to give testimony upon whatever matters are lawfully required. The court may punish for contempt those disobeying its orders as in the case of disobedience of a subpoena issued by the court or refusal to testify therein.

F. The board shall make a record of all hearings which shall be available for public inspection at the office of the board during reasonable office hours. In the event of a suit contesting any rule, regulation, or order of the board, the board shall cause a transcript of the record to be made at its cost. In the event the party

contesting any rule, regulation, or order in any such suit is ordered to pay costs, such party shall also be required to reimburse the board for the cost of making the transcript of the hearing in question.

§2321. Court review and injunctive relief

R.S. 38:2321 is all proposed new law.

A. Any aggrieved person of the district may, within thirty days after the adoption of any rule, regulation, order or taking of other action by the board, file suit in the district court in which the board is domiciled to contest the board's action. The court may affirm the decision of the board or remand the case for further proceedings. The court may reverse or modify the decision if the court determines that substantial rights of the aggrieved person have been prejudiced because the administrative finding, inference, conclusion, or decision either:

- (1) Violates a constitutional or statutory provision.
- (2) Exceeds the statutory authority of the board.
- (3) Was made pursuant to unlawful procedure.
- (4) Was affected by other error of law.

(5) Was arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(6) Was manifestly erroneous in view of the reliable, probative, and substantial evidence on the whole record. In the application of the rule, where the board has the opportunity to judge the credibility of witnesses by firsthand observation of demeanor on the witness stand and the reviewing court does not, due regard shall be given to the board's determination of credibility issues.

B. On institution of any such suit, the court shall issue an order setting the matter for trial, as by summary process, and such suit shall be tried in term time or in vacation, with the greatest possible dispatch. Pending a hearing, the court may grant a temporary restraining order suspending the action of the board upon a showing of immediate and irreparable injury in accordance with Code of Civil Procedure Art. 3603.

§2522. Falsification of documents to evade regulations; penalty

R.S. 38:2522 is all proposed new law.

A. No person shall, for the purpose of evading this Part or any rule, regulation, or order issued by the board:

(1) Make or cause to be made any false entry or statement of fact in any report required to be made pursuant to this Part or by any rule, regulation, or order made by the board.

(2) Make or cause to be made any false entry or omit an entry in an account, record, or memorandum kept by any person in connection with this Part or any rule, regulation, or order of the board.

(3) Remove out of the jurisdiction of the state, or destroy or mutilate, alter, or by any other means falsify any book, record or other paper pertaining to matters regulated by this Part or by any rule, regulation, or order issued by the board.

B. Whoever violates this Section shall be fined not more than five thousand dollars, or imprisoned not more than six months, or both.

§2523. Violations; penalty; jurisdiction; attorney general to conduct suit; complicity

R.S. 38:2523 is all proposed new law.

A. Whoever knowingly and willfully violates this Part or a rule, regulation, or order of the board shall be subject to a civil penalty of not more than one thousand dollars a day for each day of violation and for each act of violation, unless a penalty for the violation is otherwise provided in this Part.

B. Whoever knowingly and willfully aids or abets a person in the violation of this Part or any rule, regulation, or order of the board shall be subject to a civil penalty of not more than one thousand dollars a day for each day of violation and for each act of violation, unless a penalty for the violation is otherwise provided in this Part.

C. At the option of the board, a suit to recover penalties pursuant to this Section may be instituted in the district court of the parish of the residence of any one of the defendants or in the district court of the parish where the violation took place.

D. Suit shall be at the direction of the board and shall be instituted and conducted in its name by the attorney general or by the appropriate district attorney of the district under the direction of the attorney general."

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

SENATE BILL NO. 923—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:893, relative to employment; to allow certified volunteer firefighters to leave their workplace to fight fires without losing employment, pay, or benefits; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator Jones, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 941—

BY SENATORS BARHAM, DARDENNE, HAINKEL AND SCHEDLER AND

REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

To amend and reenact R.S. 47:1565(C)(2) and R.S. 47:2419, relative to the Department of Revenue; to provide that the deputy assistant secretary of the office of legal affairs of the department may act in certain instances instead of the assistant secretary of the office of legal affairs; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 953—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:2269 and to enact R.S. 11:2254.1, relative to the Firefighters' Retirement System; to authorize repayment without interest of refunded contributions under certain conditions; to authorize purchase without interest of military service credit; to provide for a refund of certain previously purchased military service credit; 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 Original Senate Bill No. 953 by Senator Cravins

AMENDMENT NO. 1

On page 3, line 8, change "system." to "system if the member's active service preceded such enrollment. These contributions shall be calculated at the rate of the member's pay at the beginning of such active duty service if the member was already enrolled in the retirement system of the time such active duty began."

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

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SENATE BILL NO. 998—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide for a special prestige license plate for the Sons of Confederate Veterans; to provide for a fee; to provide for disbursement and use of such fee; to provide for the promulgation of rules; to provide for department approval of logo or symbol; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 998 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 5, after "rules;" insert "to provide for department approval of logo or symbol;"

AMENDMENT NO. 2

On page 2, line 9, after "dollars" insert "which shall be assessed every two years"

AMENDMENT NO. 3

On page 2, after line 23, insert:

"G. The department shall approve any logo, symbol, or design before production of such plates is commenced."

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

Rules Suspended

Senator Thomas asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 36 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR THOMAS

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to allow Washington Parish Hospital Service District No. 1 to certify, as a contributing public agency, public funds as representing expenditures eligible for federal financial participation in the Medicaid program to the extent authorized by federal law.

On motion of Senator Thomas, the resolution was read by title and withdrawn from the files of the Senate.

Reconsideration

On motion of Senator Hainkel, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, April 12, 1999 was reconsidered.

SENATE BILL NO. 32—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 15:572.2, relative to the Board of Pardons; to provide for expenses and salaries; and to provide for related matters.

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

Senate Resolutions
on Second Reading
Reported by Committees

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

SENATE RESOLUTION NO. 11—
BY SENATOR ULLO

A RESOLUTION

To urge and request the Wildlife and Fisheries Commission to allow licensed fur trappers to use dogs in the harvesting of nutria.

Reported favorably by the Committee on Natural Resources.

The resolution was read by title. On motion of Senator Ullo, the resolution was adopted.

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 CONCURRENT RESOLUTION NO. 26—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct and require the Louisiana Department of Labor to conduct courses on judicial training for workers' compensation judges within the office of workers' compensation administration.

Reported favorably by the Committee on Labor and Industrial Relations.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		
NAYS		
Total—0		
ABSENT		
Bajoie	Boissiere	
Total—2		

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

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To create the Seafood Standards of Identity Task Force to review current legal, and commonly used, but not legally mandated standards of identity for Louisiana commercial fisheries and seafood products and to make recommendations for more universal and efficient standards.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Bajoie, Total—2; Boissiere.

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

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to require, as a prerequisite for graduating from a Louisiana public high school, that all students successfully complete instruction in life management skills and that such requirement become effective for the 2003-2004 school year and thereafter.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 35 by Senator Irons

AMENDMENT NO. 1

On page 2, between lines 27 and 28, insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the State Board of Elementary and Secondary Education to submit a written report of its findings and recommendations to the Senate and House committees on education no later than December 31, 1999, together with any specific proposals for legislation."

On motion of Senator Greene, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—38; Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Bajoie, Total—1.

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal light at the intersection of Louisiana Highway 73 and Louisiana Highway 74 in Ascension Parish, Louisiana.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Barham, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—36; Ellington, Fields C, Fields W, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

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NAYS

Total—0

ABSENT

Bajoie Bean Greene
Total—3

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To request additional funding for a fisheries data collection program and a detailed, historical study on price trends in the shrimping industry.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry
Barham Fields C Lentini
Bean Fields W Malone
Boissiere Greene Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hines Siracusa
Casanova Hollis Smith
Cox Irons Tarver
Cravins Johnson Theunissen
Dardenne Jones Thomas
Dean Jordan Ullio
Dyess Lambert
Total—38

NAYS

Total—0

ABSENT

Bajoie
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR W. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of US Highway 61 and Bains Road in West Feliciana Parish.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Concurrent Resolution No. 51 by Senator W. Fields.

AMENDMENT NO. 1

On page 1, delete line 4 and insert "Bains Road in West Feliciana Parish."

AMENDMENT NO. 2

On page 1, at the end of line 5, delete "Louisiana" and at the beginning of line 6, delete "Highway 10 in St. Francisville" and insert "Bains Road in West Feliciana Parish"

AMENDMENT NO. 3

On page 2, at the end of line 1, delete "Louisiana" and delete line 2 and insert "Bains Road in West Feliciana Parish."

On motion of Senator Landry, the committee amendment was adopted.

The resolution was read by title. Senator W. Fields moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry
Barham Fields C Lentini
Bean Fields W Malone
Boissiere Greene Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hines Siracusa
Casanova Hollis Smith
Cox Irons Tarver
Cravins Johnson Theunissen
Dardenne Jones Thomas
Dean Jordan Ullio
Dyess Lambert
Total—38

NAYS

Total—0

ABSENT

Bajoie
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to investigate solutions to flooding problems at Black Lake/Clear Lake and to present to the legislature by March 1, 2000, a report detailing its findings and recommendations.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry

Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	

Total—38
NAYS

Total—0
ABSENT

Bajoie
Total—1

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

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. 174—
BY SENATOR ULLO
AN ACT
To enact R.S. 13:5104(C), relative to coroners; to provide the venue for all suits against a coroner; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 174 by Senator Ullo

AMENDMENT NO. 1
On page 1, line 10, change "located" to "elected"

On motion of Senator Ullo, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen

Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	

Total—38
NAYS

Total—0
ABSENT

Bajoie
Total—1

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

SENATE BILL NO. 203—
BY SENATOR HAINKEL
AN ACT
To amend and reenact R.S. 40:1796, relative to firearms; to prohibit a political subdivision or local governmental authority under certain circumstances from filing suit or recovering damages from firearms manufacturers, trade associations, or dealers; to authorize the right to sue under breach of warranty or in contract; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dean	Landry
Barham	Dyess	Malone
Bean	Ellington	Robichaux
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cravins	Jordan	Thomas
Dardenne	Lambert	Ullo

Total—30
NAYS

Fields C	Johnson	Lentini
Fields W	Jones	

Total—5
ABSENT

Bajoie	Irons
Cox	Theunissen

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

SENATE BILL NO. 271—
BY SENATOR HINES
AN ACT
To amend and reenact Code of Civil Procedure Art. 4843(C), relative to trial courts of limited jurisdiction; to increase the civil jurisdiction of the City Court of Ville Platte; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Barham	Ellington	Lambert
Bean	Fields C	Landry
Boissiere	Fields W	Lentini
Branch	Greene	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Siracusa	Theunissen
Total—3		

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

SENATE BILL NO. 272—
BY SENATOR COX

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the civil jurisdiction of the City Court of Sulphur; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Siracusa
Total—2	

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

SENATE BILL NO. 308—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 40:2019 and 44:7(A) and to enact R.S. 44:4(25) relative to the Louisiana State Child Death Review Panel; to provide for findings and purpose; to provide for definitions; to revise the membership of the panel; to provide for the functions and duties of the panel; to provide for access to certain records; to provide for confidentiality of information, documents, and records; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 308 by Senator Cox

AMENDMENT NO. 1

On page 7, line 14, following "providers," and before "any" change "and or" to "or"

AMENDMENT NO. 2

On page 2, line 17, following "panel" and before "such" change "request" to "requests"

AMENDMENT NO. 3

On page 8, line 4, following "authorized" and before "medical" change "access to" to "to access"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Siracusa
Total—2	

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

SENATE BILL NO. 319— BY SENATORS SMITH AND CAIN AND REPRESENTATIVES BRUCE AND SALTER

AN ACT

To enact R. S. 13:996.58, relative to district courts; to establish a judicial expense fund for the Eleventh Judicial District Court; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 319 by Senator Smith

AMENDMENT NO. 1

On page 2, line 17, before "in addition" delete "may"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Ellington, Landry, Barham, Fields C, Lentini, Bean, Fields W, Malone, Boissiere, Greene, Robichaux, Branch, Hainkel, Romero, Cain, Heitmeier, Schedler, Campbell, Hollis, Smith, Casanova, Irons, Tarver, Cox, Johnson, Theunissen, Cravins, Jones, Thomas, Dardenne, Jordan, Ullo, Dyess, Lambert

NAYS

Dean Total—1

ABSENT

Bajoie Hines Siracusa Total—3

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

SENATE BILL NO. 342— BY SENATOR CAIN

AN ACT

To enact R.S. 9:2795.2, relative to limitation of liability; to provide for limitation of liability at livestock functions; to provide for definitions; to define areas of responsibility and affirmative acts for which activity sponsors, professionals, and participants shall be responsible; to specify risks of injury for which activity sponsors, professionals, and participants shall not be responsible; to provide

for the posting of a warning notice; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 342 by Senator Cain

AMENDMENT NO. 1

On page 2, line 3, following "visiting" insert a comma "," and on page 2, line 12, following "emu" and before "and" insert a comma ","

AMENDMENT NO. 2

On page 2, line 6, change "management, the" to "management. The"

AMENDMENT NO. 3

On page 6, line 11, change "2695.1" to "2695.2"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Ellington, Landry, Barham, Fields C, Lentini, Bean, Fields W, Malone, Boissiere, Greene, Robichaux, Branch, Hainkel, Romero, Cain, Heitmeier, Schedler, Campbell, Hines, Siracusa, Casanova, Hollis, Smith, Cox, Irons, Tarver, Cravins, Johnson, Thomas, Dardenne, Jones, Ullo, Dean, Jordan, Dyess, Lambert

Total—0

NAYS

ABSENT

Bajoie Theunissen Total—2

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

SENATE BILL NO. 402— BY SENATORS LAMBERT, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To enact R.S. 30:2050.7(E), relative to the settlement of suits by the Department of Environmental Quality; to provide certain modifications to the department's settlement procedures; to provide relative to reporting requirements; and to provide for related matters.

April 13, 1999

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. 402 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 4, between "procedures;" and "to provide" insert "to provide for adoption of certain regulations relative to environmentally beneficial projects;"

AMENDMENT NO. 2

On page 1, line 14, between "state." and "The" insert the following:

"The secretary shall adopt and promulgate rules and regulations in accordance with the provisions of the Administrative Procedure Act to implement a program for allowing the performance of environmentally beneficial projects. Such rules and regulations shall define the parameters of environmentally beneficial projects, consistent with federal law, regulations, and policies, and shall include environmental mitigation as an aspect of all such authorized projects."

Senator Robichaux moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dyess
Ellington
Total—37
Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert
Landry
Lentini
Malone
Robichaux
Romero
Schedler
Siracusa
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Bajoie
Total—1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 402 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 14, after "state" insert "which shall be considered a civil penalty for tax purposes"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Reengrossed Senate Bill No. 402 by Senator Lambert

AMENDMENT NO. 1

On page 1, line 13, after "projects" delete "in"

AMENDMENT NO. 2

On page 1, at the beginning of line 14, delete "addition to the" and insert "and/or provide for the"

Senator Dean moved adoption of the amendments.

Senator Robichaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Bean
Cain
Cravins
Dardenne
Dean
Greene
Total—19
Heitmeier
Hines
Hollis
Lambert
Landry
Lentini
Malone
Romero
Schedler
Siracusa
Tarver
Theunissen

NAYS

Campbell
Casanova
Cox
Fields C
Fields W
Total—13
Irons
Johnson
Jones
Jordan
Robichaux
Smith
Thomas
Ullo

ABSENT

Mr. President
Bajoie
Boissiere
Total—7
Branch
Dyess
Ellington
Hainkel

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Ellington
Fields W
Greene
Hainkel
Heitmeier
Lentini
Malone
Robichaux
Romero
Schedler

Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Lambert	Ullo
Dean	Landry	
Total—35		

NAYS

Fields C	Jordan
Total—2	

ABSENT

Bajoie	Dyess
Total—2	

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

SENATE BILL NO. 446—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:587, relative to district court judges; to provide relative to the assignment of juvenile and domestic relations matters among the divisions of a certain state district court; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Jordan
Total—2	

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

SENATE BILL NO. 462—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 51:691, 692.1, and 692.3, relative to the sale of certain prison-made goods; to provide for exceptions to a prohibition on the sale of prison made goods on the open market;

to change references to Louisiana State Penitentiary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Robichaux
Branch	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Total—35		

NAYS

Landry
Total—1

ABSENT

Bajoie	Jordan	Theunissen
Total—3		

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

SENATE BILL NO. 471—
BY SENATORS HAINKEL AND SMITH
AN ACT

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for salaries and expenses of board members; and to provide for related matters.

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

SENATE BILL NO. 552—
BY SENATOR LAMBERT
AN ACT

To enact R.S. 40:1234.1, relative to emergency medical services; to authorize payment to emergency medical service providers for certain authorized services provided incident to hazardous materials emergencies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler

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Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Dardenne	Jones	Theunissen
Dyess	Jordan	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Bajoie
Total—2

Cravins

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

SENATE BILL NO. 604—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 30:2363(12) and 2369(E)(3), relative to hazardous materials information, preparedness, and response; to provide for definitions, terms, reporting requirements, and exemptions under the Right-to-Know Law; 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

Mr. President	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Total—35		

NAYS

Jordan
Total—2

Landry

ABSENT

Bajoie
Total—2

Cravins

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. 651—
BY SENATORS DARDENNE AND LANDRY
AN ACT

To amend and reenact R.S. 14:143, and to enact R.S. 14:144, relative to offenses affecting the public safety; to allow a municipality to enact ordinances proscribing conduct which may be punishable as a felony under state law on subsequent offenses; to provide that

convictions under such ordinances in city court shall serve as a predicate conviction for subsequent prosecutions of violations of state law proscribing the same conduct; 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	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bajoie
Total—2

Siracusa

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. 713—
BY SENATORS W. FIELDS, JORDAN AND LANDRY
AN ACT

To amend and reenact R.S. 32:414(B)(1) and (D)(1)(a), relative to motor vehicles; to provide relative to driver's licenses; to require suspension of such licenses for the offense of vehicular homicide; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Barham	Ellington	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Malone
Branch	Greene	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie

Lambert

Siracusa

Total—3

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

SENATE BILL NO. 716—

BY SENATOR W. FIELDS

AN ACT

To enact R.S. 14:283, relative to offenses affecting public morals; to create the crime of video voyeurism; to provide for penalties; to provide exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Dyess
Total—38

Ellington
Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert

Landry
Lentini
Malone
Robichaux
Romero
Schedler
Siracusa
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie

Total—1

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

SENATE BILL NO. 721—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R. S. 17:405(A), relative to a drug-free zone; to expand the definition of a "drug-free zone" to include any building or area owned by any quasi-public agency or body and used or operated as a community center; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 721 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 5, after "center;" insert "and any public housing dwelling;"

AMENDMENT NO. 2

On page 2, between lines 10 and 11 insert the following:

"(g) Any public housing dwelling."

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Ellington
Total—37

Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert
Landry

Lentini
Malone
Robichaux
Romero
Schedler
Siracusa
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie

Total—2

Dyess

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

SENATE BILL NO. 781—

BY SENATORS LENTINI, HAINKEL, ULLO, JORDAN AND LANDRY AND REPRESENTATIVES ANSARDI, BOWLER, DAMICO, DONELON, LANCASTER, MARTINY, SCALISE, TOOMY, VITTER AND WINDHORST
AN ACT

To amend and reenact R.S. 14:132, relative to injuring public records; to define the crimes of first degree and second degree injuring public records; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Cain
Campbell

Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Hollis

Lentini
Malone
Robichaux
Romero
Schedler
Siracusa
Smith

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Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Dyess
Total—2	

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

SENATE BILL NO. 796—
BY SENATOR IRONS

AN ACT

To enact R.S. 14:95.8, relative to offenses affecting the public safety; to provide with respect to possession of handguns by juveniles; to provide for the crime of illegal possession of a handgun by a juvenile; to provide for definition; to provide for exceptions; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Barham	Fields C	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Schedler
Total—3		

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

SENATE BILL NO. 804—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 33:4861.12(A)(2)(b), relative to charitable gaming; to increase the number of workers that a charitable organization can compensate; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Dyess
Total—2	

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

Senator C. Fields in the Chair

SENATE BILL NO. 814—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 14:91.11(A)(1) and (B), relative to offenses affecting the health and morals of minors; to restrict the dissemination of materials which are harmful to minors by live or recorded telephone messages, electronic mail, the Internet or a commercial online service; to provide for affirmative defenses; to provide for an exception; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 814 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 13, after "is" delete "the" and insert "any of the following: (a) The"

AMENDMENT NO. 2

On page 1, line 15, after "minors" change "," to "or"

AMENDMENT NO. 3

On page 1, line 16, delete ", or the" and insert "by any means, including electronic mail, the Internet, or commercial online service."

(b) The"

AMENDMENT NO. 4

On page 2, line 4, after "years" delete "or by" and delete line 5 and insert " "

AMENDMENT NO. 5

On page 2, line 5, insert:

"(c) The possession of material harmful to minors with the intent to sell, allocate, advertise, disseminate, exhibit, or display such material to any unmarried person under the age of seventeen years, by electronic mail, the Internet, or a commercial online service which is available to, or accessible by, any unmarried person under the age of seventeen years."

On motion of Senator Ewing, the amendments were adopted.

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

SENATE BILL NO. 873— BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Art. 338, relative to the form and contents of bail orders; to reduce the population census; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 873 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, following "to" and before the semicolon ";" change "reduce the population census" to "designate the 1990 Decennial Census as the measure of population"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 873 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, change "reduce" to "increase"

AMENDMENT NO. 2

On page 1, line 14, after "1990" insert "U.S."

On motion of Senator Hainkel, the amendments were adopted.

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

SENATE BILL NO. 874— BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Art. 342, relative to the increase or reduction of bail and sufficiency of security; to reduce the population census; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 874 by Senator Hainkel

AMENDMENT NO. 1

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On page 1, lines 3 and 4, following "security;" and before "; and to" change "to reduce the population census" to "to determine population by census"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 874 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, change "reduce" to "increase"

AMENDMENT NO. 2

On page 1, line 16, after "1990" insert "U.S."

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—37		
NAYS		
Total—0		
ABSENT		
Bajoie	Dyess	
Total—2		

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

SENATE BILL NO. 879—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 27:306(E)(2) and the introductory paragraph of 311(A), relative to video draw poker device operations; to provide relative to the term of such license; to remove a sixty day limitation on operations under an existing license when licensed establishments are sold; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 879 by Senator Ellington

AMENDMENT NO. 1

On page 2, at the end of line 15, insert the following:

"Each license issued is also contingent on the continuation of the authority in each parish to operate video draw poker devices. In any parish which, after August 15, 1999, withdraws such authority as the result of an election held in the parish on the question of the operation of video draw poker devices in the parish, the term of any licenses issued pursuant to this Subsection shall terminate on the date of termination of such authority in such parish regardless of when the license was issued or for what term."

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Heitmeier	Robichaux
Barham	Hines	Romero
Bean	Hollis	Schedler
Boissiere	Irons	Siracusa
Branch	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Ellington	Landry	Thomas
Total—24		
NAYS		
Cain	Fields W	Lentini
Casanova	Greene	Malone
Fields C	Hainkel	
Total—8		
ABSENT		
Bajoie	Cravins	Ullo
Campbell	Dyess	
Cox	Lambert	
Total—7		

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

SENATE BILL NO. 904—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Code of Civil Procedure Arts. 4845, 4911(C), and 4924(B), relative to jurisdiction of justice of the peace courts; to provide for incidental demands in justice of the peace courts; to provide for the effect of incidental demands on the jurisdiction of justice of the peace courts; to provide for the transfer of actions where an incidental demand before a justice of the peace court exceeds that court's jurisdictional limit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Dyess
Total—2	

The Chair declared the 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.

SENATE BILL NO. 118—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:1554, relative to coroners; to provide for residency as a qualification factor; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 118 by Senator Smith

AMENDMENT NO. 1

On page 1, line 3, between "factor;" and "to" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 1, at the beginning of line 9, insert "**A.**"

AMENDMENT NO. 3

On page 1, line 12, delete "**However, the**" and at the beginning of line 13, add "**B. The**" and on line 13, between "**parish**" and the period ".", insert "**However, a licensed physician who is not a resident of the parish but who maintains a full-time medical practice at a principal medical office facility in the parish may qualify for and hold the office.**"

On motion of Senator Smith, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Barham	Fields C	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Malone
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Robichaux
Total—3		

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

SENATE BILL NO. 202—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 42:1113(C) and (D)(1)(a) and (2) and to enact R.S. 42:1113(F), relative to ethics; to prohibit statewide elected officials, legislators, and their spouses from entering into any contract or subcontract with the state or any quasi-public entity created in law; and to provide for related matters.

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

SENATE BILL NO. 255—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 45:1166(G), relative to telecommunications; to prohibit telecommunications service providers charging unauthorized services to subscribers; to provide for rules and regulations; and to provide for related matters.

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. 255 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 14, after "G.(1)" delete the remainder of the line, delete lines 15 and 16, and on page 2, delete lines 1 through 4, and insert the following:

"For purposes of this Part, the term "cramming" shall be defined as the inclusion of any charges on a subscriber's telephone bill that the subscriber did not authorize."

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AMENDMENT NO. 2

On page 2, line 6, after "and regulations" delete the remainder of the line and delete lines 7 and 8, and insert the following:

"including but not limited to the adoption of fines and sanctions prohibiting any telecommunications service provider, or any person acting on behalf of any telecommunications service provider from engaging in the billing and collecting of cramming, as defined in this Part."

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Barham Bean Boissiere Branch Cain Campbell Casanova Cox Cravins Dardenne Dean Ellington Total—37

NAYS

Total—0

ABSENT

Bajoie Total—2 Dyess

The Chair declared the amended 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 BILL NO. 311—

BY SENATORS IRONS, BAJOIE, CASANOVA, DYESS, HINES, LANDRY AND SCHEDLER

AN ACT

To enact R.S. 36:259(Y) and Chapter 42 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2551 through 2555, relative to the Louisiana Adolescent Pregnancy Review Board; to provide for legislative findings and purpose; to provide for the creation of the board and the appointment of its members and terms, officers, meetings, domicile, and staff; to provide for its powers and duties; to provide for cooperation by other state entities; to provide for the submission of an annual report; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields C Lentini

Barham Bean Boissiere Branch Cain Campbell Casanova Cox Cravins Dardenne Dean Ellington Total—37

Fields W Greene Hainkel Heitmeier Hines Hollis Irons Johnson Jones Jordan Lambert Landry

Malone Robichaux Romero Schedler Siracusa Smith Tarver Theunissen Thomas Ullo

NAYS

Total—0

ABSENT

Bajoie Total—2 Dyess

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

SENATE BILL NO. 397—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 42:874(B)(9), relative to the powers of the Board of Trustees of the State Employees Group Benefits Program; to authorize the board to delete certain debts from the financial records of the board; and to provide for related matters.

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 Barham Bean Boissiere Branch Cain Campbell Casanova Cox Cravins Dardenne Dean Total—34

Ellington Fields C Fields W Hainkel Heitmeier Hines Hollis Irons Johnson Jones Lambert Landry

Lentini Robichaux Romero Schedler Siracusa Smith Tarver Theunissen Thomas Ullo

NAYS

Jordan Total—2

Malone

ABSENT

Bajoie Total—3 Dyess Greene

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 BILL NO. 422—
BY SENATOR HOLLIS

AN ACT

To enact Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463 through 467, relative to advertisements; to prohibit certain practices; to provide for civil and criminal penalties and other actions and procedures for violations; and to provide for related matters.

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 W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dean	Jordan	Ullo
Ellington	Lambert	
Fields C	Landry	
Total—34		

NAYS

Casanova	Dardenne	Romero
Total—3		

ABSENT

Bajoie	Dyess
Total—2	

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.

Personal Privilege

Senator Jordan asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 422. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 450—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1505.4(A)(2), R.S. 39:1233.1, R.S. 42:1118.1(B), 1119(B)(2)(a)(ii) and (b)(ii), 1120(A), 1123(16)(a), and 1124(D), to enact R.S. 42:1111(E)(2)(d), 1124(D), and 1157(A)(5) and (6), all relative to certain reports, registrations and statements to be filed with the Board of Ethics; to provide for filing deadlines and late fees applicable to certain reports, registrations and statements; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 450 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, following "42:1111(E)(2)(d)," and before "and" delete "1124(D)."

AMENDMENT NO. 2

On page 3, line 20, following "1123(16)(a)" and before "are" insert "1124(D)"

AMENDMENT NO. 3

On page 3, line 21, following "1157(A)(5)" and before "are" insert "and (6)"

AMENDMENT NO. 4

On page 6, line 25, following "shall" and before "not" change "defined" to "be fined"

On motion of Senator Lentini, 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	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Landry
Total—1

ABSENT

Bajoie	Cain	Dyess
Total—3		

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.

SENATE BILL NO. 456—
BY SENATOR BEAN

AN ACT

To enact R.S. 22:250.17, relative to health insurers; to require health insurers to provide certain information on member identification cards; 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

Mr. President	Fields W	Lentini
Barham	Greene	Malone

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Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Thomas
Ellington	Lambert	Ullo
Fields C	Landry	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Cravins
Boissiere	Dyess
Total—4	

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. 461—
BY SENATOR CAIN

AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.5 - 844.7, relative to wireless telephones; to require explanation of contracts; to prohibit certain transactions; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 461 by Senator Cain

AMENDMENT NO. 1
On page 1, line 3, after "telephones" insert "and paging"

AMENDMENT NO. 2
On page 1, line 4, change "explanation of contracts" to "that consumers be provided certain information"

AMENDMENT NO. 3
On page 1, line 10, after "telephone" insert "and paging"

AMENDMENT NO. 4
On page 1, line 12, change "explanations" to "information"

AMENDMENT NO. 5
On page 1, line 15, after "service" insert "or paging service"

AMENDMENT NO. 6
On page 1, line 15, change "wireless telephone" to "such"

AMENDMENT NO. 7
On page 1, line 16, after "service" insert "or services"

AMENDMENT NO. 8
On page 1, line 16, change "explain" to "provide"

AMENDMENT NO. 9
On page 2, line 1, change "explanation" to "information"

AMENDMENT NO. 10
On page 2, line 3, change "explanation" to "information"

AMENDMENT NO. 11
On page 2, line 7, after "service" insert "or paging service"

AMENDMENT NO. 12
On page 2, line 9, delete "wireless telephone"

AMENDMENT NO. 13
On page 2, line 10, after "telephone service" insert "or paging service"

AMENDMENT NO. 14
On page 2, line 10, after "consumer's" delete "wireless"

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Irons	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Landry	
Ellington	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Cravins	Hainkel	
Total—5		

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

SENATE BILL NO. 465—
BY SENATORS CAIN AND SMITH
AN ACT

To amend and reenact R.S. 38:2325(A)(k), relative to the powers of the Sabine River Authority; to limit or prohibit the generation of electric power at Toledo Bend Reservoir under certain circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 465 by Senator Cain

AMENDMENT NO. 1
On page 1, line 4 after "circumstances;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, after line 20, insert the following:

“Section 2. This Act shall become effective when the state of Texas enacts legislation of a substantially similar nature which prohibits the Sabine River Authority from using or selling the waters of the Toledo Bend Reservoir for the generation or production of electric power when the mean sea level of the reservoir is below one hundred sixty-eight feet.”

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	
Ellington	Landry	
Total—34		

NAYS

Dean	Ullo
Total—2	

ABSENT

Bajoie	Dyess	Lambert
Total—3		

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

SENATE BILL NO. 494—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 13:2582(A), relative to justice of peace; to provide that a justice of peace must reside in the ward or district from which elected; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver

Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

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

SENATE BILL NO. 591—

BY SENATORS SCHEDLER AND CASANOVA

AN ACT

To enact R.S. 37:1287.1, relative to physicians; to require the reporting of certain convictions and entry of pleas of guilty or nolo contendere of physician to the Louisiana State Board of Medical Examiners; to provide immunity for reporting such information; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 591 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 3, following "or" at the end of the line, add "or by a"

On motion of Senator Lentini, 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

Mr. President	Dean	Lentini
Barham	Ellington	Malone
Bean	Fields C	Robichaux
Boissiere	Fields W	Romero
Branch	Greene	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—33		

NAYS

Irons	Landry
Total—2	

ABSENT

Bajoie	Hainkel
Dyess	Lambert
Total—4	

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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.

SENATE BILL NO. 592—
BY SENATORS SCHEDLER AND CASANOVA
AN ACT

To enact R.S. 37:1285(A)(31), relative to the Louisiana State Board of Medical Examiners; to provide that the board may refuse to issue or may suspend, revoke, or impose probationary or other restrictions on a physician's license for failure to timely report certain actions which constitute a violation of the practice act; to provide an exception; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

The Chair declared the 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.

SENATE BILL NO. 593—
BY SENATORS SCHEDLER AND CASANOVA
AN ACT

To enact R.S. 37:1270(A)(8), relative to the Louisiana State Board of Medical Examiners; to authorize the board to establish minimum requirements relative to continuing education for the renewal or reinstatement of any license or permit issued by the board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero

Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

The Chair declared the 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.

SENATE BILL NO. 601—
BY SENATOR SCHEDLER
AN ACT

To enact R.S. 49:956(8)(d), relative to administrative procedures; to permit the use of certain confidential or privileged documents in adjudication proceedings; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

The Chair declared the 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.

SENATE BILL NO. 602—
BY SENATOR SCHEDLER
AN ACT

To enact R.S. 13:3715.3(G), relative to peer review committee records; to provide for access to certain documents necessary for investigative adjudication by a licensing board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

The Chair declared the 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.

SENATE BILL NO. 701—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:983(A)(2), relative to foreign or alien insurers; to provide for conditions for issuance of certificates of authority to transact business in the state; 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	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Lambert
Total—3		

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. 732—
BY SENATORS SCHEDLER AND CASANOVA
AN ACT

To amend and reenact R.S. 37:1268, relative to the Louisiana State Board of Medical Examiners; to provide for the compensation and expenses of board members; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Romero
Barham	Fields W	Schedler
Bean	Greene	Siracusa
Boissiere	Hainkel	Smith
Branch	Heitmeier	Tarver
Cain	Hines	Theunissen
Campbell	Johnson	Thomas
Cox	Jones	Ullo
Dardenne	Lentini	
Ellington	Robichaux	
Total—28		

NAYS

Dean	Jordan	Malone
Irons	Landry	
Total—5		

ABSENT

Bajoie	Cravins	Hollis
Casanova	Dyess	Lambert
Total—6		

The Chair declared the 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.

SENATE BILL NO. 754—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3576.19, relative to a licensee; to provide for collection; to provide for assignment; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 754 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 14, following "Section," insert "Book III,"

AMENDMENT NO. 2

On page 2, line 2, change "Where" to "When"

On motion of Senator Lentini, the amendments were adopted.

April 13, 1999

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. 754 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 10, after "an agreement" insert "in writing"

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lentini
Barham Fields C Malone
Bean Fields W Robichaux
Boissiere Greene Romero
Branch Heitmeier Schedler
Cain Hines Siracusa
Campbell Hollis Smith
Casanova Irons Tarver
Cox Johnson Theunissen
Cravins Jones Thomas
Dardenne Jordan Ullio
Dean Landry
Total—35

NAYS

Total—0

ABSENT

Bajoie Hainkel
Dyess Lambert
Total—4

The Chair declared the amended 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 BILL NO. 755—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 37:212(E), relative to the practice of law; to provide for certain services of collection agencies; and to provide for related matters.

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 Ellington Romero
Barham Fields C Schedler
Bean Fields W Siracusa
Boissiere Greene Smith
Cain Heitmeier Tarver

Campbell
Casanova
Cox
Cravins
Dean
Total—28

Hollis
Johnson
Lentini
Malone
Robichaux
Theunissen
Thomas
Ullo

NAYS

Branch
Dardenne
Hainkel
Total—7

Irons
Jones
Jordan
Landry

ABSENT

Bajoie
Dyess
Total—4

Hines
Lambert

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 BILL NO. 766—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:843(D), 864(A), and 865, relative to tobacco products; to provide for tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for certain violations of the Unfair Trade and Consumer Protection Law; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 24, following "Trade" and before "and" insert "Practices"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 5, line 19, change "may" to "shall"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 10, change "14" to "15"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 5, after "Law;" insert "to provide for exception;"

AMENDMENT NO. 2

On page 6, after line 18, insert the following:

"Section 3. The provisions of this Act shall not apply to any Louisiana company holding a valid Louisiana Tobacco Wholesaler Dealer Permit and doing business as of January 1, 1999, who agrees to participate in a state Tobacco Settlement Escrow Fund in the same manner and in the same amounts as tobacco product manufacturers are participating in the Master Tobacco Settlement Agreement (as those terms and amounts are defined in the Master Tobacco Settlement Agreement)."

Senator Jordan moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Hainkel	Romero
Fields C	Irons	
Fields W	Jordan	
Total—7		

NAYS

Mr. President	Dean	Malone
Barham	Ellington	Robichaux
Bean	Greene	Siracusa
Boissiere	Heitmeier	Smith
Branch	Hines	Tarver
Campbell	Hollis	Theunissen
Casanova	Johnson	Thomas
Cox	Jones	Ullo
Dardenne	Lentini	
Total—26		

ABSENT

Bajoie	Dyess	Landry
Cravins	Lambert	Schedler
Total—6		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 5, line 19, after "destroy" insert "such cigarettes." and delete the remainder of the line and delete line 20

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Robichaux
Barham	Fields W	Romero
Bean	Greene	Schedler
Boissiere	Heitmeier	Siracusa
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Johnson	Theunissen
Casanova	Jones	Thomas
Cox	Landry	Ullo
Dean	Lentini	
Total—29		

NAYS

Dardenne	Hainkel	Malone
Fields C	Jordan	
Total—5		

ABSENT

Bajoie	Dyess	Lambert
Cravins	Irons	
Total—5		

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

Mr. President in the Chair

Rules Suspended

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

April 13, 1999

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 the following Senate Bills and Joint Resolutions:

April 13, 1999

SENATE BILL NO. 242—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:301(A), relative to levee boards and levee and drainage boards; to authorize such boards to construct bicycle paths and walkways along tops of levees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 97—
BY SENATOR THEUNISSEN

AN ACT

To designate Louisiana Highway 383 between Interstate 10 and U. S. Highway 90 in the town of Iowa in Calcasieu Parish as "Veterans Memorial Highway"; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 905—
BY SENATORS EWING AND DARDENNE AND REPRESENTATIVES DOWNER, BRUNEAU AND LANCASTER

AN ACT

To amend and reenact R.S. 42:1124(C)(2)(b) and 1157(A)(4), to enact R.S. 42:1114.1, and to repeal R.S. 42:1114(D), relative to financial disclosure by legislators; to require disclosure by legislators of certain financial information; and to provide for related matters.

Reported without amendments.

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

**Introduction of Senate Bills
and Joint Resolutions**

Senator Bean 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. 1013—
BY SENATOR THOMAS

AN ACT

To authorize and empower the secretary of the Department of Transportation and Development to transfer title to a certain described parcel of land in St. Tammany Parish to the St. Tammany Parish Police Jury; and to provide for related matters.

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

SENATE BILL NO. 1014—
BY SENATOR SIRACUSA

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.

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

SENATE BILL NO. 1015—
BY SENATOR EWING

AN ACT

To enact Subpart B-2 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:210 through 210.6, relative to family and parent education; to authorize the establishment of a pilot program for community-based family support centers and family or parent education

services; to provide for the application process for participation in the pilot program; to provide relative to funding; to provide the promulgation of rules; to provide for reports; to provide for a termination date for the pilot program; and to provide for related matters.

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

SENATE BILL NO. 1016—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 17:3141.4(A) and R.S. 17:3141.4(A)(2)(a) as amended by Act No. 151 of the 1998 First Extraordinary Session, relative to proprietary schools; to provide relative to licenses; to authorize certain advertising by an applicant school under certain circumstances; to require prior written approval; to provide for monies received by an applicant school from prospective students prior to receipt of its proprietary school license; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 1017—
BY SENATOR JONES

AN ACT

To enact R.S. 33:365, relative to municipal powers of local governments; to authorize the local governing authorities of E. Carroll Parish and Madison Parish to enter into cooperative endeavors with private prison contractors for the establishment of a privately managed prison facility; to provide for the location of such facility; to provide that such authority does not require the assistance, approval, or involvement of the local sheriff or local law enforcement district; and to provide for related matters.

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

SENATE BILL NO. 1018—
BY SENATOR JONES

AN ACT

To enact Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2488.91 through R.S. 13:2488.99, relative to city courts; to create a city court of Tallulah; to provide for the jurisdiction of said court, its personnel, and the collection and disbursement of funds; and to provide for related matters.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana on the death of Ronny Beard, former head football coach and principal of Homer High School.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Barham	Ellington	Malone
Bean	Greene	Robichaux
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Irons	Smith
Campbell	Johnson	Tarver
Casanova	Jones	Theunissen
Cox	Jordan	Thomas
Dardenne	Landry	

Total—29

NAYS

Total—0

ABSENT

Bajoie	Fields W	Romero
Cravins	Hainkel	Ullo
Dyess	Hollis	
Fields C	Lambert	

Total—10

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Lambert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 13, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 345—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 30:2063(K), relative to the chemical accident prevention program; to provide certain exemptions from fees charged pursuant to the chemical accident prevention program administered by the Louisiana Department of Environmental Quality; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 358—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 30:2369(A), relative to the Right-to-Know Law; to revise the reportable quantity of releases of certain hazardous materials or substances consistent with reportable quantity requirements under federal law; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 659—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 30:2363(6), (12), (13), (14), and (15), the introductory paragraph of 2370(E), and 2374(B)(1) and to enact R.S. 30:2363(16), relative to hazardous materials; to provide for definitions, terms, and reporting procedures under the Right-to-Know Law; to provide relative to fees for certain facilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 660—
BY SENATOR MALONE

AN ACT

To enact R.S. 32:1522, relative to hazardous materials transportation; to establish a hazardous materials emergency response fund; to provide relative to the monies in such fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 720—
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 30:2417(B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 30:2417(N), relative to used oil; to require certain used oil facilities to obtain hazardous waste permits from the Department of Environmental Quality; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 743—
BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 30:2060(F), relative to the toxic air pollutant monitoring control program; to require continuous monitoring of air around certain facilities permitted by the Louisiana Department of Environmental Quality; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 13, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 156—
BY SENATOR LENTINI

AN ACT

To enact Section 1-A of Chapter 4 of Title XXIV of the Louisiana Civil Code, to be comprised of Art. 3493.1, relative to prescription; to provide for a two-year prescriptive period for damages which are sustained as a result of certain criminal acts; to provide for the procedure in which prescription begins to run; to specify limits on the applicability; and to provide for related matters.

Reported with amendments.

April 13, 1999

SENATE BILL NO. 278—
BY SENATOR COX

AN ACT

To enact Code of Civil Procedure Art. 971, relative to written motions; to provide a special motion to strike in certain civil proceedings; to provide for the duties of the Judicial Council relative thereto; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 476—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 13:4581, relative to posting of civil bonds; to provide that the state and state agencies shall not be required to furnish any appeal bond or any other bond in any judicial proceedings; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 507—
BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 9:2799.5(B) and (D)(1), relative to liability of health care providers; to provide for the limitation of liability of health care providers providing gratuitous health care services pursuant to an agreement with a community health care clinic; to provide for the distribution or posting of notice of the limitation of liability; to provide a definition of a community health care clinic; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 540—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 9:344, relative to visitation rights of grandparents and siblings in certain circumstances; to provide for reasonable visitation rights for grandparents and siblings when the parent of the minor child is incarcerated; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 541—
BY SENATOR HINES

AN ACT

To amend and reenact Children's Code Art. 1037(C), relative to children; to provide for custody of certain children according to the best interest of the child after termination of parental rights; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 586—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact the introductory paragraph of Code of Civil Procedure Arts. 2786(B) and 2786(B)(2), (C)(3), and (D), 2787, 2789(B), 2790(A), 2791(B)(2) and (C)(3), and 2792, and to enact Code of Civil Procedure Arts. 2785(5), 2786(C)(4), and 2795, relative to modification and enforcement of support orders; to authorize the use of certain federally approved forms for registering support orders; to provide for service of registered support orders; to provide for the requirements of clerks of court relative to such orders; to provide for the jurisdiction of certain courts regarding registered support orders; to provide relative to the time to object to such orders; to provide for the joinder of certain support proceedings; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 587—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:4611(1)(d) and (3), relative to contempt of court; to extend the probationary period allowed for contempt of court in certain support and custody or visitation cases; to clarify the applicability of contempt orders to spousal support orders and custody orders; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 588—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:236.2(A)(1), relative to amendments of support orders; to permit non-custodial parents paying support benefits to apply for an order to make support payments to the Department of Social Services rather than the individual or custodial parent; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 589—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 9:315.21, relative to child support judgments; to revise the effective dates of child support judgments in certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 594—
BY SENATORS SCHEDLER AND HAINKEL

AN ACT

To amend and reenact Civil Code Arts. 890, 1499, and 1514, relative to usufruct of surviving spouse; to provide with respect to requesting security and the granting of a usufruct by the decedent; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 595—
BY SENATORS SCHEDLER AND HAINKEL

AN ACT

To enact Section 8 of Chapter 6 of Title 1 of Book III of the Civil Code, comprised of Articles 1617 through 1622, relative to disinheriton; to provide for formalities for disinheriton; to provide causes for disinheriton; to provide relative to disinheriton in a will and proof required to nullify the disposition; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 684—
BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact Children's Code Art. 612(A), relative to child abuse reporting and investigation; to provide that certain low level risk reports may be subject to assessment rather than investigation; to provide for effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 685—
BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DURAND, DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact the introductory paragraph of Children's Code Art. 617(A) and Art. 617(A)(1), (B), and (D), the introductory paragraph of Art. 618(A) and Art. (A)(4), relative to the procedures for the protection of children; to expand the scope of such

provisions to include neglected children; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 686—
BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES RIDDLE, DEWITT, DOWNER AND MCMAINS
AN ACT

To amend and reenact Children's Code Art. 619(E), relative to children in need of care; to exclude local employees of child protection units as an authorized party to serve a summons upon a parent or caretaker; to require local employees of child protection to provide written notice of hearing to the parent or caretaker; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 687—
BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DURAND, DEWITT, DOWNER AND MCMAINS
AN ACT

To amend and reenact Children's Code Art. 642, relative to children in need of care; to require a court to hold a hearing in parent's absence if the parent has been served; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 751—
BY SENATOR EWING
AN ACT

To provide that judges of the Second Judicial District Court who are elected at large from the Second Judicial District reside in specific parishes of the district; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 832—
BY SENATOR ROMERO
AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to civil jury trials; to repeal the prohibition against jury trials in suits on admiralty or general maritime claims in state court; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 855—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER AND THOMAS AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, CRANE AND THORNHILL
AN ACT

To amend and reenact R.S. 20:1(A) and (C) and to enact R.S. 20:1(B), relative to homesteads; to provide for an increase in the acreage and value of a homestead which shall be exempt from seizure; to provide for exemptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 858—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER AND REPRESENTATIVES MCMAINS, DEWITT, DOWNER, AND JOHNS
AN ACT

To enact R.S. 48:35(F), relative to public liability; to provide for the duty of the Department of Transportation and Development or any political subdivision of the state with respect to highway and bridge construction and maintenance; to provide for the inadmissibility of certain evidence; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 860—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND SCHEDLER AND REPRESENTATIVES MCMAINS, DEWITT, DOWNER, AND WALSWORTH
AN ACT

To enact R.S. 9:2798.4, relative to civil liability; to prohibit the recovery of damages of certain persons who operate a vehicle while under the influence of alcoholic beverages or drugs; to provide for certain exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 861—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER AND REPRESENTATIVES MCMAINS, DEWITT, AND DOWNER
AN ACT

To amend and reenact R.S. 32:295.1(E), relative to the failure to use safety belts; to provide that the failure to use a safety belt shall be used as evidence to determine comparative negligence, apportionment of fault, or mitigation of damages; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

Rules Suspended

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 340 from the Committee on Insurance.

SENATE BILL NO. 340—
BY SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 22:232(14), 239(A)(1), (B) and 239.1(A)(2), relative to the Louisiana Health Insurance Association; to exempt the State Employees Group Benefits Program from being assessed fees by the association; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and withdrawn from the files of the Senate.

Messages from the House

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 13, 1999

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. 111—
BY REPRESENTATIVES WILKERSON, ALEXANDER, AND SALTER AND SENATOR CAMPBELL
A CONCURRENT RESOLUTION

To commend Mr. Bernard King on being named the Most Valuable Player of the Class B State Basketball Championship Game and to recognize and record his achievements as a member of the Gibsland-Coleman High School Boys Basketball Team.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVES WILKERSON, ALEXANDER, AND SALTER AND
SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend the Gibsland-Coleman High School Boys Basketball Team, its coaches, managers, and trainers for an exceptional season and for winning the Louisiana Class B State Basketball Championship.

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVE WILKERSON AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend the Athens High School Boys Basketball Team, its coaches, managers, and trainers for an exceptional season and for winning the Louisiana Class C State Basketball Championship.

HOUSE CONCURRENT RESOLUTION NO. 116—
BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To commend Jason Bell and Erin Thornbury of the Tioga High School Speech and Debate Team for being chosen to compete in the Grand National Catholic Forensic League Speech and Debate Tournament.

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To commend the Great American Cleanup project for its contributions to improving the environment of the state, to proclaim April of 1999 as Keep America Beautiful Month throughout the state of Louisiana, and to designate April 10, 1999, as Great American Cleanup Day in Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVES WILKERSON AND ALEXANDER AND SENATOR
CAMPBELL

A CONCURRENT RESOLUTION

To commend the town of Gibsland for its first annual Jonquil Jubilee and to wish the town of Gibsland many years of success in future jubilees.

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVES MICHOT AND DOERGE

A CONCURRENT RESOLUTION

To commend Marcus Jerome Denais upon the occasion of his retirement for his many achievements and for his inspiring service to the citizens of Lafayette and the people of Louisiana and to establish May 29, 1999, as Marcus Jerome Denais Day in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 122—
BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To commend and congratulate Mr. James V. Soileau on his retirement after forty-four years of service to the educational community.

HOUSE CONCURRENT RESOLUTION NO. 123—
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana to the family of Vanario T. Jackson upon his untimely death.

HOUSE CONCURRENT RESOLUTION NO. 124—
BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana for the untimely deaths of Mildred Lee Celestine Vessel, Carla Denise Vessel Miller, and Shon Dontreal Miller, Jr.

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.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

April 13, 1999

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR COX

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Lloyd G. Jones Sr., husband, father, grandfather, great-grandfather, brother, civic and community leader, and friend.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie ½ Day

Adjournment

Senator Bean moved that the Senate adjourn until Wednesday, April 14, 1999 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, April 14, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk