

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

**THIRTEENTH 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 20, 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	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	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—39		

**ABSENT**

Total—0

The President of the Senate announced there were 39 Senators  
present and a quorum.

**Prayer**

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

**Messages from the Governor**

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

**Reading of the Journal**

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

**Morning Hour**

State of Louisiana  
OFFICE OF THE GOVERNOR  
Baton Rouge

April 20, 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 16, 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**

Bryon Paul Myers  
P. O. Box 289  
Crowley, La 70527-0289

**ASCENSION**

Roxie S. Ambeau  
P. O. Box 268  
Donaldsonville, La 70346

Karen S. Tullier  
P. O. Box 268  
Donaldsonville, La 70346

**BOSSIER**

Carmen J. Copeland  
6030 Line Ave., Ste. 360  
Shreveport, La 71106

**CADDO**

Jill Kelly Elrod  
2600 Greenwood Rd.  
Shreveport, La 71103

Lucien H. Marioneaux, Jr.  
10201 Los Altos  
Shreveport, La 71115

Catherine Ann Baity  
121 N. Pine  
Vivian, La 71082

**CALCASIEU**

Chantell C. Gonzales  
751 Park Rd.  
Lake Charles, La 70611

Dorthy Mcneely  
6859 Tom Hebert Road #390  
Lake Charles, La 70607

**CLAIBORNE**

Howard W. Fanning  
1825 Mcdonald  
Haynesville, La 71038

**DESOTO**

Mary E. Bagley  
P. O. Box 1324  
Mansfield, La 71052

Marsha Mccall  
412 Memory Lane  
Stonewall, La 71075

**EAST BATON ROUGE**

Janet Waguespack  
17435 Paladin Dr.  
Baton Rouge, La 70817

Kenneth E. Martin  
265 S. Foster Dr.  
Baton Rouge, La 70806

George D. Myer  
7835 Wimbledon Ave.  
Baton Rouge, La 70810

Matthew Robert Richards  
9271 Corsica Ave.  
Baton Rouge, La 70810

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

**GRANT**

Nelda R. Henderson  
421 Hines Lane  
Pineville, La 71360

**IBERIA**

Beth Pittman  
100 Bismark Dr.  
Broussard, La 70518

**JEFFERSON**

Paul R. Wegmann  
3329 Florida Ave.  
Kenner, La 70005

April 20, 1999

**LAFAYETTE**

Gary J. Delahoussaye  
P. O. Drawer 51367  
Lafayette, La 70505

Lois A. Broussard  
414 East Main St.  
Broussard, La 70518

Margaret C. Drennan  
102 First Versailles Blvd., Ste. 600  
Lafayette, La 70502

Melanie Hebert  
414 E. Main St.  
Broussard, La 70518

Betty G. Leger  
115 Nickland Dr.  
Scott, La 70583

**LASALLE**

Denise Gulde  
P. O. Box 70  
Jena, La 71342

**ORLEANS**

C. Edgar Cloutier  
601 Poydras St., Ste. 2300  
New Orleans, La 70130

Dale D. Smith  
4500 One Shell Square  
New Orleans, La 70139

Dorian Lobman  
201 St. Charles Ave., Ste. 3710  
New Orleans, La 70170-3710

**OUACHITA**

Charles H. Heck, Jr.  
1600 Lamy Lane  
Monroe, La 71201

Thomas B. Page  
2843 Red Cut Rd.  
West Monroe, La 71292

**RAPIDES**

Tiffany Addison  
5918 Hart Lane  
Pineville, La 71360

Dorcas L. Bonnegent  
2001 Macarthur Dr.  
Alexandria, La 71301

Donna R. McClure  
P. O. Box 5000  
Pineville, La 71361

Barbara Morris  
P. O. Box 48  
Otis, La 71466

Jenny Dugger Smith  
501 East Yeager Dr.  
Pineville, La 71360

Maria Picard  
118 Bayou Bend  
Carencro, La 70520

Chanelle Thibaut Delahoussaye  
115 Seville Blvd.  
Lafayette, La 70503

Mitchell O. Fontenot  
121 E. Pont Des Mouton  
Lafayette, La 70507

Catherine E. Hensgens  
520 St. Charles St.  
Lafayette, La 70506

Stephanie H. Myers  
8200 Hampson St., #311  
New Orleans, La 70119

Arthur A. Lemann IV  
938 Lafayette St., Ste. 100  
New Orleans, La 70113

Julie A. Lewis  
1240 Hwy. 594  
Monroe, La 71203

Margaruette H. Beard  
156 Goodman Rd.  
Glenmora, La 71433

Diane Foster  
3508 Royal Dr.  
Alexandria, La 71302

Nicole A. Mitchell  
1534 Lee St.  
Alexandria, La 71301

Glendora Moses  
P. O. Box 5000  
Pineville, La 71361

Richard W. Mitchell  
708 Highpoint Circle  
Alexandria, La 71303

**RED RIVER**

Page Adams  
Rt. 2, Box 3026  
Coushatta, La 71019

**ST. LANDRY**

Allison Higginbotham  
753 Lenora Rd.  
Church Point, La 70525

Mary M. G. Taylor  
249 Eliza St.  
Opelousas, La 70570

**ST. MARTIN**

Carla D. Jeanbatiste  
1084 Alexander Circle  
St. Martinville, La 70582

**ST. TAMMANY**

John Mcenery Robertson  
600 Lotus Dr., North, Ste. f  
Mandeville, La 70471-2885

Susan Prine Sumlin  
119 Anthony Dr.  
Slidell, La 70458

**Privilege Report of the  
Legislative Bureau**

April 20, 1999

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVES HILL, HAMMETT, BRUCE, DEWITT, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HUDSON, JOHNS, LONG, McDONALD, PIERRE, PINAC, QUEZAIRE, JOHN SMITH, STELLY, TRICHE, WARNER, AND GAUTREUX AND SENATORS CAIN AND DYESS

AN ACT

To amend and reenact R.S. 56:767, relative to private property surrounded by a wildlife management area; to provide for hunting and fishing regulations on such property; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 448—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 41:899, relative to school boards; to authorize the Red River Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearings; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 507—**

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 15:574, relative to the adoption of rules by the Board of Pardons; to provide with regard to notices of hearings or applications for a pardon, commutation, or clemency; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 565—**

BY REPRESENTATIVES JOHN SMITH, DANIEL, FLAVIN, AND MICHOT

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.

Reported without amendments.

**HOUSE BILL NO. 1018—**

BY REPRESENTATIVES HILL, BAUDOIN, BRUCE, CARTER, FRITH, ILES, AND THOMPSON

AN ACT

To enact R.S. 3:4278.3, relative to forest products, to provide that persons transporting or receiving forest 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 without amendments.

**HOUSE BILL NO. 1260—**

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

AN ACT

To repeal Act No. 208 of the 1997 Regular Session of the Legislature, relative to the requirement that the commissioner of conservation hold monthly public hearings in Shreveport; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1264—**

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

AN ACT

To amend and reenact R.S. 56:700.4(B)(introductory paragraph) and (2), relative to the Fishermen's Gear Compensation Fund; to authorize the secretary of the Department of Natural Resources to waive the ninety-day limit on the required reporting period in order to meet eligibility requirements for payments from the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1559—**

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

AN ACT

To amend and reenact R.S. 34:855.3(C) and (F) and to enact R.S. 34:855.3(G), relative to the Personal Watercraft Safety Act; to provide relative to regulation of personal watercraft, including hours of operation; to provide relative to violations and penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1564—**

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. 56:53, 54, 55, and 55.2, relative to wildlife enforcement agents; to restrict which personnel of the Department of Wildlife and Fisheries qualify as enforcement agents; to provide for the powers and authority of commissioned wildlife enforcement agents; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

ARTHUR J. LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

**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 20, 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. 326—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 40:1151, relative to the regulation of water supply and sewerage systems by the Department of Health and Hospitals; to provide for exemption of certain systems from such regulation if the exemption is necessary to meet federal requirements; and to provide for related matters.

**HOUSE BILL NO. 479—**

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(5), relative to drug-free zones; to include public housing authority property within drug-free zones; and to provide for related matters.

**HOUSE BILL NO. 623—**

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 22:228(D), 250.7(C)(1)(d), (2)(a)(iii), and (3) and F, and 250.13(C)(1)(d), (2)(a)(iii), and (3) and F, relative to health insurance; to provide with respect to health insurance issuers discontinuing to offer products in the individual or group market; to provide relative to nonrenewal of health insurance coverage; and to provide for related matters.

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:9(A)(1)(introductory paragraph), (h), (i), (k), (l), (m), (v), and (w), (2), (6), and (7), (B), and (C) and R.S. 36:686 and to enact R.S. 36:802.16, relative to the Louisiana Health Care Commission; to provide with respect to the membership of the commission; to provide relative to its powers, duties, and responsibilities; to provide relative to its placement within the Department of Insurance; to delete the termination date for the commission; and to provide for related matters.

**HOUSE BILL NO. 1332—**

BY REPRESENTATIVES LEBLANC AND THOMPSON

AN ACT

To amend and reenact R.S. 47:322.28(B)(2), relative to the distribution of the proceeds of a portion of the state sales tax on hotel occupancy in Lafayette Parish; to provide for allocation of certain monies in the Lafayette Parish Visitor Enterprise Fund; and to provide for related matters.

**HOUSE BILL NO. 541—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 32:383.1(A), relative to loads on trucks; to provide for the covering of loads; and to provide for related matters.

**HOUSE BILL NO. 742—**

BY REPRESENTATIVES WINDHORST, ALEXANDER, DANIEL, FRITH, MARTINY, MURRAY, JACK SMITH, CURTIS, DAMICO, DEWITT, FLAVIN, FONTENOT, MORRELL, PINAC, AND TRAVIS  
AN ACT

To amend and reenact R.S. 37:1171(5), 1194, and 1198 and to enact R.S. 37:1171(7) and (8), 1178(B)(4), and 1194.1, relative to pharmacists; to provide for the compounding, filling, dispensing, and transfer of prescriptions; to authorize electronic recordkeeping in certain instances; to provide for the certification of pharmacy technicians by the Louisiana Board of Pharmacy; and to provide for related matters.

**HOUSE BILL NO. 776—**

BY REPRESENTATIVE MCCAIN  
AN ACT

To repeal Code of Civil Procedure Article 3955, relative to the inapplicability of the declinatory exception of lis pendens in a divorce proceeding filed under Civil Code Article 102.

**HOUSE BILL NO. 988—**

BY REPRESENTATIVE MCCAIN  
AN ACT

To enact Code of Civil Procedure Article 2784, relative to support; to provide relative to applicability of intrastate registration of support orders; and to provide for related matters.

**HOUSE BILL NO. 989—**

BY REPRESENTATIVE MCCAIN  
AN ACT

To enact R.S. 9:315.16, relative to child support; to authorize the court to award child support beyond the schedule of support in certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1009—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 37:3443(3)(c), 3446(A), and 3450(A), relative to the practice of vocational rehabilitation; to add activities under the definition of vocational rehabilitation services; to provide for fees charged by the licensing board; to prohibit certain activities related to vocational rehabilitation services by unlicensed persons; and to provide for related matters.

**HOUSE BILL NO. 1048—**

BY REPRESENTATIVE DUPRE  
AN ACT

To enact Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1152 through 1156, relative to sewage and sewerage; to authorize a homeowner to install an individual mechanical sewerage system in his own home under certain circumstances; to provide for the waiver of certain fees; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

**HOUSE BILL NO. 1343—**

BY REPRESENTATIVES MCMAINS AND KENNARD  
AN ACT

To amend and reenact R.S. 32:900(L) and to enact R.S. 32:861.1, relative to motor vehicle liability insurance; to provide for coverage; to provide for exclusions; to require automobile liability coverage for certain licensed drivers; and to provide for related matters.

**HOUSE BILL NO. 1381—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 38:2212(A)(1)(a)(iii), relative to the Public Bid Law; to exempt certain purchases of materials and supplies by certain contractors and subcontractors awarded public works contracts by a public entity; and to provide for related matters.

**HOUSE BILL NO. 1698—**

BY REPRESENTATIVES LEBLANC, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS HAINKEL, DARDENNE, EWING, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 39:1508, relative to purchases of professional, personal, consulting, and social services; to change the threshold for small purchase procurement of such services; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Malone 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. 326—**

BY REPRESENTATIVE DAMICO  
AN ACT

To amend and reenact R.S. 40:1151, relative to the regulation of water supply and sewerage systems by the Department of Health and Hospitals; to provide for exemption of certain systems from such regulation if the exemption is necessary to meet federal requirements; and to provide for related matters.

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

**HOUSE BILL NO. 479—**

BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(5), relative to drug-free zones; to include public housing authority property within drug-free zones; 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. 541—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 32:383.1(A), relative to loads on trucks; to provide for the covering of loads; 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.

**HOUSE BILL NO. 623—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 22:228(D), 250.7(C)(1)(d), (2)(a)(iii), and (3) and F, and 250.13(C)(1)(d), (2)(a)(iii), and (3) and F, relative to health insurance; to provide with respect to health insurance issuers discontinuing to offer products in the individual or group market; to provide relative to nonrenewal of health insurance coverage; and to provide for related matters.

April 20, 1999

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

**HOUSE BILL NO. 669—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:9(A)(1)(introductory paragraph), (h), (i), (k), (l), (m), (v), and (w), (2), (6), and (7), (B), and (C) and R.S. 36:686 and to enact R.S. 36:802.16, relative to the Louisiana Health Care Commission; to provide with respect to the membership of the commission; to provide relative to its powers, duties, and responsibilities; to provide relative to its placement within the Department of Insurance; to delete the termination date for the commission; 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. 742—**

BY REPRESENTATIVES WINDHORST, ALEXANDER, DANIEL, FRITH, MARTINY, MURRAY, JACK SMITH, CURTIS, DAMICO, DEWITT, FLAVIN, FONTENOT, MORRELL, PINAC, AND TRAVIS

AN ACT

To amend and reenact R.S. 37:1171(5), 1194, and 1198 and to enact R.S. 37:1171(7) and (8), 1178(B)(4), and 1194.1, relative to pharmacists; to provide for the compounding, filling, dispensing, and transfer of prescriptions; to authorize electronic recordkeeping in certain instances; to provide for the certification of pharmacy technicians by the Louisiana Board of Pharmacy; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 445, was read by title and referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 776—**

BY REPRESENTATIVE MCCAIN

AN ACT

To repeal Code of Civil Procedure Article 3955, relative to the inapplicability of the declinatory exception of lis pendens in a divorce proceeding filed under Civil Code Article 102.

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

**HOUSE BILL NO. 988—**

BY REPRESENTATIVE MCCAIN

AN ACT

To enact Code of Civil Procedure Article 2784, relative to support; to provide relative to applicability of intrastate registration of support orders; 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.

**HOUSE BILL NO. 989—**

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 9:315.16, relative to child support; to authorize the court to award child support beyond the schedule of support in certain circumstances; 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.

**HOUSE BILL NO. 1009—**

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3443(3)(c), 3446(A), and 3450(A), relative to the practice of vocational rehabilitation; to add activities under the definition of vocational rehabilitation services; to provide for fees charged by the licensing board; to prohibit certain activities

related to vocational rehabilitation services by unlicensed persons; 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. 1048—**

BY REPRESENTATIVE DUPRE

AN ACT

To enact Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1152 through 1156, relative to sewage and sewerage; to authorize a homeowner to install an individual mechanical sewerage system in his own home under certain circumstances; to provide for the waiver of certain fees; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

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

**HOUSE BILL NO. 1332—**

BY REPRESENTATIVES LEBLANC AND THOMPSON

AN ACT

To amend and reenact R.S. 47:322.28(B)(2), relative to the distribution of the proceeds of a portion of the state sales tax on hotel occupancy in Lafayette Parish; to provide for allocation of certain monies in the Lafayette Parish Visitor Enterprise Fund; and to provide for related matters.

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

**HOUSE BILL NO. 1343—**

BY REPRESENTATIVES MCMAINS AND KENNARD

AN ACT

To amend and reenact R.S. 32:900(L) and to enact R.S. 32:861.1, relative to motor vehicle liability insurance; to provide for coverage; to provide for exclusions; to require automobile liability coverage for certain licensed drivers; and to provide for related matters.

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

**HOUSE BILL NO. 1381—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 38:2212(A)(1)(a)(iii), relative to the Public Bid Law; to exempt certain purchases of materials and supplies by certain contractors and subcontractors awarded public works contracts by a public entity; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 882, was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1698—**

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

AN ACT

To amend and reenact R.S. 39:1508, relative to purchases of professional, personal, consulting, and social services; to change the threshold for small purchase procurement of such services; and to provide for related matters.

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

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 20, 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. 126— BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 32:1521(B) and to enact R.S. 32:1521(C), (D), (E), (F), (G), (H), and (I), relative to hazardous materials transportation; to prohibit motor carriers from transporting hazardous materials within three hundred yards of certain schools in certain areas; to designate certain routes for the transportation of hazardous materials; to provide for penalties for certain violations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 127— BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 32:1521(B) and to enact R.S. 32:1521(C), (D), (E), (F), (G), (H), (I), and (J), relative to hazardous materials transportation; to prohibit motor carriers from transporting hazardous materials within three hundred yards of certain schools in certain areas; to designate certain routes for the transportation of hazardous materials; to provide civil penalties for certain violations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 400— BY SENATORS LAMBERT, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 30:2117(A), relative to radioactive waste disposal; to prohibit all commercial disposal operations of high-level or low-level radioactive waste; and to provide for related matters.

Reported by substitute.

Respectfully submitted, LOUIS LAMBERT 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. 110—

BY SENATORS HOLLIS, BEAN, CAIN, COX, DYESS, HAINKEL, HINES, LAMBERT, LANDRY, LENTINI, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ANSARDI, BARTON, BAYLOR, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, DAMICO, DOERGE, DUPRE, DURAND, FAUCHEUX, FRITH, GAUTREAUX, GLOVER, HEATON, HEBERT, HILL, HOLDEN, JENKINS, JOHNS, KENNARD, LANCASTER, LANDRIEU, LONG, MCDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PERKINS, PINAC, POWELL, QUEZAIRE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, VITTER, WADDELL, WESTON, WIGGINS AND WINDHORST

AN ACT

To enact R.S. 32:429.1, relative to the Department of Public Safety and Corrections; to provide for the establishment of a toll free hotline in the Department of Public Safety and Corrections; to provide for the information to be provided and the hours of operation; to require the hotline be operated by a person; 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. 163—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:2304(B), relative to use value assessment of immovable property; to authorize the permanent filing of applications for use value assessment in certain parishes; 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. 163 by Senator Barham

AMENDMENT NO. 1

On page 1, line 4, after "assessment" insert "in certain parishes"

AMENDMENT NO. 2

On page 1, line 10, after "B." change "applications" to "(1) Except as provided for in Paragraph (B)(2), applications"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert:

"(2) In the parishes of Orleans and Jefferson, such applications shall be filed at least every four years except that in the event of a sale of the property, the purchaser must sign a new application within sixty days from the date of sale."

AMENDMENT NO. 4

On page 2, line 2, change "ben" to "been"

AMENDMENT NO. 5

On page 2, line 4, delete "a" and change "filing" to "filings"

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. 225—

BY SENATORS JORDAN, COX, C. FIELDS AND SCHEDLER

AN ACT

To amend and reenact Civil Code Art. 26, relative to rights of an unborn child; to authorize survival actions, bystander actions, and other personal injury actions for an unborn child; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 225 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 14, before the "." insert the following:

" , provided that the total amount recoverable from all claims as a result of the death of one child, regardless of the number of claims, shall not exceed \$500,000"

AMENDMENT NO. 2

On page 1, delete line 15 in its entirety

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

**SENATE BILL NO. 329—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:582(A)(4) and (B) and to enact R.S. 11:582(C), relative to the Louisiana State Employees' Retirement System; to provide for a benefit accrual rate for certain members who continue employment following participation in the Deferred Retirement Option Plan; to provide for service credit and eligibility for retirement; to provide for benefit accrual rate; 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. 329 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 11:582(A)(4) and (B) and to"

AMENDMENT NO. 2

On page 1, line 2, delete "11:582(A)(6)" and insert "11:582(C)"

AMENDMENT NO. 3

On page page 1, line 5, after "Plan;" insert "to provide for service credit and eligibility for retirement; to provide for benefit accrual rate;"

AMENDMENT NO. 4

On page 1, line 9, delete "R.S. 11:582(A)(6)" and insert "R.S. 11:582(A)(4) and (B) are hereby amended and reenacted and R.S. 11:582(C)"

AMENDMENT NO. 5

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

"(4) Any member, regardless of age, who has service credit for twenty-five years or more shall be paid a monthly benefit of seventy-two and one-half percent of his average compensation, **and that benefit shall be increased by an amount equal to two and one-half percent of his average compensation for each additional year of service credit beyond the twenty-fifth year, including credit resulting from conversion of leave in accordance with R.S. 11:424, provided the member's monthly benefits shall not exceed one hundred percent of his average compensation.**

\* \* \*

B. However, no member shall be eligible to retire unless he is employed by the enforcement division of the Louisiana Wildlife and Fisheries Commission for at least ten years prior to his application for retirement, except as provided in this Subsection. With less than ten years service he shall be eligible to retire on two and one-half percent of

the average compensation for the actual number of years served with the said enforcement division. ~~Limitations and restrictions set forth under R.S. 11:131 shall not apply to the members covered by the provisions of this Subpart."~~

AMENDMENT NO. 6

On page 1, line 15, delete "(6)" and insert the following:

"(C) Notwithstanding the provisions of R.S. 11:447(C), to be eligible to participate in the Deferred Retirement Option Plan, a member shall have at least twenty-five years of service credit."

AMENDMENT NO. 7

On page 2, at the end of line 3, insert:

"The member's benefit shall not exceed one hundred percent of his average compensation. Any member who participated in the Deferred Retirement Option Plan prior to July 1, 1999, shall not be eligible for additional participation therein after attaining twenty-five years of service credit."

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. 353—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 47:332.1, relative to disposition of certain collections in the parish of Jefferson; to provide for deposit of revenues from certain sales taxes collected in the town of Grand Isle; to create the Town of Grand Isle Tourist Commission Enterprise Fund within the state treasury; to provide that the fund be utilized solely for tourism development purposes; 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. 410—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:62(5)(b) and 450(B), relative to the Louisiana State Employees' Retirement System; to provide for employee contributions of correctional officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections after participation in the deferred retirement option program; 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. 469—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:441(D)(3) and 444(A) and to enact R.S. 11:441(D)(4), relative to the Louisiana State Employees' Retirement System; to provide for benefit accrual rates and retirement eligibility of correctional officers, probation and parole officers, and security personnel employed by the Department of Public Safety and Corrections; 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. 538—**  
BY SENATOR DARDENNE

AN ACT

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3629, relative to professional leasing organizations; to define such organizations and provide for their registration; to provide for the rights and responsibilities of professional leasing organizations and their clients relative to each other and their co-employees; 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. 538 by Senator Dardenne.

AMENDMENT NO. 1

On page 2, line 3, after "which PEO's" delete "and PEO"

AMENDMENT NO. 2

On page 2, at the beginning of line 4, delete "groups"

AMENDMENT NO. 3

On page 2, line 15, after "(a)" delete "An arrangement, agreement, or" and insert in lieu thereof "A written"

AMENDMENT NO. 4

On page 3, line 7, before "contract" insert "written" and after "contract" delete "or otherwise"

AMENDMENT NO. 5

On page 3, line 8, after "who" delete ", exercising an" and insert in lieu thereof "is defined"

AMENDMENT NO. 6

On page 3, deletes line 9-12, and insert in lieu thereof "currently under R.S. 23:1472(12)(E) of Louisiana Employment Security Law."

AMENDMENT NO. 7

On page 3, line 15, after "Professional Employer Organization" delete "or PEO"

AMENDMENT NO. 8

On page 3, line 16, after "providing" delete "PEO services or in providing services of"

AMENDMENT NO. 9

On page 3, delete line 17

AMENDMENT NO. 10

On page 3, line 18, delete "also include an" and after "leasing" delete "organization engaged" and insert in lieu thereof "services."

AMENDMENT NO. 11

On page 3, delete line 19

AMENDMENT NO. 12

On page 3, line 22, after "contract" delete "or"

AMENDMENT NO. 13

On page 3, line 23, delete "otherwise"

AMENDMENT NO. 14

On page 4, line 10, after "include" delete "any and" and insert in lieu thereof "only" and after "of" delete "such arrangements" and insert in lieu thereof "written contracts"

AMENDMENT NO. 15

On page 4, line 11, after "provided for in" delete "this Paragraph" and insert in lieu thereof "Sub Paragraph A"

AMENDMENT NO. 16

On page 4, line 16, after "considered" delete "the making of" and insert in lieu thereof "under the" and after "PEO" delete "arrangements" and insert in lieu thereof "arrangement"

AMENDMENT NO. 17

On page 4, delete lines 17-20, and on line 21 change "10" to "9"

AMENDMENT NO. 18

On page 4, line 23, after "lease" delete "or otherwise" and after "under" delete "an arrangement" and insert in lieu thereof "written contract"

AMENDMENT NO. 19

On page 4, line 25, change "(11)" to "(10)" and delete the first "Secretary" and insert in lieu thereof "Agent" and after "means" and before "the secretary" insert "anyone directed by"

AMENDMENT NO. 20

On page 4, line 27, change "(12)" to "(11)" and delete "SUTA" and insert in lieu thereof "UI Tax Account"

AMENDMENT NO. 21

On page 5, at the beginning of line 1 change "13" to "12" and delete lines 26-27

AMENDMENT NO. 22

On page 6, delete lines 1-8

AMENDMENT NO. 23

On page 6, line 17, after "PEO" delete "or"

AMENDMENT NO. 24

On page 6, line 18, delete "PEO group,"

AMENDMENT NO. 25

On page 7, line 1, after "initial" insert "and renewal" and after "initial PEO" delete "or PEO group"

AMENDMENT NO. 26

On page 7, line 3, after "and" delete "furnished by the Secretary." and insert in lieu thereof the following:

"shall remit a fee for registration of five hundred dollars per annum.

B. Fees shall be remitted within thirty days after the PEO's anniversary date. The penalty for late renewal will be ten dollars per worksite employee."

AMENDMENT NO. 27

On page 7, line 4 delete "B." and insert in lieu thereof "C."

AMENDMENT NO. 28

On page 8, line 2 delete "C." and insert in lieu thereof "D."

AMENDMENT NO. 29

On page 8, line 10, after "a PEO" delete " or PEO group"

AMENDMENT NO. 30

On page 8, line 17, delete "D." and insert in lieu thereof "E."

AMENDMENT NO. 31

On page 8, delete lines 19-27

AMENDMENT NO. 32

On page 9, delete lines 1-2

AMENDMENT NO. 33

On page 9, line 16 delete "secretary" and insert in lieu thereof "Secretary's representative"

AMENDMENT NO. 34

On page 9, line 25, after "renewal of" delete "license" and insert in lieu thereof "registration"

AMENDMENT NO. 35

On page 10, line 5, after "registered PEO" delete "or PEO group"

AMENDMENT NO. 36

On page 10, line 7, after "the PEO" delete "or PEO group"

AMENDMENT NO. 37

On page 10, line 8, after "The PEO" delete "or PEO group"

AMENDMENT NO. 38

On page 10, line 17, after "shall be" delete "solely" and insert in lieu thereof "jointly" and after "under this" delete "aggregate"

AMENDMENT NO. 39

On page 10, line 22, after "account status." delete "The client shall forward all credits or debits accredited"

AMENDMENT NO. 40

On page 10, delete lines 23-26 and insert in lieu thereof the following:

"(c) No transfer of compensation experience will be approved between the client and company unless it is determined that an acquisition of business assets occurred. Acquisition of leased clients without acquisition of the business will not constitute an acquisition for purposes of transfer of compensation experience. A transfer of compensation experience will be approved between leasing companies if it is determined that a bona fide business acquisition has occurred.

"(d) If a client discontinues the services of one leasing company and engages another, no action need be taken. The leasing company will notify Status Section directly.

(e) If the client leaves the leasing company and resumes employment, an inactive account previously held by the client will be reopened. No transfer of compensation experience will be made from the leasing company. If there is no previous account number, a new account will be established per Statute."

AMENDMENT NO. 41

On page 11, line 3, after "the PEO" delete "or PEO group"

AMENDMENT NO. 42

On page 11, line 6, after "the PEO" delete "or PEO group" and after "remedy" insert "and all provisions of Chapter 10 of Title 23"

AMENDMENT NO. 43

On page 11, line 10, after "the PEO" delete "PEO group."

AMENDMENT NO. 44

On page 11, line 11, after "insurer" delete "or of the Worker's Compensation Insurance Plan"

AMENDMENT NO. 45

On page 11, line 15, after "by the" delete "Louisiana Workers' Compensation Commission" and insert in lieu thereof "Louisiana Department of Labor"

AMENDMENT NO. 46

On page 11, line 17, after "the PEO" delete "or PEO group"

AMENDMENT NO. 47

On page 11, line 18, after "remedy" insert "and all provisions of Chapter 10 of Title 23"

AMENDMENT NO. 48

On page 11, line 22, after "and PEO" delete "or PEO"

AMENDMENT NO. 49

On page 11, line 23, delete "group" and after "a PEO" delete "or PEO group"

AMENDMENT NO. 50

On page 11, line 26, after "A PEO" delete "or PEO group"

AMENDMENT NO. 51

On page 12, line 2, after "PEO" delete "or"

AMENDMENT NO. 52

On page 12, line 3, before "or to any" delete "PEO group," and after "PEO" delete "or PEO group"

AMENDMENT NO. 53

On page 12, line 4, after "PEO" delete "or PEO group"

AMENDMENT NO. 54

On page 12, line 10, after "employees of the PEO" delete "or PEO group"

AMENDMENT NO. 55

On page 12, line 13, after "by the PEO" delete "or PEO group"

AMENDMENT NO. 56

On page 12, delete line 16

AMENDMENT NO. 57

On page 12, line 17 after "sale of PEO" delete "or PEO group" and after "services" delete "in conformity with"

AMENDMENT NO. 58

On page 12, at the beginning of line 18, delete "the provisions of this Chapter"

AMENDMENT NO. 59

On page 12, at the end of line 19, after "law." insert "No person shall market or make any representations regarding any insurance policy, contract or coverage agreement in the solicitation or sale of products or services provided by employee leasing and professional employer organizations, unless that person is properly licensed as an insurance agent or insurance broker."

AMENDMENT NO. 60

On page 13, line 5, after "a PEO" delete "or PEO group"

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. 752—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2072(A)(2) and (3) and to enact R.S. 11:2078, relative to the Registrars of Voters Employees' Retirement System; to provide for an increase in the accrual rate used in the computation of benefits payable upon retirement; to provide for employment of retirees; 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. 752 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "11:2072" insert " (A)(2)and (3) and to enact R.S. 11:2078"

AMENDMENT NO. 2

On page 1, line 5, after "retirement;" insert "to provide for employment of retirees;"

AMENDMENT NO. 3

On page 1, line 9, change "reenacted" to " amended and reenacted and R.S. 11:2078 is hereby enacted"

AMENDMENT NO. 4

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

"§2078. Reemployment of retirees

R.S. 11:2078 is all proposed new law.

A. In the event any retiree of the system is employed by an employer covered by this system, the retiree and the employer shall immediately notify the system of the retiree's date of employment, the amount of salary paid, any changes in salary while reemployed, number of hours employed per week, estimated duration of employment, and date of termination of reemployment.

B. (1) Any retiree may be employed by an employer covered by this system without suspension of benefits provided the retiree has terminated employment for at least six consecutive months. Such retiree may be employed for no more than sixty days, or four hundred eighty hours, in a calendar year. Should the portion of the calendar year available for employment be less than twelve months, the period of employment without reduction in benefits shall be reduced on a pro-rata basis.

(2) Should any retiree be employed in excess of the amount of time provided for in Paragraph (1) of this Subsection, his retirement benefit shall be reduced by an amount equal to the amount earned in excess of the limitation. The reduction in benefits shall begin with the next payroll after the system receives notification of such employment.

C. Should any retiree be employed by an employer covered by this system within six months of termination of employment, his retirement benefit shall be reduced by an amount equal to that earned during such employment. Such reduction shall begin with the next payroll after the system receives notification of such employment.

D. Should any retiree return to full time permanent employment by an employer covered by this system at any time after termination of employment, his retirement benefit shall be suspended and he shall become an active contributing member of the system. Upon his subsequent retirement, he shall receive his original benefit plus a supplemental benefit based on his salary and service earned since his reemployment. No change shall be permitted in the member's original option; however, at the end of the period of reemployment, the member shall select any option authorized as to any supplemental benefit earned."

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. 819—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; 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. 950—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:291(C), relative to retirement benefits; to provide for the computation of a benefit ascribable to a community property interest; 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. 950 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, at the end of line 16, insert:

"If the member earned less than thirty-six consecutive months of service credit during the existence of the community, the calculation of the benefit shall be based on the number of months actually earned by the member during the period of time the community existed."

AMENDMENT NO. 2

On page 2, line 2, change "January 1, 1995" to "September 9, 1991"

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. 993—**  
BY SENATOR HEITMEIER

AN ACT

To amend R.S. 11:441(F), relative to Louisiana State Employees' Retirement System; to provide for retirement eligibility at any age after twenty-five years of service for employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; 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. 993 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 1, after "credit" insert:

", at least ten of which were served immediately prior to application for retirement in a position with the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development"

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 Bills and Joint Resolutions  
on Second Reading**

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

**SENATE BILL NO. 1024 (Substitute for Senate Bill 248 by Senator Dardenne)—**

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

To amend and reenact R.S. 17:7(22), 3911(B), and 3912, and to repeal R.S. 17:3911(C)(5), relative to annual data collection and reporting requirements of the state Department of Education; to provide relative to the indicators contained in the progress profiles; to provide relative to the information collected in the data collection and analysis; to delete the required inclusion of certain inventory reporting requirements in the data collection system; to provide relative to first-time freshman performance reporting requirements; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1025 (Substitute for Senate Bill 946 by Senator Greene)—**

BY SENATOR GREENE

AN ACT

To amend R.S. 17:7.3(A)(1), 1519(5) and (6), 1519.1(A), 1519.2(A), 1519.3(A)(4) and (9), 1519.6(A)(1), (3), (4)(a) and (c)(vi) (5)(a) and (d) and (C)(1), 1519.7(B)(1), (3), and (4)(f), 1519.8(B)(2) and (C), 3036.1(B), 3041, 3041.2, 3041.4, 3041.10(A)(4), 3041.12, and 3215(6), R.S. 22:3021(A), (B), (C), (E), (F) and (G) and 3022, R.S. 36:251(B) and 254(A)(14), R.S. 39:1593.1(A), R.S. 40: 5.11(C)(4), 1051, 1299.90.1(F)(4), 1300.5(A)(1), 1300.83(2) and (3), 1300.84(A), the introductory paragraph of 2212(B), and the introductory paragraph of 2232(B), R.S. 45:836(3), and R.S. 46:153.3(C)(2)(a), 160.8(A)(3)(a), 812(A)(1), 2513(A)(7) and 2605(B)(27), relative to the Louisiana State University Medical Center; to change the name of the medical center to the Louisiana State University Health Sciences Center; to authorize the Louisiana Law Institute to make revisions; and to provide for related matters.

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

**Rules Suspended**

Senator Dean asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 875 from the Committee on Senate and Governmental Affairs.

**SENATE BILL NO. 875—**

BY SENATOR DEAN

AN ACT

To amend R.S. 42:1114(E), and to enact R.S. 42:1114(D)(3), relative to financial disclosure by legislators; to require disclosure of a legislator's occupation and name of employer; to require disclosure of certain financial and real property interests and holdings; to require disclosure of public and private offices, directorships, and positions held as trustee; to require disclosure of certain business transactions relative to the preparation of legislation; to require disclosure of certain income; to permit disclosure by category amounts; and to provide for related matters.

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

**Senator Dardenne in the Chair**

**Special Order of the Day**

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

**SENATE BILL NO. 694—**

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:93.12(B)(1), 93.13(B), 98.1(C) and the introductory paragraph of (D) and to enact R.S. 32:430.1, relative to alcoholic beverages; to provide for penalties for certain crimes

involving 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.

**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. 694 by Senator Cain

AMENDMENT NO. 1

On page 1, delete line 2 insert the following: "To amend and reenact R.S. 14:32.8(A)(2)(b), 39.1(A)(2), 93.12 (B)(1), 93.13(B), 98(A)(1)(b), 98.1(C) and the"

AMENDMENT NO. 2

On page 1, line 3, after "(D)" insert the following: ", R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 662(A)(1)(b) and (c), the introductory paragraph of 667(A) and (3) and (B)(1), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i)"

AMENDMENT NO. 3

On page 1, at the end of line 3 insert the following: "certain offenses involving"

AMENDMENT NO. 4

On page 1, line 5 after "beverages;" insert the following: "to provide for levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, ignition interlock device provisions, and certain driving records;"

AMENDMENT NO. 5

On page 1, delete line 11 and insert the following: "Section 1. R.S. 14:32.8(A)(2)(b), 39.1(A)(2), 93.12 (B)(1), 93.13(B), 98(A)(1)(b), 98.1(C) and the introductory"

AMENDMENT NO. 6

On page 1 between lines 12 and 13, insert the following:

" §32.8. Third degree feticide  
A. Third degree feticide is:  
\* \* \*  
(2) \* \* \*  
(b) The offender's blood alcohol concentration is ~~0.10~~**0.08** percent or more by weight based upon grams of alcohol per one hundred cubic centimeters of blood.  
\* \* \*

§39.1. Vehicular negligent injuring

A. Vehicular negligent injuring is the inflicting of any injury upon the person of a human being when caused proximately or caused directly by an offender engaged in the operation of, or in actual physical control of, any motor vehicle, aircraft, watercraft, or other means of conveyance whenever any of the following conditions exist:  
\* \* \*

(2) The offender's blood alcohol concentration is ~~0.10~~**0.08** percent or more by weight based upon grams of alcohol per one hundred cubic centimeters of blood.  
\* \* \*

AMENDMENT NO. 7

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

" §98. Operating a vehicle while intoxicated  
A.(1) The crime of operating a vehicle while intoxicated is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when:

(b) The operator's blood alcohol concentration is ~~0.10~~0.08 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood; or

AMENDMENT NO. 8

On page 2 line 24 after "Section 2." delete the remainder of the line and insert the following: " R.S. 29:211(2) is hereby amended and reenacted to read as follows:

§211. Article 111. Drunken or reckless driving
Any person subject to this code who operates any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when:

(2) The operator's blood alcohol concentration is ~~0.10~~ 0.08 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood; or

Section 3. R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 662(A)(1)(b) and (c), the introductory paragraph of 667(A) and (3) and (B)(1), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i) are hereby amended and reenacted and R.S. 32:430.1 is hereby enacted to read as follows:

§378.2. Ignition interlock devices; condition of probation for certain DWI offenders; restricted license

A.

(2)(a) Notwithstanding the provisions of R.S. 32:414, 415.1, 667, 668, or any other provisions of law to the contrary, any person who has had his driver's license suspended, revoked, or canceled under any of the following conditions, shall, upon proof to the Department of Public Safety and Corrections that his motor vehicle has been equipped with a functioning ignition interlock device as provided in this Section, be issued a restricted driver's license:

(iv) For submitting to a chemical test to determine the alcohol content of blood where the test results showed over ~~0.10~~0.08 grams percent by weight of alcohol in the blood, or where the results showed under ~~0.10~~ 0.08 grams percent by weight of alcohol in the blood but the person was nevertheless convicted of a law or ordinance which prohibits operating a vehicle while intoxicated.

AMENDMENT NO. 9

On page 5, after line 9 insert the following:

§661. Operating a vehicle under the influence of alcoholic beverages or illegal substance or controlled dangerous substances; implied consent to chemical tests; administering of test and presumptions; effect of refusal to submit to tests; informing person of consequences of submission or refusal and his rights; furnishing information to person tested

C.(1) When a law enforcement officer requests that a person submit to a chemical test as provided for above, he shall first read to the person a standardized form approved by the Department of Public Safety and Corrections. The department is authorized to use such language in the form as it, in its sole discretion, deems proper, provided that the form does inform the person of the following:

(c) That his driving privileges can be suspended if he submits to the chemical test and such test results show a blood alcohol level of ~~0.10~~ 0.08 percent or above or, if he is under the age of twenty-one years, a blood alcohol level of 0.02 percent or above.

§662. Administering chemical tests; use of results as evidence

A. The chemical test or tests as provided for by this Part shall be subject to the following rules and shall be administered as provided for hereafter:

(1) Upon the trial of any criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of alcoholic beverages, the amount of alcohol in the person's blood at the time alleged as shown by chemical analysis of the person's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

(b) Except as provided in Subparagraph (d), if the person had a blood alcohol concentration at that time in excess of 0.05 percent but less than ~~0.10~~ 0.08 percent by weight, such fact shall not give rise to any presumption that the person was or was not under the influence of alcoholic beverages, but such fact may be considered with other competent evidence in determining whether the person was under the influence of alcoholic beverages.

(c) If the person had a blood alcohol concentration at that time of ~~0.10~~ 0.08 percent or more by weight, it shall be presumed that the person was under the influence of alcoholic beverages.

§667. Seizure of license; circumstances; temporary license

A. When a law enforcement officer places a person under arrest for a violation of R.S. 14:98, ~~R.S. 14:98.1~~, or a violation of a parish or municipal ordinance that prohibits operating a vehicle while intoxicated, and the person either refuses to submit to an approved chemical test for intoxication, or submits to such test and such test results show a blood alcohol level of ~~0.10~~ 0.08 percent or above by weight or, if the person is under the age of twenty-one years, a blood alcohol level of 0.02 percent or above by weight, the following procedures shall apply:

(3) In a case where a person submits to an approved chemical test for intoxication, but the results of the test are not immediately available, the law enforcement officer shall comply with Paragraphs (1) and (2) of this Subsection, and the person shall have ten days from the date of arrest to make written request for an administrative hearing. If after thirty days from the date of arrest the test results have not been received or if the person was twenty-one years of age or older on the date of arrest and the test results show a blood alcohol level of less than ~~0.10~~0.08 percent by weight, then no hearing shall be held and the license shall be returned without the payment of a reinstatement fee. If the person was under the age of twenty-one years on the date of arrest and the test results show a blood alcohol level of less than 0.02 percent by weight, then no hearing shall be held and the license shall be returned without the payment of a reinstatement fee.

B. If such written request is not made by the end of the ten-day period, the person's license shall be suspended as follows:

(1) If the person submitted to the test and the test results show a blood alcohol level of ~~0.10~~ 0.08 percent or above by weight, his driving privileges shall be suspended for ninety days from the date of suspension on first offense violation, without eligibility for a hardship license for the first thirty days, and for three hundred sixty-five days from the date of suspension, without eligibility for a hardship license, on second and subsequent violations occurring within five years of the first offense. If the person was under the age of twenty-one years on the date of the test and the test results show a blood alcohol level of 0.02 percent or above by weight, his driving privileges shall be suspended for one hundred eighty days from the date of suspension.

§668. Procedure following revocation or denial of license; hearing; court review; review of final order; restricted licenses

A. Upon suspending the license or permit to drive or nonresident operating privilege of any person or upon determining that the issuance of a license or permit shall be denied to the person, the Department of Public Safety and Corrections shall immediately notify the person in writing and upon his request shall

afford him an opportunity for a hearing in the same manner and under the same conditions as is provided in R.S. 32:414 for notification and hearings in the case of suspension of licenses, except that the scope of such a hearing for the purposes of this Part shall cover the following issues:

(4) Whether he voluntarily submitted to an approved chemical test and whether the test resulted in a blood alcohol reading of ~~0.10~~ **0.08** percent or above by weight, or of 0.02 percent or above if he was under the age of twenty-one years on the date of the test.

B.(1)

(b) No person who has refused a chemical test for intoxication is eligible for a restricted license for the first ninety days of the suspension. When a person submits to a chemical test and the results show a blood alcohol level of ~~0.10~~ **0.08** percent or above by weight, or of 0.02 percent or above if the person was under the age of twenty-one years on the date of the test, he is not eligible for a restricted license for the first thirty days of the suspension.

§853. Commissioner to furnish operating records; other information; fees; withdrawal of forms or information

A.(1)

(c) The operating record of a person shall not include those arrests for a first or second violation of any ordinance or statute making criminal the driving of a motor vehicle while under the influence of alcoholic beverages nor shall it include any record of any civil sanction imposed, including the suspension of a license, as a result of such an arrest when any of the following occurs:

(i) The person submitted to an approved chemical test and the test resulted in a blood alcohol reading of less than ~~0.10~~ **0.08** percent by weight, or of less than 0.02 percent by weight, if the person was under the age of twenty-one years on the date of the test, and the person is found not guilty.

Senator Heitmeier moved that Senate Bill No. 694 be recommitted to the Committee on Judiciary C.

Senator Cain objected.

**Motion**

Senator Johnson moved the previous question on the motion to Recommit.

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Dardenne	Romero
Bean	Hainkel	Siracusa
Branch	Heitmeier	Theunissen
Campbell	Hollis	Thomas
Casanova	Johnson	Ullo
Cravins	Lambert	
Total—17		

NAYS

Mr. President	Fields C	Lentini
Bajoie	Fields W	Malone
Boissiere	Greene	Robichaux

Cain	Hines	Schedler
Cox	Irons	Smith
Dean	Jones	Tarver
Dyess	Jordan	
Ellington	Landry	
Total—22		

ABSENT

Total—0

The Chair declared the Senate refused to call the previous question on the motion to Recommit.

**Motion**

Senator Heitmeier withdrew the motion to recommit and moved that the amendment be tabled

Senator Ewing objected.

**ROLL CALL**

The roll was called on the substitute motion with the following result:

YEAS

Fields C	Heitmeier	Siracusa
Fields W	Hines	Tarver
Total—6		

NAYS

Mr. President	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Robichaux
Bean	Greene	Romero
Boissiere	Hainkel	Schedler
Branch	Hollis	Smith
Cain	Johnson	Theunissen
Campbell	Jones	Thomas
Casanova	Jordan	Ullo
Cravins	Lambert	
Dardenne	Landry	
Total—31		

ABSENT

Cox	Irons
Total—2	

The Chair declared the Senate refused to table the amendment.

**Motion**

Senator Casanova moved the previous question on the amendment.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Dean	Robichaux
Bean	Dyess	Romero
Boissiere	Ellington	Schedler
Branch	Greene	Smith
Cain	Hainkel	Tarver
Campbell	Hines	Theunissen
Casanova	Hollis	Thomas

April 20, 1999

Cox	Johnson	Ullo
Cravins	Lambert	
Dardenne	Malone	
Total—28		

**NAYS**

Bajoie	Heitmeier	Lentini
Fields C	Jordan	
Fields W	Landry	
Total—7		

**ABSENT**

Mr. President	Jones
Irons	Siracusa
Total—4	

The Chair declared the previous question was called on the amendment.

**Motion**

Senator Jordan moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Ewing moved the adoption of Amendments No. 1, 2, 3, 4, 5, 6, 7, and 8.

Senator Heitmeier objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Malone
Barham	Dyess	Robichaux
Bean	Ellington	Romero
Branch	Greene	Schedler
Cain	Hainkel	Smith
Campbell	Hollis	Theunissen
Casanova	Johnson	Thomas
Cravins	Lambert	Ullo
Dardenne	Lentini	
Total—26		

**NAYS**

Bajoie	Heitmeier	Landry
Boissiere	Hines	Siracusa
Cox	Irons	Tarver
Fields C	Jones	
Fields W	Jordan	
Total—13		

**ABSENT**

Total—0

The Chair declared Amendments No. 1, 2, 3, 4, 5, 6, 7, and 8 were adopted.

Senator Ewing moved the adoption of Amendment No. 9.

Senator Heitmeier objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Hines	Schedler
Campbell	Hollis	Smith
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—34		

**NAYS**

Boissiere	Heitmeier	Tarver
Fields W	Siracusa	
Total—5		

**ABSENT**

Total—0

The Chair declared Amendment No. 9 was adopted.

**Rules Suspended**

Senator Dean asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Without objection, so ordered.

**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. 694 by Senator Cain

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Ewing and adopted by the Senate on April 20, 1999, on page 3, line 46, change "0.08" to "0.05"

AMENDMENT NO. 2

In Senate Floor Amendments proposed by Senator Ewing and adopted by the Senate on April 20, 1999, on page 3, delete lines 38 through 44

AMENDMENT NO. 3

In Senate Floor Amendments proposed by Senator Ewing and adopted by the Senate on April 20, 1999, on page 3, line 45, change "(c)" to "(b)"

**Motion**

Senator Ullo moved the previous question on the entire subject matter.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Fields C	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Thomas
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—32		

**NAYS**

Fields W	Landry	Lentini
Total—3		

**ABSENT**

Mr. President	Cox
Bajoie	Cravins
Total—4	

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Senator Jordan moved adoption of the amendments.

Senator Ewing objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Jordan	Siracusa
Branch	Landry	Tarver
Campbell	Malone	
Total—8		

**NAYS**

Mr. President	Ellington	Lambert
Barham	Fields C	Lentini
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Cain	Hainkel	Schedler
Casanova	Heitmeier	Smith
Cox	Hines	Theunissen
Cravins	Hollis	Thomas
Dardenne	Irons	Ullo
Dean	Johnson	
Dyess	Jones	
Total—31		

**ABSENT**

Total—0

The Chair declared the amendments were rejected.

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	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Robichaux
Bean	Greene	Romero
Branch	Hainkel	Schedler
Cain	Hines	Smith
Campbell	Hollis	Theunissen
Casanova	Johnson	Thomas
Cox	Jones	Ullo
Cravins	Jordan	
Dardenne	Lambert	
Total—31		

**NAYS**

Boissiere	Heitmeier	Siracusa
Fields C	Irons	Tarver
Fields W	Landry	
Total—8		

**ABSENT**

Total—0

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.

**Mr. President in the Chair**

**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. 519—**  
BY SENATORS BAJOIE AND IRONS  
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.

**Floor Amendments Sent Up**

Senator Bajoie sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 519 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 26, change "306" to "361"

AMENDMENT NO. 2

On page 3, line 3, change "306" to "361"

On motion of Senator Bajoie, the amendments were adopted.

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

April 20, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Lambert. Lists names of senators and their corresponding roll call results.

NAYS

Total—0

ABSENT

Total—0

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

SENATE BILL NO. 541— BY SENATORS HINES AND SCHEDLER 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.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 541 by Senator Hines

AMENDMENT NO. 1 On page 1, line 2, change "Art." to "Arts."

AMENDMENT NO. 2 On page 1, line 2, after "1037(C)" insert "and 622(A)"

AMENDMENT NO. 3 On page 2, after line 2, insert the following:

"Section 2. Children's Code Article 622(A) is hereby amended and reenacted to read as follows: Art. 622. Rules for placement

A. General rule. (1) A child who is determined to be abused, neglected or harmed and whose parent or parents have failed to protect, or who is taken into custody as a child in need of care shall be placed in the home of a suitable relative who is of the age of majority and who is willing to assume such care of the child if such placement is in the best interest of the child. The following are those relatives to whom care of the child may be entrusted and are listed in the order of priority:

- (a) Grandparent. (b) Aunt or uncle. (c) Sibling.

(d) Cousin \* \* \*

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Lentini. Lists names of senators and their corresponding roll call results.

NAYS

Total—0

ABSENT

Fields W Greene Total—2

The Chair declared the amended 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. 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.

Under the rule Senator Bean moved that Senate Bill No. 570 be recommitted to the Committee on Finance.

Without objection, so ordered.

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.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 594 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 5 after "legitime" insert the following:

" , except as hereafter provided. If satisfaction of the descendant's legitime would require the sale of the family home which is subject to the usufruct of the surviving spouse and the extent of the impingement on the legitime is less than one-quarter of the value of the legitime, the usufruct shall be permitted."

AMENDMENT NO. 2

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

" , except as hereafter provided. If satisfaction of the descendant's legitime would require the sale of the family home which is subject to the usufruct of the surviving spouse and the extent of the impingement on the legitime is less than one-quarter of the value of the legitime, the usufruct shall be permitted."

AMENDMENT NO. 3

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

"A forced heir may request security when a usufruct in favor of a surviving spouse affects his legitime and he is not a child of the surviving spouse."

On motion of Senator Schedler, the amendments were adopted.

The bill, which was designated a duplicate of House Bill No. 447, 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	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	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

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. 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.

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	Dyess	Lambert
Bajoie	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	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Landry  
Total—1

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. 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.

The bill, which was designated a duplicate of House Bill No. 544, was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Romero
Bean	Greene	Schedler
Boissiere	Hainkel	Siracusa
Branch	Heitmeier	Smith
Cain	Hines	Theunissen
Campbell	Irons	Thomas
Casanova	Johnson	Ullo
Dardenne	Landry	
Total—29		

NAYS

Cox	Hollis	Lambert
Fields C	Jones	Robichaux
Fields W	Jordan	Tarver
Total—9		

ABSENT

April 20, 1999

Cravins  
Total—1

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

**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 20:1, 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.

**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. 855 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "20:1" insert "R.S."

AMENDMENT NO. 2

On page 4, delete line 10

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 855 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 6, after "value of" delete the remainder of the line and insert

"the homestead based upon its value one year before such seizure."

AMENDMENT NO. 2

On page 4, line 3, after "thereof;" insert "a copy of " and after "homeowner" delete "in writing"

On motion of Senator Dardenne, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	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	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo

Total—39

NAYS

Total—0

ABSENT

Total—0

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. 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.

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

**Senator Heitmeier in the Chair**

**SENATE BILL NO. 860—**

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER AND ROMERO 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.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 860 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 12, between "damages" and "for" insert the following:

", including those available under Civil Code Articles 2315.1 or 2315.2,"

AMENDMENT NO. 2

On page 1, line 13, immediately after "loss" delete the remainder of the line and insert in lieu thereof the following:

"of the operator of a motor vehicle, aircraft, watercraft, or vessel who:"

AMENDMENT NO. 3

On page 2, line 11, between "damages" and "which" insert the following:

", including those otherwise recoverable in a survival or wrongful death action,"

AMENDMENT NO. 4

On page 2, line 12, after "property" delete the remainder of the line and insert the following:

"by the operator of a motor vehicle, aircraft, watercraft, or vessel or the category of persons who would have a cause of action for the operator's wrongful death."

AMENDMENT NO. 5

On page 2, delete line 13 in its entirety.

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 860 by Senator Dardenne

AMENDMENT NO. 1

On page 1, at the end of line 16 before the period "." insert the following:

", and blood alcohol was a factor in causing the damages"

AMENDMENT NO. 2

On page 2, at the end of line 3 before the period "." insert the following:

", and blood alcohol was a factor in causing the damages"

AMENDMENT NO. 3

On page 2, delete lines 4 through 9

AMENDMENT NO. 4

On page 2, at the beginning of line 10, change "C." to "B."

Senator Jones moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Bean, Boissiere, Cain, Campbell, Cox, Cravins, Fields C, Fields W, Heitmeier, Irons, Jones, Jordan, Lambert, Landry, Lentini, Robichaux, Tarver. Total—19

NAYS

Table listing nays: Mr. President, Barham, Branch, Casanova, Dardenne, Dean, Dyess, Ellington, Greene, Hainkel, Hines, Hollis, Malone, Romero, Schedler, Smith, Theunissen, Thomas, Ullo. Total—19

ABSENT

Siracusa  
Total—1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 860 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, after "R.S. 14:98(A)(1)(c)" insert "and 49:964"

AMENDMENT NO. 2

On page 2, between lines 13 and 14, insert the following:

"Section 2. Any person operating a vehicle which is involved in an accident who actually refuses to submit to either a breath test, blood test, or other tests approved by the Department of Public Safety to determine the level of alcoholic content of the blood, shall be prohibited from recovery of damages which are sustained as a result of that accident."

AMENDMENT NO. 3

On page 2, line 14, change "Section 2." to "Section 3."

Senator Dardenne moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo. Total—34

NAYS

Table listing nays: Fields C, Fields W, Landry. Total—4

ABSENT

Lambert  
Total—1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 860 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 13, insert:

"D. Oral testimony relative to the operation of a motor vehicle, aircraft, watercraft, or vessel while under the influence of any controlled dangerous substance as provided in R.S. 14:98(A)(1)(b) and (c) and R.S. 40:964 shall be limited to expert testimony or that of law enforcement and medical personnel who gained their knowledge while in the course and scope of their official duty."

On motion of Senator Lentini, the amendments were adopted.

The bill, which was designated a duplicate of House Bill No. 1060, was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Lentini. Lists names of senators voting 'YEAS'.

NAYS

Table with 2 columns: Name, Fields W, Jones. Lists names of senators voting 'NAYS'.

ABSENT

Table with 2 columns: Name, Lambert. Lists names of senators who were absent.

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. 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.

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. 861 by Senator Dardenne

AMENDMENT NO. 1

On page 1, at the end of line 12, between "vehicle" and the comma ",", insert "or motorcycle"

AMENDMENT NO. 2

On page 2, line 1, between "belt" and "in" insert "or motorcycle helmet"

On motion of Senator Jordan, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 861 by Senator Dardenne

AMENDMENT NO. 1

On page 1, delete line 16 and on page 2, delete lines 1 through 3 and insert the following:

"failure to wear a safety belt in violation of this Section shall not be considered evidence to mitigate damages. Failure to wear a safety belt in violation of this Section may be admitted as evidence of comparative negligence, but only when the party offering such evidence proves that:

- (1) There was a functioning safety belt available to the injured party;
(2) The injured party failed to use a safety belt;
(3) The failure to use a safety belt contributed to the party's injuries;
(4) The use of a safety belt would have reduced the injured party's injuries. In no event shall the award of damages be reduced by more than ten percent for the nonuse of a safety belt."

AMENDMENT NO. 2

On page 2, delete lines 5 through 7 in their entirety

Senator Cox moved adoption of the amendments.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields C, Jones. Lists names of senators voting 'YEAS'.

NAYS

Table with 3 columns: Name, Dyess, Romero. Lists names of senators voting 'NAYS'.

ABSENT

Lambert  
Total—2

Tarver

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Cox sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 861 by Senator Dardenne

AMENDMENT NO. 1

On page 2, delete lines 5 through 7 and insert the following:

"Section 2. The provisions of this Act shall be prospective only and shall not affect a cause of action which arose prior to its effective date."

On motion of Senator Cox, 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. 861 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 2, change "shall" to "may"

On motion of Senator Landry, the amendments were adopted.

**Mr. President in the Chair**

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 861 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, after "damages" insert "except in instances where not wearing a safety belt can be proven to have prevented additional injuries"

AMENDMENT NO. 2

On page 2, after line 13, insert the following:

"Section 4. Upon the effective date of this Act, motor vehicle liability rates shall automatically be reduced by five percent."

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

**Motion**

Senator C. Fields moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator C. Fields moved the adoption of Amendment No. 1.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Cravins	Jones
Bean	Fields C	Jordan
Boissiere	Fields W	Robichaux
Cain	Heitmeier	Thomas
Campbell	Hines	Ullo
Cox	Irons	
Total—17		

NAYS

Mr. President	Ellington	Malone
Barham	Greene	Romero
Branch	Hainkel	Schedler
Casanova	Hollis	Siracusa
Dardenne	Landry	Smith
Dean	Lentini	Theunissen
Total—18		

ABSENT

Dyess	Lambert
Johnson	Tarver
Total—4	

The Chair declared Amendment No. 1 was rejected.

Senator C. Fields moved the adoption of Amendment No. 2.

Senator Dardenne objected.

**Motion**

Senator Hainkel moved the previous question on the entire subject matter.

Senator C. Fields objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Dean	Siracusa
Bean	Dyess	Smith
Boissiere	Ellington	Theunissen
Branch	Greene	Thomas
Cain	Hollis	Ullo
Campbell	Jones	
Dardenne	Romero	
Total—19		

NAYS

Barham	Fields W	Landry
Casanova	Heitmeier	Lentini
Cox	Hines	Malone
Cravins	Irons	Robichaux
Fields C	Jordan	Schedler
Total—15		

ABSENT

April 20, 1999

Mr. President	Johnson	Tarver
Hainkel	Lambert	
Total—5		

The Chair declared the previous question was called on the entire subject matter.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Cravins	Jones
Bean	Fields C	Jordan
Boissiere	Fields W	Robichaux
Cain	Heitmeier	Thomas
Campbell	Hines	Ullo
Cox	Irons	
Total—17		

**NAYS**

Mr. President	Ellington	Malone
Barham	Greene	Romero
Branch	Hainkel	Schedler
Casanova	Hollis	Siracusa
Dardenne	Landry	Smith
Dean	Lentini	Theunissen
Total—18		

**ABSENT**

Dyess	Lambert
Johnson	Tarver
Total—4	

The Chair declared Amendment No. 2 was rejected.

The bill, which was designated a duplicate of House Bill No. 936, 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	Greene	Schedler
Barham	Hainkel	Siracusa
Bean	Heitmeier	Smith
Branch	Hollis	Theunissen
Casanova	Jordan	Thomas
Dardenne	Lentini	Ullo
Dean	Malone	
Dyess	Romero	
Total—22		

**NAYS**

Bajoie	Cravins	Irons
Boissiere	Ellington	Jones
Cain	Fields C	Landry
Campbell	Fields W	Robichaux
Cox	Hines	
Total—14		

**ABSENT**

Johnson	Lambert	Tarver
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. 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.

**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. 945 by Senator Cain

AMENDMENT NO. 1

On page 1, line 4, following "2000;" and before "and to" delete "to provide for penalties; to provide for administration and enforcement;"

AMENDMENT NO. 2

On page 2, after line 3, insert "\*\*\*\*"

On motion of Senator Lentini, the amendments were adopted.

**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. 945 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 51:614(A)" to "enact R.S. 51:614"

AMENDMENT NO. 2

On page 1, delete line 3 and insert the following: "to require certain entities to label processed or unprocessed meat"

AMENDMENT NO. 3

On page 1, line 4 delete "country"

AMENDMENT NO. 4

On page 1, line 8 change "R.S. 51:614(A) is hereby amended and reenacted" to "R.S. 51:614 is hereby enacted"

AMENDMENT NO. 5

On page 1, delete lines 10 through 16 and on page 2, delete lines 1 through 3 and insert the following:

" § 614. Labeling of meat; enforcement; penalties  
A. In conformity with and to the extent allowed by the Federal Meat Inspection Act and applicable federal meat inspection regulations, any person, firm, company, corporation, partnership, association, or other business entity which sells processed or unprocessed meat, whether fresh or frozen, in Louisiana after January 1, 2000, shall indicate in clear and conspicuous letters on the meat, the immediate wrapping or container, or a sign included with the display if the meat is displayed for sale or sold unwrapped, either the name of the country of origin preceded by the words "product of" or the country of origin of the meat using one of the following designations: "Imported", "American", or "Blend" of imported and American meats.

B. Whoever violates any provision of this Section shall be subject to a civil penalty of not more than five hundred dollars for each act of violation. Each day on which a violation occurs shall be a separate offense. Penalties may be assessed at an adjudicatory hearing held under the Louisiana Weights and Measures Law and in accordance with the provisions of the Administrative Procedure Act.

C. The Louisiana Department of Agriculture and Forestry shall administer and enforce the provisions of this Section and shall adopt rules and regulations pursuant to the Administrative Procedure Act necessary to carry out the provisions of this Section.

D. The provisions of this Section shall not apply to prepared meat which is sold at retail for consumption on the premises.”

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:

<b>YEAS</b>		
Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Romero
Boissiere	Greene	Schedler
Branch	Hainkel	Siracusa
Cain	Heitmeier	Smith
Campbell	Hines	Theunissen
Casanova	Hollis	Thomas
Cox	Irons	Ullo
Cravins	Jones	
Dardenne	Jordan	
Total—34		
<b>NAYS</b>		
Dean		
Total—1		
<b>ABSENT</b>		
Johnson	Robichaux	
Lambert	Tarver	
Total—4		

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.

**Motion to Make Special Order**

Senator Hollis asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 110, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, April 21, 1999 immediately following the Morning Hour.

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of advancing to the order of

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

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

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 1115 for its final passage.

**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.

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

**ROLL CALL**

The roll was called with the following result:

<b>YEAS</b>		
Mr. President	Dean	Jordan
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Romero
Branch	Greene	Schedler
Cain	Hainkel	Siracusa
Campbell	Heitmeier	Smith
Casanova	Hines	Theunissen
Cox	Hollis	Thomas
Cravins	Irons	Ullo
Dardenne	Jones	
Total—35		
<b>NAYS</b>		
Total—0		
<b>ABSENT</b>		
Johnson	Robichaux	
Lambert	Tarver	
Total—4		

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.

**Rules Suspended**

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

**Introduction of Senate Bills and Joint Resolutions**

Senator 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. 1034—**  
BY SENATOR IRONS  
AN ACT

To enact R.S. 22:215.23; relative to health insurance; to require certain health insurance policies, contracts, and plans which provide coverage for prescription drugs to cover certain contraceptives and contraceptive services; to provide relative to copayments or coinsurances; to provide for exclusions; and to provide for related matters.

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

**SENATE BILL NO. 1035—**  
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 34:1121(B)(2), relative to pilot fee commissions; to replace the Baton Rouge Steamship Association with the Mississippi River Maritime Association; 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. 1036—**  
BY SENATOR JOHNSON AND REPRESENTATIVE WILLARD

AN ACT

To enact R.S. 33:2740.46, relative to the creation of Lake Carmel Subdivision Improvement District; to provide for the rights, powers, and management, and for the objects and purposes of such district, including tax authority; and to provide for related matters.

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

**SENATE BILL NO. 1037—**  
BY SENATOR BEAN

AN ACT

To amend and reenact R. S. 13:1875(7)(a) and (b), relative to Shreveport City Court judges; to provide relative to the permissible compensation of such judges; 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.

**SENATE BILL NO. 1038—**  
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:14, and to repeal R.S. 56:13 and 13.1, relative to saltwater fisheries; to create the Saltwater Fishery Enforcement Fund; to transfer funds from the Commercial Fisherman's Economic Assistance Fund into the Saltwater Fishery Enforcement Fund; to provide for enforcement of fishery rules and regulations in coastal parishes; 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.

**SENATE BILL NO. 1039—**  
BY SENATORS BAJOLE, BOISSIERE, JOHNSON, IRONS, AND W. FIELDS,  
AND REPRESENTATIVES HUDSON, FARVE, MITCHELL, WELCH, GREEN,  
MORRELL, QUEZAIRE, WILLARD, COPELIN, MURRAY, PIERRE, JETSON,  
HUNTER AND BAYLOR

AN ACT

To enact R.S. 49:149.25, to provide with respect to public buildings; to provide for the name of the future New Orleans Arena located on Girod Street in New Orleans.

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

**SENATE BILL NO. 1040—**  
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 17:3048.1(P)(1)(a), relative to the Tuition Opportunity Program for Students; to provide for student eligibility; to allow students who graduate from certain out-of-state high schools to be eligible for an award provided certain enhanced eligibility criteria are met; to provide relative to certain high schools that are accredited by the Southern Association of Colleges and Schools; and to provide for related matters.

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

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 22—**  
BY SENATOR MALONE

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of George Hebert Ford, husband, father, grandfather, veteran, business/community leader, and friend.

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

**SENATE RESOLUTION NO. 23—**  
BY SENATOR IRONS

A RESOLUTION

To designate May, 1999 as Adolescent Pregnancy in Louisiana "Too Many, Too Soon" Month.

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

**SENATE CONCURRENT RESOLUTION NO. 71—**  
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to conduct workshops for the "Coast Watchers" program.

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

**SENATE CONCURRENT RESOLUTION NO. 72—**  
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to encourage wholesale/retail seafood dealers not to keep "trip ticket" records for more than one year after the date of the transaction.

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

**SENATE CONCURRENT RESOLUTION NO. 73—**  
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries not to release any confidential information contained in commercial "trip tickets".

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 140—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mrs. Lillian Hall of Crestworth Elementary School for her dedication to the public school system and its students and to congratulate her upon being named East Baton Rouge Parish Principal of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 141—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mr. Ulysses Joseph of Northeast High School for his dedication to the public school system and its students and to congratulate him upon being named East Baton Rouge Parish Principal of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 144—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mrs. Elizabeth Walsh of Southeast Middle School for her dedication to the public school system and its students and to congratulate her upon being named East Baton Rouge Parish Principal of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 145—**  
BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To declare May 10 through 14, 1999, as Food Allergy Awareness Week.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 140—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mrs. Lillian Hall of Crestworth Elementary School for her dedication to the public school system and its students and to congratulate her upon being named East Baton Rouge Parish Principal of the Year.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones
Bajoie	Dyess	Jordan
Barham	Ellington	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Malone
Branch	Greene	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Smith

Cox  
Cravins  
Dardenne  
Total—33

Hines  
Hollis  
Irons  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Casanova  
Johnson  
Total—6

Lambert  
Schedler  
Siracusa  
Tarver

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

**HOUSE CONCURRENT RESOLUTION NO. 141—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mr. Ulysses Joseph of Northeast High School for his dedication to the public school system and its students and to congratulate him upon being named East Baton Rouge Parish Principal of the Year.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jordan
Barham	Ellington	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Malone
Branch	Greene	Romero
Cain	Hainkel	Smith
Campbell	Heitmeier	Theunissen
Cox	Hines	Thomas
Cravins	Hollis	Ullo
Dardenne	Irons	
Dean	Jones	
Total—31		

NAYS

Total—0

ABSENT

Mr. President  
Casanova  
Johnson  
Total—8

Lambert  
Robichaux  
Schedler  
Siracusa  
Tarver

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

**HOUSE CONCURRENT RESOLUTION NO. 144—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Mrs. Elizabeth Walsh of Southeast Middle School for her dedication to the public school system and its students and to congratulate her upon being named East Baton Rouge Parish Principal of the Year.

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

April 20, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Romero
Branch	Greene	Siracusa
Cain	Hainkel	Smith
Campbell	Heitmeier	Theunissen
Cox	Hines	Thomas
Cravins	Hollis	Ullo
Dardenne	Irons	
Total—32		

NAYS

Total—0

ABSENT

Casanova	Lambert	Tarver
Johnson	Robichaux	
Jones	Schedler	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To declare May 10 through 14, 1999, as Food Allergy Awareness Week.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones
Bajoie	Dyess	Jordan
Barham	Ellington	Landry
Bean	Fields C	Malone
Boissiere	Fields W	Robichaux
Branch	Greene	Romero
Cain	Hainkel	Siracusa
Campbell	Heitmeier	Smith
Cox	Hines	Theunissen
Cravins	Hollis	Thomas
Dardenne	Irons	Ullo
Total—33		

NAYS

Total—0

ABSENT

Casanova	Lambert	Schedler
Johnson	Lentini	Tarver
Total—6		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 20, 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. 423—  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:964.1(A)(3) and (C), relative to the Fourteenth Judicial District Court; to increase the compensation for the court administrator; to provide for the collection of a civil filing fee to be deposited into the indigent transcript fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 500—  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 9:345(A)(1) and the introductory paragraph of Civil Code Art. 134, relative to child custody; to provide additional considerations for the court in appointing an attorney to represent the child; to provide for additional considerations in determining the child's best interest; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 629—  
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND McMAINS

AN ACT

To enact Children's Code Art. 625(C), relative to children in need of care; to require the court to order a child's parents to disclose certain information pertaining to any parent not present at the hearing and to any suitable relative who is willing to assume custody of the child; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 630—  
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND McMAINS

AN ACT

To amend and reenact Children's Code Art. 683(A), relative to children in need of care; to provide relative to disposition hearings; to clarify the meaning of "least restrictive disposition"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 926—  
BY SENATOR C. FIELDS

AN ACT

To amend and reenact Civil Code Art. 136(A), relative to child custody; to provide certain criteria for visitation rights of non-custodial parent; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**SUPPLEMENTAL REPORT OF COMMITTEE ON  
JUDICIARY A**

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 20, 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. 68—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 40:1299.47(I)(1)(b), relative to medical malpractice; to provide for an increase in the fees payable to the attorney chairman of a medical malpractice review panel; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 495—**  
BY SENATOR THOMAS

AN ACT

To amend and reenact Code of Evidence Art. 510(B)(2)(g), relative to the health care provider-patient privilege; to exclude application of the privilege to certain communications with a court-appointed physician; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 627—**  
BY SENATOR HAINKEL

AN ACT

To enact R.S. 13:841.2, relative to civil fees of district court; to authorize the clerk of court of Tangipahoa Parish for the Twenty-First Judicial District Court to establish increased fees for filing civil suits and for recordation of documents; to provide that such funds shall be used to fund the Internet-based Document Electronic Access System; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 628—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact Children's Code Art. 672(A), 675(A) and 681(A)(2), relative to children in need of care; to provide that the court shall not restrict or limit the Department of Social Services' authority in regards to placement, treatment, and case plan determinations of children in the department's custody; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 665—**  
BY SENATOR ULLO

AN ACT

To enact Part XV-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5114 through 5115, relative to protecting the state, state agencies, commissions, boards, political subdivisions and their officers, employees or independent

contractors against civil actions that result from a year 2000 computer date calculation failure; to provide for an exception; to provide for existing as well as future claims; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 933—**  
BY SENATOR EWING

AN ACT

To enact Part XV-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5114 through 5119, relative to protecting the state, state agencies, political subdivisions and their officers and employees against civil actions that result from a year 2000 computer date failure; to provide for an exception; to provide for existing as well as future claims; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 963—**  
BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 13:691(B)(3) and to enact R.S. 13:691(B)(5) and (C), relative to compensation of judges; to provide for reimbursement of lease payments and expenses related to vehicles used for official purposes; to clarify payment for certain insurance premiums; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 984—**  
BY SENATOR THEUNISSEN

AN ACT

To enact Code of Civil Procedure Art. 866, relative to civil procedure; to require inclusion of a party's social security number or tax identification number with certain pleadings; to provide for confidentiality; to provide for disclosure and immunity from liability; to provide for liability for costs, including court costs and attorney's fees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1008—**  
BY SENATORS ULLO, SCHEDLER, HAINKEL, ROMERO, BARHAM, COX, C. FIELDS, W. FIELDS AND SMITH

AN ACT

To enact Chapter 15 of Title VII of Louisiana Children's Code, comprised of Arts. 791.1 through 791.4, relative to the creation of truancy assessment and service centers; to provide for the purpose; to provide for parish involvement through interagency agreements; to provide for state participation; to provide for monitoring; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHRIS ULLO  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY B**

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

April 20, 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. 124—**

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 33:2333(B)(2), relative to disposition of stolen, seized or relinquished property; to change the length of time required before disposition of noncontraband property; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 151—**

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 15:41(B)(2), relative to search warrants; to provide for the disposition of property seized in connection with criminal proceedings; to reduce the time a court is required to hold property after seizure; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 351—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 33:2218.2(C)(8)(c) relative to police departments; to provide that supplemental compensation be paid to certain elected law enforcement officials; to delete POST certification requirements of certain elected law enforcement officials; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 426—**

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 40:1472.1, 1472.2(1) and (12), 1472.3(A), (B), (D), (E), (G), and (H), 1472.5(C), (E), (F), and (G), 1472.7(A), 1472.8, 1472.9(A) and (D), 1472.10(A)(1), (4), (6), and (B), the introductory paragraph of 1472.11(A), 1472.14, 1472.16(B), and 1472.17, and to enact R.S. 40:1472.2(27) and (28) and 1472.20, relative to the regulation of explosives; provides that the deputy secretary of the department of Public Safety and Corrections Division of Safety Services shall exercise the power and authority of the secretary of the Department in regulating explosives; to provide for certain exemptions to reporting and licensing requirements; to create a fund for the administration of explosives regulation and licensing; to authorize the deputy secretary to grant written approval to licensees for alternative methods of handling, storage, use and sale of explosives; to dedicate monies received from fines and penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 758—**

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 27:15(B)(1) and 31(A)(1), to enact Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451, and to repeal Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature, relative to Indian gaming compacts; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 888—**

BY SENATOR JONES

AN ACT

To enact R.S. 33:1428(C), relative to Sheriffs' fees in civil matters; to allow certain fees to be taxed as costs of court in civil matters; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 908—**

BY SENATOR W. FIELDS

AN ACT

To enact R.S. 13:965, relative to court reporters for the Nineteenth Judicial District Court; to provide for fees for the preparation of criminal transcripts; to require the establishment of a fund for payment of transcription fees in indigent cases; to provide for administration of the fund; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 990—**

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 13:985, 985.1, and 996.58, relative to the Thirty-first Judicial District Court; to provide for a court reporter, an indigent transcript fund, and a judicial expense fund; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

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

April 20, 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. 335—**

BY SENATOR BAJOEI

AN ACT

To amend and reenact R.S. 14:95(G), relative to weapons; to allow certain retired auxiliary law enforcement officers the right to carry weapons; to define a reserve or auxiliary law enforcement officer; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 393—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:79(A)(1), R.S. 46:2132(4) and 2135(B) and (D), Children's Code Arts. 617(B) and (D), 1569(B) and (D), and to enact R.S. 36:474(A)(12), R.S. 46:2132(5), 2136(I) and 2143 and Children's Code Arts. 116(29), 618(I), 1570(I) and 1576, relative to domestic violence; to provide for violations of criminal stay-away orders; to provide for the duties of the Department of Social Services relative to enforcement of certain domestic violence intervention or counseling programs; to provide for the criteria for such programs; to provide definitions; to prohibit the use of mutual protective orders; to provide relative to temporary restraining and protective orders; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 690—**  
BY SENATOR LAMBERT

AN ACT

To amend and reenact Code of Criminal Procedure Art. 340, relative to the amount of bail in felony cases and schedules of bail in noncapital cases; to reduce the population census; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 775—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:30(A)(5), relative to first degree murder; to clarify certain definitions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 810—**  
BY SENATOR HINES

AN ACT

To enact R. S. 14:101.2, relative to offenses affecting the public sensibility; to create the crime of unauthorized use of sperm, ovum, or embryo; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 842—**  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 13:1302, 1371, 1372, 1373, 1374, 1376, and 1378, R.S. 16:71, and R.S. 33:1556(B)(1), and to enact R.S. 33:1521.2, relative to funding of the criminal justice system in New Orleans; to require the state to appropriate funds for certain expenses of the civil district court, the criminal district court, the clerk of court, the coroner, the district attorney, and the criminal sheriff; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 909—**  
BY SENATOR IRONS

AN ACT

To enact R.S. 14:103.2, relative to criminal law; to provide for the creation of quiet zones in certain areas; to provide criteria for operation of certain amplified devices in public places; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
J. LOMAX JORDAN, JR.  
Chairman

**SUPPLEMENTAL  
REPORT OF COMMITTEE ON  
ENVIRONMENTAL QUALITY**

Senator Lambert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 20, 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. 401—**

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

To enact R.S. 30:2103(14), (15), and (16), relative to the office of radiation protection; to define certain types of radioactive wastes; and to provide for related matters.

Reported without action.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adjournment**

Senator Bean moved that the Senate adjourn until Wednesday, April 21, 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 21, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk