

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

**FOURTEENTH 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

Wednesday, April 21, 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 Jones, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

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

**Morning Hour**

**Introduction of  
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 74—**  
BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To commend Ms. Carolyn O. Maggio, P.D., on many years of outstanding service and dedication to the Department of Health and Hospitals, especially in Medicaid and the development and implementation of the Louisiana Children's Health Insurance Program, and to congratulate her on the occasion of her much deserved retirement.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Johnson	Jordan
Total—3		

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

**Messages from the House**

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

**Message from the House**

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

April 21, 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. 814—**  
BY REPRESENTATIVE MCCAIN

**AN ACT**

To amend and reenact R.S. 9:3424(B), R.S. 13:3204(A) and 3471(1), R.S. 18:1408(B) and (C), R.S. 22:504, 575(B), 985, and 1253(B) and (C)(3), R.S. 45:200.8(B), R.S. 51:718 and 2612(G), and Children's Code Articles 1202(A), 1224(A), and 1247(A), and to enact R.S. 13:3204(D), relative to service of process; to provide for alternative methods of service of process; to provide for service of process by commercial courier; and to provide for related matters.

**HOUSE BILL NO. 827—**  
BY REPRESENTATIVES ANSARDI, MCMAINS, MCCAIN, CLARKSON,  
SCHWEGMANN, AND PRATT

AN ACT

To amend and reenact Children's Code Articles 116(3), (8), and (9.1), 601, 603(1), (8), (14), and (15), 615(C), 619(B) and (E), 624(A) and (B), 625(B), 626(B), 628, 629, 632(B), 636, 639, 642, 644(A), 645, 646, 647, 648, 649, 652(C) and (D), 659(B), 666(A), 673, 674, 675, 677, 678(B), 679, 680, 681(A)(introductory paragraph) and (4), 682, 683(A), 684(B), (C), (D), (E), and (F), 694(A), 695, 698(A), 700(A), 702, 704(A), 705, 707(A), 708(A), 709, 710, 711, 1001, 1003(1)(introductory paragraph), (10), and (11), 1004(D), 1015(3)(a), (h) through (j), (4)(introductory paragraph), (5), and (6), 1025.4(A) and (C), 1027, and 1028 and to enact Children's Code Articles 116(12.1), 603(7.1) and (14.1), 625(C) and (D), 627(D), 646.1, 672.1, 678(C), 684(G), and 1015(3)(k), and to repeal Children's Code Articles 116(6), 603(11), and 650, all relative to compliance with The Adoption and Safe Families Act of 1997; to provide revision to Children's Code Title VI, Child in Need of Care Proceedings; to provide for revision of Children's Code Title X, Judicial Certification of Children for Adoption; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 883—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN

AN ACT

To amend and reenact R.S. 14:286 and Children's Code Articles 1040, 1041(A), 1042, 1113(A) and (D), 1120(C), 1127(A), (B), and (C), 1131(C), (D), and (E), 1132, 1142(A), 1144, 1146, 1174, 1180(A)(4), 1186, 1200, 1201(C) and (E), 1207(B), 1208(A) and (B)(4), 1211 (introductory paragraph), 1213, 1214, 1223, 1229(B), 1230(A) and (B)(4), 1233, 1235, 1236, 1243, 1244(A), 1245, 1253(A) and (B)(4), 1263, and 1270(C), to enact Children's Code Articles 1127.1, 1131(F), 1169(2.1), 1180(A)(5), 1207(C), 1208(B)(5), 1223.1, 1229(C), 1230(B)(5), 1243.1, 1243.2, and 1253(B)(5), and to repeal Children's Code Articles 1194 and 1244(D), relative to children; to prohibit the sale of minor children; to provide relative to the surrender of parental rights and the adoption of children; to specify and prohibit practices constituting the sale of a child; to provide for reports, placement by the department, and review hearings in certification for adoption proceedings; to provide for minor parents, mental health counseling, requests for and maintenance of medical reports, filing and notice of filing of surrender, records checks, and requirements of approval of the surrender of a child for adoption; to provide a definition of "broker"; to provide for preplacement certification for adoption, venue, and records; to provide for disclosure of records, confidentiality, fees, affidavits, duties of the department, hearings, petitions, final decrees, continuing duties of the department, home study reports, and permanency review, all with respect to agency adoptions; to provide for fee disclosure, permissible expenses, affidavits of fees, duties of the department, hearings, petitions, final decrees at first hearings, continuing duties of the department, home study reports, and review hearings, all with respect to private adoptions; to provide for eligible petitioners, precedence of intrafamily adoption provisions over other adoption provisions; to provide for records checks, parental consent, and hearings, all with respect to intrafamily adoptions; to provide for time limitations and finality in adoptions; to provide for the purpose of voluntary registration in adoptions; to repeal provision for adoption over the objection of an incarcerated parent; and to provide for related matters.

**HOUSE BILL NO. 1288—**  
BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S.10:1-105(2), 9-103(1)(a), 9-104(i) and (m), 9-105(3), 9-106, 9-304(1), 9-305(1), Chapter 5 of Title 10 of the Louisiana Revised Statutes of 1950, comprised of R.S. 10:5-101 through 5-117, and to enact R.S. 10:9-104(n), relative to letters of credit; to provide for a revision of the uniform commercial laws on

letters of credit; to provide for conforming amendments; and to provide for related matters.

**HOUSE BILL NO. 943—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, MCCAIN, AND LONG

AN ACT

To enact Title XII-A of the Children's Code, Intercountry Adoption of Children, composed of Chapter 1, Articles 1281.1 through 1281.9, Chapter 2, Articles 1282.1 through 1282.5, and Chapter 3, Articles 1283.1 through 1283.17, relative to adoption; to provide for the adoption of foreign orphans by Louisiana domiciliaries; to provide preliminary provisions on applicability, definitions, types of intercountry adoptions, certification, venue, required consent, birth certificate requirements, and persons who may petition; to provide for petition for recognition of foreign adoptions, findings, final decrees, and name change, all with respect to recognition of foreign adoptions; to provide for petitions for adoption of a foreign orphan, reimbursement of expenses, disclosure of fees and charges, service of process, duties of the Department of Social Services, hearings, intervention, decrees, and name change, all with respect to adoptions of foreign orphans; and to provide for related matters.

**HOUSE BILL NO. 952—**

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 9:315.12, relative to child support; to extend the time period for review of child support guidelines; and to provide for related matters.

**HOUSE BILL NO. 1002—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3283(G)(2) and (3) and 3284(B)(2)(introductory paragraph) and (4) and (D)(1), relative to private security officers' training; to provide for transfer of employment; to reduce the time period within which security officers must complete certain classroom training; to revise the retraining requirements; and to provide for related matters.

**HOUSE BILL NO. 1046—**

BY REPRESENTATIVES ANSARDI, MCMAINS, BOWLER, CLARKSON,  
FRUGE, JOHNS, WALSWORTH, WIGGINS, WILKERSON, AND WRIGHT

AN ACT

To enact R.S. 48:381.3, relative to public utility facilities; to provide for the duty of care with respect to the placement of public utility facilities on or adjacent to rights-of-way of state highways; and to provide for related matters.

**HOUSE BILL NO. 1798—**

BY REPRESENTATIVES LANDRIEU AND PRATT

AN ACT

To amend and reenact Children's Code Article 405(C) and to enact Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 435 through 445, and Children's Code Article 603(13)(f), relative to mediation; to provide for the use of mediation in juvenile courts; to provide definitions; to provide for referral to mediation, selection and appointment of mediators, disclosure by mediators, and revocation of mediators; to provide qualifications of mediators, stay of proceedings, confidentiality, and termination of mediation; to provide for mediation agreements, judicial oversight, evaluation of mediators, and adoption of local rules; and to provide for related matters.

**HOUSE BILL NO. 1944—**

BY REPRESENTATIVES THERIOT AND MCCAIN

AN ACT

To enact R.S. 38:2212(G), relative to letting of public contracts; to provide relative to professional maintenance contracts by public entities; to authorize public entities to enter into multiyear contracts for the repair and maintenance of water storage tanks; to provide for the payment of such contracts; to provide for the duration of

such contracts; to require such contracts to include a nonappropriation clause; and to provide for related matters.

**HOUSE BILL NO. 1998—**

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

## AN ACT

To repeal R.S. 38:2212(A)(1)(d)(ii) relative to Public Bid Law; to delete the definition of "contract limit" for certain entities; and to provide for related matters.

**HOUSE BILL NO. 340—**

BY REPRESENTATIVE WESTON

## AN ACT

To amend and reenact R.S. 14:70.4(D)(1), (E), and (F) and to enact R.S. 14:70.4(G), relative to the crime of access device fraud; to provide for certain definitions; to provide for increased penalties; to provide with regard to restitution to victims; to provide for aggregation of offenses; and to provide for related matters.

**HOUSE BILL NO. 992—**

BY REPRESENTATIVE MICHOT

## AN ACT

To enact R.S. 14:133.4, relative to crimes; to create the crime of misrepresentation during issuance of a misdemeanor summons or preparation of a juvenile custodial agreement; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 1191—**

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

## AN ACT

To amend and reenact R.S. 46:107(A), relative to hearings by the Department of Social Services and the Department of Health and Hospitals; to provide for changes relative to requests for hearings regarding agency action concerning child placing agencies or day care centers; and to provide for related matters.

**HOUSE BILL NO. 1383—**

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

## AN ACT

To amend and reenact R.S. 40:2116(D), relative to a moratorium on Medicaid approval of additional nursing facilities and additional beds in nursing facilities; to provide that the Department of Health and Hospitals shall extend the moratorium on Title XIX certified beds for nursing facilities; to extend the specified period of time during which the Department of Health and Hospitals shall not approve any additional nursing facilities or additional beds in nursing facilities for participation in the Title XIX program of the Social Security Act; and to provide for related matters.

**HOUSE BILL NO. 1384—**

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

## AN ACT

To amend and reenact R.S. 46:2622(9) and 2625(A)(1)(a), relative to certain fees levied on providers of health care services; to further define those nursing facilities upon which such fees are levied; to provide for certain exemptions from such fees; and to provide for related matters.

**HOUSE BILL NO. 1389—**

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

## AN ACT

To amend and reenact R.S. 14:403.2(B)(1), (E)(3) and (8), and (H) and to enact R.S. 14:403.2(B)(12) and (13), relative to the crime of abuse and neglect of adults; to provide for certain definitions; to provide for court orders allowing access for investigations; to

provide with regard to confidentiality of records; to provide for closed court hearings; and to provide for related matters.

**HOUSE BILL NO. 1394—**

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

## AN ACT

To amend and reenact R.S. 28:401(C)(8), relative to the Mental Retardation and Developmental Disabilities Services System; to increase the time for review of the evaluation and diagnosis of a recipient of mental retardation and developmental disability services; to provide for review at the request of certain persons; and to provide for related matters.

**HOUSE BILL NO. 1076—**

BY REPRESENTATIVE DEVILLE

## AN ACT

To authorize and provide for the transfer or lease of certain state property; to provide for the transfer or lease of such property in St. Landry Parish to the town of Port Barre from the Department of Transportation and Development; to provide for the transfer of such property located in St. Mary Parish from the Department of Natural Resources to the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

**HOUSE BILL NO. 1100—**

BY REPRESENTATIVE SCHNEIDER

## AN ACT

To enact R.S. 56:30.2, relative to wildlife and fisheries; to provide relative to public hearings held by the Department of Wildlife and Fisheries or Wildlife and Fisheries Commission; to require certain advance notice to legislators of hearings held in legislative districts; and to provide for related matters.

**HOUSE BILL NO. 1103—**

BY REPRESENTATIVE THERIOT

## AN ACT

To amend and reenact R.S. 22:1405(B), relative to the Property Insurance Association of Louisiana; to provide with respect to the membership of the board of directors of the association; and to provide for related matters.

**HOUSE BILL NO. 1122—**

BY REPRESENTATIVE PINAC

## AN ACT

To amend and reenact the heading of Part VI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:231(E) and (F), 232(2), (24), and (25), 233, 234(A)(10), (B), and (F), 235(A) and (C)(1), (3), and (5), 236, 237(A)(1) through (4), (D), (E), and (F)(1), (3), and (5), 238(A)(introductory paragraph) and (4) and (C)(1) through (4), 239(A)(2) and (C) through (E), 239.2(A), 239.3(B), 240(A), (B)(introductory paragraph), (F)(3) and (4), (G), and (H), and 242, relative to the Louisiana Health Insurance Association; to redesignate the association as the Louisiana Health Plan; to provide relative to the membership of its board of directors; and to provide for related matters.

**HOUSE BILL NO. 1170—**

BY REPRESENTATIVE BOWLER

## AN ACT

To enact R.S. 22:2002(10) and 2006(8), relative to health maintenance organizations; to define point of service policies; to authorize health maintenance organizations to issue point of service policies subject to certain requirements; and to provide for related matters.

**HOUSE BILL NO. 1183—**

BY REPRESENTATIVES THOMPSON AND MURRAY

## AN ACT

To amend and reenact R.S. 22:233(A)(introductory paragraph) and Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:244 through 248, to enact R.S. 22:231(G), 232(29), and 233(A)(3), and to repeal R.S.

22:6(2)(b)(ii), relative to health insurance; to authorize pilot programs developed by the Department of Insurance for increasing access to affordable health insurance; to authorize development of such pilot programs for small employers that include options for reinsurance of excess risk, enhanced benefit design options, and purchasing cooperatives; to authorize the Louisiana Health Insurance Association to maintain a small employer insurance risk account; to abolish the Basic Health Insurance Plan Pilot Program Development Council and its advisory committee; and to provide for related matters.

**HOUSE BILL NO. 1186—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Ouachita Parish to the city of West Monroe from the Department of Transportation and Development; and to provide for related matters.

**HOUSE BILL NO. 1388—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To authorize and provide for the lease of certain state property in Rapides Parish to the Volunteers of America of North Louisiana or its affiliates from the Department of Health and Hospitals; to repeal Act No. 289 of the 1997 Regular Session; and to provide for related matters.

**HOUSE BILL NO. 1635—**  
BY REPRESENTATIVE HEATON  
AN ACT

To authorize and provide for the state to transfer certain tracts of land situated in Orleans Parish to the Carrollton Community Economic Development Corporation; to provide terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 1640—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To authorize and provide the state through the Department of Transportation and Development to transfer or lease certain tracts of land situated in St. James Parish to the St. James Parish Council; and to provide for related matters.

**HOUSE BILL NO. 1650—**  
BY REPRESENTATIVE BAUDOIN  
AN ACT

To amend and reenact R.S. 17:1946(B), relative to the operation of residential schools for certain children; to include visually impaired children and the Louisiana School for the Visually Impaired in provisions relative to such schools; and to provide for related matters.

**HOUSE BILL NO. 1732—**  
BY REPRESENTATIVE WRIGHT  
AN ACT

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

**HOUSE BILL NO. 1949—**  
BY REPRESENTATIVE BAYLOR  
AN ACT

To enact R.S. 44:11(C), relative to public records; to provide that the social security number of an employee of a city or parish school board is confidential under certain circumstances; to authorize the disclosure of such social security number under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1978—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To authorize and provide for the state and the Department of Health and Hospitals to transfer certain tracts of land situated in East Feliciana Parish to the town of Jackson; and to provide for related matters.

**HOUSE BILL NO. 1296—**  
BY REPRESENTATIVES DONELON AND MARTINY  
AN ACT

To amend and reenact R.S. 22:2078(A)(introductory paragraph) and to enact R.S. 22:1078(B)(18) and 2078.1, relative to risk purchasing groups; to require a risk purchasing group to annually renew its registration with the Department of Insurance; to provide for initial and renewal fees for such registration; and to provide for related matters.

**HOUSE BILL NO. 1301—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To repeal R.S. 32:863.1(H), relative to motor vehicle insurance; to repeal provisions authorizing the promulgation of rules and regulations relative to proof of insurance.

**HOUSE BILL NO. 98—**  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 33:103(C)(1)(introductory paragraph) and to enact R.S. 33:103(C)(1)(k), relative to the Iberville Parish planning commission; to authorize and otherwise provide relative to the compensation of the members of such commission; and to provide for related matters.

**HOUSE BILL NO. 104—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 13:501(B)(3)(c), relative to single parish district courts; to authorize the Fortieth Judicial District Court to continue holding certain sessions on the east bank of the Mississippi River in St. John the Baptist Parish; and to provide for related matters.

**HOUSE BILL NO. 142—**  
BY REPRESENTATIVES JOHN SMITH AND ILES  
AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to the city of Leesville; to authorize the municipal governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing or demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection thereof; and to provide for related matters.

**HOUSE BILL NO. 240—**  
BY REPRESENTATIVE STELLY  
AN ACT

To enact R.S. 40:1498(D), relative to fire protection districts in Calcasieu Parish; to provide for increases in the per diem paid to members of the governing authorities of such districts; and to provide for related matters.

**HOUSE BILL NO. 278—**  
BY REPRESENTATIVES SALTER AND ALEXANDER  
AN ACT

To enact R.S. 13:2616, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in Bienville Parish; to provide for elections to the office of justice of the peace and constable; and to provide for related matters.

**HOUSE BILL NO. 373—**  
BY REPRESENTATIVE SHAW

AN ACT

To enact R.S. 33:2922(D) and 2923(C), relative to the city of Shreveport; to increase the term over which excess annual revenues may be dedicated; to provide relative to certificates of indebtedness secured by such revenues; and to provide for related matters.

**HOUSE BILL NO. 297—**  
BY REPRESENTATIVE FRUGE

AN ACT

To amend and reenact Section 4 of Act No. 289 of the 1980 Regular Session of the Legislature as amended by Act No. 642 of the 1984 Regular Session of the Legislature, relative to the St. Landry Parish Solid Waste Disposal Commission; to authorize the commission to enter into agreements with local governments in the parish for the use of certain funds of the commission for road improvements; and to provide for related matters.

**HOUSE BILL NO. 375—**  
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to authorize an increase in court costs for the mayor's court in Clinton, Louisiana; to provide for the use of the additional funds; and to provide for related matters.

**HOUSE BILL NO. 438—**  
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1221(1)(d) and 1333, relative to workers' compensation; to provide relative to the cessation of an award of benefits based on temporary total disability; to delete the provision limiting the award of such benefits to a maximum of six months under certain conditions; to provide for acceleration of payments and to provide for related matters.

**HOUSE BILL NO. 452—**  
BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:381(C)(13), relative to the village of South Mansfield; to provide for the appointment of the chief of police of the village of South Mansfield, including provisions relative to the qualifications, selection, compensation, and duties of said appointed chief of police; and to provide for related matters.

**HOUSE BILL NO. 462—**  
BY REPRESENTATIVES FONTENOT, DEWITT, AND WESTON

AN ACT

To amend and reenact R.S. 36:208(E), R.S. 48:757(A)(1)(a), R.S. 56:1684(C), 1685(B) and (C)(14), 1685.1, 1687.1(A), 1691(B)(2), 1700(A) and (D), 1701, 1702, 1943(1), and 1948.5(52)(f) and to enact R.S. 56:1685(C)(21), relative to state parks and state commemorative areas; to amend the list of state parks and commemorative areas which are owned by the office of state parks; to provide relative to agreements for the management of certain commemorative areas; to change the designation and names of state commemorative areas; and to provide for related matters.

**HOUSE BILL NO. 532—**  
BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 33:423.10, relative to the village of Tickfaw; to authorize the chief of police of the village of Tickfaw to appoint, promote, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

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

**House Bills and Joint Resolutions**

Senator Landry 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. 98—**  
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 33:103(C)(1)(introductory paragraph) and to enact R.S. 33:103(C)(1)(k), relative to the Iberville Parish planning commission; to authorize and otherwise provide relative to the compensation of the members of such commission; 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.

**HOUSE BILL NO. 104—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:501(B)(3)(c), relative to single parish district courts; to authorize the Fortieth Judicial District Court to continue holding certain sessions on the east bank of the Mississippi River in St. John the Baptist Parish; 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. 142—**  
BY REPRESENTATIVES JOHN SMITH AND ILES

AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to the city of Leesville; to authorize the municipal governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing or demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection thereof; 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.

**HOUSE BILL NO. 240—**  
BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 40:1498(D), relative to fire protection districts in Calcasieu Parish; to provide for increases in the per diem paid to members of the governing authorities of such districts; 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.

**HOUSE BILL NO. 278—**  
BY REPRESENTATIVES SALTER AND ALEXANDER

AN ACT

To enact R.S. 13:2616, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in Bienville Parish; to provide for elections to the office of justice of the peace and constable; 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. 297—**

BY REPRESENTATIVE FRUGE

AN ACT

To amend and reenact Section 4 of Act No. 289 of the 1980 Regular Session of the Legislature as amended by Act No. 642 of the 1984 Regular Session of the Legislature, relative to the St. Landry Parish Solid Waste Disposal Commission; to authorize the commission to enter into agreements with local governments in the parish for the use of certain funds of the commission for road improvements; and to provide for related matters.

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 705 was read by title and lies over under the rules.

**HOUSE BILL NO. 340—**

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 14:70.4(D)(1), (E), and (F) and to enact R.S. 14:70.4(G), relative to the crime of access device fraud; to provide for certain definitions; to provide for increased penalties; to provide with regard to restitution to victims; to provide for aggregation of offenses; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 817, was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 373—**

BY REPRESENTATIVE SHAW

AN ACT

To enact R.S. 33:2922(D) and 2923(C), relative to the city of Shreveport; to increase the term over which excess annual revenues may be dedicated; to provide relative to certificates of indebtedness secured by such revenues; 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.

**HOUSE BILL NO. 375—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to authorize an increase in court costs for the mayor's court in Clinton, Louisiana; to provide for the use of the additional funds; and to provide for related matters.

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

**HOUSE BILL NO. 438—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1221(1)(d) and 1333, relative to workers' compensation; to provide relative to the cessation of an award of benefits based on temporary total disability; to delete the provision limiting the award of such benefits to a maximum of six months under certain conditions; to provide for acceleration of payments and to provide for related matters.

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

**HOUSE BILL NO. 452—**

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 33:381(C)(13), relative to the village of South Mansfield; to provide for the appointment of the chief of police of the village of South Mansfield, including provisions relative to the qualifications, selection, compensation, and duties of said appointed chief of police; 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.

**HOUSE BILL NO. 462—**

BY REPRESENTATIVES FONTENOT, DEWITT, AND WESTON

AN ACT

To amend and reenact R.S. 36:208(E), R.S. 48:757(A)(1)(a), R.S. 56:1684(C), 1685(B) and (C)(14), 1685.1, 1687.1(A), 1691(B)(2), 1700(A) and (D), 1701, 1702, 1943(1), and 1948.5(52)(f) and to enact R.S. 56:1685(C)(21), relative to state parks and state commemorative areas; to amend the list of state parks and commemorative areas which are owned by the office of state parks; to provide relative to agreements for the management of certain commemorative areas; to change the designation and names of state commemorative areas; and to provide for related matters.

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

**HOUSE BILL NO. 532—**

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 33:423.10, relative to the village of Tickfaw; to authorize the chief of police of the village of Tickfaw to appoint, promote, discipline, and discharge police personnel subject to budgetary limitations; 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.

**HOUSE BILL NO. 814—**

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 9:3424(B), R.S. 13:3204(A) and 3471(1), R.S. 18:1408(B) and (C), R.S. 22:504, 575(B), 985, and 1253(B) and (C)(3), R.S. 45:200.8(B), R.S. 51:718 and 2612(G), and Children's Code Articles 1202(A), 1224(A), and 1247(A), and to enact R.S. 13:3204(D), relative to service of process; to provide for alternative methods of service of process; to provide for service of process by commercial courier; 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. 827—**

BY REPRESENTATIVES ANSARDI, MCMAINS, MCCAIN, CLARKSON, SCHWEGMANN, AND PRATT

AN ACT

To amend and reenact Children's Code Articles 116(3), (8), and (9.1), 601, 603(1), (8), (14), and (15), 615(C), 619(B) and (E), 624(A) and (B), 625(B), 626(B), 628, 629, 632(B), 636, 639, 642, 644(A), 645, 646, 647, 648, 649, 652(C) and (D), 659(B), 666(A), 673, 674, 675, 677, 678(B), 679, 680, 681(A)(introductory paragraph) and (4), 682, 683(A), 684(B), (C), (D), (E), and (F), 694(A), 695, 698(A), 700(A), 702, 704(A), 705, 707(A), 708(A), 709, 710, 711, 1001, 1003(1)(introductory paragraph), (10), and (11), 1004(D), 1015(3)(a), (h) through (j), (4)(introductory paragraph), (5), and (6), 1025.4(A) and (C), 1027, and 1028 and to enact Children's Code Articles 116(12.1), 603(7.1) and (14.1), 625(C) and (D), 627(D), 646.1, 672.1, 678(C), 684(G), and 1015(3)(k), and to repeal Children's Code Articles 116(6), 603(11), and 650, all relative to compliance with The Adoption and Safe Families Act of 1997; to provide revision to Children's Code Title VI, Child in Need of Care Proceedings; to provide for revision of Children's Code Title X, Judicial Certification of Children for Adoption; to provide for an effective date; 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. 883—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN  
AN ACT

To amend and reenact R.S. 14:286 and Children's Code Articles 1040, 1041(A), 1042, 1113(A) and (D), 1120(C), 1127(A), (B), and (C), 1131(C), (D), and (E), 1132, 1142(A), 1144, 1146, 1174, 1180(A)(4), 1186, 1200, 1201(C) and (E), 1207(B), 1208(A) and (B)(4), 1211 (introductory paragraph), 1213, 1214, 1223, 1229(B), 1230(A) and (B)(4), 1233, 1235, 1236, 1243, 1244(A), 1245, 1253(A) and (B)(4), 1263, and 1270(C), to enact Children's Code Articles 1127.1, 1131(F), 1169(2.1), 1180(A)(5), 1207(C), 1208(B)(5), 1223.1, 1229(C), 1230(B)(5), 1243.1, 1243.2, and 1253(B)(5), and to repeal Children's Code Articles 1194 and 1244(D), relative to children; to prohibit the sale of minor children; to provide relative to the surrender of parental rights and the adoption of children; to specify and prohibit practices constituting the sale of a child; to provide for reports, placement by the department, and review hearings in certification for adoption proceedings; to provide for minor parents, mental health counseling, requests for and maintenance of medical reports, filing and notice of filing of surrender, records checks, and requirements of approval of the surrender of a child for adoption; to provide a definition of "broker"; to provide for preplacement certification for adoption, venue, and records; to provide for disclosure of records, confidentiality, fees, affidavits, duties of the department, hearings, petitions, final decrees, continuing duties of the department, home study reports, and permanency review, all with respect to agency adoptions; to provide for fee disclosure, permissible expenses, affidavits of fees, duties of the department, hearings, petitions, final decrees at first hearings, continuing duties of the department, home study reports, and review hearings, all with respect to private adoptions; to provide for eligible petitioners, precedence of intrafamily adoption provisions over other adoption provisions; to provide for records checks, parental consent, and hearings, all with respect to intrafamily adoptions; to provide for time limitations and finality in adoptions; to provide for the purpose of voluntary registration in adoptions; to repeal provision for adoption over the objection of an incarcerated parent; 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. 943—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, MCCAIN, AND LONG  
AN ACT

To enact Title XII-A of the Children's Code, Intercountry Adoption of Children, composed of Chapter 1, Articles 1281.1 through 1281.9, Chapter 2, Articles 1282.1 through 1282.5, and Chapter 3, Articles 1283.1 through 1283.17, relative to adoption; to provide for the adoption of foreign orphans by Louisiana domiciliaries; to provide preliminary provisions on applicability, definitions, types of intercountry adoptions, certification, venue, required consent, birth certificate requirements, and persons who may petition; to provide for petition for recognition of foreign adoptions, findings, final decrees, and name change, all with respect to recognition of foreign adoptions; to provide for petitions for adoption of a foreign orphan, reimbursement of expenses, disclosure of fees and charges, service of process, duties of the Department of Social Services, hearings, intervention, decrees, and name change, all with respect to adoptions of foreign orphans; 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. 952—**  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 9:315.12, relative to child support; to extend the time period for review of child support guidelines; 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. 992—**  
BY REPRESENTATIVE MICHOT  
AN ACT

To enact R.S. 14:133.4, relative to crimes; to create the crime of misrepresentation during issuance of a misdemeanor summons or preparation of a juvenile custodial agreement; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1002—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 37:3283(G)(2) and (3) and 3284(B)(2)(introductory paragraph) and (4) and (D)(1), relative to private security officers' training; to provide for transfer of employment; to reduce the time period within which security officers must complete certain classroom training; to revise the retraining requirements; and to provide for related matters.

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

**HOUSE BILL NO. 1046—**  
BY REPRESENTATIVES ANSARDI, MCMAINS, BOWLER, CLARKSON, FRUGE, JOHNS, WALSWORTH, WIGGINS, WILKERSON, AND WRIGHT  
AN ACT

To enact R.S. 48:381.3, relative to public utility facilities; to provide for the duty of care with respect to the placement of public utility facilities on or adjacent to rights-of-way of state highways; 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. 1076—**  
BY REPRESENTATIVE DEVILLE  
AN ACT

To authorize and provide for the transfer or lease of certain state property; to provide for the transfer or lease of such property in St. Landry Parish to the town of Port Barre from the Department of Transportation and Development; to provide for the transfer of such property located in St. Mary Parish from the Department of Natural Resources to the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

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

**HOUSE BILL NO. 1100—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 56:30.2, relative to wildlife and fisheries; to provide relative to public hearings held by the Department of Wildlife and Fisheries or Wildlife and Fisheries Commission; to require certain advance notice to legislators of hearings held in legislative districts; and to provide for related matters.

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

**HOUSE BILL NO. 1103—**  
BY REPRESENTATIVE THERIOT  
AN ACT

To amend and reenact R.S. 22:1405(B), relative to the Property Insurance Association of Louisiana; to provide with respect to the membership of the board of directors of the association; 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. 1122—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact the heading of Part VI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:231(E) and (F), 232(2), (24), and (25), 233, 234(A)(10), (B), and (F), 235(A) and (C)(1), (3), and (5), 236, 237(A)(1) through (4), (D), (E), and (F)(1), (3), and (5), 238(A)(introductory paragraph) and (4) and (C)(1) through (4), 239(A)(2) and (C) through (E), 239.2(A), 239.3(B), 240(A), (B)(introductory paragraph), (F)(3) and (4), (G), and (H), and 242, relative to the Louisiana Health Insurance Association; to redesignate the association as the Louisiana Health Plan; to provide relative to the membership of its board of directors; 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. 1170—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 22:2002(10) and 2006(8), relative to health maintenance organizations; to define point of service policies; to authorize health maintenance organizations to issue point of service policies subject to certain requirements; 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. 1183—**  
BY REPRESENTATIVES THOMPSON AND MURRAY  
AN ACT

To amend and reenact R.S. 22:233(A)(introductory paragraph) and Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:244 through 248, to enact R.S. 22:231(G), 232(29), and 233(A)(3), and to repeal R.S. 22:6(2)(b)(ii), relative to health insurance; to authorize pilot programs developed by the Department of Insurance for increasing access to affordable health insurance; to authorize development of such pilot programs for small employers that include options for reinsurance of excess risk, enhanced benefit design options, and purchasing cooperatives; to authorize the Louisiana Health Insurance Association to maintain a small employer insurance risk account; to abolish the Basic Health Insurance Plan Pilot Program Development Council and its advisory committee; 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. 1186—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Ouachita Parish to the city of West Monroe from the Department of Transportation and Development; and to provide for related matters.

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

**HOUSE BILL NO. 1191—**  
BY REPRESENTATIVES SCHWEGMANN, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:107(A), relative to hearings by the Department of Social Services and the Department of Health and Hospitals; to provide for changes relative to requests for hearings

regarding agency action concerning child placing agencies or day care centers; 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. 1288—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 10:1-105(2), 9-103(1)(a), 9-104(i) and (m), 9-105(3), 9-106, 9-304(1), 9-305(1), Chapter 5 of Title 10 of the Louisiana Revised Statutes of 1950, comprised of R.S. 10:5-101 through 5-117, and to enact R.S. 10:9-104(n), relative to letters of credit; to provide for a revision of the uniform commercial laws on letters of credit; to provide for conforming amendments; 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. 1296—**  
BY REPRESENTATIVES DONELON AND MARTINY  
AN ACT

To amend and reenact R.S. 22:2078(A)(introductory paragraph) and to enact R.S. 22:1078(B)(18) and 2078.1, relative to risk purchasing groups; to require a risk purchasing group to annually renew its registration with the Department of Insurance; to provide for initial and renewal fees for such registration; 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. 1301—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To repeal R.S. 32:863.1(H), relative to motor vehicle insurance; to repeal provisions authorizing the promulgation of rules and regulations relative to proof of insurance.

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

**HOUSE BILL NO. 1383—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:2116(D), relative to a moratorium on Medicaid approval of additional nursing facilities and additional beds in nursing facilities; to provide that the Department of Health and Hospitals shall extend the moratorium on Title XIX certified beds for nursing facilities; to extend the specified period of time during which the Department of Health and Hospitals shall not approve any additional nursing facilities or additional beds in nursing facilities for participation in the Title XIX program of the Social Security Act; 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. 1384—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:2622(9) and 2625(A)(1)(a), relative to certain fees levied on providers of health care services; to further define those nursing facilities upon which such fees are levied; to provide for certain exemptions from such fees; 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. 1388—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To authorize and provide for the lease of certain state property in Rapides Parish to the Volunteers of America of North Louisiana or its affiliates from the Department of Health and Hospitals; to repeal Act No. 289 of the 1997 Regular Session; and to provide for related matters.

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

**HOUSE BILL NO. 1389—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, AND BRUCE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 14:403.2(B)(1), (E)(3) and (8), and (H) and to enact R.S. 14:403.2(B)(12) and (13), relative to the crime of abuse and neglect of adults; to provide for certain definitions; to provide for court orders allowing access for investigations; to provide with regard to confidentiality of records; to provide for closed court hearings; and to provide for related matters.

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

**HOUSE BILL NO. 1394—**  
BY REPRESENTATIVES TRICHE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 28:401(C)(8), relative to the Mental Retardation and Developmental Disabilities Services System; to increase the time for review of the evaluation and diagnosis of a recipient of mental retardation and developmental disability services; to provide for review at the request of certain 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. 1635—**  
BY REPRESENTATIVE HEATON  
AN ACT

To authorize and provide for the state to transfer certain tracts of land situated in Orleans Parish to the Carrollton Community Economic Development Corporation; to provide terms and conditions; and to provide for related matters.

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

**HOUSE BILL NO. 1640—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To authorize and provide the state through the Department of Transportation and Development to transfer or lease certain tracts of land situated in St. James Parish to the St. James Parish Council; and to provide for related matters.

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

**HOUSE BILL NO. 1650—**  
BY REPRESENTATIVE BAUDOIN  
AN ACT

To amend and reenact R.S. 17:1946(B), relative to the operation of residential schools for certain children; to include visually impaired children and the Louisiana School for the Visually Impaired in provisions relative to such 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.

**HOUSE BILL NO. 1732—**  
BY REPRESENTATIVE WRIGHT  
AN ACT

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

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

**HOUSE BILL NO. 1798—**  
BY REPRESENTATIVES LANDRIEU AND PRATT  
AN ACT

To amend and reenact Children's Code Article 405(C) and to enact Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 435 through 445, and Children's Code Article 603(13)(f), relative to mediation; to provide for the use of mediation in juvenile courts; to provide definitions; to provide for referral to mediation, selection and appointment of mediators, disclosure by mediators, and revocation of mediators; to provide qualifications of mediators, stay of proceedings, confidentiality, and termination of mediation; to provide for mediation agreements, judicial oversight, evaluation of mediators, and adoption of local rules; 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. 1944—**  
BY REPRESENTATIVES THERIOT AND MCCAIN  
AN ACT

To enact R.S. 38:2212(G), relative to letting of public contracts; to provide relative to professional maintenance contracts by public entities; to authorize public entities to enter into multiyear contracts for the repair and maintenance of water storage tanks; to provide for the payment of such contracts; to provide for the duration of such contracts; to require such contracts to include a nonappropriation clause; 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. 1949—**  
BY REPRESENTATIVE BAYLOR  
AN ACT

To enact R.S. 44:11(C), relative to public records; to provide that the social security number of an employee of a city or parish school board is confidential under certain circumstances; to authorize the disclosure of such social security number under 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 Senate and Governmental Affairs.

April 21, 1999

**HOUSE BILL NO. 1978—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To authorize and provide for the state and the Department of Health and Hospitals to transfer certain tracts of land situated in East Feliciana Parish to the town of Jackson; and to provide for related matters.

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

**HOUSE BILL NO. 1998—**  
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To repeal R.S. 38:2212(A)(1)(d)(ii) relative to Public Bid Law; to delete the definition of "contract limit" for certain entities; 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 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. 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 per diem payable to the attorney chairman of a medical malpractice review panel; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 68 by Senator Cox

AMENDMENT NO. 1  
On page 1, line 3, change "fees" to "per diem"

AMENDMENT NO. 2  
On page 1, line 13, change "**two hundred fifty**" to "**two hundred**" and on line 14, change "**five**" to "**three**"

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

**SENATE BILL NO. 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; to require certain notifications prior to the disposition of such property; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 124 by Senator Bean

AMENDMENT NO. 1

On page 1, line 4, after "property;" insert "to require certain notifications prior to the disposition of such property;"

AMENDMENT NO. 2  
On page 1, line 15, change "**sixty**" to "**ninety**"

AMENDMENT NO. 3  
On page 2, line 4, after "has" insert "sent notice of the availability of such property by letter by certified mail and by regular mail to the owner at the last known address and has"

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

**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 by the Committee on Environmental Quality. On motion of Senator Lambert, the bill was read by title, ordered engrossed and passed to a third reading.

**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 by the Committee on Environmental Quality. On motion of Senator Lambert, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 151—**  
BY SENATOR BEAN  
AN ACT

To amend and reenact the introductory paragraph of 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 by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 151 by Senator Bean

AMENDMENT NO. 1  
On page 1, line 2, after "reenact" insert "the introductory paragraph of"

AMENDMENT NO. 2  
On page 1, line 7, after "Section 1." insert "The introductory paragraph of"

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

SENATE BILL NO. 335—  
BY SENATOR BAJOIE

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 335 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 14, after "retired" delete the remainder of the line and insert in lieu thereof "municipal police officers in cities with populations of greater than 400,000 and qualified annually by"

AMENDMENT NO. 2

On page 2, at the beginning of line 17, delete "enforcement" and insert "municipal police" and at the end of line 17 delete "law enforcement" and insert "municipal police"

AMENDMENT NO. 3

On page 2, line 18, change "certified" to "qualified"

AMENDMENT NO. 4

On page 2, at the beginning of line 22, change "law enforcement" to "municipal police"

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

SENATE BILL NO. 351—  
BY SENATORS ULLO AND CAIN

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 351 by Senator Ulla

AMENDMENT NO. 1

On page 1, line 16, delete "\* \* \*"

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

SENATE BILL NO. 393—  
BY SENATORS DARDENNE AND LANDRY

AN ACT

To amend and reenact R.S. 14:79(A)(1), R.S. 46:2132(4), 2135(B), and 2137(A), Children's Code Arts. 1569(B) and 1571(B), and Code of Civil Procedure Art. 3603.1, and to enact R.S. 36:474(A)(12) and R.S. 46:2136(I), Children's Code Arts. 1570(I) and 1571, 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 393 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "2132(4)" delete the remainder of the line and insert ", 2135(B), and"

AMENDMENT NO. 2

On page 1, line 3, at the beginning of the line delete "(D)", and insert "2137(A)" and after "Arts." delete the remainder of the line and insert "1569(B) and 1571(B), and Code of Civil Procedure Art. 3603.1, and to"

AMENDMENT NO. 3

On page 1, line 4, after "(A)(12)" delete the remainder of the line and insert "and R. S. 46:2136(I),"

AMENDMENT NO. 4

On page 1, line 5, after "Arts." delete the remainder of the line and insert "1570(I) and 1571, relative to"

AMENDMENT NO. 5

On page 2, line 21, after "of" delete the remainder of the line and delete lines 22 and 23 and insert "the Louisiana Coalition Against Domestic Violence minimum standards for batterer intervention programs."

AMENDMENT NO. 6

On page 2, line 25, after "(4)" delete the remainder of the line and insert ", 2135(B) and 2137(A) are hereby amended" and on line 26, delete "2132(5)," and delete "and 2143 are" and insert "is"

AMENDMENT NO. 7

On page 3, delete lines 12 through 16

AMENDMENT NO. 8

On page 4, delete lines 2 through 10, and on line 14 delete "Notwithstanding any provision of law to the contrary, a" and insert "A"

AMENDMENT NO. 9

On page 4, delete lines 17 through 23 and insert the following:

"§2137. Penalties; notice of penalty in order

A. Upon violation of a temporary restraining order, a protective order, or a court-approved consent agreement, the court may hold the defendant in contempt of court and punish the defendant by imprisonment in the parish jail for not more than six months or a fine of not more than five hundred dollars, or both, and may order that all or a part of any fine be forwarded for the support of petitioner and dependents, in the discretion of the court. Such sentence shall be imposed only after trial by the judge of a rule against the defendant to show cause why he should not be adjudged guilty of contempt and punished accordingly. The rule to show cause may issue on the court's own motion, or on motion of a party to the action or proceeding, and shall state the facts alleged to constitute the contempt. A certified copy of the motion, and of the rule to show cause, shall be served upon the person charged with contempt in the same manner as a subpoena, at least forty-eight hours before the time assigned for the trial of the rule, which shall be scheduled within ~~ten~~ thirty days of the filing of the motion for contempt.

\* \* \*

AMENDMENT NO. 10

On page 4, line 24, after "Arts." delete the remainder of the line and insert "1569(B) and 1571(B)"

AMENDMENT NO. 11

On page 4, line 25, after "Arts." delete the remainder of the line and on line 26 delete "and 1576 are" and insert "is"

AMENDMENT NO. 12

On page 4, delete line 27 and on page 5, delete lines 1 through 27 in their entirety

AMENDMENT NO. 13

On page 6, delete line 1 through 7 and delete lines 18 through 26

AMENDMENT NO. 14

On page 7, delete lines 6 through 12 and insert the following:

"Art. 1571. Penalties; notice of penalty in order

\* \* \*

B. Such sentence shall be imposed only after trial by the judge of a rule against the defendant to show cause why he should not be adjudged guilty of contempt and punished accordingly. The rule to show cause may issue on the court's own motion or on motion of a party to the action or proceeding, and shall state the facts alleged to constitute the contempt. A certified copy of the motion and of the rule to show cause shall be served upon the person charged with contempt in the same manner as a subpoena, at least forty-eight hours before the time assigned for the trial of the rule, which shall be scheduled within five thirty days of the filing of the motion for contempt.

\* \* \*

Section 5. Code of Civil Procedure Art. 3603.1 is hereby amended and reenacted to read as follows:

Art. 3603.1. Governing provisions for issuance of protective orders; grounds; notice; court-appointed counsel

\* \* \*

B. Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded ~~counsel at no cost~~ a court appointed attorney, which right shall also be included in any order or notice."

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

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 by the Committee on Environmental Quality. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill No. 400 and Senate Bill No. 401 by Senators Lambert, Dardenne, Ewing, Hainkel and Barham and Representatives Dewitt, Downer and McMains)

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

AN ACT

To amend and reenact R.S. 30:2103 and 2117(A), relative to radioactive waste; to define certain types of radioactive waste; to prohibit certain commercial disposal operations of high-level and low-level radioactive wastes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2103 and 2117(A) are hereby amended and reenacted to read as follows:

§2103. Definitions

As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

(1) "Byproduct material" means:

(a) Any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material; and,

(b) The tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

(2) "Emergency" means any condition existing outside of the bounds of nuclear operating sites owned or licensed by a federal agency, and further any condition existing within or outside of the jurisdictional confines of a facility licensed or registered by the office and arising from the presence of byproduct material, source material, special nuclear material, or any other radioactive material, or source of radiation, which is endangering or could reasonably be expected to endanger the health and safety of the public or to contaminate the environment.

(3) "High-level waste" means that waste resulting from the reprocessing of spent fuel rods or unprocessed spent fuel rods.

(4) "Licensee" means any person who is licensed by the office in accordance with this Chapter and regulations promulgated by the secretary.

(5) "Licenses" means general licenses and specific licenses.

(a) "General license" means a license effective pursuant to regulations promulgated by the secretary without the filing of an application to transfer, acquire, own, possess, or use quantities of, or devices or equipment utilizing, byproduct, source, or special nuclear materials, technologically enhanced natural radioactive material, or other radioactive material occurring naturally or produced artificially.

(b) "Specific license" means a license issued after application to the office to use, manufacture, produce, transfer, receive, acquire, own, or possess quantities of, or devices or equipment utilizing, byproduct, source, or special nuclear materials, technologically enhanced natural radioactive material, or other radioactive material occurring naturally or produced artificially.

R.S. 30:2103(6) is all proposed new law.

(6) "Low-level radioactive waste" means, as provided in the Low-Level Radioactive Waste Policy Act (P.L. 96-573), radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or byproduct material as defined in Section 11(e)(2) of the Atomic Energy Act of 1954, as amended through 1978, 42 U.S.C. 2014(e)(2).

R.S. 30:2103(7) is all proposed new law.

(7) "Naturally occurring radioactive waste material" or "NORM waste" means solid, liquid, or gaseous material or a combination of materials, excluding source material, special nuclear material, and byproduct material that has the following characteristics or qualities:

(a) Spontaneously emits radiation in its natural physical state.  
(b) Is discarded or unwanted.

(c) Is not exempt by any department rule adopted pursuant to R.S. 30:2105(C).

(8) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other

than the United States Nuclear Regulatory Commission or federal government agencies licensed by the United States Nuclear Regulatory Commission.

~~(9)~~ (9) "Radiation" means any electromagnetic or ionizing radiation including gamma rays and x-rays; alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles; but **does not include** sound waves.

~~(10)~~ (10) "Radioactive material" means any material, whether solid, liquid, or gas, which emits radiation spontaneously.

**R.S. 30:2103(11) is all proposed new law.**

(11) "Radioactive waste" means radioactive material, other than exploration and production waste as defined in LAC 43:XIX.129.M.1 or special wastes as described in R.S. 30:2193(C)(6), that is contaminated with NORM waste and has either of the following characteristics or qualities:

(a) Is discarded or unwanted and is not exempt by any department rule adopted pursuant to R.S. 30:2105(C).

(b) Would require processing before it could have a beneficial reuse.

~~(12)~~ (12) "Registration" means the identification of any material or device capable of emitting radiation, together with such other information as the owner of such material or device is required to furnish by rules and regulations adopted ~~hereunder~~ **pursuant to the provisions of this Chapter.**

~~(13)~~ (13) "Source material" means:

(a) ~~Uranium~~ **uranium** or thorium, or any combination thereof, in any physical or chemical form; or

(b) ~~Ores~~ **ores** which contain by weight one-twentieth of one percent or more of uranium, thorium, or any combination thereof; or

~~(c) Source material but source material~~ **source material** does not include special nuclear material as hereinafter defined.

~~(14)~~ (14) "Source of radiation" means any radioactive material or any device or equipment emitting or capable of producing radiation.

~~(15)~~ (15) "Special nuclear material" means **either of the following:**

(a) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States Nuclear Regulatory Commission, pursuant to the provisions of Section 51 of the Atomic Energy Act of 1954, as amended, determines to be special nuclear material, but does not include source material; or

(b) Any material ~~artificially~~ **artificially** enriched by any of the foregoing, but does not include source material.

~~(16)~~ (16) "Technologically enhanced natural radioactive material" ~~(hereafter referred to as TENR) or "TENR"~~ means natural sources of radiation which would not normally appear without some technological activity not expressly designed to produce radiation.

\* \* \*

§2117. Radioactive waste disposal; prohibition of disposal of radioactive wastes in salt domes; salt dome usage

A. The secretary shall promulgate and adopt rules and regulations governing the disposal of radioactive wastes **and NORM waste** in Louisiana except for radioactive waste resulting from military weapons or high-level waste resulting from nuclear-generated electricity. All commercial disposal operations of **high-level or low-level** radioactive wastes **as defined in R.S. 30:2103** on land not owned by the state or the federal government, and all disposals of radioactive waste **or NORM waste as defined in R.S. 30:2103** not in compliance with the rules and regulations adopted by the secretary hereunder, **pursuant to the provisions of this Chapter** are prohibited.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Lambert, the committee substitute bill was adopted and becomes Senate Bill No. 1041 by Senator Lambert, substitute for Senate Bill No. 400 by Senator Lambert.

**SENATE BILL NO. 1041 (Substitute for Senate Bill No. 400 and Senate Bill No. 401 by Senators Lambert, Dardenne, Ewing, Hainkel and Barham and Representatives DeWitt, Downer and McMains)—**

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

AN ACT

To amend and reenact R.S. 30:2103 and 2117(A), relative to radioactive waste; to define certain types of radioactive waste; to prohibit certain commercial disposal operations of high-level and low-level radioactive wastes; and to provide for related matters.

The bill was read by title; lies over under the rules.

**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 by the Committee on Environmental Quality. On motion of Senator Lambert, the bill was read by title and withdrawn from the files of the Senate.

**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 by the Committee on Judiciary A. On motion of Senator Ullo, the bill was read by title, ordered engrossed and passed to a third reading.

**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), 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 provide for 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 by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 426 by Senator Malone

AMENDMENT NO. 1

On page 1, line 11, change "create" to "provide for"

AMENDMENT NO. 2

On page 1, line 6, delete "and 1472.20"

AMENDMENT NO. 3

On page 2, line 15, after "Part" delete "shall"

AMENDMENT NO. 4

On page 4, line 2, after "secretary" delete the "s"

AMENDMENT NO. 5

On page 4, line 7, after "the" insert "deputy"

AMENDMENT NO. 6

On page 4, lines 17 and 18, change "Explosives Trust Fund" to "Right to Know Fund, as established in R.S. 30:2380."

AMENDMENT NO. 7

On page 4, line 20, after "Part" delete the remainder of the line and delete line 21 and insert a period

AMENDMENT NO. 8

On page 9, delete line 6 and insert "Right to Know Fund, as established in R.S. 30:2380."

AMENDMENT NO. 9

On page 11, line 1, after "unit" delete ", deputy secretary"

AMENDMENT NO. 10

On page 11, line 2, delete the ", "

AMENDMENT NO. 11

On page 11, delete lines 12 through 26

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

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 495 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 15, after "g" insert "(i)"

AMENDMENT NO. 2

On page 2, delete lines 1 through 11 in their entirety and inset in lieu thereof:

"health care provider when such patient has failed or refused to submit to an examination by a health care provider appointed by the court regarding issues relating to the interdiction or commitment proceeding, provided that the patient has been advised of such appointment and the consequences of not submitting to the examination.

(ii) Notwithstanding the provisions of Subparagraph (g)(i) of this Subparagraph, in any commitment proceeding, the court appointed physician may review the medical records of the patient or respondent and testify as to communications therein, but only those which are essential to determine whether the patient is dangerous to himself, dangerous to others, or unable to survive safely in freedom or protect himself from serious harm, and only if the patient was advised of such appointment and notified prior to the communication that such communication may be disclosed in any subsequent commitment proceeding."

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

**SENATE BILL NO. 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 by the Committee on Judiciary A. On motion of Senator Ullo, the bill was read by title, ordered engrossed and passed to a third reading.

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 627 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 16, after "suits" insert ", not to exceed five dollars per civil suit"

AMENDMENT NO. 2

On page 2, line 1, after "documents" insert ", a sum not to exceed five dollars and fifty cents per document"

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

**SENATE BILL NO. 628—**

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 628 by Senator Hainkel

AMENDMENT NO. 1

On page 2, lines 14 and 23, before "Article" insert "Children's Code"

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

SENATE BILL NO. 629—

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER 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 by the Committee on Judiciary A. On motion of Senator Ullo, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 630—

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER 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 by the Committee on Judiciary A. On motion of Senator Ullo, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 665—

BY SENATORS ULLO, DARDENNE AND SCHEDLER 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 civil actions against the state, state agencies, commissions, boards, political subdivisions and their officers, employees or independent contractors 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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 665 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 4, change "protecting" to "civil actions against"

AMENDMENT NO. 2

On page 1, line 6, delete "against civil actions"

AMENDMENT NO. 3

On page 2, line 10, after "96-50" insert a comma ","

AMENDMENT NO. 4

On page 2, line 17, change "State" to "state"

AMENDMENT NO. 5

On page 2, line 23, change ";" to "."

AMENDMENT NO. 6

On page 2, line 24, change ";" to "." and delete "and"

AMENDMENT NO. 7

On page 3, lines 6 and 8, change "State" to "state"

AMENDMENT NO. 8

On page 3, lines 11 and 17, change "Undersecretary" to "undersecretary"

AMENDMENT NO. 9

On page 4, line 25, after "state" delete the remainder of the line and delete lines 26 and 27

AMENDMENT NO. 10

On page 5, delete lines 1 and 2 and insert "shall be filed in the Nineteenth Judicial"

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

SENATE BILL NO. 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 increase the population census; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 690 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, change "reduce" to "increase"

AMENDMENT NO. 2

On page 1, line 13, before "thousand" insert "ninety" and after "thousand," insert "as established by the 1990 U. S. Decennial Census,"

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

SENATE BILL NO. 758—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 27:15(B)(1) and 31(A)(1) and to enact Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:451, relative to Indian gaming compacts; to provide relative to the approval of such compacts; to provide for the distribution of any revenue emanating from such compacts; and to provide certain additional requirements regarding such compacts; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 758 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "(A)(1)" change the comma to "and"

April 21, 1999

AMENDMENT NO. 2

On page 1, on line 4, after "451," delete the remainder of the line and delete line 5 and on line 6, delete "Legislature"

AMENDMENT NO. 3

On page 1, line 6, after "compacts;" insert "to provide relative to the approval of such compacts; to provide for the distribution of any revenue emanating from such compacts; and to provide certain additional requirements regarding such compacts;"

AMENDMENT NO. 4

On page 1, line 10, after "Statutes" and before the "," insert "of 1950"

AMENDMENT NO. 5

On page 2, delete lines 9 through 11 and insert "lands as provided in the provisions of R.S. 27:451 and, where they supplement such Section, Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature."

AMENDMENT NO. 6

On page 2, delete lines 22 and 23 and on line 24, delete "Legislature R.S. 27:451" and insert "provisions of R.S. 27:451 and, where they supplement such Section, Act No. 888 of the 1990 Regular Session of the Legislature and Act No. 817 of the 1993 Regular Session of the Legislature"

AMENDMENT NO. 7

On page 3, line 7, change "Gaming" to "gaming" and "Compacts" to "compacts"

AMENDMENT NO. 8

On page 3, at the end of line 16, insert "the Administration of Criminal Justice, the House Committee on"

AMENDMENT NO. 9

On page 3, at the end of line 18, insert "Committee on Judiciary B and the Senate"

AMENDMENT NO. 10

On page 4, line 6, after "C." insert "(1)"

AMENDMENT NO. 11

On page 4, line 11, after "for" delete "state-funded" and after "projects" insert "which would normally be funded by the state"

AMENDMENT NO. 12

On page 4, between lines 16 and 17, insert  
"(2)(a) In any parish in which the Coushatta or Tunica-Biloxi Indian tribes operate a Class III gaming facility pursuant to an Indian gaming compact, the net gaming revenues will be distributed to the governing authorities of the political subdivisions in such parish as determined by the parish Gaming Revenue Distribution Committee.

(b) The Gaming Revenue Distribution Committee shall consist in each such parish of the:

- (i) Senators and representatives who represent the parish.
- (ii) Sheriff of said parish, or his designee.
- (iii) District attorney of said parish, or his designee.
- (iv) President of the parish police jury, or his designee.
- (v) President of the school board in the parish, or his designee.
- (vi) A representative member of the parish municipal association, selected by the association.

(c) Each Gaming Revenue Distribution Committee shall meet annually prior to October first each year to determine the proportion of funds to be distributed to each political subdivision in the parish. The mayors association in each parish shall develop a formula for the distribution of the revenues allocated for the municipalities in the parish.

(d)(i) Each quarter, as it is received, the state treasurer shall credit to the Bond Security and Redemption Fund all financial contributions received by the state of Louisiana under the provisions of any compact between the state and the Coushatta or Tunica-Biloxi Indian tribes; and after a sufficient amount is allocated from that fund to pay all the

obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay the remainder of such funds into a special fund which is hereby created in the state treasury and designated as the "Parish Local Government Gaming Mitigation Fund", hereinafter referred to as the "fund".

(ii) All unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. The treasurer shall invest all monies in the fund in the same manner as the monies in the state general fund and all interest earned shall remain to the credit of the fund.

(iii) The monies in the fund shall be annually appropriated by the legislature to the police juries of the parishes affected by this Paragraph solely to offset and defray costs resulting from the conduct of Class III gaming in the political subdivisions in each such parish. Within ten days of the deposit of the monies into the fund each quarter, the state treasurer shall, in accordance with the provisions of this Paragraph, remit all such monies to the police juries of the parishes affected. Each such police jury shall, within ten days of the receipt of such monies, distribute all such funds to the governing authority of each political subdivisions in the parish in the manner determined by the parish Gaming Revenue Distribution Committee."

AMENDMENT NO. 13

On page 5, line 2, delete "truck-stop"

AMENDMENT NO. 14

On page 5, delete line 27 and on page 6, delete lines 1 and 2

On motion of Senator Ellington, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1826, was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

**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 by the Committee on Judiciary C. On motion of Senator Jordan, the bill was read by title, ordered engrossed and passed to a third reading.

**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 by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 810 by Senator Hines

AMENDMENT NO. 1

On page 2, line 2, change "fifty" to "five" and at the end of the line delete ", with or without"

AMENDMENT NO. 2

On page 2, line 3, delete "hard labor" and change "five years" to "one year"

On motion of Senator Jordan, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 214, was read by title and ordered engrossed and passed to a third reading.

Senator Ellington in the Chair

SENATE BILL NO. 842—  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 15:824(B)(1), relative to the commitment of persons to the Department of Public Safety and Corrections; to provide with respect to the payment of sheriffs or local governments for keeping and feeding of certain persons held in the parish jail; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 842 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 8 in their entirety and insert "R.S. 15:824(B)(1), relative to the commitment of persons to the Department of Public Safety and Corrections; to provide with respect to the payment of sheriffs or local governments for keeping and feeding of certain persons held in the parish jail; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 10, after "R.S." delete the remainder of the line and delete lines 11 through 16 in their entirety and insert the following: "15:824(B) is hereby amended and reenacted to read as follows:

§824. Commitment of persons to the Department of Public Safety and Corrections

\* \* \*

B.(1)(a) In the event any individual has been committed to the department for confinement which is or has been delayed or prevented after final sentence by court order restricting the department from institutionalizing the individual, or when the individual is not institutionalized in a state penal or corrections institution because of lack of facilities under the control of the department, or the department otherwise refused to accept the individual for confinement, which resulted or has resulted in the individual being confined in a parish jail or institution after final sentence, or when he is being held in the parish jail without bail, pending an appeal, charged by the district attorney for the parish by bill of information or indictment with a criminal offense as defined under the Louisiana Revised Statutes of 1950, the department shall pay to each parish sheriff, or to the governing authority of those parishes in which the governing authority operates the parish jail, for keeping and feeding the individual in the parish jail the sum of twenty-one dollars per day from date of sentencing the defendant was charged by bill of information or indictment until the individual is confined in a penal or correctional institution under the supervision of the department.

\* \* \*

AMENDMENT NO. 3

On pages 2, 3, 4, and 5 delete lines 1 through 27 in their entirety and on page 6, delete lines 1 through 18 in their entirety

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 888 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, change "Sheriff's" to "sheriff's"

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

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 by the Committee on Judiciary B. On motion of Senator Ellington, the bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 909 by Senator Irons

AMENDMENT NO. 1

On page 1, line 10, delete "musical instrument" and on line 11, delete "loudspeaker, or other" and after "producing" insert "device"

AMENDMENT NO. 2

On page 1, line 14, after "sound" delete the remainder of the line and delete line 15 and insert "produced is in excess of 55 decibels as measured within ten feet of the entrance to:"

AMENDMENT NO. 3

On page 2, line 2, after "worship" insert ", while the building is occupied"

AMENDMENT NO. 4

On page 2, line 3, delete "Various courts in and"

AMENDMENT NO. 5

On page 2, delete line 6 through 10 and insert "be imprisoned for not more than thirty days."

On motion of Senator Jordan, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1859, was read by title and ordered engrossed and passed to a third reading.

April 21, 1999

**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 by the Committee on Judiciary A. On motion of Senator Ullo, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 933—**  
BY SENATORS EWING AND SCHEDLER  
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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 933 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 16, change "part" to "Part"

AMENDMENT NO. 2

On page 2, line 20, change "Subsection (a)" to "Subparagraph (a) of this Paragraph"

AMENDMENT NO. 3

On page 3, line 19, after "VI" insert a comma ","

AMENDMENT NO. 4

On page 4, line 7, change "(1)" to "A."

AMENDMENT NO. 5

On page 4, line 17, change "(2)" to "B."

AMENDMENT NO. 6

On page 4, line 18, change "1" to "A"

AMENDMENT NO. 7

On page 4, line 24, change "(1)" to "A."

AMENDMENT NO. 8

On page 5, line 8, change "(2)" to "B."

AMENDMENT NO. 9

On page 5, line 25, change "Section 5114 through Section 5118" to "R.S. 13:5114 through 13:5118"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 382, was read by title and ordered engrossed and passed to a third reading.

**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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 963 by Senator Lambert

AMENDMENT NO. 1

On page 1, at the end of line 15, after "salary" delete the comma ","

AMENDMENT NO. 2

On page 1, at the beginning of line 16, delete "compensation, emolument, or benefit"

AMENDMENT NO. 3

On page 2, line 8, after "purposes" insert ", provided that any such vehicles shall be leased in accordance with the provisions for public bid."

AMENDMENT NO. 4

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

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

**SENATE BILL NO. 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 by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 984 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 16, after "B." delete the remainder of the line, on page 2, delete lines 1 through 6, and insert the following:

"Notwithstanding the provisions of R.S. 44:1 et seq., the clerk of court shall maintain the confidentiality of a party's social security number or taxpayer identification number, provided a request is made to the clerk in writing by the party at the time of the filing of the initial pleading."

AMENDMENT NO. 2

On page 2, line 20, between "fees" and "in", insert a comma ","

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

SENATE BILL NO. 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 by the Committee on Judiciary B. On motion of Senator Ellington, the bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1008 by Senator Ullo

AMENDMENT NO. 1

On page 4, lines 9 and 14, delete "office"

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

Motion to Recommit

Senator Branch asked for and obtained a suspension of the rules and recommitted Senate Bill No. 153 from the Committee on Judiciary B to the Committee on Education.

Rules Suspended

Senator Cox asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 71 from the Committee on Judiciary A.

SENATE BILL NO. 71—

BY SENATOR COX

AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 234, relative to civil commitment; to provide for special procedures for commitment of sexually violent predators; to define terms; to provide for offenses considered as sexually violent offenses; to provide for initial assessments, the filing of sexually violent offender petitions, detention, evaluations, hearing procedures, trials, and dispositions in connection therewith; to provide for periodic examinations and judicial review; to provide for notifications upon release; to provide for special allegations in certain criminal cases; to provide with respect to confidential or privileged information and the sealing of court records; and to provide for related matters.

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

Mr. President 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. 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, GAUTREAU, 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.

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. 110 by Senator Hollis

AMENDMENT NO. 1

On page 1, at the beginning of line 5, insert "accurate and complete"

AMENDMENT NO. 2

On page 1, line 12, after "obtaining" insert "accurate and complete"

On motion of Senator Jordan, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	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	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Dyess	Jones	Tarver
Total—3		

April 21, 1999

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

Called from the Calendar

Senator Hines asked that Senate Concurrent Resolution No. 59 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 59— BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES R. ALEXANDER, DEWITT, DOWNER AND MCMAINS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take certain actions to guarantee all monies due to states from any tobacco industry settlement, agreement, or judgment be paid in full to such states and to prohibit any activities that would result in reducing the amount of funds available to the states from any tobacco industry settlement, agreement, or judgment.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Total—1

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 177— BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jordan Total—1

ABSENT

Branch, Cravins, Lambert, Total—3

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

SENATE BILL NO. 188— BY SENATOR W. FIELDS

AN ACT

To enact R.S. 9:3538.1, relative to Louisiana consumer credit law; to provide that consumers shall have the right to cancel a mail and check solicitation sale; provides time period for cancellation; provides for warning language; provides for notice of cancellation; 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. 188 by Senator W. Fields

AMENDMENT NO. 1

On page 3, line 1, following "E" delete the remainder of the line and insert "The"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 188 by Senator W. Fields

AMENDMENT NO. 1

On page 2, line 6, after "sale" delete the remainder of the line and insert " for at least sixty days and receive a refund for the return of unused and undamaged goods or cancellations of unused services."

AMENDMENT NO. 2

On page 2, delete lines 7 through 12

AMENDMENT NO. 3

On page 2, line 19, delete "written"

AMENDMENT NO. 4

On page 2, at the end of line 20, after "solicitation" insert a period and delete the remainder of the line and delete line 21

AMENDMENT NO. 5

On page 2, line 25, delete "written"

On motion of Senator W. Fields, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	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	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Theunissen  
Total—1

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

**SENATE BILL NO. 189—**  
BY SENATOR W. FIELDS

AN ACT

To enact Chapter 4 of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:81 and 82, relative to the rental of rooms to persons under the age of eighteen; to provide penalties; and to provide for related matters.

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

**SENATE BILL NO. 210 (DUPLICATE OF HOUSE BILL NO. 850)—**

BY SENATOR BEAN AND REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact R.S. 22:1405(I)(1), relative to fire insurance rates, to provide for uniform adjustments in the premium rate on residential and commercial policies based on changes in the public protection classification for an area; 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. 210 by Senator Bean

AMENDMENT NO. 1

On page 2, after line 13, insert "\*\*\*\*"

On motion of Senator Lentini, the amendments were adopted.

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

**SENATE BILL NO. 221—**

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

To amend and reenact R.S. 36:254(D)(1)(a)(i), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to remove certain requirements of actions that must be taken prior to the implementation of a managed care or voucher system pursuant to a federal waiver in the Medical Assistance Program; to provide an effective date; and to provide for related matters.

April 21, 1999

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:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—39; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Total—0

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

SENATE BILL NO. 288— BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 42:1119(A), relative to the Code of Governmental Ethics; to provide that a higher education management board may employ certain members of the immediate family of any board member as a faculty member; to provide for recusal; to provide for disclosure; and to provide for related matters.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 288 by Senator Smith

AMENDMENT NO. 1

On page 2, line 1, after "shall have a" delete "doctorate degree" and insert "earned doctorate degree from an accredited school of higher education"

On motion of Senator Smith, the amendments were adopted.

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. 288 by Senator Smith

AMENDMENT NO. 1

On page 1, lines 2 and 8, after "(A)" insert "and (C)(5)"

AMENDMENT NO. 2

On page 1, line 5, after "member;" insert " to authorize the employment of certain family members by members of a governing authority of a parish or municipality;"

AMENDMENT NO. 3

On page 1, line 8, change "is" to "are"

AMENDMENT NO. 4

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

"C. \* \* \*

(5)(a) The provisions of this Section shall not apply to the hiring of the following immediate family members of a member of a governing authority of a parish or municipality, provided such employment is accomplished through a competitive civil service process:

- (i) The spouses of his children.
(ii) The spouses of his siblings.
(iii) The parents of his spouse.

(b) The provisions of this Paragraph shall not apply where the governing authority is also the civil service appointing authority.

(c) Any member of the governing authority which employees an immediate family member as provided in Subparagraph(a) of this Paragraph shall recuse himself from any decision involving the promotion, discipline, discharge, or assignment of work of his immediate family member.

\* \* \*

Senator C. Fields moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Boissiere, Campbell, Cox, Cravins, Total—12; Fields C, Fields W, Greene, Heitmeier; Irons, Johnson, Jordan, Thomas

NAYS

Table with 3 columns of names: Mr. President, Barham, Bean, Branch, Cain, Casanova, Dardenne, Dean, Total—22; Dyess, Ellington, Hainkel, Hines, Hollis, Lambert, Landry, Lentini; Malone, Romero, Schedler, Smith, Theunissen, Ullo

ABSENT

Table with 3 columns of names: Bajoie, Jones, Total—5; Robichaux, Siracusa; Tarver

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere Dyess Lambert
Branch Ellington Smith
Cain Heitmeier Tarver
Casanova Hines Thomas
Cravins Jones
Total—14

NAYS

Barham Greene Malone
Bean Hainkel Robichaux
Campbell Hollis Romero
Cox Irons Schedler
Dardenne Jordan Siracusa
Dean Landry Theunissen
Fields C Lentini Ullo
Total—21

ABSENT

Mr. President Fields W
Bajoie Johnson
Total—4

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Smith, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Personal Privilege

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 288. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Casanova asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 288. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 348—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:1(12) and (30), 606(A), the introductory paragraph of 659(A) and 660(1), and to enact R.S. 8:1(42) and 660(4), relative to cemeteries; to provide for the rearrangement and reuse of cemetery space; provide for commencement and completion requirements; to provide for permission to remove remains; to provide for definitions; 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. 348 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 5, following "space;" and before "provide" insert "to"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel
Total—1

ABSENT

Total—0

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

SENATE BILL NO. 365—
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1484.11(5), relative to inspections of amusement attractions or rides; to exempt certain inflatable amusement rides and attractions from the Amusement Rides Safety Law; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President 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

April 21, 1999

Dardenne Dean Total—39	Jones Jordan	Thomas Ullo
NAYS		
Total—0		
ABSENT		
Total—0		

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

**SENATE BILL NO. 396—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to motor vehicles; to provide for the exclusion of Saturdays, Sundays and legal holidays in the computation of time to provide proof of compliance with the Motor Vehicle Safety Responsibility Law; and to provide for related matters.

The bill, which was designated a duplicate of House Bill No. 995, was read by title. Senator Landry moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Barham	Fields C	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Thomas
Ellington	Lambert	Ullo
Total—36	NAYS	
Total—0		
ABSENT		
Mr. President	Bajoie	Dyess
Total—3		

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

**Senator Barham in the Chair**

**SENATE BILL NO. 413 (DUPLICATE OF HOUSE BILL NO. 1341)—**

BY SENATOR HEITMEIER AND REPRESENTATIVE TRAVIS AND COAUTHORED BY SENATORS HOLLIS, BEAN, BRANCH, DYESS, JORDAN, MALONE, SCHEDLER, SMITH, AND THOMAS, AND REPRESENTATIVES BARTON, CHAISSON, CLARKSON, DIEZ, DIMOS, FLAVIN, FRITH, GAUTREAU, GLOVER, HEATON, HEBERT, HILL, HOPKINS, JOHNS, LANCASTER, LONG, MARTINY, McDONALD, McMANS, MICHOT, MONTGOMERY, PERKINS, PIERRE, PINAC, POWELL, SCALISE, SCHNEIDER, SCHWEGMANN, J.D. SMITH, STELLY, THOMPSON, TRICHE, WADDELL, WALSWORTH AND WIGGINS

AN ACT

To amend and reenact R.S. 9:3141, 3143(1) and (3), 3144(A), (B)(2), and (C), relative to the New Home Warranty Act; to provide for its

purpose; to provide for definitions; to provide for exclusions; to provide for exclusiveness of the provisions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Ellington  
Total—1

ABSENT

Mr. President  
Total—3

Bajoie Hainkel

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

**SENATE BILL NO. 424 (DUPLICATE OF HOUSE BILL NO. 508)—**

BY SENATOR SCHEDLER AND REPRESENTATIVE ALEXANDER AND COAUTHORED BY SENATORS HINES, DYESS, IRONS, AND LANDRY AND REPRESENTATIVES WIGGINS, CLARKSON AND SCHWEGMANN

AN ACT

To repeal Part VI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2175 through 2178, relative to the licensing and regulating of basic care facilities; to provide an effective date; and to provide for related matters.

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

**SENATE BILL NO. 453—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1102(13) relative to ethics; to provide that the term "immediate family" of a public servant includes certain in-laws; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Barham	Ellington	Malone

Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Lambert	Thomas
Dean	Landry	Ullo
Total—33		

NAYS

Fields C	Fields W	Irons
Total—3		

ABSENT

Bajoie	Cox	Jordan
Total—3		

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

**SENATE BILL NO. 454—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1102(8), relative to ethics; to provide for the definition of "controlling interest"; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Cain
Total—2	

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

**SENATE BILL NO. 457—**  
BY SENATORS THOMAS, W. FIELDS, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES TRAVIS, CARTER, DEWITT, DOWNER AND MCMAINS

AN ACT

To enact R.S. 36:254(G) and to repeal R.S. 36:256(D), relative to the Department of Health and Hospitals; to transfer the administrative

responsibilities for the state-operated nursing homes for the aged and infirm from the undersecretary to the secretary of the department; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	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	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Lambert
Total—2	

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

**SENATE BILL NO. 512—**  
BY SENATOR CRAVINS AND LANDRY  
AN ACT

To amend and reenact R.S. 37:1103(3) and 1107(D), relative to the Louisiana Mental Health Counselor Licensing Act; to revise the definition of "mental health counseling services"; to provide requirements for the renewal of a license by a licensed professional counselor; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Thomas
Dyess	Lambert	Ullo
Ellington	Landry	
Fields C	Lentini	
Total—34		

April 21, 1999

**NAYS**

Casanova Dean Hainkel  
Total—3

**ABSENT**

Mr. President Bajoie  
Total—2

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

**SENATE BILL NO. 579—**

BY SENATORS HOLLIS, HAINKEL AND ULLO AND REPRESENTATIVES ANSARDI, DAMICO, DONELON AND VITTER

**AN ACT**

To enact R.S. 22:215(F), relative to family group health and accident insurance; to exempt certain non-federal government plans from eligibility requirements for family group health and accident insurance coverage; and to provide for related matters.

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

**SENATE BILL NO. 596—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 13:3715.3(A), relative to confidentiality of records of certain healthcare authorities and agencies; to provide that the reports and conclusions of nationally recognized healthcare accreditation authorities and certain licensure agencies of the Department of Health and Hospitals and those committees who make determinations relative to sentinel events are confidential; and to provide for related matters.

The bill, which was designated a duplicate of House Bill No. 1148, was read by title. Senator Schedler moved final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie Cain  
Total—2

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

**SENATE BILL NO. 600—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 37:2160.1, relative to contractors; to provide for certain requirements in any emergency disaster; to provide for penalties; and to provide for related matters.

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

**SENATE BILL NO. 641—**

BY SENATOR HAINKEL

**AN ACT**

To amend and reenact R.S. 22:1382(B)(3), relative to the Louisiana Insurance Guaranty Association; to provide for the right of intervention in receivership proceedings of insolvent insurance companies; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	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	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bajoie Jones  
Total—2

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

**SENATE BILL NO. 646—**

BY SENATOR SMITH

**AN ACT**

To enact R.S. 9:3518.2, relative to credit cards; to prohibit the unsolicited delivery or issuance of credit cards and certain other activities; to provide penalties; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Landry
Barham	Fields C	Lentini

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

NAYS

Total—0

ABSENT

Bajoie	Boissiere	Jones
Total—3		

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

**SENATE BILL NO. 698—**  
BY SENATORS DARDENNE AND JORDAN  
AN ACT

To amend and reenact R.S. 24:51(5) and 52, relative to lobbying; to provide for a definition of lobbyist; 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. 698 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 11, following "activities" change the comma "," to a period "." and delete line 12 in its entirety

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. 698 by Senators Dardenne and Jordan

AMENDMENT NO. 1

On page 2, line 7, after "Lobbyist" insert "also"

AMENDMENT NO. 2

On page 2, line 11, delete "and who receives no" and insert "whether or not he receives any"

AMENDMENT NO. 3

On page 2, line 11, after "activities" insert a period "." and delete the rest of the line

AMENDMENT NO. 4

On page 2, delete line 12

On motion of Senator Dardenne, the amendments were adopted.

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

**SENATE BILL NO. 854—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:115(E)(1) and (2), 135(A), 177(A) and 572(3), and to enact R.S. 18:533(C)(6), all relative to elections; to provide for the close of registration; to provide for registration deadlines for mail applications; to provide for the manner of reinstatement of registration after suspension for a felony conviction; to provide for the location of polling places; to provide for the duties of the clerk of court upon the transmission of election returns; 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. 854 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 11, following "is hereby" and before "to" change "amended" to "enacted"

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. 854 by Senator Dardenne

AMENDMENT NO. 1

On page 1, lines 2 and 10, after "(E)(1)" delete "and (2)"

AMENDMENT NO. 2

On page 2, line 6, change "thirty-" to "thirty" and on line 7, delete "sixth"

AMENDMENT NO. 3

On page 2, delete lines 8 through 11 in their entirety

AMENDMENT NO. 4

On page 2, line 15, change "thirty-six" to "thirty"

AMENDMENT NO. 5

On page 2, line 17, change "seven" to "one"

AMENDMENT NO. 6

On page 3, line 1, delete "register and"

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

April 21, 1999

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

NAYS

Total—0

ABSENT

Bajoie	Boissiere	Jones
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. 898—**  
BY SENATOR C. FIELDS

AN ACT

To enact R.S. 40:1662.18, relative to electronic protective systems; to provide for certain obligations by alarm contracting companies; to provide for penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 898 by Senator C. Fields

AMENDMENT NO. 1

On page 2, line 2 after "thousand dollars" delete the remainder of the line and delete lines 3 and 4

On motion of Senator Lentini, 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. 898 by Senator C. Fields

AMENDMENT NO. 1

On page 1, at the end of line 14 after "company" insert the following: "provided all original contractual obligations are fulfilled"

On motion of Senator Lentini, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Cain  
Total—2

Landry  
ABSENT

Bajoie  
Total—1

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

**SENATE BILL NO. 921 (DUPLICATE OF HOUSE BILL NO. 1136)—**

BY SENATOR HEITMEIER AND REPRESENTATIVE PINAC  
AN ACT

To enact Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:969.1 through 969.41, and to repeal Chapter 10 of Title 6 of the Louisiana Revised Statutes, comprised of R.S. 6:951 through 964, relative to the Motor Vehicle Sales Finance Act; to provide for a short title; to provide for the scope of the Chapter; to provide for certain exclusions; to provide for a waiver and an agreement to forego rights; to provide relative to agreements to contract and of financing; to provide for definitions; to provide for terms, construction, and additional fees and charges; to provide for construction against implicit repeal; to provide for consumer loans; to provide for a consumer credit sale; to provide for maximum charges after negotiations; to provide for maximum charges after maturity; to provide for the impact of leap years; to provide for variable rates; to provide for maximum delinquency charges; to provide for maximum deferral charges; to provide for charges for checks returned for insufficient funds; to provide for documentation fees; notary fees, transfer of equity and other fees and for disclosure; to provide for the right to prepay; to provide for rebates upon prepayment and prepayment charges; to provide for rebate after acceleration of maturity; to provide for attorney fees; to provide for collection and enforcement costs and expenses; to provide for use of multiple agreements; to provide for consumer credit insurance; to provide for property insurance; to provide for existing insurance; to provide for limitations on insurance rates and contract requirements; to provide for a choice of insurer; to provide for conditions applying to insurance provided by the extender of credit; to provide for cancellation of insurance and refund or credit upon cancellation; to provide for gain from insurance; to provide for the effect of violations on rights of parties; to provide for guidance by commission and advisory opinions; to provide authorization for consumer loans and assignees; to provide for license not required; to provide for licensing procedures; to provide for denial, suspension or revocation of licenses; to provide for investigations and complaints; to provide for powers of the commission; to provide for penalties imposed by the commission; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Casanova	Hainkel
Ellington	Jordan

Total—4

**ABSENT**

Mr. President	Bajoie
---------------	--------

Total—2

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

**Mr. President in the Chair**

**SENATE BILL NO. 960—**  
BY SENATOR SMITH

**AN ACT**

To amend and reenact R.S. 51:421(G)(2)(b) and (d) and to enact R.S. 51:421(G)(2)(e), relative to the Unfair Sales Law; to include within the definition of "cost to the wholesaler" any federal gasoline tax; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 960 by Senator Smith

AMENDMENT NO. 1

On page 2, line 4, delete "**federal gasoline**" and insert "**motor fuels excise**"

AMENDMENT NO. 2

On page 2, line 10, delete "**federal gasoline**" and insert "**motor fuels excise**"

AMENDMENT NO. 3

On page 2, line 11, delete "**federal gasoline**" and insert "**motor fuels excise**"

On motion of Senator Smith, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—36

**NAYS**

Malone
--------

Total—1

**ABSENT**

Bajoie	Siracusa
--------	----------

Total—2

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

**Senator Ellington in the Chair**

**SENATE BILL NO. 116—**

BY SENATORS CAIN, BARHAM, SMITH, DYESS, SCHEDLER AND THOMAS

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana; to allow the state to donate asphalt removed from state roads and highways to certain governing authorities; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bean	Fields W	Lentini
Boissiere	Greene	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Irons	Siracusa
Cravins	Johnson	Smith
Dyess	Jones	Tarver
Ellington	Lambert	Theunissen
Fields C	Landry	Thomas

Total—27

**NAYS**

Barham	Dean	Malone
Campbell	Hainkel	Ullo
Dardenne	Hollis	

Total—8

**ABSENT**

April 21, 1999

Mr. President Cox
Bajoie Jordan
Total—4

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

SENATE BILL NO. 223—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 56:116(D), relative to hunting; to create a "youth hunting" season for deer; 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. 223 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 2, delete the asterisks "\*\*\*\*"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Boissiere Jordan
Total—3

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

SENATE BILL NO. 296—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:47(D), 500.2 and 1202, relative to sick leave for school personnel; to provide relative to advanced sick leave for certain employees; to eliminate the prohibition on certain deductions from the salary of a teacher or school bus driver under certain circumstances; to provide for the granting of certain sick leave advances under certain circumstances; to require that

disability insurance be made available to certain employees; to provide for the disposition of monies saved by eliminating certain mandates; to provide for additional compensation to certain teachers; to provide for the responsibilities of city and parish school boards and the State Board of Elementary and Secondary Education; 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. 296 by Senator Greene

AMENDMENT NO. 1

On page 7, line 4, before "Should" change "(b)" to "(2)"

AMENDMENT NO. 2

On page 7, line 10, before "Should" change "(c)" to "(3)"

AMENDMENT NO. 3

On page 7, line 16, before "Should" change "(d)" to "(4)"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 297—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:46(A) through (G) and (N), 1171(A), 1172 through 1177, 1184, 3321(A), 3322, 3323(A), and 3326, relative to sabbatical leave for teachers and college faculty; to repeal the authority for the granting of such leaves for rest and recuperation; to provide relative to the effect of such repeal on leaves previously granted; to provide for the granting of medical sabbatical leaves; to provide for the application and eligibility requirements for such medical sabbatical leaves; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 362—
BY SENATOR LANDRY AND IRONS

AN ACT

To amend and reenact R.S. 32:295.1(F), relative to the required use of safety belts; to delete the provision prohibiting vehicles and occupants from being detained for failure to wear a safety belt; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lentini
Barham Fields W Robichaux
Bean Hainkel Romero
Boissiere Heitmeier Smith
Cain Hollis Tarver
Campbell Irons Theuissen

Casanova  
Cox  
Cravins  
Dardenne  
Total—28

Johnson  
Jones  
Lambert  
Landry

Thomas  
Ullo

NAYS

Branch  
Dean  
Total—5

Ellington  
Hines

Malone

ABSENT

Bajoie  
Fields C  
Total—6

Greene  
Jordan

Schedler  
Syracusa

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

**Personal Privilege**

Senator Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 362. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**Personal Privilege**

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Bill No. 362. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

**Personal Privilege**

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 362. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

**SENATE BILL NO. 489—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 40:1749.12(8) and (11), 1749.13(B)(1) and (4) and (C), 1749.14(A), (B), (C)(1)(a), (b)(i), (iii), and (iv) and (2), 1749.15, 1749.16(2) and (3), 1749.17(A), 1749.18, 1749.20(A), the introductory paragraph of (B), 1749.23(C), the introductory paragraph of (D), and (D)(2), and 1749.24(A)(2) and to enact R.S. 40:1749.20(B)(6) and 1749.23(D)(3) relative to public utilities; to provide relative to notification of evacuation or demolition activities; to require certification of regional notification centers; to require promulgation of rules to establish certification requirement and procedures; to provide relative to penalties for nonparticipation in such centers or for noncompliance with notification requirements; to provide for disbursement of proceeds from such penalties; and to provide for related matters.

**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. 489 by Senator Landry

**AMENDMENT NO. 1**

On page 1, line 10, after "procedures;" insert "to provide relative to fees for the certification process;"

**AMENDMENT NO. 2**

On page 8, line 17, after "process" delete the period and insert ", not to exceed two thousand five hundred dollars."

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields C	Jordan
Barham	Fields W	Lambert
Bean	Greene	Landry
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Schedler
Casanova	Hines	Syracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Ellington	Jones	Thomas
Total—30		

NAYS

Cain	Lentini	Romero
Dean	Malone	Ullo
Total—6		

ABSENT

Bajoie	Campbell	Dyess
Total—3		

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

**SENATE BILL NO. 521—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 23:1021(10)(f), relative to workers' compensation; to provide for the determination of wages; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Barham	Ellington	Malone
Bean	Fields C	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Syracusa
Campbell	Hollis	Smith
Casanova	Johnson	Tarver
Cox	Jones	Theunissen
Cravins	Lambert	Thomas
Dardenne	Landry	Ullo
Total—33		

NAYS

Jordan

April 21, 1999

Total—1	ABSENT	
Bajoie	Fields W	Irons
Dyess	Greene	
Total—5		

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

**SENATE BILL NO. 550—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum mesh size for commercial crawfish traps; and to provide for related matters.

The bill, which was designated a duplicate of House Bill No. 500, 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	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Greene
Total—2	

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. 558—**  
BY SENATOR THEUNISSEN

AN ACT

To repeal R.S. 56:251(A)(2)(b), relative to the possession limits for nonresident alligator hunters; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Lentini
Bean	Fields C	Malone

Boissiere	Fields W	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—34		

NAYS

Greene	Landry	Siracusa
Total—3		

ABSENT

Bajoie	Schedler
Total—2	

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

**Rules Suspended**

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

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 21, 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 concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 74—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend Ms. Carolyn O. Maggio, P.D., on many years of outstanding service and dedication to the Department of Health and Hospitals, especially in Medicaid and the development and implementation of the Louisiana Children's Health Insurance Program, and to congratulate her on the occasion of her much deserved retirement.

Reported without amendments.

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

**Introduction of Senate Bills  
and Joint Resolutions**

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

**SENATE BILL NO. 1042—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1672(B), relative to involuntary dismissal; to provide that the court, on its own motion, may render judgment at the close of the plaintiff's case; 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.

**SENATE BILL NO. 1043—**  
BY SENATOR W. FIELDS

AN ACT

To repeal R.S. 56:1702, relative to the transfer of the administration, possession, control, management, and operation of the Camp Moore Commemorative Area from the Department of Culture, Recreation and Tourism to Southeastern Louisiana University; 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. 1044—**  
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3048.1(P)(1)(b) and (d), (2)(c) and (d), (3)(c) and (d), (4)(c) and (d), and (Q)(1)(a) and (c), (2)(b), (3)(b), and (4)(b), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility requirements for certain students who graduate from high schools in states other than Louisiana and for students completing an approved home study program in Louisiana; and to provide for related matters.

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

**SENATE BILL NO. 1045—**  
BY SENATOR BOISSIERE

AN ACT

To authorize certain cooperative endeavors between levee districts and state departments for certain purposes; and to provide for related matters.

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

**Introduction of  
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 75—**  
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the commissioner of agriculture and forestry, with the advice of the Louisiana Forestry Commission, to proceed without delay in promulgating rules and regulations in accordance with the Administrative Procedure Act, provided that such promulgation is required by the passage of any legislation during the 1999 Regular Session of the legislature, which addresses the transportation and receipt of forest products and further to conduct a comprehensive study of all existing civil and criminal statutes as they relate to the sale and removal of forest products.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
HEALTH AND WELFARE**

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

April 21, 1999

To the President and Members of the Senate:

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

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

A CONCURRENT RESOLUTION

To create the Birth Defects Registry Task Force to study the feasibility of developing a birth defects registry in Louisiana.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue and provide with respect to the Gene Therapy Research Center Task Force established during the 1998 Regular Session pursuant to Senate Concurrent Resolution No. 23.

Reported favorably.

**SENATE BILL NO. 307—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:2802 (A), (C), and (D), relative to the Louisiana Board of Chiropractic Examiners; to provide for the appointment of board members; to provide for the qualifications of board members; to provide for the procedure for the filling of vacancies on the board; to provide for removal of a member; to provide an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 363—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 37:2801(3)(a) and (c) and to enact R.S. 37:1745.2, relative to health care; to prohibit a health care provider or licensed massage therapist from performing spinal manipulation or spinal adjustment without meeting certain educational requirements and training; to provide for penalties for violation thereof; to provide for promulgation of rules and regulations for enforcement; to provide for exceptions; to revise the definition of the practice of chiropractic; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 429—**  
BY SENATORS BEAN, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To enact R. S. 40:2006(A)(2)(l) and (E)(2)(k) and Part II-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2117.1 through 2117.7, relative to end stage renal disease facilities; to provide for the licensing and regulating of end stage renal disease facilities by the Department of Health and Hospitals; to provide for definitions; to prohibit the operation of an end stage renal disease facility without a license; to require

the department to promulgate minimum standards, rules, and regulations governing end stage renal disease facilities; to provide for the denial, nonrenewal, and revocation of licenses, and administrative appeals therefrom; to provide for inspection of a facility and its records by the department; to provide for civil fines for violations; to provide for the assessment of licensing fees and delinquent fees; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 436—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 46:2263(7)(a)(xi) and (b)(ix) and (8), 2264(A)(4) and 2267 and to enact R.S. 46:2262(D), relative to the identification of hearing impairment in infants; to revise certain definitions; to require hospitals to provide screening for hearing impairment to all newborn infants prior to discharge; to provide an effective date for adoption of rules and regulations; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 458—**  
BY SENATORS SCHEDLER, DARDENNE, EWING, HAINKEL AND BARHAM  
AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 40:2184 and to repeal R.S. 40:2183(C) and (E), relative to licensing of hospices; to eliminate the substitution of Medicare or Joint Commission on Health Care Facilities certification for compliance with the minimum requirements for licensure established by the Department of Health and Hospitals; to repeal the annual license fee; to provide for the promulgation of rules, regulations, and standards for licensure and for revisions thereto; to provide an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 520—**  
BY SENATOR HINES

AN ACT

To enact R.S. 46:56 (F)(10), relative to records and reports concerning children; to provide limited access to specified persons and entities; to provide for retroactivity; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 648—**  
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:661(A)(2) and R.S. 33:1563(B)(3) and (4), relative to coroners; to provide for the collection of bodily substance samples at the scene of the accident involving a fatality; to provide for the investigations of certain accidents; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 770—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:751(B) and (L), 753(J), 759, 760(A)(4), (7), and (10), 761(A)(5), 764(A)(6), 770(A)(1), and (C), 776(A)(9) and (17), 780(A)(1) and (B)(1) and (2), 781(A), (B), and (C), 786(A), 788(B)(3), 789(A), and 794, to enact R.S. 37:770(E), 776.1, 777(A)(24) and (25), and 788(C), and to repeal R.S. 37:751(F) and (G), 761.1, 764.1, and 769, relative to the practice of dentistry; to provide for definitions; to provide for appointments and powers and duties of the Louisiana State Board

of Dentistry; to provide for board reports to the governor; to provide for certain requirements for applicants for licensure and license renewals; to provide for refusal to issue, suspension, revocation or restriction of dental or dental hygienists license; to provide for ownership and operation of a dental practice; to provide for a board hearing, notice, and penalty on charges against an unlicensed person; to provide relative to the issuance of subpoenas; to provide for appeal of board decisions; to provide for violations and penalties; to provide for dispensing and administering controlled substances and for records thereof; to repeal provisions relative to retired dentists and retired dental hygienists; to repeal certain provisions relative to fees and costs; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 771—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:21(B)(2), relative to limitations on disciplinary proceedings by professional or occupational boards and commissions; to exempt certain persons practicing dentistry or dental hygiene; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 772—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:1745(A)(1) and (2), relative to health care providers; to revise certain definitions; to prohibit dentists and dental hygienists from soliciting, paying, or receiving payment for referring or soliciting patients; to revise certain definitions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 773—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:795, 795(2)(a), (d), (i), (j), (k), and (3)(c), (g), and (h), and to enact R.S. 37:795(2)(l), (m), and (n), and (3)(i), relative to the Louisiana State Board of Dentistry; to revise certain fees and cost schedule of the board; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 886—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 33:1556(I), relative to coroners; to require submission of information required for a death certificate within seven days after the commencement of an investigation into the cause and manner of death; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 991—**  
BY SENATOR COX

AN ACT

To enact Part LI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151 through 1300.153, relative to hepatitis C; to provide for legislative findings and purpose; to provide for protocols and guidelines for educating health care providers and community service providers on hepatitis C detection, diagnosis, treatment, and therapeutic decisions making; and to provide for related matters.

Reported favorably.

Respectfully submitted,

DONALD E. HINES  
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

April 21, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 145—  
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 18:1505.2(H)(7)(a), relative to campaign finance; to increase political committee contribution limits to \$50,000 for district office candidates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 757—  
BY SENATORS GREENE AND BEAN  
AN ACT

To repeal R.S. 24:522(I), relative to the schedule for performance audits pursuant to the Louisiana Performance Audit Program.

Reported favorably.

SENATE BILL NO. 994—  
BY SENATOR C. FIELDS  
AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), and (F)(2), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A), (C)(introductory paragraph), and (D), 435(A) and (B), 436, 453, 467(2), 468(A), 552(A)(introductory paragraph), 1272, 1278(B), 1279, 1300(C)(1)(a), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(5) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17); to enact R.S. 18:1275.1 through R.S. 1275.24, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAY DARDENNE  
Chairman

REPORT OF COMMITTEE ON

INSURANCE

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 21, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 63—  
BY SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 22:1401(J) of the Louisiana Revised Statutes of 1950 relative to the setting of automobile insurance rates; to provide for more frequent changes in automobile insurance rate; to provide that an insurer may apply for a decrease at any time; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 417—  
BY SENATOR BEAN  
AN ACT

To enact R.S. 22:250.50, relative to health insurance contracts; to require health insurers transacting business in this state to include certified transplant centers located in Louisiana in any preferred or exclusive provider network; to provide for guidelines for transplant centers located in the state; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 459—  
BY SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 22:1118(F)(1) and to enact R.S. 22:1118(F)(4), relative to insurance agents of record; to provide that an insured shall have the right to choose a new agent of record; to require written notice to the agent of record fifteen days prior to removal; to provide for the effective date of the change of agent of record; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 703—  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.23, relative to health insurance; to provide for health insurance coverage of services rendered by registered nurse first assistants; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

April 21, 1999

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

April 21, 1999

SENATE BILL NO. 336—  
BY SENATOR BAJIOIE

AN ACT

To enact Chapter 17-C of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:841 through 844, and R.S. 36:209(B)(3), relative to state museums; to provide for the creation of the Louisiana Civil Rights Museum; to establish this museum as part of the state museum system; to establish New Orleans as the place of domicile for the Louisiana Civil Rights Museum; to place the museum within the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 650—  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 6:965(C)(5), 966, and 967, relative to additional default remedies; to provide for the definition of "secured party"; to provide for procedures for taking possession of collateral upon default; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 799—  
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 32:1254(N)(6)(h), the introductory paragraph of (l) and (l)(iii), (m), and (p), (P)(4), (Q), and (R), and to enact R.S. 32:1254(N)(5)(f), (6)(r), (s), (t), (u), (v), (w), and (x) and (S), relative to motor vehicle dealers; to prohibit attempts to induce or coerce motor vehicle dealers to engage in certain acts; to prohibit certain activities by manufacturers or distributors; to provide for successions of motor vehicle dealers; to provide for the sale or transfer of a motor vehicle dealership; to provide for modifications to motor vehicle dealer agreements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 928—  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:1754(A) and 1755(A), and to enact R.S. 1755(F), relative to the Louisiana Economically Disadvantaged Business Act; to provide for applications; to provide for certain certification; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 931—  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 37:1861(A), and to enact Part II-A of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1871 through 1881, relative to antique dealers; to provide for definitions of "antique dealer" and "cemetery artifacts"; to provide for prohibited acts and purchases; to provide for reporting requirements; to provide for recordkeeping; to provide for violations and penalties and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

SUPPLEMENTAL  
REPORT OF COMMITTEE ON

INSURANCE

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 21, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 948—  
BY SENATOR MALONE

AN ACT

To enact R.S. 22:1406(E), relative to automobile insurance; to require persons seeking to institute any cause of action for bodily injury arising out of a motor vehicle accident to notify all parties listed on the accident report that an injury has been sustained and that the person is seeking medical treatment; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

Rules Suspended

Senator Ewing asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 241 from the Committee on Natural Resources.

HOUSE BILL NO. 241—  
BY REPRESENTATIVES ALEXANDER AND ROMERO  
AN ACT

To amend and reenact R.S. 56:320(A)(1) and (2) and to repeal R.S. 56:320(A)(4), relative to methods of taking fish; to provide relative to the use of bow and arrow for the taking of fish; to prohibit the taking of certain species of fish by bow and arrow; and to provide for related matters.

The bill, which was designated a duplicate of Senate Bill No. 137, was read by title.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 403 from the Committee on Natural Resources.

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

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

The bill, which was designated a duplicate of Senate Bill No. 154, was read by title.

Privilege Report of the Committee on  
Senate and Governmental Affairs

ENROLLMENTS

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

April 21, 1999

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 20—**  
BY SENATOR CASANOVA

A RESOLUTION

To proclaim March thirtieth as Doctors Day in the state of Louisiana in order to honor and recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

**SENATE RESOLUTION NO. 21—**  
BY SENATOR CASANOVA

A RESOLUTION

To commend and honor the memory of former commissioner of the Louisiana Music Commission, Dr. Tommy Comeaux, a talented musician and his beautiful song, "Native Son".

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Adjournment**

Senator Bean moved that the Senate adjourn until Thursday, April 22, 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 Thursday, April 22, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk