

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

**SIXTEENTH 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

Monday, April 26, 1999

The Senate was called to order at 3:00 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	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—38		

**ABSENT**

Heitmeier  
Total—1

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

**Prayer**

The prayer was offered by Senator Barham, 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 Barham, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the Governor**

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

State of Louisiana  
OFFICE OF THE GOVERNOR  
Baton Rouge

April 26, 1999

To the Honorable President and members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through April 23, 1999. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

**Acadia**

Patricia B. Derouen  
501 Ann Dr.  
Rayne, La 70578

**Caddo**

Mary Brown  
1142 Busby St.  
Shreveport, La 71101

Annie Waddle Melvin  
950 Sherwood Rd.  
Shreveport, La 71106

Charles E. Mullins  
3010 Knight St., Ste. 270  
Shreveport, La 71105

M. L. Norton  
P. O. Box 65090  
Shreveport, La 71136

Ruth M. Norton  
P. O. Box 65090  
Shreveport, La 71136

William L. Pickett  
705 E. Kings Hwy.  
Shreveport, La 71105

Amanda L. Statham  
2611 Betty St.  
Shreveport, La 71108

Wilbur E. Tucker  
3010 Knight St.  
Shreveport, La 71105

Jimmy Van Gossen  
3010 Knight St.  
Shreveport, La 71105

W. David Whitener  
273 Sawgrass  
Shreveport, La 71106

Mary A. Williford  
5925 Line Ave.  
Shreveport, La 71106

**Calcasieu**

Valerie M. Guillory  
2138 13th St.  
Lake Charles, La 70601

Ladonna K. Wing  
6332 Vive Dr.  
Lake Charles, La 70615

**Cameron**

Tina Trahan  
P. O. Drawer a  
Cameron, La 70631

**East Baton Rouge**

Charles Gary Blaize, Jr.  
318 St. Charles St.  
Baton Rouge, La 70802

Joseph D. Bouigny, Jr.  
6709 Perkins Rd.  
Baton Rouge, La 70808

Michelle Y. Christopher  
7287 Dover St.  
Baton Rouge, La 70812

James A. Crocker, III  
P. O. Box 237  
Greenwell Springs, La 70739

Perry F. Morrow  
5636 South Shore Dr.  
Baton Rouge, La 70817

Theresa Mullins  
4502 Antler Dr.  
Baton Rouge, La 70817

Antonio D. Robinson  
8555 United Plaza Blvd., 5th Fl.  
Baton Rouge, La 70809

**Jefferson**

Michael E. Hill  
227 Vinet Ave.  
Jefferson, La 70121

Craig Steven Leydecker  
552 Lapalco Blvd.  
Gretna, La 70056

April 26, 1999

Deani Beard Milano  
5044 Lapalco Blvd.  
Marrero, La 70072

**Lasalle**  
Walter Ray Nope  
8114 Hwy. 127 S.  
Jena, La 71342

**Orleans**  
Tammie Jackson                      John K. Nieset  
2805 Kingman                      601 Poydras St., Ste. 2300  
Metairie, La 70006              New Orleans, La 70130

Jason A. Schoenfeld              Charmagne S. Simon  
755 Magazine St.              1100 Poydras St., Ste. 2200  
New Orleans, La 70130      New Orleans, La 70163-2200

**Rapides**  
Theresa Hicks                      David W. Slayter  
529 Hooper Rd.                      509 Holiday Cir.  
Pineville, La 71360              Pineville, La 71360

**Sabine**                                      **St. Bernard**  
Rhonda Eason                      Linda R. Marinello  
73 Eason Circle                      8301 W. Judge Perez Dr., Ste. 303  
Many, La 71449                      Chalmette, La 70043

**St. Landry**                                      **St. Martin**  
Marcelete B. Reed                      Helen A. B. Wiltz  
835 Celeste St.                      1094 Armond Joseph Rd.  
Opelousas, La 70570              Breaux Bridge, La 70517

**Tangipahoa**                                      **Union**  
Earl Murphy                              M. Brandon Maxwell  
P. O. Drawer 699                      558 Hopewell Rd.  
Amite, La 70422                      Farmerville, La 71241

**Vernon**  
Janet M. Jackson                      Kenneth W. Pollard  
1206 South 5th St.                      300 South Second St.  
Leesville, La 71446                      Leesville, La 71496

**West Baton Rouge**  
Jeannette Pollet  
4116 Willow St.  
Port Allen, La 70767

**Privilege Report of the  
Legislative Bureau**

April 26, 1999

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 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.

Reported without amendments.

**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.

Reported without amendments.

**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.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

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

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 26, 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. 77—**  
BY SENATORS JONES AND CAMPBELL  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Ray Pitts, husband, father, grandfather, brother, business/community leader, and friend.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 78—**  
BY SENATOR JONES  
A CONCURRENT RESOLUTION

To urge and request Southern University and Agricultural and Mechanical College in Baton Rouge to host a national conference against school violence.

Reported without amendments.

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

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE CONCURRENT RESOLUTION NO. 82—**  
BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To commend Thomas William Humphries for his public service to the people of Ouachita Parish and to designate the facility to located in the Booker T. community as the Humphries Senior Citizens Community Center.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Malone
Barham	Ellington	Robichaux
Bean	Fields C	Romero
Boissiere	Fields W	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Jordan	Thomas
Cravins	Lambert	Ullo
Dardenne	Landry	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Hainkel	Lentini
Dyess	Johnson	
Greene	Jones	
Total—7		

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

**Messages from the House**

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

**Message from the House**

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

April 26, 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. 328—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Garyville Timbermill Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

**HOUSE BILL NO. 798—**  
BY REPRESENTATIVES TOOMY AND WOOTON  
AN ACT

To amend and reenact Code of Criminal Procedure Article 886(A), relative to victim restitution ordered in criminal matters; to provide for method of collection; and to provide for related matters.

**HOUSE BILL NO. 857—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Children's Code Article 1137(C), relative to the surrender of parental rights; to expedite the time period within which the court must hold a contradictory hearing; and to provide for related matters.

**HOUSE BILL NO. 1834—**  
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To enact R.S. 22:1379(3)(e) and 1382(A)(3)(f) and (D), relative to the Louisiana Insurance Guaranty Association; to provide for claims; to provide for recovery of paid covered claims; to provide for limits; to provide for insolvency proceedings; to provide for assessments; and to provide for related matters.

**HOUSE BILL NO. 1265—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To enact Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1081 through 1099, relative to residential mortgage brokers and lenders; to provide for a short title; to provide for legislative purpose; to provide for definitions; to provide for prohibitions; to provide for rules and regulations; to provide for requirement of licensure; to provide for exemptions from licensure, annual registration statements and fees; to provide for applications for licensure, issuance of licenses, and application and renewal fees; to provide for changes of name or location, closures, and fees; to provide for restrictions; to provide for recordkeeping and retention, examinations, and investigation of complaints; to provide for suspension and revocation of licensure, exemptions, and disposition of funds; to create and provide for the Residential Mortgage Lending Board and its powers; to provide for board certification, examination, and continuing education; to provide for the scope of the provisions; to provide for residential mortgage loans; to provide for items or charges not considered interest; to provide for residential mortgage loan brokerage contracts; and to provide for related matters.

**HOUSE BILL NO. 1716—**  
BY REPRESENTATIVES LANCASTER, FONTENOT, WADDELL, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 24:522(H) and to repeal Part XIV of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:366.1 through 366.6, relative to incentive plans for state employees; to repeal the Incentive Plans for Economy in State Government program; to

provide for the incentive program to be used to encourage involvement in the Louisiana Performance Audit Program; and to provide for related matters.

**HOUSE BILL NO. 1735—**  
BY REPRESENTATIVES JETSON AND MCMAINS  
AN ACT

To amend and reenact Children's Code Arts. 615(B)(4) and (5) and (E) and 616(A)(2) and to enact Children's Code Art. 615(B)(6) and (F), relative to disposition of reports in child abuse investigations; to provide for inconclusive reports; to provide relative to the disposition of inconclusive reports in child abuse investigations; and to provide for related matters.

**HOUSE BILL NO. 1822—**  
BY REPRESENTATIVES TOOMY AND BRUCE  
AN ACT

To enact R.S. 14:93.2.3, relative to the crime of second degree cruelty to juveniles; to provide for creation of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 1889—**  
BY REPRESENTATIVES JETSON AND MCMAINS  
AN ACT

To amend and reenact Children's Code Arts. 606(A)(1) and 610(A) and (E), relative to Child In Need Of Care proceedings; to provide relative to grounds in Child In Need of Care proceedings; to provide relative to child abuse reporting procedures; and to provide for related matters.

**HOUSE BILL NO. 1942—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

**HOUSE BILL NO. 1620—**  
BY REPRESENTATIVES KENNARD, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:964 Schedule III (B)(9), relative to controlled dangerous substances; to provide that salts of Ketamine are Schedule III depressants; and to provide for related matters.

**HOUSE BILL NO. 1951—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 22:620(F), relative to insurance policy forms; to provide for approval; to provide for exceptions; to provide for regulations; to provide for commercial entities; and to provide for related matters.

**HOUSE BILL NO. 1070 (Duplicate of Senate Bill No. 807)—**  
BY REPRESENTATIVE ALEXANDER AND SENATOR LANDRY  
AN ACT

To amend and reenact R.S. 37:1263, 1264, and 1265, relative to the Louisiana State Board of Medical Examiners; to change the membership of the board; to change the terms of board members; to provide for initial terms of new members; and to provide for related matters.

**HOUSE BILL NO. 1691—**  
BY REPRESENTATIVES LANCASTER, FONTENOT, SCALISE, MONTGOMERY, WADDELL, WALSWORTH, AND JENKINS AND SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 44:31, 32(D), and 35(E)(2) and to enact R.S. 44:31.2 and 35(F), relative to public records; to declare the responsibility of a custodian to provide access to public records; to provide that the burden of proving a record cannot be disclosed

rests with the custodian; to require the attorney general to establish a public records awareness program; to provide for the requirement of written notification to a requester; to limit the amount of attorney fees in certain actions involving access to records; and to provide for related matters.

**HOUSE BILL NO. 1873—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN  
AN ACT

To amend and reenact Children's Code Arts. 728(1), 732(A), 733(A), (C), and (D), 734(C), 735(A), 736(A), (B), and (D)(4), 737, 738(A) and (D), 739, 740(A)(3) and (4) and (B), 741, 742, 745(B) and (C), 746, 791(B), (C), (D), and (E), and 1509, to enact Children's Code Arts. 728(3.1), 729.1, 733(E), 735(D), 740(A)(5) and (C), 791(F), and 1509.1, and to repeal Children's Code Art. 730(9), all relative to the continuous revision of the Louisiana Children's Code; to amend Title VII of the Children's Code, Families in Need of Services, and to provide for sanctions for contempt in Title XV, Special Proceedings; to provide for definitions, venue and grounds for Families in Need of Services; to provide for the duties of intake officers, instant orders of custody, taking a child into custody, prehearing placement, release, and continued custody; to provide for advice of rights of the parents, the grounds and place of continued custody of the child, confidentiality of the informal family services plan agreement, the authority to file a Family in Need of Services petition, and prehearing contempt; to provide penalties for contempt in general for children and adults; and to provide for related matters.

**HOUSE BILL NO. 1920 (Duplicate of Senate Bill No. 644)—**  
BY REPRESENTATIVE ALARIO AND SENATOR HAINKEL  
AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition, within specified limits, at the university laboratory school; and to provide for related matters.

**HOUSE BILL NO. 1959—**  
BY REPRESENTATIVES COPELIN, BAYLOR, BRUCE, CHAISSON, CURTIS, FARVE, FAUCHEUX, FRITH, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, LANDRIEU, MORRELL, MURRAY, ODINET, PIERRE, PRATT, QUEZAIRE, RIDDLE, SCHWEGMANN, SHAW, THOMPSON, WARNER, WELCH, WESTON, WILKERSON, AND WILLARD  
AN ACT

To enact R.S. 17:1817, relative to offices of minority health; to authorize the Southern University Board of Supervisors to create and operate an office or offices of minority health; to provide relative to purposes and staffing of such office or offices; and to provide for related matters.

**HOUSE BILL NO. 2052 (Substitute for House Bill No. 1185 by Rep. Thornhill) (Duplicate of Senate Bill No. 655)—**  
BY REPRESENTATIVE THORNHILL AND SENATOR MALONE AND COAUTHORED BY REPRESENTATIVES BRUCE, ANSARDI, MARTINY, MURRAY, AND PINAC  
AN ACT

To amend and reenact R.S. 22:2027(F), to enact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.37, and to repeal R.S. 22:657(G), relative to health insurance; to establish claim submission standards for health insurance coverage; to provide for late payment adjustments for claimants; to establish requirements for the payment of medical care under health insurance coverage; to provide relative to timely payment of health insurance claims and enrollee claims; to provide relative to coordination of benefits; to provide for enforcement, including cease and desist orders, penalties, and suspension or revocation of a certificate of authority; and to provide for related matters.

**HOUSE BILL NO. 549—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide that the time to file a claim for benefits shall be suspended during an employee's incarceration; to provide for retroactive effect; and to provide for related matters.

**HOUSE BILL NO. 607—**

BY REPRESENTATIVE CHAISSON  
AN ACT

To enact R.S. 33:9106.1, relative to the St. Charles Parish Communications District; to provide relative to the emergency telephone service charge levied by the district; and to provide for related matters.

**HOUSE BILL NO. 621—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1223, relative to deductions from workers' compensation benefits; to provide for the method of offset; and to provide for related matters.

**HOUSE BILL NO. 622—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1310.8(A)(1) and to enact R.S. 23:1310.8(D) and (E), relative to continuing jurisdiction of workers' compensation judges; to provide that findings or orders may be modified at any time where justification for the modification exists; and to provide for related matters.

**HOUSE BILL NO. 668—**

BY REPRESENTATIVE DUPRE  
AN ACT

To enact R.S. 33:7712(A)(5), relative to Consolidated Waterworks District No. 1 in Terrebonne Parish; to authorize the district to provide for incentive pay for its employees; and to provide for related matters.

**HOUSE BILL NO. 698—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To enact R.S. 33:381(C)(13), relative to the town of Oil City; to provide for the appointment of the chief of police of the town of Oil City, 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. 748—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1125, relative to an employee submitting to a medical examination; to provide for receipt of a copy of any medical report generated; and to provide for related matters.

**HOUSE BILL NO. 749—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1121(C), relative to workers' compensation medical examinations; to provide for penalties for arbitrary and capricious behavior relative to an employee's selection of treating physician; and to provide for related matters.

**HOUSE BILL NO. 761—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To enact R.S. 33:381(C)(13), relative to the village of Rodessa; to provide for the appointment of the chief of police of the village of Rodessa, 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. 830—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 11:246(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to benefits; to authorize supplemental cost-of-living adjustments; and to provide for related matters.

**HOUSE BILL NO. 832—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:1322, relative to the State Police Pension and Retirement System; to provide with respect to survivors' benefits; to provide with respect to service credit and contributions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 833—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:1307(A), relative to the State Police Pension and Retirement System; to provide with respect to service and service credit; to provide regarding average compensation, benefits, and the accrual rate applicable thereto; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 11:411(7), relative to the Louisiana State Employees' Retirement System; to provide with respect to eligibility for membership; and to provide for related matters.

**HOUSE BILL NO. 894—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:929(B), relative to the Teachers' Retirement System; to provide with respect to the Optional Retirement Plan; to provide regarding the payment of benefits therefrom and the authorization for various methods for such payments; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 915—**

BY REPRESENTATIVE WINSTON  
AN ACT

To enact R.S. 33:4064.4(L), relative to the Environmental Services Commission of St. Tammany Parish; to authorize certain employees of the commission to issue citations for littering throughout the parish; and to provide for related matters.

**HOUSE BILL NO. 916—**

BY REPRESENTATIVE WINSTON  
AN ACT

To enact R.S. 33:130.403(10) and 130.405(C), relative to the St. Tammany Economic and Industrial Development District; to authorize the district to enter certain cooperative endeavor agreements; to authorize, subject to voter approval, imposition of additional taxes, fees, charges, or assessments; to provide for redesignation of certain text of present law; and to provide for related matters.

**HOUSE BILL NO. 1101—**

BY REPRESENTATIVES STELLY, JOHNS AND FLAVIN  
AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i) and 4754(A)(1) and (3) and (C)(1) and to repeal R.S. 33:1236(21)(e), relative to property maintenance; to provide relative to materials which may be removed from private property; to provide relative to the authority of the governing authorities of Calcasieu Parish and Cameron Parish 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. 1302—**  
BY REPRESENTATIVES STELLY AND FLAVIN  
AN ACT

To amend and reenact R.S. 40:1501.4, relative to Calcasieu Parish fire protection districts; to provide that whenever an area served by a fire protection district is annexed into a municipality, if a portion of the ad valorem tax avails is pledged to the retirement of indebtedness, that portion of the ad valorem tax shall not be abated; and to provide for related matters.

**HOUSE BILL NO. 1307—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1221(3)(a) and (d)(iii), relative to supplemental earnings benefits; to provide relative to the calculation thereof; to remove the termination of supplemental earnings benefits when one begins to receive old age insurance benefits; and to provide for related matters.

**HOUSE BILL NO. 1481—**  
BY REPRESENTATIVE DOERGE  
AN ACT

To enact R.S. 48:701.2(D), relative to Webster Parish; to limit the applicability of the current statute on reversion of property after revocation of a dedication of any road, street, or alleyway in Webster Parish; and to provide for related matters.

**HOUSE BILL NO. 1682—**  
BY REPRESENTATIVE DANIEL (BY REQUEST)  
AN ACT

To amend and reenact R.S. 11:1162(A)(6)(introductory paragraph), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees and participation in the Deferred Retirement Option Plan; and to provide for related matters.

**HOUSE BILL NO. 1714—**  
BY REPRESENTATIVES DANIEL, CURTIS, FLAVIN, JOHNS, PERKINS,  
STELLY, TRICHE, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 11:2266, relative to the Firefighters Retirement System; to provide with respect to the application for membership or disability benefits and penalties for fraudulent actions related thereto; to provide with respect to benefits and the payment thereof; and to provide for related matters.

**HOUSE BILL NO. 1813—**  
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE  
AN ACT

To enact R.S. 25:215(C), relative to library boards; to authorize certain library boards to pay per diem to the members; and to provide for related matters.

**HOUSE BILL NO. 1962—**  
BY REPRESENTATIVE BRUCE  
AN ACT

To enact R.S. 33:381(C)(13), relative to the village of Grand Cane; to provide for the appointment of the chief of police of the village of Grand Cane, 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. 166—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

**HOUSE BILL NO. 232—**  
BY REPRESENTATIVE BARTON  
AN ACT

To amend and reenact R.S. 47:332.7(B), relative to the Bossier City Riverfront and Civic Center Fund; to provide for uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 294—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Claiborne Parish to fund the office of the assessor; and to provide for related matters.

**HOUSE BILL NO. 390—**  
BY REPRESENTATIVE ALEXANDER  
AN ACT

To amend and reenact R.S. 47:1908(A)(25) and (C)(1), to increase the expense allowance of the assessor of Jackson Parish; and to provide for related matters.

**HOUSE BILL NO. 391—**  
BY REPRESENTATIVE ALEXANDER  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Jackson Parish to fund the office of the assessor; and to provide for related matters.

**HOUSE BILL NO. 572—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 33:2002(A)(2), relative to extra compensation for firemen; to specify certain training requirements for eligibility; and to provide for related matters.

**HOUSE BILL NO. 592—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 9:1841(1), relative to the Louisiana Trust Code; to provide for the distribution of the forced heir's legitime; and to provide for related matters.

**HOUSE BILL NO. 599—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 47:1907(D)(1), (F)(1)(b) and (c), and (G)(1) and (2), relative to assessors; to provide an alternative educational option for recertification requirements; and to provide for related matters.

**HOUSE BILL NO. 625—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

To amend and reenact R.S. 47:1908(A)(14) and (C)(1), to increase the expense allowance of the assessor of Claiborne Parish; and to provide for related matters.

**HOUSE BILL NO. 707—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 47:1907(A)(3), relative to assessors; to provide for participation by assessors in deferred compensation plans; and to provide for related matters.

**HOUSE BILL NO. 1266—**  
BY REPRESENTATIVES LEBLANC, WINSTON, LONG, BARTON, DOERGE,  
FARVE, FRITH, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,  
SCHWEGMANN, AND TRAVIS  
AN ACT

To enact R.S. 36:4(U) and Chapter 10-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1317 through 1319, relative to the Louisiana Retirement Development Commission; to provide for membership; to provide for

responsibilities and duties of the commission; and to provide for related matters.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 30:2194(B)(3), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Trust Fund; to provide for the definition of "eligible participant"; and to provide for related matters.

**HOUSE BILL NO. 1724—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 36:312(A), R.S. 39:134(C) and 1484(4)(b), and R.S. 46:2664(E)(3) and to repeal Part V of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:141, and R.S. 39:136 and 1554(G)(1) and R.S. 45:803, relative to the Joint Legislative Committee on the Budget; to delete certain obsolete and nonessential duties of the committee; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

**HOUSE BILL NO. 1843—**

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

AN ACT

To repeal R.S. 48:27 through 34, 202, and 942 through 948, relative to the now obsolete authority of the Department of Transportation and Development and the former Department of Highways to issue bonds.

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVES FRUGE, BARTON, FLAVIN, FRITH, PINAC, POWELL, SCHNEIDER, AND TRAVIS

AN ACT

To amend and reenact R.S. 12:443(5), 444, 445, and 447(A), relative to seafood marketing associations; to provide relative to the marketing and selling of certain products; to provide relative to the membership of seafood associations; and to provide for related matters.

**HOUSE BILL NO. 1574—**

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

AN ACT

To amend and reenact R.S. 40:1662.3(1), (2), (5), (9), and (10), 1662.6(A), (B)(1), (5), and (6), 1662.7(B), (C), (D), and (E), 1662.8(B)(2) and (4), 1662.9(A)(introductory paragraph), (4), and (5), 1662.11(A)(1), and 1662.14(A)(2) and (3)(b), to enact R.S. 40:1662.3(11) through (19), 1662.6(B)(8) and (9), 1662.7(F), 1662.8(B)(5), 1662.9(A)(6), (E), and (F), and 1662.14(A)(6), and to repeal R.S. 40:1662.10, relative to the Alarm Industry Licensing Act; to provide relative to definitions; to provide for the application and licensure of alarm contracting companies and the requirements to maintain licensure; to provide for licensure and requirements of other types of individual licenses; to provide for license renewal and continuing education requirements; to provide for classifications of offenses and prohibited acts; to delete provisions with regard to certain provisional licenses; and to provide for related matters.

**HOUSE BILL NO. 1575—**

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

AN ACT

To enact R.S. 23:541(E), relative to regulations affecting boilers; to provide for boiler inspection fees; and to provide for related matters.

**HOUSE BILL NO. 1577—**

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

AN ACT

To amend and reenact R.S. 40:1484.4(B)(1) and (D)(1) and 1484.5(A) and to repeal R.S. 40:1484.4(B)(introductory paragraph), relative to amusement rides and attractions; to provide for certain annual inspections; to provide for fees for inspection certificates; and to provide for related matters.

**HOUSE BILL NO. 1626—**

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

AN ACT

To amend and reenact R.S. 47:806(C)(2), relative to the special fuels tax; to eliminate recordkeeping requirements for certain taxpayers; and to provide for related matters.

**HOUSE BILL NO. 1704—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 40:1653(F) and to enact R.S. 40:1653(G) and (H), relative to fire alarm systems; to provide for the registration and licensure of certain persons; to provide for fees; and to provide for related matters.

**HOUSE BILL NO. 2037—**

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

AN ACT

To amend and reenact R.S. 38:2316, relative to the selection of professional services related to public contracts; to increase the project budget cost threshold for applicability of certain provisions of Public Bid Law for procurement of professional services; and to provide for related matters.

**HOUSE BILL NO. 2038—**

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

AN ACT

To enact R.S. 39:97.3(E)(6), relative to the Louisiana Asbestos Detection and Abatement Fund; to provide for additional uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 472—**

BY REPRESENTATIVE COPELIN

AN ACT

To enact R.S. 18:1505.2(N), relative to campaign finance; to provide that the payment of interest on loans from a candidate shall not be considered personal use of campaign funds under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 964—**

BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:1258, 1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph), and to repeal R.S. 22:1264, relative to surplus lines insurance; to provide for notices; to provide for affidavits; to provide for tax payments; and to provide for related matters.

**HOUSE BILL NO. 1054—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1491.9, relative to campaign finance disclosure; to provide that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if any contribution is made to a Louisiana candidate; and to provide for related matters.

April 26, 1999

**HOUSE BILL NO. 1175—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 40:1563.2(A) and (B)(2) and (4) and to repeal R.S. 40:1563.2(B)(1), relative to family child day care homes; to provide for inspections of such homes by the state fire marshal; to provide for fees; and to provide for related matters.

**HOUSE BILL NO. 2025—**

BY REPRESENTATIVES WADDELL AND WALSWORTH  
AN ACT

To amend and reenact R.S. 18:1505.2(F), relative to campaign finance; to provide that campaign contributions and expenditures of a corporation may be authorized by any person designated by resolution of the board of directors of the corporation to authorize campaign contributions or expenditures; and to provide for related matters.

**HOUSE BILL NO. 1762—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 24:522(C)(introductory paragraph) and (10), R.S. 39:31(C)(8), 87.3(A) and (C), and 87.4(A)(3) and to enact R.S. 39:2(46) and (47), relative to performance-based budgeting; to provide relative to evaluation methods; to define certain terms; to provide with respect to certain reporting dates; and to provide for related matters.

**HOUSE BILL NO. 1815—**

BY REPRESENTATIVE MCCALLUM  
AN ACT

To enact R.S. 13:2103.2, relative to marshal's fees; to permit an increase in fees for certain offices; to require the marshal to remove eligibility of sureties who do not pay the required fees; and to provide for related matters.

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

**House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 166—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

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

**HOUSE BILL NO. 232—**

BY REPRESENTATIVE BARTON  
AN ACT

To amend and reenact R.S. 47:332.7(B), relative to the Bossier City Riverfront and Civic Center Fund; to provide for uses of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 294—**

BY REPRESENTATIVE WILKERSON  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Claiborne Parish to fund the office of the assessor; and to provide for related matters.

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

**HOUSE BILL NO. 328—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Garyville Timbermill Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

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

**HOUSE BILL NO. 390—**

BY REPRESENTATIVE ALEXANDER  
AN ACT

To amend and reenact R.S. 47:1908(A)(25) and (C)(1), to increase the expense allowance of the assessor of Jackson Parish; and to provide for related matters.

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

**HOUSE BILL NO. 391—**

BY REPRESENTATIVE ALEXANDER  
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Jackson Parish to fund the office of the assessor; and to provide for related matters.

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

**HOUSE BILL NO. 472—**

BY REPRESENTATIVE COPELIN  
AN ACT

To enact R.S. 18:1505.2(N), relative to campaign finance; to provide that the payment of interest on loans from a candidate shall not be considered personal use of campaign funds under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 549—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide that the time to file a claim for benefits shall be suspended during an employee's incarceration; to provide for retroactive effect; and to provide for related matters.

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

**HOUSE BILL NO. 572—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 33:2002(A)(2), relative to extra compensation for firemen; to specify certain training requirements for eligibility; and to provide for related matters.

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

**HOUSE BILL NO. 592—**

BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 9:1841(1), relative to the Louisiana Trust Code; to provide for the distribution of the forced heir's legitime; to provide for related matters.

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

**HOUSE BILL NO. 599—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 47:1907(D)(1), (F)(1)(b) and (c), and (G)(1) and (2), relative to assessors; to provide an alternative educational option for recertification requirements; and to provide for related matters.

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

**HOUSE BILL NO. 607—**

BY REPRESENTATIVE CHAISSON  
AN ACT

To enact R.S. 33:9106.1, relative to the St. Charles Parish Communications District; to provide relative to the emergency telephone service charge levied by the district; and to provide for related matters.

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

**HOUSE BILL NO. 621—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1223, relative to deductions from workers' compensation benefits; to provide for the method of offset; and to provide for related matters.

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

**HOUSE BILL NO. 622—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 23:1310.8(A)(1) and to enact R.S. 23:1310.8(D) and (E), relative to continuing jurisdiction of workers' compensation judges; to provide that findings or orders may be modified at any time where justification for the modification exists; and to provide for related matters.

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

**HOUSE BILL NO. 625—**

BY REPRESENTATIVE WILKERSON  
AN ACT

To amend and reenact R.S. 47:1908(A)(14) and (C)(1), to increase the expense allowance of the assessor of Claiborne Parish; and to provide for related matters.

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

**HOUSE BILL NO. 668—**

BY REPRESENTATIVE DUPRE  
AN ACT

To enact R.S. 33:7712(A)(5), relative to Consolidated Waterworks District No. 1 in Terrebonne Parish; to authorize the district to provide for incentive pay for its employees; and to provide for related matters.

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

**HOUSE BILL NO. 698—**

BY REPRESENTATIVE HOPKINS  
AN ACT

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

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

**HOUSE BILL NO. 707—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 47:1907(A)(3), relative to assessors; to provide for participation by assessors in deferred compensation plans; and to provide for related matters.

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

**HOUSE BILL NO. 748—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1125, relative to an employee submitting to a medical examination; to provide for receipt of a copy of any medical report generated; and to provide for related matters.

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

**HOUSE BILL NO. 749—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1121(C), relative to workers' compensation medical examinations; to provide for penalties for arbitrary and capricious behavior relative to an employee's selection of treating physician; and to provide for related matters.

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

**HOUSE BILL NO. 761—**

BY REPRESENTATIVE HOPKINS  
AN ACT

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

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

**HOUSE BILL NO. 798—**

BY REPRESENTATIVES TOOMY AND WOOTON  
AN ACT

To amend and reenact Code of Criminal Procedure Article 886(A), relative to victim restitution ordered in criminal matters; to provide for method of collection; and to provide for related matters.

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

**HOUSE BILL NO. 830—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 11:246(A)(10), relative to the State Police Pension and Retirement System; to provide with respect to benefits; to authorize supplemental cost-of-living adjustments; and to provide for related matters.

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

**HOUSE BILL NO. 832—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:1322, relative to the State Police Pension and Retirement System; to provide with respect to survivors' benefits; to provide with respect to service credit and contributions; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 833—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:1307(A), relative to the State Police Pension and Retirement System; to provide with respect to service and service credit; to provide regarding average compensation, benefits, and the accrual rate applicable thereto; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 857—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Children's Code Article 1137(C), relative to the surrender of parental rights; to expedite the time period within which the court must hold a contradictory hearing; and to provide for related matters.

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

**HOUSE BILL NO. 870—**

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:411(7), relative to the Louisiana State Employees' Retirement System; to provide with respect to eligibility for membership; and to provide for related matters.

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

**HOUSE BILL NO. 894—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:929(B), relative to the Teachers' Retirement System; to provide with respect to the Optional Retirement Plan; to provide regarding the payment of benefits therefrom and the authorization for various methods for such payments; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 915—**

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 33:4064.4(L), relative to the Environmental Services Commission of St. Tammany Parish; to authorize certain employees of the commission to issue citations for littering throughout the parish; and to provide for related matters.

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

**HOUSE BILL NO. 916—**

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 33:130.403(10) and 130.405(C), relative to the St. Tammany Economic and Industrial Development District; to authorize the district to enter certain cooperative endeavor agreements; to authorize, subject to voter approval, imposition of additional taxes, fees, charges, or assessments; to provide for redesignation of certain text of present law; and to provide for related matters.

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

**HOUSE BILL NO. 964—**

BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:1258, 1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph), and to repeal R.S. 22:1264, relative to surplus lines insurance; to provide for notices; to provide for affidavits; to provide for tax payments; and to provide for related matters.

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

**HOUSE BILL NO. 1054—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1491.9, relative to campaign finance disclosure; to provide that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if any contribution is made to a Louisiana candidate; and to provide for related matters.

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

**HOUSE BILL NO. 1070 (Duplicate of Senate Bill No. 807)—**

BY REPRESENTATIVE ALEXANDER AND SENATOR LANDRY

AN ACT

To amend and reenact R.S. 37:1263, 1264, and 1265, relative to the Louisiana State Board of Medical Examiners; to change the membership of the board; to change the terms of board members; to provide for initial terms of new members; and to provide for related matters.

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

**HOUSE BILL NO. 1101—**

BY REPRESENTATIVES STELLY, JOHNS AND FLAVIN

AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i) and 4754(A)(1) and (3) and (C)(1) and to repeal R.S. 33:1236(21)(e), relative to property maintenance; to provide relative to materials which may be removed from private property; to provide relative to the authority of the governing authorities of Calcasieu Parish and Cameron Parish 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.

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

**HOUSE BILL NO. 1175—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 40:1563.2(A) and (B)(2) and (4) and to repeal R.S. 40:1563.2(B)(1), relative to family child day care homes; to provide for inspections of such homes by the state fire marshal; to provide for fees; and to provide for related matters.

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

**HOUSE BILL NO. 1265—**

BY REPRESENTATIVE MCMAINS

AN ACT

To enact Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1081 through 1099, relative to residential mortgage brokers and lenders; to provide for a short title; to provide for legislative purpose; to provide for definitions; to provide for prohibitions; to provide for rules and regulations; to provide for requirement of licensure; to provide for exemptions

from licensure, annual registration statements and fees; to provide for applications for licensure, issuance of licenses, and application and renewal fees; to provide for changes of name or location, closures, and fees; to provide for restrictions; to provide for recordkeeping and retention, examinations, and investigation of complaints; to provide for suspension and revocation of licensure, exemptions, and disposition of funds; to create and provide for the Residential Mortgage Lending Board and its powers; to provide for board certification, examination, and continuing education; to provide for the scope of the provisions; to provide for residential mortgage loans; to provide for items or charges not considered interest; to provide for residential mortgage loan brokerage contracts; and to provide for related matters.

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

**HOUSE BILL NO. 1266—**

BY REPRESENTATIVES LEBLANC, WINSTON, LONG, BARTON, DOERGE, FARVE, FRITH, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, SCHWEGMANN, AND TRAVIS

AN ACT

To enact R.S. 36:4(U) and Chapter 10-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1317 through 1319, relative to the Louisiana Retirement Development Commission; to provide for membership; to provide for responsibilities and duties of the commission; and to provide for related matters.

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

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 30:2194(B)(3), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Trust Fund; to provide for the definition of "eligible participant"; and to provide for related matters.

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

**HOUSE BILL NO. 1302—**

BY REPRESENTATIVES STELLY AND FLAVIN

AN ACT

To amend and reenact R.S. 40:1501.4, relative to Calcasieu Parish fire protection districts; to provide that whenever an area served by a fire protection district is annexed into a municipality, if a portion of the ad valorem tax avails is pledged to the retirement of indebtedness, that portion of the ad valorem tax shall not be abated; and to provide for related matters.

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

**HOUSE BILL NO. 1307—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1221(3)(a) and (d)(iii), relative to supplemental earnings benefits; to provide relative to the calculation thereof; to remove the termination of supplemental earnings benefits when one begins to receive old age insurance benefits; and to provide for related matters.

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

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVES FRUGE, BARTON, FLAVIN, FRITH, PINAC, POWELL, SCHNEIDER, AND TRAVIS

AN ACT

To amend and reenact R.S. 12:443(5), 444, 445, and 447(A), relative to seafood marketing associations; to provide relative to the marketing and selling of certain products; to provide relative to the membership of seafood associations; and to provide for related matters.

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

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 48:701.2(D), relative to Webster Parish; to limit the applicability of the current statute on reversion of property after revocation of a dedication of any road, street, or alleyway in Webster Parish; and to provide for related matters.

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

**HOUSE BILL NO. 1574—**

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

AN ACT

To amend and reenact R.S. 40:1662.3(1), (2), (5), (9), and (10), 1662.6(A), (B)(1), (5), and (6), 1662.7(B), (C), (D), and (E), 1662.8(B)(2) and (4), 1662.9(A)(introductory paragraph), (4), and (5), 1662.11(A)(1), and 1662.14(A)(2) and (3)(b), to enact R.S. 40:1662.3(11) through (19), 1662.6(B)(8) and (9), 1662.7(F), 1662.8(B)(5), 1662.9(A)(6), (E), and (F), and 1662.14(A)(6), and to repeal R.S. 40:1662.10, relative to the Alarm Industry Licensing Act; to provide relative to definitions; to provide for the application and licensure of alarm contracting companies and the requirements to maintain licensure; to provide for licensure and requirements of other types of individual licenses; to provide for license renewal and continuing education requirements; to provide for classifications of offenses and prohibited acts; to delete provisions with regard to certain provisional licenses; and to provide for related matters.

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

**HOUSE BILL NO. 1575—**

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

AN ACT

To enact R.S. 23:541(E), relative to regulations affecting boilers; to provide for boiler inspection fees; and to provide for related matters.

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

**HOUSE BILL NO. 1577—**

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

AN ACT

To amend and reenact R.S. 40:1484.4(B)(1) and (D)(1) and 1484.5(A) and to repeal R.S. 40:1484.4(B)(introductory paragraph), relative to amusement rides and attractions; to provide for certain annual inspections; to provide for fees for inspection certificates; and to provide for related matters.

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

**HOUSE BILL NO. 1620—**

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

AN ACT

To amend and reenact R.S. 40:964 Schedule III (B)(9), relative to controlled dangerous substances; to provide that salts of Ketamine are Schedule III depressants; and to provide for related matters.

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

April 26, 1999

HOUSE BILL NO. 1626—  
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND  
CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND  
SCHEDLER

AN ACT

To amend and reenact R.S. 47:806(C)(2), relative to the special fuels tax; to eliminate recordkeeping requirements for certain taxpayers; and to provide for related matters.

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

HOUSE BILL NO. 1682—  
BY REPRESENTATIVE DANIEL (BY REQUEST)

AN ACT

To amend and reenact R.S. 11:1162(A)(6)(introductory paragraph), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees and participation in the Deferred Retirement Option Plan; and to provide for related matters.

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

HOUSE BILL NO. 1691—  
BY REPRESENTATIVES LANCASTER, FONTENOT, SCALISE,  
MONTGOMERY, WADDELL, WALSWORTH, AND JENKINS AND SENATOR  
DARDENNE

AN ACT

To amend and reenact R.S. 44:31, 32(D), and 35(E)(2) and to enact R.S. 44:31.2 and 35(F), relative to public records; to declare the responsibility of a custodian to provide access to public records; to provide that the burden of proving a record cannot be disclosed rests with the custodian; to require the attorney general to establish a public records awareness program; to provide for the requirement of written notification to a requester; to limit the amount of attorney fees in certain actions involving access to records; and to provide for related matters.

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

HOUSE BILL NO. 1704—  
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 40:1653(F) and to enact R.S. 40:1653(G) and (H), relative to fire alarm systems; to provide for the registration and licensure of certain persons; to provide for fees; and to provide for related matters.

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

HOUSE BILL NO. 1714—  
BY REPRESENTATIVES DANIEL, CURTIS, FLAVIN, JOHNS, PERKINS,  
STELLY, TRICHE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 11:2266, relative to the Firefighters Retirement System; to provide with respect to the application for membership or disability benefits and penalties for fraudulent actions related thereto; to provide with respect to benefits and the payment thereof; and to provide for related matters.

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

HOUSE BILL NO. 1716—  
BY REPRESENTATIVES LANCASTER, FONTENOT, WADDELL, AND  
WALSWORTH

AN ACT

To amend and reenact R.S. 24:522(H) and to repeal Part XIV of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:366.1 through 366.6, relative to incentive plans for state employees; to repeal the Incentive Plans for Economy in State Government program; to provide for the incentive program to be used to encourage involvement in the Louisiana Performance Audit Program; and to provide for related matters.

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

HOUSE BILL NO. 1724—  
BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 36:312(A), R.S. 39:134(C) and 1484(4)(b), and R.S. 46:2664(E)(3) and to repeal Part V of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:141, and R.S. 39:136 and 1554(G)(1) and R.S. 45:803, relative to the Joint Legislative Committee on the Budget; to delete certain obsolete and nonessential duties of the committee; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

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

HOUSE BILL NO. 1735—  
BY REPRESENTATIVES JETSON AND MCMAINS

AN ACT

To amend and reenact Children's Code Arts. 615(B)(4) and (5) and (E) and 616(A)(2) and to enact Children's Code Art. 615(B)(6) and (F), relative to disposition of reports in child abuse investigations; to provide for inconclusive reports; to provide relative to the disposition of inconclusive reports in child abuse investigations; and to provide for related matters.

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

HOUSE BILL NO. 1762—  
BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 24:522(C)(introductory paragraph) and (10), R.S. 39:31(C)(8), 87.3(A) and (C), and 87.4(A)(3) and to enact R.S. 39:2(46) and (47), relative to performance-based budgeting; to provide relative to evaluation methods; to define certain terms; to provide with respect to certain reporting dates; and to provide for related matters.

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

HOUSE BILL NO. 1813—  
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE

AN ACT

To enact R.S. 25:215(C), relative to library boards; to authorize certain library boards to pay per diem to the members; and to provide for related matters.

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

HOUSE BILL NO. 1815—  
BY REPRESENTATIVE MCCALLUM

AN ACT

To enact R.S. 13:2103.2, relative to marshal's fees; to permit an increase in fees for certain offices; to require the marshal to remove eligibility of sureties who do not pay the required fees; and to provide for related matters.

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

HOUSE BILL NO. 1822—  
BY REPRESENTATIVES TOOMY AND BRUCE

AN ACT

To enact R.S. 14:93.2.3, relative to the crime of second degree cruelty to juveniles; to provide for creation of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1834—**

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

AN ACT

To enact R.S. 22:1379(3)(e) and 1382(A)(3)(f) and (D), relative to the Louisiana Insurance Guaranty Association; to provide for claims; to provide for recovery of paid covered claims; to provide for limits; to provide for insolvency proceedings; to provide for assessments; and to provide for related matters.

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

**HOUSE BILL NO. 1843—**

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

AN ACT

To repeal R.S. 48:27 through 34, 202, and 942 through 948, relative to the now obsolete authority of the Department of Transportation and Development and the former Department of Highways to issue bonds.

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

**HOUSE BILL NO. 1873—**

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN

AN ACT

To amend and reenact Children's Code Arts. 728(1), 732(A), 733(A), (C), and (D), 734(C), 735(A), 736(A), (B), and (D)(4), 737, 738(A) and (D), 739, 740(A)(3) and (4) and (B), 741, 742, 745(B) and (C), 746, 791(B), (C), (D), and (E), and 1509, to enact Children's Code Arts. 728(3.1), 729.1, 733(E), 735(D), 740(A)(5) and (C), 791(F), and 1509.1, and to repeal Children's Code Art. 730(9), all relative to the continuous revision of the Louisiana Children's Code; to amend Title VII of the Children's Code, Families in Need of Services, and to provide for sanctions for contempt in Title XV, Special Proceedings; to provide for definitions, venue and grounds for Families in Need of Services; to provide for the duties of intake officers, instanter orders of custody, taking a child into custody, prehearing placement, release, and continued custody; to provide for advice of rights of the parents, the grounds and place of continued custody of the child, confidentiality of the informal family services plan agreement, the authority to file a Family in Need of Services petition, and prehearing contempt; to provide penalties for contempt in general for children and adults; and to provide for related matters.

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

**HOUSE BILL NO. 1889—**

BY REPRESENTATIVES JETSON AND MCMAINS

AN ACT

To amend and reenact Children's Code Arts. 606(A)(1) and 610(A) and (E), relative to Child In Need Of Care proceedings; to provide relative to grounds in Child In Need of Care proceedings; to provide relative to child abuse reporting procedures; and to provide for related matters.

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

**HOUSE BILL NO. 1920 (Duplicate of Senate Bill No. 644)—**

BY REPRESENTATIVE ALARIO AND SENATOR HAINKEL

AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition, within specified limits, at the university laboratory school; and to provide for related matters.

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

**HOUSE BILL NO. 1942—**

BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

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

**HOUSE BILL NO. 1951—**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 22:620(F), relative to insurance policy forms; to provide for approval; to provide for exceptions; to provide for regulations; to provide for commercial entities; and to provide for related matters.

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

**HOUSE BILL NO. 1959—**

BY REPRESENTATIVES COPELIN, BAYLOR, BRUCE, CHAISSON, CURTIS, FARVE, FAUCHEUX, FRITH, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, LANDRIEU, MORRELL, MURRAY, ODINET, PIERRE, PRATT, QUEZAIRE, RIDDLE, SCHWEGMANN, SHAW, THOMPSON, WARNER, WELCH, WESTON, WILKERSON, AND WILLARD

AN ACT

To enact R.S. 17:1817, relative to offices of minority health; to authorize the Southern University Board of Supervisors to create and operate an office or offices of minority health; to provide relative to purposes and staffing of such office or offices; and to provide for related matters.

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

**HOUSE BILL NO. 1962—**

BY REPRESENTATIVE BRUCE

AN ACT

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

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

**HOUSE BILL NO. 2025—**

BY REPRESENTATIVES WADDELL AND WALSWORTH

AN ACT

To amend and reenact R.S. 18:1505.2(F), relative to campaign finance; to provide that campaign contributions and expenditures of a corporation may be authorized by any person designated by resolution of the board of directors of the corporation to authorize campaign contributions or expenditures; and to provide for related matters.

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

**HOUSE BILL NO. 2037—**

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

AN ACT

To amend and reenact R.S. 38:2316, relative to the selection of professional services related to public contracts; to increase the project budget cost threshold for applicability of certain provisions of Public Bid Law for procurement of professional services; and to provide for related matters.

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

**HOUSE BILL NO. 2038—**

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

AN ACT

To enact R.S. 39:97.3(E)(6), relative to the Louisiana Asbestos Detection and Abatement Fund; to provide for additional uses of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 2052 (Substitute for House Bill No. 1185 by Rep. Thornhill) (Duplicate of Senate Bill No. 655)—**

BY REPRESENTATIVE THORNHILL AND SENATOR MALONE AND COAUTHORED BY REPRESENTATIVES BRUCE, ANSARDI, MARTINY, MURRAY, AND PINAC

AN ACT

To amend and reenact R.S. 22:2027(F), to enact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.37, and to repeal R.S. 22:657(G), relative to health insurance; to establish claim submission standards for health insurance coverage; to provide for late payment adjustments for claimants; to establish requirements for the payment of medical care under health insurance coverage; to provide relative to timely payment of health insurance claims and enrollee claims; to provide relative to coordination of benefits; to provide for enforcement, including cease and desist orders, penalties, and suspension or revocation of a certificate of authority; and to provide for related matters.

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 26, 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 Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE WESTON

A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

**HOUSE CONCURRENT RESOLUTION NO. 37—**

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To urge and request each state department and agency which employs state classified employees to adopt a rewards and recognition policy in accordance with civil service regulations to recognize and reward outstanding achievements by its employees in the performance of their public service.

**HOUSE CONCURRENT RESOLUTION NO. 89—**

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To designate the square dance as the American Folk Dance of the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 23—**

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the State Board of Commerce and Industry to require recipients of the industrial tax exemption to provide internships to students attending Louisiana educational institutions.

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVES ANSARDI AND CHAISSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to appropriate sufficient funds to install lighting on Interstate Highway 10 and Interstate Highway 310 in the vicinity of the intersection of Jefferson Parish, Louisiana, and St. Charles Parish, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 2—**

BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the traffic problems at the intersection of Prien Lake Road and Interstate 210 in Lake Charles, and to consider the inclusion of traffic mitigation improvements at this intersection when compiling the Highway Priority Program.

**HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To memorialize the United States Department of Commerce, the United States Department of Transportation, the National Transportation Safety Board, and the United States Environmental Protection Agency, to require all barges, cargo ships, and commercial vessels of any type transporting hazardous materials on the navigable waters of the state to identify all hazardous materials being transported by utilizing a placarding system recognized by the United Nations or the North American Placarding System.

**HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVE MICHOT

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to extend its office hours and to open additional "express" offices.

**HOUSE CONCURRENT RESOLUTION NO. 62—**

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles, Department of Public Safety and Corrections, to expedite the procedures for acquiring a handicapped insignia.

**HOUSE CONCURRENT RESOLUTION NO. 90—**

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To direct the House and Senate Committees on Transportation, Highways and Public Works to review all information relative to the installation of the video or photo monitoring system on the Greater New Orleans Mississippi River Bridge and to require the Crescent City Connection Division of the Department of Transportation and Development to report to, and submit such information to, the House and Senate Transportation, Highways and Public Works Committees.

**HOUSE CONCURRENT RESOLUTION NO. 103—**

BY REPRESENTATIVES DURAND, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DOERGE, FRITH, MICHOT, MORRELL, MURRAY, PINAC, POWELL, SCHNEIDER, AND SCHWEGMANN AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

A CONCURRENT RESOLUTION

To create a task force to study and make recommendations to the legislature on issues affecting the flammability of upholstered furniture.

**HOUSE CONCURRENT RESOLUTION NO. 16—**

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the feasibility of increasing campaign contribution limits based on the rate of inflation and to report the findings of the joint committee to the legislature prior to the convening of the 2001 Regular Session.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 2—**  
 BY REPRESENTATIVE GUILLORY

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the traffic problems at the intersection of Prien Lake Road and Interstate 210 in Lake Charles, and to consider the inclusion of traffic mitigation improvements at this intersection when compiling the Highway Priority Program.

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

**HOUSE CONCURRENT RESOLUTION NO. 15—**  
 BY REPRESENTATIVE ANSARDI

**A CONCURRENT RESOLUTION**

To memorialize the United States Department of Commerce, the United States Department of Transportation, the National Transportation Safety Board, and the United States Environmental Protection Agency, to require all barges, cargo ships, and commercial vessels of any type transporting hazardous materials on the navigable waters of the state to identify all hazardous materials being transported by utilizing a placarding system recognized by the United Nations or the North American Placarding System.

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

**HOUSE CONCURRENT RESOLUTION NO. 16—**  
 BY REPRESENTATIVE MURRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the feasibility of increasing campaign contribution limits based on the rate of inflation and to report the findings of the joint committee to the legislature prior to the convening of the 2001 Regular Session.

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

**HOUSE CONCURRENT RESOLUTION NO. 23—**  
 BY REPRESENTATIVE WILKERSON

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Commerce and Industry to require recipients of the industrial tax exemption to provide internships to students attending Louisiana educational institutions.

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

**HOUSE CONCURRENT RESOLUTION NO. 36—**  
 BY REPRESENTATIVE MICHOT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to extend its office hours and to open additional "express" offices.

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

**HOUSE CONCURRENT RESOLUTION NO. 37—**  
 BY REPRESENTATIVE HEBERT

**A CONCURRENT RESOLUTION**

To urge and request each state department and agency which employs state classified employees to adopt a rewards and recognition policy in accordance with civil service regulations to recognize and reward outstanding achievements by its employees in the performance of their public service.

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

**HOUSE CONCURRENT RESOLUTION NO. 56—**  
 BY REPRESENTATIVES ANSARDI AND CHAISSON

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to appropriate sufficient funds to install lighting on Interstate Highway 10 and Interstate Highway 310 in the vicinity of the intersection of Jefferson Parish, Louisiana, and St. Charles Parish, Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 62—**  
 BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To urge and request the office of motor vehicles, Department of Public Safety and Corrections, to expedite the procedures for acquiring a handicapped insignia.

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

**HOUSE CONCURRENT RESOLUTION NO. 89—**  
 BY REPRESENTATIVE WALSWORTH

**A CONCURRENT RESOLUTION**

To designate the square dance as the American Folk Dance of the state of Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 90—**  
 BY REPRESENTATIVE CLARKSON

**A CONCURRENT RESOLUTION**

To direct the House and Senate Committees on Transportation, Highways and Public Works to review all information relative to the installation of the video or photo monitoring system on the Greater New Orleans Mississippi River Bridge and to require the Crescent City Connection Division of the Department of Transportation and Development to report to, and submit such information to, the House and Senate Transportation, Highways and Public Works Committees.

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

**HOUSE CONCURRENT RESOLUTION NO. 103—**  
 BY REPRESENTATIVES DURAND, DEWITT, DOWNER, McMAINS, DIEZ, CRANE, DOERGE, FRITH, MICHOT, MORRELL, MURRAY, PINAC, POWELL, SCHNEIDER, AND SCHWEGMANN AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**A CONCURRENT RESOLUTION**

To create a task force to study and make recommendations to the legislature on issues affecting the flammability of upholstered furniture.

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

HOUSE CONCURRENT RESOLUTION NO. 152—

BY REPRESENTATIVE WESTON  
A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Hainkel
Dyess	Johnson
Total—4	

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

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 214—  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To enact R.S. 14:101.2, relative to crimes; to create the crime of unlawful harvesting of human ova or sperm; to provide for prior written consent of the deceased; to provide for penalties; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hines to Reengrossed House Bill No. 214 by Representative Marionneau (Duplicate of Senate Bill No. 810 by Senator Hines)

AMENDMENT NO. 1  
On page 1, line 2, change "unlawful" to "unauthorized"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof the following:

"use of sperm, ovum, or embryo; to provide for penalties; and"

AMENDMENT NO. 3  
On page 1, delete lines 8 through 16 in their entirety and insert in lieu thereof the following:

"§101.2. Unauthorized use of sperm, ovum, or embryo

R. S. 14:101.2 is all proposed new law.

A. No person shall knowingly use sperm, ovum, or embryo, through the use of assisted reproduction technology, for any purpose other than that indicated by the sperm, ovum, or embryo provider's signature on a written consent form.

B. No person shall knowingly implant sperm, ovum, or embryo, through the use of assisted reproduction technology, into a recipient who is not the sperm, ovum, or embryo provider, without the signed written consent of the sperm, ovum, or embryo provider and recipient."

AMENDMENT NO. 4  
On page 2, line 2, after "dollars," delete the remainder of the line, delete line 3 in its entirety and insert in lieu thereof the following:

"or be imprisoned, for not more than one year, or both.

D. Written consent shall not be required of men who donate sperm to a licensed tissue bank."

On motion of Senator Hines, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 810, was read by title and referred to the Legislative Bureau.

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. 27—  
BY SENATOR COX  
AN ACT

To amend and reenact R.S. 17:7.4(A) and (E)(1), relative to tuition exemption for certain paraprofessionals; to include clerical and other office personnel among those eligible to participate in the tuition exemption program; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (Substitute for Senate Bill 27 by Senator Cox)  
BY SENATORS COX AND W. FIELDS  
AN ACT

To enact R.S. 17:7.7, relative to a continuing education program for school support personnel in public elementary and secondary schools; to provide for payment of college tuition on behalf of such personnel under certain circumstances; to provide for qualifications to participate; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:  
Section 1. R.S. 17:7.7 is hereby enacted to read as follows:  
§7.7. Continuing education pilot program for school support personnel in schools; reimbursement to public and nonpublic colleges and universities for tuition costs;

rules and regulations; reporting; repayment for noncompletion of courses

**R.S. 17:7.7 is all proposed new law.**

A. The State Board of Elementary and Secondary Education shall adopt rules and regulations establishing a pilot program in the state Department of Education, division of continuing education, to assist school support personnel who work full-time in city and parish elementary and secondary schools to meet the qualifications for certification as a teacher. Such pilot program shall include provisions under which such personnel may apply to be exempt from tuition for required teacher training courses at a public college or university in the state or at a nonpublic institution listed in R.S. 17:7.3(A)(1). Such exemption shall be applicable to no more than one course per applicant per semester or quarter in the fall and spring and to no more than two courses in a summer session. However, upon approval by the city or parish school superintendent, such exemption shall be applicable to two additional courses per applicant per semester or quarter in the fall and spring and to two additional courses in a summer session. In no case may state funds be used toward tuition for courses in theology or divinity.

B. The amount of tuition paid shall be limited to the registration fee and building use fee per semester hour, provided that the amount paid by the state to any nonpublic school for tuition shall not exceed the highest tuition charged for that course by a public college or university in the state.

C. The state superintendent of education shall at the beginning of each semester pay half of the anticipated reimbursement to each college and university under this tuition exemption program. At the end of the semester, upon notification by a participating college or university of the enrollment of school support personnel in teacher training courses, he shall promptly pay to that institution the remainder of the reimbursement owed under the provisions of this Section.

D. Funds for the purpose of reimbursing colleges and universities under this program shall come from monies specifically appropriated or otherwise made available for this purpose. The board shall promulgate rules and regulations to award tuition exemptions on a priority basis in those circumstances where the amount of funds available is not sufficient to provide reimbursement for participation of all eligible applicants.

E.(1) Each school support employee seeking to participate in the program shall apply to the Department of Education. An "eligible school support employee" shall be defined as a person who is not certified as a classroom teacher but who is assigned to one or more specific teachers or schools on a full-time basis to assist with the administration, operation, or maintenance of schools. To be eligible to participate in the program after July 1, 1999, an applicant shall have been admitted to an approved college of education at a public college or university in the state or at a nonpublic institution listed in R.S. 17:7.3(A)(1) and shall have taken the general knowledge and communication sections of the National Teachers Examination and achieved the score established as provided by R.S. 17:7.1(A)(7) for entry into a teacher education program.

(2) At or prior to registration, any eligible school support employee participating in the program shall be required to enter into a written agreement with the state superintendent of education obligating such employee to reimburse the state superintendent as provided in Subsection F herein for all or any part of the tuition costs paid on his behalf under this program which are not otherwise reimbursed to the state, together with the cost of collection in the event he fails to make timely reimbursement.

F. Any eligible school support employee for whom payment is advanced pursuant to Subsection C and who completes all required courses for certification but who fails to become certified within one year after completing such course work or who is found to be ineligible or who drops a course after the deadline for obtaining a full or partial tuition refund from the college or university, or who fails to complete a course successfully, shall reimburse the state superintendent of education for any monies

allocated and paid in his behalf pursuant to this Section which are not otherwise reimbursed, together with reimbursement for the cost of collection in the event that timely reimbursement is not made in accordance with this Section and the rules and regulations which the board shall adopt to accomplish proper reimbursement. The attorney general shall collect all such obligations on behalf of the superintendent of education which are not timely paid. Any person receiving retirement benefits from a state retirement system or owing reimbursement to the state superintendent under this program is ineligible for participation.

G. The state superintendent shall annually submit a report to the House of Representatives Committee on Education and the Senate Committee on Education relative to any program established for eligible school support employee under this Section. Such report shall include but not be limited to the following:

- (1) The number of persons applying for such education.
- (2) The number of persons accepted in the program.
- (3) The educational background and the work experience of such persons.
- (4) The number of participants receiving a teaching certificate.
- (5) The amount of reimbursement paid by the Department of Education.

(6) The funding that would have been necessary to reimburse tuition for qualifying courses for all eligible applicants.

H. Rules and regulations of the board pursuant to this Section shall be adopted in accordance with R.S. 49:950 et seq.

I. The total administrative costs of this program, including mileage and other travel expenses, shall not exceed an annual cost of two thousand dollars.

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 Greene, the committee substitute bill was adopted and becomes Senate Bill No. 1054 by Senator Cox, substitute for Senate Bill No. 27 by Senator Cox.

**SENATE BILL NO. 1054 (SUBSTITUTE FOR SENATE BILL 27 BY SENATOR COX)—**

BY SENATORS COX AND W. FIELDS  
AN ACT

To enact R.S. 17:7.7, relative to a continuing education program for school support personnel in public elementary and secondary schools; to provide for payment of college tuition on behalf of such personnel under certain circumstances; to provide for qualifications to participate; and to provide for related matters.

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

**SENATE BILL NO. 46—**

BY SENATOR LANDRY  
AN ACT

To amend and reenact R.S. 32:191.1(A) and R.S. 45:161, 162(2), (5)(a) and (e) and (10), 163(A) and 173, to enact R.S. 45:162(7.1), relative to motor vehicles and traffic regulations; to provide for the deregulation of certain intrastate contract carrier by buses; to provide for definitions; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 46 by Senator Landry

April 26, 1999

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 32:191.1(A) and R.S. 45:161, 162(2), (5)(a) and (e) and (10), 163(A) and 173, to enact R.S. 45:162(7.1)."

AMENDMENT NO. 2

On page 1, line 3, after "regulations;" delete the remainder of the line and insert:

"to provide for the deregulation of certain intrastate contract carrier by buses; to provide for definitions; and to provide for"

AMENDMENT NO. 3

On page 1, after line 13, insert:

"Section 2. R.S. 45:161, 162(2), (5)(a) and (e) and 10, 163(A) and 173 are hereby amended and reenacted and R.S. 45:162(7.1) is hereby enacted to read as follows:

§161. Declaration of policy

The business of operating motor vehicles for hire as common or contract carriers of persons or household goods, waste, or any other classification of carriers, other than a contract carrier by bus, created by law for compensation upon the public highways and bridges of this state is a business affected with a public interest.

§162. Definitions

The following words and phrases when used in this Chapter shall have the meanings ascribed to them in this Section except where a different meaning is expressly stated or clearly indicated by the context.

\* \* \*

(2) "Certificate" means a certificate of public convenience and necessity issued to transporters of household goods, passengers, or waste, by motor vehicle, and transporters of passengers other than contract carriers by bus, under R.S. 45:161 through 172.

\* \* \*

(5)(a) "Common carrier by motor vehicle" means any person, other than a contract carrier by bus, the essential nature of whose business comprises engaging in, soliciting, or accepting household goods, passengers, or waste, for transportation for hire, charge, or compensation as an employment or holding himself out as so available to the public generally and indiscriminately for such business, whether or not the business is conducted over a regular route, between fixed termini, within a defined area, or upon a regular or irregular schedule.

\* \* \*

(e) Any person, other than a contract carrier by bus, who, with or without specific contracts, furnishes such transportation to more than five separate shippers of property or more than five passengers shall be, prima facie, held to be a common carrier and the burden shall rest upon him to show by a clear preponderance and to the satisfaction of the commission that the character of his operations is not that of a common carrier.

\* \* \*

R.A. 45:162(7.1) is all proposed new law.

(7.1) "Contract carrier by bus" means any person transporting persons for hire, charge, or compensation, over any highway of this state using a bus as defined in R.S. 32:1(5), wherein such bus is designed to carry twenty or more persons.

\* \* \*

(10) "Motor carriers" include both a common carrier by motor vehicle and contract carrier by motor vehicle, which transports household goods, passengers, waste, or any other classification of carriers created by law which transports household goods, passengers, or waste for compensation or hire. "Motor carriers" shall include contract carriers by bus; however, for purposes of R.S. 45:1177 and R.S. 45:173 only, a contract carrier by bus shall be considered a "motor carrier" subject to the control and jurisdiction of the Public Service Commission.

\* \* \*

§163. Powers of commission; rates; insurance policies or bonds

A. The commission has the power and authority necessary to supervise, govern, regulate, and control motor carriers, other than a contract carrier by bus, which transport household goods, passengers, or waste and to fix reasonable and just rates, fares, tolls, or charges for the commodities furnished or services rendered by such motor carriers. The commission shall prescribe rules and regulations governing the operation of contract carriers in competition with common carriers, and prescribe minimum rates, fares, and charges to be collected by such carriers.

\* \* \*

§173. Contract carriers; liability policy or bond required

Every motor carrier as defined in R.S. 45:162(10) not exempted by R.S. 45:177, using the highways shall file with the Louisiana Public Service Commission, a liability insurance policy or bond satisfactory to the commission of a company authorized to do business in this state. For contract carriers of passengers, other than a contract carrier by bus, the policy or bond shall be not less than five thousand dollars for the death or injury to any one person and thirty thousand dollars total liability for any one accident, and for contract carriers of property the policy or bond shall be not less than five thousand dollars for the death or injury to any one person and ten thousand dollars total liability for any one accident."

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

SENATE BILL NO. 86—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:190(A), relative to safety helmets; to require certain motor vehicle operators to wear safety helmets; to provide for minimum health insurance coverage; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 86 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, after "helmets;" insert "to provide for minimum health insurance coverage"

AMENDMENT NO. 2

On page 1, line 9, change "A." to "A.(1)" and change "eighteen" to "twenty-one"

AMENDMENT NO. 3

On page 1, line 16, after "commissioner." insert

"(2) Any person twenty-one years of age or older as provided for in Subsection A(1) who chooses not to wear a helmet shall be covered by a health insurance policy with medical benefits of at least ten thousand dollars for bodily injuries and shall furnish proof of such policy to any law enforcement officer upon the request of such officer."

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

**SENATE BILL NO. 170—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 17:3973(2)(b)(ii)(iii), and (iv), 3983(A)(2)(a)(ii), and 3991(B)(1) and (3) and (C)(6)(a), relative to charter schools; to provide relative to the types of charter schools and the eligibility of pupils to attend such schools; to provide relative to denial of a chartering proposal by a local school board; to provide relative to admission requirements; to provide relative to faculty requirements; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 170 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, before "(iii)" insert "(ii),"

AMENDMENT NO. 2

On page 1, line 3, change "(3)" to "(1) and (3), and (C)(6)(a)"

AMENDMENT NO. 3

On page 1, line 9, before "(iii)" insert "(ii),"

AMENDMENT NO. 4

On page 1, line 10, change "(3)" to "(1) and (3), and (C)(6)(a)"

AMENDMENT NO. 5

On page 1, line 6, after "requirements;" insert "to provide relative to faculty requirements;"

AMENDMENT NO. 6

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

"(ii) Type 2, which means a new school or a preexisting public school converted and operated as the result of and pursuant to a charter between the nonprofit corporation created to operate the school and the State Board of Elementary and Secondary Education. Within such type 2 charter schools, pupils who reside within the state will be eligible to attend as provided in the charter. Creation of a type 2 charter school shall comply with the provisions of R.S. 17:3983(A)(2)(a)(i)."

AMENDMENT NO. 7

On page 3, between lines 20 and 21, insert the following:

"(1)(a) That for type 1 and type 2 charter schools, the percentage of the total number of pupils enrolled in the charter school based on the October first pupil membership who are at risk, in the manner provided in R.S. 17:3973(1)(a), shall be equal to not less than eighty-five percent of the average percentage of the total number of pupils enrolled in the local public school district in which the charter school is located districts from which the charter school enrolls its students who are eligible to participate in the federal free and reduced lunch program. The remaining number of pupils enrolled in the charter school which would be required to have the same percentage of at-risk pupils as the percentage of pupils in the district who are eligible to participate in the federal free and reduced cost lunch program may be comprised of pupils who are at risk as is otherwise provided in R.S. 17:3973(1).

(b) That for type 2 charter schools created as a result of a conversion, type 3 and type 4 charter schools, the percentage of the total number of pupils enrolled in the charter school based on the October first pupil membership who are at risk, in the manner provided in R.S. 17:3973(1)(a), unless otherwise agreed to by the local school board chartering authority, shall be equal to not less than the percentage of the total of pupils enrolled in the school in

the school year prior to the establishment of the charter school that were eligible to participate in the federal free and reduced cost lunch program.

(c) For the purposes of this Section, students holding a valid passport from the country of France shall not be counted when calculating the overall at-risk percentage of the charter school."

AMENDMENT NO. 8

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

"C. A charter school shall:

\* \* \*

(6)(a) Employ teachers certified by the state board or the French Ministry of Education for at least seventy-five percent of the instructional staff employed by the charter school.

\* \* \*

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

**SENATE BILL NO. 173—**

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 38:2248, relative to public works contracts; to authorize contractors on public works projects to elect to furnish a retainage bond in lieu of the contracting agency withholding payment on the contract; to place restrictions on the values used in punch lists on public works projects; to provide an effective date; and to provide for related matters.

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

**SENATE BILL NO. 206—**

BY SENATORS THEUNISSEN AND LANDRY AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 2:131(A), 131.5(A),(B), (I), and (J), 319, 321, 602(A), and 607(B) and to enact R.S. 2:1(25), (26), (27), and (28), and 135.1 (K), (L), (M), (N), (O), and (P), relative to aviation; to provide for definitions; to provide relative to authority of sponsors of public airports; to provide for optional public bid requirements under certain conditions; to require certain conditions of maintenance within certain lease contracts; to require certain conditions of fairness and non-discrimination within certain lease contracts; to repeal exemption from lease requirements of airports operated through cooperative agreements with the state; to require cost escalation provisions on certain lease contracts; to require public access to air field facilities; to provide relative to requirements of fixed-base operators; to authorize compensation for "through-the-fence" operations; to provide relative to the terms of office of commissioners of certain airport districts; to provide relative to membership of airport authorities; to provide relative to terms of office of commission members of such authorities; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 206 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 3, after "(26)," delete "and" and after "(27)," insert "and (28)."

April 26, 1999

AMENDMENT NO. 2

On page 2, line 5, after "(26)," delete "and" and on line 6, after "(27)," insert "and (28),"

AMENDMENT NO. 3

On page 2, line 23, after "accessing of" add "air operation area"

AMENDMENT NO. 4

On page 2, between lines 25 and 26, insert:

**"R.S. 2:1(28) is all proposed new law.**

(28) Air operation area" means certain areas of an airport limited to runways, taxiways, and aprons."

AMENDMENT NO. 5

On page 7, line 24, change "must" to "shall"

AMENDMENT NO. 6

On page 9, at the end of line 23, add "air operation area"

AMENDMENT NO. 7

On page 10, between lines 15 and 16, add the following:

**"R.S. 2:135.1(P) is all proposed new law.**

P. The provisions of this Section shall have no effect on the provisions of R.S. 33:130.351 through 130.359."

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

**SENATE BILL NO. 224—**

BY SENATORS CAMPBELL, CRAVINS, COX, DYESS, IRONS, JORDAN, LANDRY, MALONE AND W. FIELDS

**A JOINT RESOLUTION**

Proposing to add Article VII, Section 10.8 of the Constitution of Louisiana, relative to the establishment of a permanent trust fund for each of the public school systems in the state and for certain state and state approved private schools from a portion of monies received by the state in settlement of certain litigations; to provide for the establishment of the funds and the proportions of money to be credited to each fund; to provide for the investment of the fund monies; to provide for the establishment of a fund from which investment income may be disbursed to the public school systems and certain state and state approved private schools; to provide for the disbursement and expenditure of the money from such fund; to provide for the duties of the state treasurer; to provide for the disposition of the permanent trust funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 224 by Senator Campbell, et al.

AMENDMENT NO. 1

On page 1, line 4, after "state" insert "and for certain state and state approved private schools"

AMENDMENT NO. 2

On page 1, line 9, after "systems" insert "and certain state and state approved private schools"

AMENDMENT NO. 3

On page 2, line 5, delete "system" and after "funds." insert "(a)"

AMENDMENT NO. 4

On page 2, line 6, after "board" insert "and each approved special school"

AMENDMENT NO. 5

On page 2, line 7, after "school" insert "or school"

AMENDMENT NO. 6

On page 2, at the end of line 8, insert "and in addition, the treasurer shall establish a special permanent trust fund in the state treasury on behalf of all students attending private elementary and secondary schools in the state which are approved by the State Board of Elementary and Secondary Education which account shall be named the "Private Education Excellence Fund" all of which shall"

AMENDMENT NO. 7

On page 2, line 9, after "collectively" insert "be" and after "school" delete "system"

AMENDMENT NO. 8

On page 2, at the end of line 10, after "school" insert ", the private school students, and school"

AMENDMENT NO. 9

On page 2, line 11, after "school" delete "system"

AMENDMENT NO. 10

On page 2, between lines 12 and 13, insert the following:

"(b) For the purposes of this Section, "approved special schools" means the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center in Alexandria, the Louisiana School for Math, Science, and the Arts, and the Louis Armstrong High School for the Arts, after such school is operational."

AMENDMENT NO. 11

On page 2, line 15, after "school" delete "system"

AMENDMENT NO. 12

On page 2, at the end of line 21, change "the" to "each"

AMENDMENT NO. 13

On page 2, line 22, after "school" delete "systems" and insert "board and each approved special school and which shall hereafter be maintained by the treasurer on behalf of the students attending all private elementary and secondary schools in the state approved by the State Board of Elementary and Secondary Education"

AMENDMENT NO. 14

On page 2, at the beginning of line 24, delete "system"

AMENDMENT NO. 15

On page 2, line 25, after "school" delete "system"

AMENDMENT NO. 16

On page 3, line 2, after "school" delete "system"

AMENDMENT NO. 17

On page 3, line 3, after "school" delete "system"

AMENDMENT NO. 18

On page 3, line 4, after "school" delete "system"

AMENDMENT NO. 19

On page 3, line 7, after "school" delete "system"

AMENDMENT NO. 20

On page 3, line 9, after "school" delete "system"

AMENDMENT NO. 21

On page 3, at the beginning of line 12, delete "system" and after "funds," insert "ten percent shall be deposited into the Private Education Excellence Fund and of the remainder"

AMENDMENT NO. 22

On page 3, line 13, after "funds." change "The" to "Of the" and after "one-half" insert ", two hundred and fifty thousand dollars shall be credited to the school funds of the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center, the Louisiana School for Math, Science and the Arts, and the Louis Armstrong High School for the Arts after such school is operational and the remainder thereafter"

AMENDMENT NO. 23

On page 3, line 15, after "system's" insert "school"

AMENDMENT NO. 24

On page 3, at the beginning of line 16, change "one-half" to "remainder"

AMENDMENT NO. 25

On page 3, line 22, after "school" delete "system's"

AMENDMENT NO. 26

On page 3, line 23, after "total" delete "that the system's" and insert "each school's"

AMENDMENT NO. 27

On page 3, line 24, after "school" delete "system"

AMENDMENT NO. 28

On page 3, line 27, after "school" delete "system"

AMENDMENT NO. 29

On page 4, line 1, after "school" delete "system"

AMENDMENT NO. 30

On page 4, line 6, after "(5)" insert "(a)" and after "each" insert "city and parish"

AMENDMENT NO. 31

On page 4, line 7, after "superintendent" insert "and each approved special school upon the warrant of its chief executive"

AMENDMENT NO. 32

On page 4, line 9, after "school" delete "system's"

AMENDMENT NO. 33

On page 4, line 10, after "school" delete "system"

AMENDMENT NO. 34

On page 4, line 11, change "The" to "These"

AMENDMENT NO. 35

On page 4, between lines 12 and 13, insert the following:

"(b) The state treasurer shall annually disburse to the state superintendent of education out of the LEEF Fund an amount that bears the same relationship to the total LEEF Fund balance that the Private Education Excellence Fund balance bears to the collective balance of all school funds, hereinafter referred to an investment earnings. The superintendent shall distribute these investment earnings to each private elementary and secondary school approved by the State Board of Elementary and Secondary Education upon the warrant of its principal on the basis of a formula that provides to each such school an equal amount for each enrolled student. These investment earnings may be expended as provided in Paragraph (D) of this Section."

AMENDMENT NO. 36

On page 4, line 15, after "board" insert "and the boards of directors of the Louisiana School of Math, Science, and the Arts and the Louis Armstrong High School for the Arts, if such school is operational," and after "school" delete "system"

AMENDMENT NO. 37

On page 4, at the end of line 18, after "itself." insert "At the end of such period, the school fund of every other approved special school and the Private Education Excellence Fund shall remain in the state treasury to be invested by the state treasurer."

AMENDMENT NO. 38

On page 4, line 19, after "school" delete "system"

AMENDMENT NO. 39

On page 4, at the end of line 22, after "school" delete "system"

AMENDMENT NO. 40

On page 5, line 2, after "school" delete "system"

AMENDMENT NO. 41

On page 5, line 5, after "each" delete "system" and insert "city and parish school board and each approved special school"

AMENDMENT NO. 42

On page 5, line 7, after "each system" insert "or the chief executive of the approved special school" and after "system's" insert "or school's"

AMENDMENT NO. 43

On page 5, between lines 9 and 10, insert the following:

"(3) The state superintendent shall annually distribute the amount due to each school pursuant to Paragraph (A)(5)(b) of this Section upon the warrant of each school principal accompanied by an affidavit that the school's plan for expending the money has been filed with the state Department of Education as required in Paragraph (D) of this Section."

AMENDMENT NO. 44

On page 5, line 12, after "superintendent" insert "and each chief executive of an approved special school"

AMENDMENT NO. 45

On page 5, at the end of line 15, after "board" insert "or the chief executive of an approved special school"

AMENDMENT NO. 46

On page 5, at the end of line 16, after "school" delete "system"

AMENDMENT NO. 47

On page 5, line 18, after "school" delete "system"

AMENDMENT NO. 48

On page 5, line 21, after "system" insert "and each approved special school"

AMENDMENT NO. 49

On page 5, line 26, after "school board's" insert "and each approved special school's"

AMENDMENT NO. 50

On page 6, line 4, after "board" insert "or the chief executive of an approved special school"

AMENDMENT NO. 51

On page 6, line 6, after "board" insert "or an approved special school"

AMENDMENT NO. 52

On page 6, line 20, after "school system" insert "or any approved special school" and after "the system" insert "or school"

AMENDMENT NO. 53

On page 6, line 21, after "system's" insert "or school's"

AMENDMENT NO. 54

On page 6, between lines 26 and 27, insert the following:

"(D) Expenditures. (1) Prior to warranting any funds pursuant to this Section, each private school principal shall file with the state Department of Education a plan, as provided by law and in the format required by the department, for the expenditure of the money which is focused exclusively on the enhancement of instruction or academic achievement of the students in such school. No money may be expended on any theological instruction or material. No money may be expended on any facility renovation, maintenance, construction, or capital improvements of any kind. No money may be expended or pledged to support debt. No money may be expended for the administration of funds, except as collected by the state treasurer to cover the costs of investing and managing the monies as provided in this Section.

(2) The legislative auditor shall use such plan as a basis for auditing each school's use of its investment earnings to assure compliance with the law. The legislative auditor shall be provided with sufficient access to the records of each private school to be able to make the determination required by this Paragraph."

AMENDMENT NO. 55

On page 7, line 8, after "system" insert "and the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center, the Louisiana School for Math, Science, and the Arts, the Louis Armstrong High School, when it is operational, and one for all state approved private schools, called school funds"

AMENDMENT NO. 56

On page 7, line 10, after "money;" insert "to dedicate ten percent of such one-half to the private school fund;" and after "divide" insert "the remaining"

AMENDMENT NO. 57

On page 7, line 11, after "among the" insert "city and parish"

AMENDMENT NO. 58

On page 7, line 12, after "and" insert "of the remaining" and after "one-half" insert "two hundred and fifty thousand dollars amount to each of the five approved special schools and the remainder among the city and parish school system funds"

AMENDMENT NO. 59

On page 7, line 15, after "money in the" change "system" to "school"

AMENDMENT NO. 60

On page 7, line 16, after "portion of" change "system funds" to "school fund" and after "require" change "ten" to "twenty"

AMENDMENT NO. 61

On page 7, line 17, before "funds" change "system's" to "school"

AMENDMENT NO. 62

On page 7, line 19, after "each" change "system's" to "school"

AMENDMENT NO. 63

On page 7, line 21, after "disbursed to each" delete the remainder of the line and insert "city and parish school system, the state superintendent on behalf of students attending state approved private schools, and each of the approved special schools in the proportion each school fund"

AMENDMENT NO. 64

On page 7, line 23, after "expenditure of the" change "system funds" to "school funds"

AMENDMENT NO. 65

On page 7, line 24, after "each" insert "city and parish" and after "board" insert "and each approved special and each approved private school"

AMENDMENT NO. 66

On page 7, line 26, change "disbursed money" to "money disbursed to public schools or school systems"

AMENDMENT NO. 67

On page 8, line 5, after "improvements" delete the remainder of the line and insert "by the public schools; and to prohibit the expenditure of such money by private schools on theological instruction or material, on any facility renovation, maintenance, construction, or capital improvements of any kind, to support debt, or for the administration of funds, except as collected by the state treasurer to cover the costs of investing the money; to permit"

AMENDMENT NO. 68

On page 8, at the beginning of line 6, after "each" insert "city and parish" and after "system" insert "and the boards of directors of the Louisiana School of Math, Science, and the Arts and the Louis Armstrong High School, if it is operational"

AMENDMENT NO. 69

On page 8, line 10, change "itself." to "itself; and to require the remaining funds of approved special schools and the private schools to remain in the treasury."

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

**SENATE BILL NO. 227—**

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 56:326(A)(7)(b), relative to fishing; to provide for the minimum legal collarbone size for eel catfish; and to provide for related matters.

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

**SENATE BILL NO. 268—**

BY SENATOR CASANOVA

AN ACT

To enact R.S. 17:176(G), relative to extracurricular activities; to provide relative to eligibility of students to participate in athletics in public high schools; to provide for limitations; and to provide for related matters.

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

**SENATE BILL NO. 274—**

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 17:221(E), relative to compulsory school attendance; to provide relative to the mandatory school attendance age; to provide relative to parental consent to withdraw from school; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 274 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "17:221" delete "(A)(1) and"

AMENDMENT NO. 2

On page 1, line 3, delete "raise" and insert in lieu thereof "provide relative to"

AMENDMENT NO. 3

On page 1, line 4, change "for exceptions" to "relative to parental consent to withdraw from school"

AMENDMENT NO. 4

On page 1, line 6, after "17:221" delete "(A)(1) and" and after "(E)" change "are" to "is"

AMENDMENT NO. 5

On page 1, delete lines 10 through 16 and on page 2, delete lines 1 through 4

AMENDMENT NO. 6

On page 2, line 6, after "child" delete the remainder of the line and on line 7 delete "~~eighteen~~" and insert "~~between the ages of sixteen and who reaches the age of~~ seventeen"

On motion of Senator Greene, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 96, was read by title, ordered engrossed and recommitted to the Committee on Finance.

**SENATE BILL NO. 380—**

BY SENATOR GREENE

## AN ACT

To enact R.S. 48:1001, relative to public transportation; to provide relative to ferries; to authorize the Department of Transportation and Development to endeavor for operation and maintenance of the St. Francisville ferry through private contract; to require compliance with the public bid requirements of the department; to require promulgation of rules; to provide exceptions; to provide for a two-thirds vote to increase toll; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 380 by Senator Greene

AMENDMENT NO. 1

On page 1, line 3, change "require" to "authorize"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "to provide" and insert "to endeavor"

AMENDMENT NO. 3

On page 1, line 7, after "exceptions;" insert "to provide for a two-thirds vote to increase toll;"

AMENDMENT NO. 4

On page 1, line 12, change "shall" to "is authorized to and shall endeavor to"

AMENDMENT NO. 5

On page 1, line 16, after "B." change "The" to "Any"

AMENDMENT NO. 6

On page 2, after line 22, insert the following:

"F. Any measure increasing the toll imposed by the provisions of this Section shall require the enactment of a law by a two-thirds vote of the elected members of each house of the legislature."

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

**SENATE BILL NO. 392—**

BY SENATOR DARDENNE

## AN ACT

To amend and reenact R.S. 23:1127, relative to workers' compensation; to provide for the release of medical records and information on the injured worker; to authorize the release of such medical information verbally; to provide immunity for disclosure of such medical information; to provide that a vocational rehabilitation counselor shall provide a written summary of their verbal communication with the health care provider; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 392 by Senator Hainkel

AMENDMENT NO. 1

On page 3, between lines 6 and 7, insert the following:

(2) In any verbal communication or personal conference between the vocational rehabilitation counselor and any health care provider, for the purpose of providing rehabilitation services, the employee or his agent or representative shall be given fifteen days notice of any such communication or conference, and shall be given the opportunity to attend or participate in the communication or conference.

AMENDMENT NO. 2

On page 1, line 7 change "2" to "3" and on line 20 change "3" to "4"

On motion of Senator Jones, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 930, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 432—**

BY SENATOR LANDRY

## AN ACT

To amend and reenact R.S. 48:461.4(c)(2), relative to outdoor advertising; to provide relative to spacing requirements of such advertising; to provide for exceptions to such requirements; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 432 by Senator Landry

AMENDMENT NO. 1

On page 2, line 10, after "structure" insert "on an Interstate highway"

AMENDMENT NO. 2

On page 2, line 11, after "1992" delete the remainder of the line and delete line 12 and insert "and which was a legal conforming sign structure on June 4, 1992, shall not be"

AMENDMENT NO. 3

On page 2, line 13, after "be" insert "legally"

AMENDMENT NO. 4

On page 2, line 15, after "a" insert "legal"

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

**SENATE BILL NO. 433—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:253(E) and 255(D)(2) and (3), relative to the Department of Transportation and Development; to provide relative to projects advertised by such department; to provide relative to certain bonds relating to such projects; to authorize such bonds to be written by certain companies locally owned or domiciled; and to provide for related matters.

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

**SENATE BILL NO. 445—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 33:1967(A), relative to fire protection; to provide that a captain shall be in charge of each force on each shift employing seven or more employees, including the fire chief; to provide relative to the fire departments to which such provision is applicable; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 445 by Senator Cox

AMENDMENT NO. 1

On page 1, line 14, between "fighting" and "apparatus" insert "or rescue"

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

**SENATE BILL NO. 485—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2260, relative to public contracts; to provide relative to authorized preferences for certain Louisiana products or businesses; to require penalties for falsification of claims for such preferences; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 485 by Senator Landry

AMENDMENT NO. 1

On page 1, at the beginning of line 11, change "Violation" to "violation"

AMENDMENT NO. 2

On page 2, delete lines 3 and 4 and add in lieu thereof "double the dollar amount of the percentage granted through the preference or five hundred dollars, whichever is greater."

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

**SENATE BILL NO. 486—**  
BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2318, relative to public contracts; to provide relative to professional services for such contracts; to establish prescriptive periods related to contracts for professional services; and to provide for related matters.

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

**SENATE BILL NO. 487—**  
BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2216(M), relative to public contracts; to require any provision of such contracts to comply with Public Bid Law; provides for severability of contract provisions; and to provide for related matters.

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

**SENATE BILL NO. 491 (DUPLICATE OF HOUSE BILL NO. 404)—**

BY SENATOR THOMAS (BY REQUEST) AND REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact the introductory paragraph of R.S. 56:302(A), R.S. 56:302(B), and (C) and to enact R.S. 56:8(57.1) and 302.3(B)(8) and (9), relative to recreational fishing; to provide for certain gear for which a fishing license shall not be required; to provide for licenses for certain fishing gear; to define certain fishing gear; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 491 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert the following:

"the introductory paragraph of R.S. 56:302(A), R.S. 56:302(B), and (C) and to enact R.S. 56:8(57.1) and 302.3(B)(8) and (9), relative to recreational fishing; to provide for certain gear for which a fishing license shall not be required; to provide for licenses for certain fishing gear; to define certain fishing gear;"

AMENDMENT NO. 2

On page 1, delete line 3 and on line 4, delete "home consumption;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and insert the following:

"The introductory paragraph of R.S. 56:302(A), R.S. 56:302(B), and (C) are hereby amended and reenacted and R.S. 56:8(57.1) and 302.3(B)(8) and (9) are hereby enacted to"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§8. Definitions

For purposes of the Chapter, the following words and phases have the meaning ascribed to them in this Section, unless the context

clearly show a different meaning:

\* \* \*

**R.S. 56:8(57.1) is all proposed new law.**

(57.1) "Landing net" means a net, usually a mesh bag of vegetable or synthetic material on a fixed frame attached to a handle, held and operated by hand for the sole purpose of assisting in the landing of a fish legally caught by other legal gear."

\* \* \*

§302. Recreational fishing license; recreational gear

A. A recreational fisherman must purchase a basic recreational fishing license to use the following gear **or to possess fish on the fishing grounds which have been caught for recreational purposes:**

\* \* \*

B. In addition to a basic recreational fishing license, a recreational fisherman using any gear listed in R.S. 56:302.3 must purchase a recreational gear license as provided therein. **However, any person using crawfish nets, dip nets, landing nets, minnow traps, crab nets, or crab lines for the purpose of taking fish for recreational purposes, shall not be required to purchase or possess a basic recreational fishing license or be required to purchase a gear license.**

C. A fisherman taking fish for sale, using any legal gear listed in R.S. 56:305, or legally taking fish in excess of any limitation as to size, length, or quantity for recreational fishermen must purchase a commercial fisherman's license, commercial gear license, and vessel license if applicable. This includes recreational fishermen taking fish for other than commercial purposes using any gear listed in R.S. 56:305 for which a recreational gear license cannot be obtained pursuant to R.S. 56:302.3 and fishermen taking fish for sale using any legal gear.

\* \* \*

**AMENDMENT NO. 5**

On page 1, delete lines 12 through 16, and insert the following:

**"R.S. 56:302.3(B)(8) is all proposed new law.**

(8) Pipes/Drums: ten dollars for use of no more than five pipes or five drums.

**R.S. 56:302.3(B)(9) is all proposed new law.**

(9) Buckets/Cans: ten dollars for use of no more than five buckets or five cans.

\* \* \*

**AMENDMENT NO. 6**

On page 2, delete lines 1 through 11 in their entirety.

On motion of Senator Romero, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 404, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 492—**

BY SENATOR THOMAS (BY REQUEST)  
AN ACT

To amend and reenact R.S. 56: 302.3(B)(2) and (B)(4), relative to recreational gear use; to provide that the mobility impaired may use a slat trap or a hoop net to catch catfish for home consumption; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 492 by Senator Thomas

**AMENDMENT NO. 1**

On page 1, line 16, after "persons," insert the following:

"as defined in R.S. 47:463.4(E),"

**AMENDMENT NO. 2**

On page 2, line 9, after "persons," insert the following:

"as defined in R.S. 47:463.4(E),"

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

**SENATE BILL NO. 546—**

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:3973(2)(b)(iv) and 3997(E) and to enact R.S. 17:3995(F), and (G), relative to the Charter School Demonstration Programs Law; to provide relative to the enrollment of students from outside the local school system for a certain type of charter schools under certain circumstances; to provide for the attendance of part-time students; to provide relative to the age of students; to provide relative to the employment conditions of certain employees; to provide for construction and facilities funding; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 546 by Senator Hines

**AMENDMENT NO. 1**

On page 1, line 3, change ", (G), and (H)" to "and (G)"

**AMENDMENT NO. 2**

On page 1, line 7, after "age of students;" delete the remainder of the line and on line 8, delete "funding relative to part-time students;"

**AMENDMENT NO. 3**

On page 1, line 13, change ", (G), and (H)" to "and (G)"

**AMENDMENT NO. 4**

On page 2, line 26, change "degree" to "development"

**AMENDMENT NO. 5**

On page 2, delete line 27 and on page 3, delete lines 1 though 16

**AMENDMENT NO. 6**

On page 3, line 17, change "H." to "G."

**AMENDMENT NO. 7**

On page 3, line 22, after "services." delete the remainder of the line and delete lines 23 and 24 and insert "The provisions of this Subsection shall apply only if and to the extent that funds are appropriated therefor by the legislature."

**AMENDMENT NO. 8**

On page 4, line 6, after "charter" delete the period

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

SENATE BILL NO. 554 (DUPLICATE OF HOUSE BILL NO. 1733)—

BY SENATOR DARDENNE AND REPRESENTATIVE DEWITT AND COAUTHORED BY SENATORS EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3972(B)(1), 3973(1)(a), 3982, 3983(A)(2)(a)(i), (3)(a), (4), and (5), (B)(1), and (D), 3991(B)(1), (3), (6), (7), (10), and (21), 3992(A)(1), 3995(A), (B), and (C), 3996(C), 3997(A)(1)(a), (2), (C)(1)(a), (2), (D), and (E), 3998 (C) and (D), 3999, 4001(A) and (C), and to enact R.S. 17: 3973(1)(f), 3991(B)(23), (C)(1)(c)(iv), (E)(5) and (H), relative to the Charter School Demonstration Programs Law; to provide relative to purposes, definitions, local school board duties, chartering process, charter terms, charter operations, charter renewal length, pupil admission requirements, charter contents, charter school employees, assets, property, and funding; to provide for the application of certain laws; to provide relative to charter school loans; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 554 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, after "(21)," delete "and "(E)(1),"

AMENDMENT NO. 2

On page 1, line 5, after "3995(A)" delete "(1), (2)" and after "3997(A)(1)(a), (2)," delete "(3),"

AMENDMENT NO. 3

On page 1, line 8, after "(H)," delete "3995(F) and (G),"

AMENDMENT NO. 4

On page 2, line 2, after "(21)," delete "and "(E)(1)," and after "3995(A)" delete "(1)" and on line 3, before "(B)" delete "(2)," and after "3997(A)(1)(a), (2)," delete "(3),"

AMENDMENT NO. 5

On page 2, at the end of line 5, delete ", 3995(F)" and on line 6, delete "and (G)"

AMENDMENT NO. 6

On page 3, line 10, after "Chapter." delete the remainder of the line and insert "Such formal review and action does not require final approval or disapproval of such charter school proposal within thirty days, but an indication of the local school board's interest in working with the charter school group on their proposal and what specific time line and procedures the local school board will follow prior to coming to a final decision. If the local school board expresses within thirty days no interest in working with this group, or if no final decision is received within sixty days of the submission of the proposal, then the chartering group may submit their proposal to the state board for their review. The local school board shall make public the"

AMENDMENT NO. 7

On page 3, line 15, after "type 1" delete ", type 2,"

AMENDMENT NO. 8

On page 3, at the end of line 21, after "then" change "the" to "a"

AMENDMENT NO. 9

On page 6, line 6, after "is" insert "submitted to but"

AMENDMENT NO. 10

On page 6 line 8, after "during" change "an" to "the same"

AMENDMENT NO. 11

On page 6, line 10, after "within" change "an" to "the same"

AMENDMENT NO. 12

On page 8, line 16, after "charter" insert "that the charter school will reflect the current year's at-risk percentage"

AMENDMENT NO. 13

On page 10, delete lines 18 through 23 in their entirety

AMENDMENT NO. 14

On page 12, line 13, after "approval" insert, with a written report being provided annually to the chartering authority regarding the school's academic progress that year. Pursuant to Subsection C of this Section and using such annual review process, a charter may be revoked for failure to meet agreed upon academic results as specified in the charter"

AMENDMENT NO. 15

On page 12, delete lines 16 through 27 in their entirety, and on page 13, delete lines 1 through 27 in their entirety, and on page 14, delete line 1 and insert in lieu thereof the following:

A.(1) For the purpose of funding, a type 1, type 3, and type 4 charter school shall be considered an approved public school of the local school board entering into the charter agreement and shall receive funding a per pupil amount each year from the local school board in whose jurisdiction it is located in an amount for each pupil based on average daily membership in the charter school that is equal to the average current operating expenditure per pupil received by the local school board pursuant to the most recent legislatively approved minimum foundation program formula, including appropriate weighted factors, and from other revenue sources expended by the local school board on schools of the same grade within its system:

(2)(a) A type 2 charter school shall be provided for and funded at a level which represents an amount equaling the combined state and local target amount which is funded for the district in which the charter school is located. For the purposes of this Paragraph "target amount" means what it means in use in the minimum foundation formula:

(b) In the first year of operation, the amount required by Subparagraph (a) of this Paragraph shall be estimated based on the number of pupils authorized by the charter to be enrolled. The allocation subsequently shall be reconciled with the actual amount due based on the actual October first membership of the initial year of operation:

(c) The funds appropriated for the schools provided for in this Paragraph shall be allocated to the governing authority of each school as provided in the charter to use for the operation of such schools:

based on the October 1 membership count of the charter school. Type 2 charter schools shall receive a per pupil amount each year from the state Department of Education using state funds specifically provided for this purpose. The per pupil amount provided to all charter schools shall be computed annually and shall be equal to no less than the per pupil amount received by the school district in which the charter school is located from the following sources based on the district's October first membership count:

(a) The state-funded per pupil allocation received by the district pursuant to the most recent legislatively approved minimum foundation program formula resolution, including all levels.

(b) Local revenues received during the prior year by the school district from the following sources, excluding any portion which has been specifically dedicated by the legislature or by voter approval to capital outlay or debt service:

(i) Sales and use taxes, less any tax collection fee paid by the school district.

(ii) Ad valorem taxes, less any tax collection fee paid by the school district.

(iii) Earnings from sixteenth section lands owned by the school district.

(2) Initial allocations of the per pupil amount required in Paragraph (1) of this Subsection shall be based on estimates provided by the state Department of Education using the most recent local revenue data and projected pupil counts available. Allocations shall be adjusted during the year to reflect actual pupil counts and actual prior year local revenue collections.

(3) In no case shall the per pupil amount required in Paragraph (1) of this Subsection be less than the combined state and local per pupil allocation for the district in which the charter school is located as defined by the most recent legislatively approved minimum foundation program formula resolution, including all levels.

(4) Charter schools may agree to a lesser per pupil amount than that required in Paragraphs (1) or (3) of this Subsection in exchange for specific services that the chartering authority agrees to provide to the school.

(5) Within fifteen days of the receipt of any state, local, or other funding to which the charter school is entitled or which came as a result of students enrolled in the charter school, the chartering authority shall ensure that those funds are available for use by such charter schools.

AMENDMENT NO. 16

On page 14, line 4, delete "the state and" and insert "any state special education funding beyond that provided in the minimum foundation program and any"

AMENDMENT NO. 17

On page 14, line 10, after "any" delete the remainder of the line and insert "type 1, 3, or 4 charter school."

AMENDMENT NO. 18

On page 14, line 12, after "federal," insert "restricted state, and unrestricted" and after "state" delete ", or local"

AMENDMENT NO. 19

On page 14, line 20, change "Local school boards" to "The chartering authority"

AMENDMENT NO. 20

On page 14, line 22, change "five" to "fifteen" and change "local board" to "chartering authority"

AMENDMENT NO. 21

On page 14, delete lines 25 through 27 in their entirety, and on page 15, delete lines 1 through 23 in their entirety

AMENDMENT NO. 22

On page 16, at the end of line 5, after "any" insert "type 1, 3, or 4"

AMENDMENT NO. 23

On page 16, line 6, after "school" insert a period and delete the remainder of the line

AMENDMENT NO. 24

On page 16, line 12, after "organization." insert "All potential charter school employees shall be notified of the specific benefits they will be offered, as specified in the school's charter agreement."

AMENDMENT NO. 25

On page 16, delete lines 19 and 20 in their entirety and insert "the school"

AMENDMENT NO. 26

On page 16 line 22, delete "leave and"

AMENDMENT NO. 27

On page 16, line 24, after "status" insert a period and delete the remainder of the line and lines 25 through 27 and on page 17, delete lines 1 through 10

AMENDMENT NO. 28

On page 17, line 18, after "except" change "any" to "as otherwise" and delete line 19 in its entirety

AMENDMENT NO. 29

On page 17, line 25, change "contracted" to "hired"

AMENDMENT NO. 30

On page 18, line 9, after "certificate." insert "However, such regular teacher certificate is only valid for teaching within a charter school, and any teacher with such certificate hired to teach in a public school other than a charter school shall be required to successfully complete the teacher assistance and assessment program."

AMENDMENT NO. 31

On page 19, line 4, change "technically" to "statistically"

AMENDMENT NO. 32

On page 20, line 14, after "funding" insert "which complies with the provisions of this Section"

AMENDMENT NO. 33

On page 20, line 20, after "expended" insert "and how such request complies with the provisions of this Section. The state board may reject any such request which does not comply with terms of this Section"

On motion of Senator Greene, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1733, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 578—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:863.2(A)(6), relative to automobile insurance; to require notification of the cancellation of insurance under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 645 (DUPLICATE OF HOUSE BILL

NO. 2014)—

BY SENATOR SMITH AND REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 17:3972(B)(2), 3973(2)(b)(ii), 3982, and 3991(B)(1) and to repeal R.S. 17:3983(A)(2)(a)(ii), all relative to charter school demonstration programs; to provide relative to the purpose of the charter school law; to provide relative to the definition of a type 2 charter school; to provide for duties of local school boards; to provide relative to conversions of preexisting public schools; to repeal certain provisions relative to proposals for a type 3 charter school; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Greene, the bill, which was designated a duplicate of House Bill No. 2014, was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 654—**

BY SENATORS DARDENNE, GREENE, BRANCH AND SCHEDLER AND REPRESENTATIVES MCMAINS, CRANE, DANIEL AND FONTENOT  
AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose certain tuition increases at the Paul M. Hebert Law Center, the School of Veterinary Medicine, the Executive Master of Business Administration program, the schools of medicine in New Orleans and Shreveport, and the School of Dentistry; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

**SENATE BILL NO. 689—**

BY SENATOR HAINKEL  
AN ACT

To enact R.S. 39:1547, relative to the office of risk management; to create a return to work program; to establish as the goal of the program the safe and expedient return of state employees with job related injuries and illnesses to transitional or regular employment; to provide for the design of the program; to provide for periodic reporting; and to provide for related matters.

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

**SENATE BILL NO. 711—**

BY SENATORS CAMPBELL, CRAVINS, COX, DYESS, IRONS, JORDAN, LANDRY, MALONE AND W. FIELDS  
AN ACT

To enact R.S. 17:409.1, to designate R.S. 17:408.1 and 408.2 as Subpart A of Part XI of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, and to designate R.S. 17:409.1 as Subpart B of such Part, relative to Educational Excellence Funds; to provide for the requirements for school systems and certain schools to expend certain money available to them as a result of the investment of monies in certain permanent trust funds; to provide relative to the establishment of certain committees; to provide for the terms and other conditions of membership on such committees; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 711 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 6, after "systems" insert "and certain schools"

AMENDMENT NO. 2

On page 1, line 7, after "funds;" insert "to provide relative to the establishment of certain committees; to provide for the terms and other conditions of membership on such committees;"

AMENDMENT NO. 3

On page 2, line 2, after "board" insert "and the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center in Alexandria, the Louis Armstrong High School for the Arts, when operational, and the Louisiana School for Math, Science and the Arts, hereafter referred to as approved special schools, and the private elementary and secondary schools approved by the State Board of Elementary and Secondary Education"

AMENDMENT NO. 4

On page 2, line 4, after "(2)" change "Each" to "The" and after "committee" insert "for a city and parish school system"

AMENDMENT NO. 5

On page 2, line 5, after "by the" insert "city or parish"

AMENDMENT NO. 6

On page 2, between lines 18 and 19, insert the following:

"(g) One director or principal of a charter school located in the jurisdiction of the city or parish school system, if one exists.

(3) The committee for an approved special school and for a private elementary or secondary school approved by the State Board of Elementary and Secondary Education shall be appointed by the chief executive of the school and shall be comprised of the following persons:

(a) Six teachers from the school, selected to be representative of the spectrum of classes offered in the school.

(b) Two instructional supervisors, or administrative supervisors.

(c) Three persons who are parents of a student enrolled in the school."

AMENDMENT NO. 7

On page 2, at the beginning of line 19, change "(3)" to "(4)" and after "board" insert "or school"

AMENDMENT NO. 8

On page 2, between lines 22 and 23, insert the following:

"(5)(a) Each appointing authority shall, in appointing the initial committee required in this Subpart, appoint one-third of the members to a one-year term, one-third of the members to a two-year term, and one-third of the members to a three year term. Thereafter, each member appointed shall serve a three-year term. No member may be reappointed, except a person appointed to fill a vacancy with less than one year remaining. Any vacancy shall be filled by a representative from the same category of person as the person who held the position that was vacated.

(b) No member shall receive any compensation as a result of serving on a committee."

AMENDMENT NO. 9

On page 2, line 26, after "school board" insert "or an approved special or private school"

AMENDMENT NO. 10

On page 3, line 21, after "system" insert "or the approved special school"

AMENDMENT NO. 11

On page 4, between lines 1 and 2, insert the following:

"D. In addition to the prohibitions in Subsection C of this Section, no private school may expend any money on theological instruction or material or on any capital outlay project."

AMENDMENT NO. 12

On page 4, line 2, change "D." to "E." and after "school board" insert "and each approved special or private school"

AMENDMENT NO. 13

On page 4, line 3, change "board" to "school board or the school"

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

**SENATE BILL NO. 737—**

BY SENATOR ELLINGTON  
AN ACT

To amend and reenact R.S. 34:1904(C) and to enact R.S. 34:1903(F), relative to navigation and shipping; to provide relative to the debts

and obligations of the Columbia Port Commission; and to provide for related matters.

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

**SENATE BILL NO. 785—**  
BY SENATORS COX AND C. FIELDS  
AN ACT

To enact R.S. 33:228, 228.1, and 228.2, relative to planning and zoning of municipalities and parishes; to authorize the governing authorities of municipalities and parishes to adopt minimum buffer zones around industrial areas; to provide for a comprehensive plan for the establishment of the buffer zones; to provide for notice to affected parties; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 785 by Senator Cox

AMENDMENT NO. 1  
On page 2, line 5, change "R.S. 33:228.1" to "R.S. 33:228"

AMENDMENT NO. 2  
On page 2, line 6, change "shall" to "may"

AMENDMENT NO. 3  
On page 2, at the end of line 15, change "R.S. 33:228.2" to "R.S. 33:228.1"

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

**SENATE BILL NO. 802—**  
BY SENATOR LANDRY  
AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to decrease the amount at which a bond is required; and to provide for related matters.

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

**SENATE BILL NO. 808—**  
BY SENATOR LANDRY  
AN ACT

To amend and reenact R.S. 38:2212(B), relative to public contracts; to provide for public works which may be undertaken by a public entity itself; and to provide for related matters.

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

**SENATE BILL NO. 871—**  
BY SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 23:311 and 341, to enact R.S. 23:302(4) and 303 and Part VII of Chapter 3-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:361, and to repeal R.S. 23:313, 321, 325, 331, 333, 351, and 353, relative to employment discrimination, to define employer; to provide for filing civil suits and the award of damages, fees, and court costs; to prohibit retaliation against certain employees; and to provide for related matters.

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

**SENATE BILL NO. 883 (DUPLICATE OF HOUSE BILL NO. 439)—**  
BY SENATOR DEAN AND REPRESENTATIVE ODINET  
AN ACT

To amend and reenact R.S. 56:333(B)(1), relative to mullet fishing; to delete certain prohibitions; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill, which was designated a duplicate of House Bill No. 439, was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 915—**  
BY SENATOR JONES  
AN ACT

To amend and reenact R.S. 23:921(A), relative to contracts of employment; to provide with respect to restraints on choice of forum clauses in employment contracts; and to provide for related matters.

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

**SENATE BILL NO. 974—**  
BY SENATOR DEAN  
AN ACT

To amend and reenact R.S. 56:492 and to repeal R.S. 56:326(H), relative to size and possession limits of southern flounder; to authorize commercial fishermen to retain southern flounder caught as by-catch; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 974 by Senator Dean

AMENDMENT NO. 1  
On page 1, line 2, between "To" and "repeal" insert the following:

"amend and reenact R.S. 56:492 and to"

AMENDMENT NO. 2  
On page 1, line 2, delete "and 492"

AMENDMENT NO. 3  
On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 56:492 is hereby amended and reenacted to read as follows:

§492. Incidental by-catch

Notwithstanding any other provision of law to the contrary, or any rule or regulation adopted by the department or the commission, ~~no~~ any commercial shrimping vessel may retain ~~more than one hundred pounds of all~~ southern flounder per vessel per caught as by-catch on any shrimping trip."

AMENDMENT NO. 4  
On page 1, delete line 6 in its entirety and insert in lieu thereof the following:

"Section 2. R.S. 56:326 (H) is hereby repealed."

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

**SENATE BILL NO. 985 (DUPLICATE OF HOUSE BILL NO. 485)—**  
BY SENATOR LAMBERT AND REPRESENTATIVE FAUCHEUX  
AN ACT

To authorize and provide for the transfer, lease, or cooperative endeavor of certain state property in St. James Parish to the town of Gramercy from the Department of Transportation and Development; to provide terms and conditions; to provide effective date; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 985 by Senator Lambert

AMENDMENT NO. 1

On page 2, line 8, after the period ".", add "Such sale or transfer shall be for fair market value less the cost of demolition of the structure located on the property."

AMENDMENT NO. 2

On page 2, delete lines 11 through 15

AMENDMENT NO. 3

On page 2, line 16, after "Section" change "4" to "3"

On motion of Senator Landry, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 485, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 989—**  
BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 39:554, relative to bonded indebtedness for school purposes; to authorize school districts to incur debt and issue bonds for the purpose of acquiring school and activity buses; and to provide for related matters.

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

**SENATE BILL NO. 999—**  
BY SENATOR IRONS  
AN ACT

To enact R.S. 23:1006, relative to employment; to prohibit certain discriminatory practices; to provide for definitions; to provide for exemptions; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 999 by Senator Jones.

AMENDMENT NO. 1

On page 1, line 7 after "actual" delete "or perceived".

AMENDMENT NO. 2

On page 1, line 13, after "actual" delete "or perceived".

AMENDMENT NO. 3  
On page 2, delete line 14.

AMENDMENT NO. 4  
On page 2, line 17 after "actual" delete "or perceived".

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

**SENATE BILL NO. 1019—**  
BY SENATOR HOLLIS  
AN ACT

To amend and reenact R.S. 17:1681.1(A), and to enact R.S. 33:2201(E), relative to benefits for certain law enforcement officers; to provide certain benefits to enforcement officers or their survivors; and to provide for related matters.

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

**SENATE BILL NO. 1022—**  
BY SENATOR CAIN  
AN ACT

To enact R.S. 33:4580, relative to special districts; to create the Vernon Parish Arena District; to provide for a board of commissioners as the governing authority of the board; to provide for the membership and terms of the board; to provide for duties and powers; and to provide for related matters.

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

**SENATE BILL NO. 1032—**  
BY SENATOR ROMERO  
AN ACT

To amend and reenact R.S. 56:305(B)(2), relative to crabbing; to limit the number of crab traps a commercial fisherman may possess; to provide that the crab trap gear license is non-transferrable; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1032 by Senator Romero

AMENDMENT NO. 1  
On page 2, line 8, after "shall be" delete "non-transferrable and"

AMENDMENT NO. 2  
On page 2, line 9, after "year", change the period "." to a comma "," and add the following:

"and shall be possessed and used on the fishing grounds only by the commercial fisherman to whom the original gear license was issued."

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

**Senate Bills and Joint Resolutions  
on Second Reading**

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

**SENATE BILL NO. 1048 (SUBSTITUTE FOR SENATE BILL 928 BY SENATOR JOHNSON)—**

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 36:109(R), the heading of Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, and R.S. 51:1751, 1752(1), (2), (3), and (5), 1753(A), (B)(2), (3), and (4), 1754(A), 1755(A) and (D), 1756(1), (2), (5), and (6), 1757, 1758, 1760(A) and (B), 1761, 1764, 1765(A) and (C)(2), and to enact R.S. 51:1755(F), relative to economic development; to provide for the Louisiana Small and Emerging Business Act; to provide for applications; to provide for certification; to provide for duties, to provide for reports; to provide for complaints; and to provide for related matters.

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

**House Bills and Joint Resolutions on Second Reading Reported by Committees**

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

**HOUSE BILL NO. 1258—**

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

AN ACT

To amend and reenact R.S. 30:128(B)(1), relative to penalties imposed for the untimely submission to the State Mineral Board for approval of transfers and assignments of mineral leases or mineral rights owned by the state; and to provide for related matters.

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

**HOUSE BILL NO. 1268—**

BY REPRESENTATIVES DURAND, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DANIEL, FLAVIN, FRITH, HEBERT, AND HILL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by Atchafalaya Land Corporation; to provide terms and conditions, and to provide for related matters.

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

**Senate Concurrent Resolutions on Second Reading Reported by Committees**

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

**SENATE CONCURRENT RESOLUTION NO. 12—**

BY SENATOR DEAN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pursue viable alternatives to the current Turtle Excluder Device regulations currently in vogue.

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Dyess	Lambert
Total—3		

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

**SENATE CONCURRENT RESOLUTION NO. 49—**

BY SENATOR DYESS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, under the authority of Article VIII, Section 5(D)(3) of the Constitution of Louisiana, to study the need for and feasibility of converting Louisiana State University at Alexandria from a college limited to offering degrees of a lower rank than baccalaureate to a college authorized to offer baccalaureate degrees or establishing a branch campus of Louisiana State University and Agricultural and Mechanical College at Alexandria, and to further request the Board of Regents to submit a report to the Senate and House education committees by May 3, 1999.

Reported by substitute by the Committee on Education. The resolution was read by title; the committee substitute resolution was read.

**SENATE CONCURRENT RESOLUTION NO.**

**(Substitute for SCR No. 49 by Senator Dyess)**

BY SENATORS DYESS, CAIN, CASANOVA, ELLINGTON AND HINES AND REPRESENTATIVES DEWITT, CURTIS, RIDDLE, WIGGINS AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, under the authority of Article VIII, Section 5(D)(3) of the Constitution of Louisiana, to study and assess postsecondary programmatic and workforce needs of central Louisiana, the utilization of previously authorized baccalaureate program offerings presently available to the citizens of central Louisiana, the effectiveness of the University Center for Rapides Parish, and the need for and feasibility of converting Louisiana State University at Alexandria from a college limited to offering degrees of a lower rank than baccalaureate to a college authorized to offer baccalaureate degrees or establishing Louisiana State University at Alexandria as a branch campus of an existing baccalaureate degree-granting institution and to submit a report to the Senate and House education committees by December 31, 1999.

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WHEREAS, the Alexandria/Pineville area is the only metropolitan area in Louisiana without a local, public, four-year college; and

WHEREAS, since the 1970s, the citizens residing in central Louisiana have persisted in their quest to expand the postsecondary offerings at Louisiana State University at Alexandria; and

WHEREAS, workforce development and education are the two most critical issues for the future of central Louisiana, both of which would be significantly addressed by the presence of a four-year college that could work with the local business and industry in mutually beneficial public-private partnerships; and

WHEREAS, the University Center for Rapides Parish was established in 1993 as "one of the most innovative ideas for providing ready access to higher education that this state has ever put into practice" but has yet to fulfill the community's expectations and postsecondary needs; and

WHEREAS, central Louisiana is not served with the necessary breadth of academic programs to address its workforce needs; and

WHEREAS, the Board of Regents is responsible under Article VIII, Section 5(D)(3) of the Constitution of Louisiana for studying the need for and feasibility of creating new institutions of postsecondary education, which includes establishing a branch campus of an institution or converting any college or university which is limited to offering degrees of a lower rank than baccalaureate to a college or university that offers baccalaureate degrees.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana urges and requests the Board of Regents, under the authority of Article VIII, Section 5(D)(3) of the Constitution of Louisiana, to fulfill unmet educational needs and expedite delivery of a wide array of accredited undergraduate and graduate degree offerings to central Louisiana in an effective and efficient manner by studying and assessing the need for and feasibility of converting Louisiana State University at Alexandria from a college limited to offering degrees of a lower rank than baccalaureate to a college authorized to offer baccalaureate degrees or establishing Louisiana State University at Alexandria as a branch campus of an existing baccalaureate degree-granting institution.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the Board of Regents to work with the Louisiana State University and University of Louisiana systems to assess the adequacy of the current utilization of previously authorized baccalaureate programs now available to the citizens of central Louisiana.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the Board of Regents to work with Louisiana State University at Alexandria and the Louisiana Community and Technical College System to identify and assess the programmatic and workforce needs of central Louisiana.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the Board of Regents to examine the effectiveness and future potential of the University Center for Rapides Parish.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the Board of Regents to include the input and participation of "non-academic" leaders from central Louisiana in each of the aforementioned feasibility, review, and assessment processes.

BE IT FURTHER RESOLVED that the Legislature of Louisiana further requests the Board of Regents to report its written findings and recommendations to the Senate Committee on Education and to the House Committee on Education by December 31, 1999.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to E. Joseph Savoie, commissioner of higher education; to Charles S. Weems, III, chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, William Jenkins, president of the Louisiana State University System, Robert Cavanaugh, chancellor of Louisiana State University at Alexandria, Carroll J. Falcon, acting president of the University of Louisiana System; and to Wayne Brown, president of the Louisiana Community and Technical College System.

On motion of Senator Greene, the committee substitute bill was adopted and becomes Senate Concurrent Resolution No. 83 by Senator Dyess, substitute for Senate Concurrent Resolution No. 49 by Senator Dyess.

**SENATE CONCURRENT RESOLUTION NO. 83**

(Substitute for Scr No. 49 by Senator Dyess)—

BY SENATORS DYESS, CAIN, CASANOVA, ELLINGTON AND HINES AND REPRESENTATIVES DEWITT, CURTIS, RIDDLE, WIGGINS AND WRIGHT

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents, under the authority of Article VIII, Section 5(D)(3) of the Constitution of Louisiana, to study and assess postsecondary programmatic and workforce needs of central Louisiana, the utilization of previously authorized baccalaureate program offerings presently available to the citizens of central Louisiana, the effectiveness of the University Center for Rapides Parish, and the need for and feasibility of converting Louisiana State University at Alexandria from a college limited to offering degrees of a lower rank than baccalaureate to a college authorized to offer baccalaureate degrees or establishing Louisiana State University at Alexandria as a branch campus of an existing baccalaureate degree-granting institution and to submit a report to the Senate and House education committees by December 31, 1999.

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

**SENATE CONCURRENT RESOLUTION NO. 60—**

BY SENATOR BEAN

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to restore National Resource Conservation Service's budget in order that it can continue to serve the conservation and environmental needs of Louisiana.

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—34

**NAYS**

Total—0

**ABSENT**

Bajoie	Irons	Robichaux
Dyess	Malone	

Total—5

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

**SENATE CONCURRENT RESOLUTION NO. 68—**  
 BY SENATOR GREENE AND REPRESENTATIVE QUEZAIRE  
**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Bayou Paul Road and Highway 30 (Nicholson Road) in St. Gabriel.

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

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

**ROLL CALL**

The roll was called with the following result:

<b>YEAS</b>		
Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Irons	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—34		
<b>NAYS</b>		
Total—0		
<b>ABSENT</b>		
Bajoie	Dyess	Robichaux
Cravins	Hainkel	
Total—5		

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. 632—**  
 BY SENATORS HAINKEL AND GREENE  
**AN ACT**

To amend and reenact R.S. 17:47(A), 500(B), 1201(A) and 1206(A), relative to sick leave for school employees; to provide for the acquisition of sick leave days according to when, in the course of a school year, the employee begins work; and to provide for related matters.

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

**SENATE BILL NO. 647—**  
 BY SENATOR SMITH  
**AN ACT**

To enact R.S. 56:1948.7(C), relative to scenic highways; to provide for exceptions; 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. 647 by Senator Smith

**AMENDMENT NO. 1**

On page 1, line 13, after "from" insert "its with State Highway 171 in Many, east through Natchitoches to its intersection with State Highway 84, east to the LaSalle Parish line" and delete "its connection with US 84 west"

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:

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

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

**SENATE BILL NO. 1000—**  
 BY SENATORS HOLLIS AND GREENE  
**AN ACT**

To enact Chapter 37 of Title 17 of the Louisiana Revised Statutes of 1950, composed of R.S. 17:3831 through 3833, relative to certain incentive programs; to authorize city and parish school boards to establish teacher pay incentive programs for unused sick leave; 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. 1000 by Senator Hollis

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AMENDMENT NO. 1

On page 2, at the beginning of line 10, before "Any" delete "A."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington 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 Johnson Tarver
Cravins Jones Theunissen
Dardenne Jordan Thomas
Dean Lambert Ullo
Total—36

NAYS

Total—0

ABSENT

Bajoie Dyess Irons
Total—3

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

SENATE BILL NO. 225—

BY SENATORS JORDAN, COX, C. FIELDS AND SCHEDLER
AN ACT

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

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed Senate Bill No. 225 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 3, after "survival actions" delete ", bystander action,"

AMENDMENT NO. 2

On page 1, line 12, after "death actions" delete the comma ", and insert "or"

AMENDMENT NO. 3

On page 1, line 13, at the beginning of the line, after "actions," delete "or bystander actions,"

AMENDMENT NO. 4

On page 1, line 15, after "death of" delete "one child" and insert "of a child or children of a single pregnancy"

Motion

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

Without objection, the division of the question was ordered.

Senator Hainkel moved the adoption of Amendment No. 4. Without objection, Amendment No. 4 was adopted.

Senator Hainkel moved the adoption of Amendments No. 1, 2, and 3.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Romero
Barham Ellington Schedler
Bean Greene Siracusa
Boissiere Hainkel Smith
Branch Hines Tarver
Cain Hollis Theunissen
Campbell Landry Thomas
Casanova Malone Ullio
Dardenne Robichaux
Total—26

NAYS

Bajoie Fields C Jordan
Cox Fields W Lambert
Cravins Irons Lentini
Total—9

ABSENT

Dyess Johnson
Heitmeier Jones
Total—4

The Chair declared Amendments No. 1, 2, and 3 were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields C Lentini
Barham Fields W Malone
Branch Greene Romero
Cain Hainkel Schedler
Casanova Johnson Smith
Cox Jones Tarver
Cravins Jordan Thomas
Dardenne Lambert
Ellington Landry
Total—25

NAYS

Bajoie Dean Robichaux
Bean Hines Siracusa
Boissiere Hollis Theunissen
Campbell Irons Ullio
Total—12

ABSENT

Dyess  
Total—2

Heitmeier

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

**SENATE BILL NO. 538—**  
BY SENATOR DARDENNE

AN ACT

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

**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. 538 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 2, following "of" and before "Professional" insert "a" and change "Organizations" to "Organization" and change "PEO's" to "PEO"

AMENDMENT NO. 2

On page 2, line 3, following "groups" and before "to" insert "and" and change "PEO's" to "a PEO"

AMENDMENT NO. 3

On page 3, line 19, following "either" and before "perform" delete "do"

AMENDMENT NO. 4

On page 9, line 2, change "PEO's" to "a PEO"

AMENDMENT NO. 5

On page 10, line 10, following "per" and before line 11 change "Statute" to "statute"

AMENDMENT NO. 6

On page 11, lines 1 and 2, following "(2)" on line 1 and before "and" on line 2, change to read "Both the PEO and client shall be entitled, as joint employers, to exclusivity of remedy"

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. 538 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 1, after "services," delete "or"

AMENDMENT NO. 2

On page 3, at the end of line 2, after "services" insert ", or a manager of a limited liability company seeking to offer PEO services"

AMENDMENT NO. 3

On page 3, line 11, after "partnership" insert a comma "," and after "corporation," insert "limited liability company,"

AMENDMENT NO. 4

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

"(4) If a limited liability company, the applicant shall state the names and home addresses of all members and indicate which members are managers of the company. The applicant shall include a copy of the articles of organization and any operating agreement of the type defined in R.S. 12:1301(16). The limited liability company shall also produce a certified copy of its "Certificate of Organization."

AMENDMENT NO. 5

On page 7, line 7, change "(4)" to "(5)"

AMENDMENT NO. 6

On page 7, line 10, change "(5)" to "(6)"

On motion of Senator Dardenne, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 538 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 24, delete "or PEO group"

AMENDMENT NO. 2

On page 5, line 18, after "with a PEO" delete "or PEO" and on line 19, delete "group"

AMENDMENT NO. 3

On page 7, line 22, after "domestic PEO" delete "or group"

AMENDMENT NO. 4

On page 9, delete line 4, and insert "Except as required under Title 22 of the Louisiana Revised Statutes of 1950,"

AMENDMENT NO. 5

On page 10, line 11, after "maintain" insert "fully insured"

AMENDMENT NO. 6

On page 10, line 19, after "The PEO" delete "or PEO group"

AMENDMENT NO. 7

On page 10, line 24, after "Both the PEO" delete "or PEO group"

AMENDMENT NO. 8

On page 11, between lines 4 and 5, insert the following:

"(3) However, nothing contained herein shall entitle the client of a PEO to the exclusive remedy provisions of the Louisiana workers' compensation law if a co-employee of that client of the PEO injures a co-employee or employee of another client of the same PEO, unless the exclusive remedy is otherwise available under law because of the relationship of the two clients of the PEO."

AMENDMENT NO. 9

On page 11, line 15, after "of the PEO" delete "or PEO group"

AMENDMENT NO. 10

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On page 11, line 17, after "between the PEO" delete the remainder of the line and on line 18, delete "group,"

AMENDMENT NO. 11

On page 11, line 26, after "not" delete the remainder of the line and line 27 and insert the following:

"violate any provision of Title 22 of the Louisiana Revised Statutes of 1950. No"

AMENDMENT NO. 12

On page 12, line 6, after "A registered PEO" delete "or PEO group"

AMENDMENT NO. 13

On page 12, at the beginning of line 22, after "PEO" delete "or PEO group"

AMENDMENT NO. 14

On page 12, line 24, delete "contrary" and insert "except Title 22 of the Louisiana Revised Statutes of 1950"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 538 by Senator Dardenne

AMENDMENT NO. 1

On page 1, lines 4 and 6, change "leasing" to "employer"

AMENDMENT NO. 2

On page 2, line 3, change the comma "," to "and"

AMENDMENT NO. 3

On page 3, line 6, change "securities" to "stock"

AMENDMENT NO. 4

On page 3, line 12, change "Employer Organization" to "employer organization" or "PEO"

AMENDMENT NO. 5

On page 4, line 4, change "only all of" to "all" and on line 5, change "A" to "(a)"

AMENDMENT NO. 6

On page 6, lines 2 and 4, change "they" to "he"

AMENDMENT NO. 7

On page 7, line 6, change "state" to "revenue"

AMENDMENT NO. 8

On page 7, line 19, delete "such" and on line 20, delete "but has not complied with the requirements of this Chapter,"

AMENDMENT NO. 9

On page 8, line 1, "PEO's" to "PEOs"

AMENDMENT NO. 10

On page 8, line 6, between "under" and "the" insert "any of"

AMENDMENT NO. 11

On page 9, lines 17 and 21, change "SUTA" to "UI Tax Account"

AMENDMENT NO. 12

On page 9, line 24, change "company" to "the PEO"

AMENDMENT NO. 13

On page 10, lines 3, 4, 6, and 9, change "leasing company" to "PEO"

AMENDMENT NO. 14

On page 10, line 5, change "Status Section" to "the status section of the Department of Labor"

AMENDMENT NO. 15

On page 10, line 10, change "Statute" to "law"

AMENDMENT NO. 16

On page 11, line 1, change "Both the PEO shall be entitled with the client as" to "The PEO and the client shall each be considered as a"

AMENDMENT NO. 17

On page 12, line 23, change "requirements" to "requirement"

AMENDMENT NO. 18

On page 12, line 27, between "registration" and "or insert a comma ","

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

Table with 3 columns listing names of senators and their counts for YEAS.

NAYS

Jordan Total—1

ABSENT

Dyess Total—2 Heitmeier

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. 819— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; and to provide for related matters.

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

**SENATE BILL NO. 950—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:291(C), relative to retirement benefits; to provide for the computation of a benefit ascribable to a community property interest; to provide for an effective date; and to provide for related matters.

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

**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.

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

**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.

**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. 495 by Senator Thomas

AMENDMENT NO. 1

On page 2, line 7, following "of" and before "(i)" change "Subparagraph (g)" to "Subitem" and on line 8, change "this Subparagraph" to "this Item"

On motion of Senator Lentini, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess

Heitmeier

Total—2

The Chair declared the amended 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. 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.

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

**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.

**Floor Amendments Sent Up**

Senator Irons sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 909 by Senator Irons

AMENDMENT NO. 1

On page 2, at the end of line 1, between "occupied" and the period "." insert "and services are being performed"

On motion of Senator Irons, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields W	Robichaux
Bajoie	Hines	Romero
Barham	Hollis	Schedler
Bean	Irons	Siracusa
Boissiere	Johnson	Smith
Branch	Jones	Tarver
Cain	Jordan	Theunissen
Campbell	Lambert	Ullo
Cox	Landry	
Fields C	Lentini	
Total—28		

NAYS

Casanova	Ellington	Malone
Dardenne	Greene	
Dean	Hainkel	

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Total—7 ABSENT
Cravins Heitmeier
Dyess Thomas
Total—4

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

Personal Privilege

Senator Thomas asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 909. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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.

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

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.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 963 by Senator Lambert

AMENDMENT NO. 1

On page 2, line 7, between "expenses" and "incurred" insert: "of no more than five hundred dollars per month"

Senator Lambert moved adoption of the amendments.

Senator Dean objected.

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 Hainkel Schedler
Cain Hines Siracusa
Campbell Hollis Smith
Casanova Irons Tarver
Cox Jones Theunissen
Cravins Jordan Thomas

Dardenne Lambert
Total—35 NAYS

Dean
Total—1 ABSENT

Heitmeier Johnson Uilo
Total—3

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 963 by Senator Lambert

AMENDMENT NO. 1

On page 2, at the end of line 4, after "programs" insert "contributions to which shall be at the same rate as those paid by other state employees"

AMENDMENT NO. 2

On page 2, line 8, after "purposes" insert "in multi-parish jurisdictions"

Motion

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

Without objection, the division of the question was ordered.

Senator Barham moved the adoption of Amendment No. 1. Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dardenne Robichaux
Barham Dean Romero
Bean Dyess Schedler
Boissiere Ellington Siracusa
Branch Hines Smith
Cain Hollis Tarver
Campbell Jordan Theunissen
Casanova Lambert Thomas
Cox Lentini Uilo
Cravins Malone

NAYS

Fields C Irons Jones
Fields W Johnson Landry
Total—6

ABSENT

Bajoie Hainkel
Greene Heitmeier
Total—4

The Chair declared Amendment No. 1 was adopted.

Senator Barham moved the adoption of Amendments No. 2.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dardenne	Romero
Bajoie	Dean	Schedler
Barham	Dyess	Siracusa
Bean	Ellington	Smith
Boissiere	Greene	Tarver
Cain	Lambert	Theunissen
Campbell	Lentini	Thomas
Casanova	Malone	
Cravins	Robichaux	
Total—25		

**NAYS**

Branch	Hainkel	Johnson
Cox	Hines	Jones
Fields C	Hollis	Jordan
Fields W	Irons	Landry
Total—12		

**ABSENT**

Heitmeier	Ullo
Total—2	

The Chair declared Amendment No. 2 was adopted.

**Floor Amendments Sent Up**

Senator Dean sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 963 by Senator Lambert

**AMENDMENT NO. 1**

In Senate Floor Amendments by Senator Lambert adopted by the Senate on April 26, 1999, in Amendment No. 1, at the beginning of line 3, change "five hundred" to "two hundred fifty"

Senator Dean moved adoption of the amendments.

Senator Lambert objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Branch	Dean	Smith
Cain	Malone	
Casanova	Siracusa	
Total—7		

**NAYS**

Mr. President	Ellington	Jordan
Bajoie	Fields C	Lambert
Barham	Fields W	Landry
Bean	Greene	Lentini
Boissiere	Hainkel	Robichaux
Campbell	Hines	Romero

Cox	Hollis	Schedler
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dyess	Jones	Thomas

Total—30

**ABSENT**

Heitmeier	Ullo
Total—2	

The Chair declared the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields C	Landry
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Cain	Hainkel	Schedler
Casanova	Irons	Siracusa
Cox	Johnson	Tarver
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Ellington	Lambert	
Total—26		

**NAYS**

Mr. President	Dean	Lentini
Barham	Dyess	Malone
Branch	Hines	Smith
Campbell	Hollis	Theunissen
Total—12		

**ABSENT**

Heitmeier
Total—1

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

**SENATE BILL NO. 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.

**Floor Amendments Sent Up**

Senator Theunissen sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 984 by Senator Theunissen

**AMENDMENT NO. 1**

On page 1, line 2, between "To" and "enact" insert "amend and reenact Code of Civil Procedure Arts. 1918, 2031, 2782, 4906, and 4923 and to" and change "Art. 866" to "Arts. 1702(F) and 1702.1(C) and R.S. 9:5504"

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AMENDMENT NO. 2

On page 1, delete lines 3 through 5 and insert "provide for the contents of judgments in identifying the judgment debtor;"

AMENDMENT NO. 3

On page 1, line 9, change "Art. 866 is" to "Arts. 1918, 2031, 2782, 4906, and 4923 are hereby amended and reenacted and Arts. 1702(F) and 1702.1(C) are"

AMENDMENT NO. 4

On page 1, delete lines 11 through 16, on page 2, delete lines 1 through 19, and insert the following:

"Art. 1702. Confirmation of default judgment

\* \* \*

Article 1702(F) is all proposed new law.

F. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 1702.1. Confirmation of default judgment without hearing in open court; required information; certifications

\* \* \*

Article 1702.1(C) is all proposed new law.

C. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 1918. Form of final judgment

A. A final judgment shall be identified as such by appropriate language. When written reasons for the judgment are assigned, they shall be set out in an opinion separate from the judgment.

Article 1918(B) is all proposed new law.

B. On and after January 1, 2000, a final money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 2031. Revival of judgments

A. A money judgment may be revived at any time before it prescribes by an interested party in an ordinary proceeding brought in the court in which the judgment was rendered.

B. The judgment debtor shall be made a defendant in the proceeding to revive the judgment, unless he is dead, in which event his legal representative or legal successor shall be made a defendant.

C. A judgment shall be rendered in such a proceeding reviving the original judgment, unless the defendant shows good cause why it should not be revived.

Article 2031(D) is all proposed new law.

D. On and after January 1, 2000, a judgment to revive a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 2782. Procedure; execution of executory judgment; **required information**

A. A creditor wishing to have a judgment of a Louisiana court made executory, as provided in Article 2781, may file an ex parte petition complying with Article 891, with a certified copy of the judgment annexed, praying that the judgment be made executory. The court shall immediately render and sign its judgment making the judgment of the other Louisiana court executory.

Article 2782(B) is all proposed new law.

B. On and after January 1, 2000, a judgment making a money judgment of another Louisiana court executory shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

C. The judgment thus made executory may be executed or enforced immediately as if it had been a judgment of that court rendered in an ordinary proceeding.

\* \* \*

Art. 4906. Form of judgment in parish or city courts

A. The judgment shall be in writing and signed by the judge.

Article 4906(B) is all proposed new law.

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 4923. Form of judgment; justice of the peace courts; district courts with concurrent jurisdiction

A. The judgment shall be in writing and signed by the justice of the peace or the clerk of court.

Article 4923(B) is all proposed new law.

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, social security number, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Section 2. R.S. 9:5504 is hereby enacted to read as follows:

§5504. Distinction documentation concerning legal mortgages; liability for costs

R.S. 9:5504 is all proposed new law.

A. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment debtor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor.

B. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment creditor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor, provided that the information was available to the judgment creditor prior to or at the time the judgment was prepared."

On motion of Senator Theunissen, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 984 by Senator Theunissen

AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Theunissen and adopted by the Senate on April 26, 1999.

AMENDMENT NO. 2

On page 1, line 2, between "To" and "enact" insert "amend and reenact Code of Civil Procedure Arts. 1918, 2031, 2782, 4906, and 4923 and to" and change "Art. 866" to "Arts. 1702(F) and 1702.1(C) and R.S. 9:5504"

AMENDMENT NO. 3

On page 1, delete lines 3 through 5 and insert "provide for the contents of judgments in identifying the judgment debtor;"

AMENDMENT NO. 4

On page 1, line 9, change "Art. 866 is" to "Arts. 1918, 2031, 2782, 4906, and 4923 are hereby amended and reenacted and Arts. 1702(F) and 1702.1(C) are"

AMENDMENT NO. 5

On page 1, delete lines 11 through 16, on page 2, delete lines 1 through 19, and insert the following:

"Art. 1702. Confirmation of default judgment

Article 1702(F) is all proposed new law.

F. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 1702.1. Confirmation of default judgment without hearing in open court; required information; certifications

Article 1702.1(C) is all proposed new law.

C. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 1918. Form of final judgment

A. A final judgment shall be identified as such by appropriate language. When written reasons for the judgment are assigned, they shall be set out in an opinion separate from the judgment.

Article 1918(B) is all proposed new law.

B. On and after January 1, 2000, a final money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 2031. Revival of judgments

A. A money judgment may be revived at any time before it prescribes by an interested party in an ordinary proceeding brought in the court in which the judgment was rendered.

B. The judgment debtor shall be made a defendant in the proceeding to revive the judgment, unless he is dead, in which event his legal representative or legal successor shall be made a defendant.

C. A judgment shall be rendered in such a proceeding reviving the original judgment, unless the defendant shows good cause why it should not be revived.

Article 2031(D) is all proposed new law.

D. On and after January 1, 2000, a judgment to revive a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 2782. Procedure; execution of executory judgment; required information

A. A creditor wishing to have a judgment of a Louisiana court made executory, as provided in Article 2781, may file an ex parte petition complying with Article 891, with a certified copy of the judgment annexed, praying that the judgment be made executory. The court shall immediately render and sign its judgment making the judgment of the other Louisiana court executory.

Article 2782(B) is all proposed new law.

B. On and after January 1, 2000, a judgment making a money judgment of another Louisiana court executory shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

C. The judgment thus made executory may be executed or enforced immediately as if it had been a judgment of that court rendered in an ordinary proceeding.

Art. 4906. Form of judgment in parish or city courts

A. The judgment shall be in writing and signed by the judge.

Article 4906(B) is all proposed new law.

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 4923. Form of judgment; justice of the peace courts; district courts with concurrent jurisdiction

A. The judgment shall be in writing and signed by the justice of the peace or the clerk of court.

Article 4923(B) is all proposed new law.

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Section 2. R.S. 9:5504 is hereby enacted to read as follows:

§5504. Distinction documentation concerning legal mortgages; liability for costs

R.S. 9:5504 is all proposed new law.

A. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment debtor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor.

B. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment creditor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor, provided that the information was available to the judgment creditor prior to or at the time the judgment was prepared."

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 984 by Senator Theunissen

AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Landry and adopted by the Senate on April 26, 1999.

AMENDMENT NO. 2

On page 1, line 2, between "To" and "enact" insert "amend and reenact Code of Civil Procedure Arts. 1918, 2031, 2782, 4906, and 4923 and to" and change "Art. 866" to "Arts. 1702(F) and 1702.1(C) and R.S. 9:5504"

AMENDMENT NO. 3

On page 1, delete lines 3 through 5 and insert "provide for the contents of judgments in identifying the judgment debtor;"

AMENDMENT NO. 4

On page 1, line 9, change "Art. 866 is" to "Arts. 1918, 2031, 2782, 4906, and 4923 are hereby amended and reenacted and Arts. 1702(F) and 1702.1(C) are"

AMENDMENT NO. 5

On page 1, delete lines 11 through 16, on page 2, delete lines 1 through 19, and insert the following:

"Art. 1702. Confirmation of default judgment

\* \* \*

Article 1702(F) is all proposed new law.

F. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Art. 1702.1. Confirmation of default judgment without hearing in open court; required information; certifications

\* \* \*

Article 1702.1(C) is all proposed new law.

C. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information

required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 1918. Form of final judgment

A. A final judgment shall be identified as such by appropriate language. When written reasons for the judgment are assigned, they shall be set out in an opinion separate from the judgment.

Article 1918(B) is all proposed new law.

B. On and after January 1, 2000, a final money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 2031. Revival of judgments

A. A money judgment may be revived at any time before it prescribes by an interested party in an ordinary proceeding brought in the court in which the judgment was rendered.

B. The judgment debtor shall be made a defendant in the proceeding to revive the judgment, unless he is dead, in which event his legal representative or legal successor shall be made a defendant.

C. A judgment shall be rendered in such a proceeding reviving the original judgment, unless the defendant shows good cause why it should not be revived.

Article 2031(D) is all proposed new law.

D. On and after January 1, 2000, a judgment to revive a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 2782. Procedure; execution of executory judgment; required information

A. A creditor wishing to have a judgment of a Louisiana court made executory, as provided in Article 2781, may file an ex parte petition complying with Article 891, with a certified copy of the judgment annexed, praying that the judgment be made executory. The court shall immediately render and sign its judgment making the judgment of the other Louisiana court executory.

Article 2782(B) is all proposed new law.

B. On and after January 1, 2000, a judgment making a money judgment of another Louisiana court executory shall provide sufficient information to adequately identify the judgment debtor which shall include, if available, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

C. The judgment thus made executory may be executed or enforced immediately as if it had been a judgment of that court rendered in an ordinary proceeding.

\* \* \*

Art. 4906. Form of judgment in parish or city courts

A. The judgment shall be in writing and signed by the judge.

Article 4906(B) is all proposed new law.

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

\* \* \*

Art. 4923. Form of judgment; justice of the peace courts; district courts with concurrent jurisdiction

A. The judgment shall be in writing and signed by the justice of the peace or the clerk of court.

**Article 4923(B) is all proposed new law.**

B. On and after January 1, 2000, a money judgment shall provide sufficient information to adequately identify the judgment debtor which shall include, if known, race, gender, last known address, and any other information designed to more fully identify the judgment debtor. However, the absence of information required by this Paragraph shall not affect the rights of the parties pursuant to the judgment.

Section 2. R.S. 9:5504 is hereby enacted to read as follows:

§5504. Distinction documentation concerning legal mortgages; liability for costs

**R.S. 9:5504 is all proposed new law.**

A. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment debtor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor.

B. If a judgment does not provide the information required by Code of Civil Procedure Arts. 1702(F), 1702.1(C), 1918(B), 2031(D), 2782(B), 4906(B), or 4923(B), as applicable, the judgment creditor shall be liable for all verified costs incurred by anyone with the same or similar name, including court costs and reasonable attorney's fees, in obtaining the necessary distinction documentation from the judgment creditor, provided that the information was available to the judgment creditor prior to or at the time the judgment was prepared."

On motion of Senator Landry, 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 WFields to Engrossed Senate Bill No. 984 by Senator Theunissen

**AMENDMENT NO. 1**

In Senate Floor Amendments proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, in Amendment No. 4, line 17, after "F." insert "(1)"

**AMENDMENT NO. 2**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 1, between lines 23 and 24, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

**AMENDMENT NO. 3**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, line 28, after "C." insert "(1)"

**AMENDMENT NO. 4**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 1, between lines 34 and 35, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

**AMENDMENT NO. 5**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, line 3, after "B." insert "(1)"

**AMENDMENT NO. 6**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, between lines 9 and 10, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

**AMENDMENT NO. 7**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, line 22, after "D." insert "(1)"

**AMENDMENT NO. 8**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, between lines 28 and 29, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

**AMENDMENT NO. 9**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, line 39, after "B." insert "(1)"

**AMENDMENT NO. 10**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, between lines 46 and 47, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

**AMENDMENT NO. 11**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 2, line 54, after "B." insert "(1)"

**AMENDMENT NO. 12**

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 3, between lines 6 and 7, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person

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identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

AMENDMENT NO. 13

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 3, line 13, after "B." insert "(1)"

AMENDMENT NO. 14

In Senate Floor Amendment No. 4, proposed by Senator Theunissen and adopted by the Senate on April 26, 1999, page 3, between lines 19 and 20, insert:

"(2) Notwithstanding the provisions of R.S. 9:5501, an owner of a immovable property against whom a judgment has been attached may provide verification that he is not the same person identified as the debtor in one or more recorded judgments, liens, privileges, mortgages, or other such documents and the attached judgement shall be removed at no cost to the owner."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Malone
Bajoie Fields C Robichaux
Barham Fields W Romero
Bean Hainkel Schedler
Boissiere Heitmeier Siracusa
Branch Hines Smith
Cain Hollis Tarver
Campbell Irons Theunissen
Casanova Johnson Thomas
Cox Jones Ullo
Cravins Lambert
Dyess Lentini
Total—34

NAYS

Dardenne Greene Landry
Dean Jordan
Total—5

ABSENT

Total—0

The Chair declared the amended 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.

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.

The bill was read by title. Senator Barham 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 Robichaux
Boissiere Greene Romero
Branch Hainkel Schedler
Cain Heitmeier Siracusa
Campbell Hines Smith
Casanova Hollis Tarver
Cox Irons Theunissen
Cravins Johnson Thomas
Dardenne Jones Ullo
Dean Jordan
Total—38

NAYS

Total—0

ABSENT

Malone
Total—1

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

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 for district office candidates; to provide for adjustment of such contribution limits by the Supervisory Committee on Campaign Finance Disclosure; 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. 145 by Senator Cain

AMENDMENT NO. 1

On page 2, line 4, following "ninety-five" delete "thousand"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Greene Landry
Bean Hainkel Malone
Boissiere Hines Schedler
Cain Hollis Siracusa
Campbell Irons Smith
Casanova Johnson Tarver

Cravins	Jones	Thomas
Dyess	Lambert	
Total—23		

NAYS

Barham	Dean	Robichaux
Branch	Fields C	Romero
Cox	Jordan	Theunissen
Dardenne	Lentini	Ullo
Total—12		

ABSENT

Mr. President	Fields W
Ellington	Heitmeier
Total—4	

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

**Personal Privilege**

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 145. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Hainkel
Total—1

ABSENT

Dyess
Total—1

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.

**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 26, 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. 82—**  
BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend Thomas William Humphries for his public service to the people of Ouachita Parish and to designate the facility to located in the Booker T. community as the Humphries Senior Citizens Community Center.

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. 1055—**  
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 11:1145(A), relative to the Louisiana School Employees' Retirement System; to provide with respect to a formula for the payment of cost-of-living increases; and to provide for related matters.

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

**SENATE BILL NO. 1056—**  
BY SENATOR SIRACUSA

AN ACT

To amend and reenact the introductory paragraph of R.S. 11:1162(A)(6), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees; to provide for eligibility of certain members; and to provide for related matters.

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

**SENATE BILL NO. 1057—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1031(A), relative to nurses; to provide for the Joint Administration Committee on Prescriptive Authority for Advanced Practice Registered Nurses; and to provide for related matters.

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

**SENATE BILL NO. 1058—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:71(B)(1), relative to motor vehicles; to require certain motor vehicles to be driven on the right lane of a multilane roadway; and to provide for related matters.

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

**SENATE BILL NO. 1059—**  
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 38:291(F)(1)(a) and (d) and (P)(1), and to enact R.S. 38:291(P)(4), relative to levee districts; to provide for ownership of certain property and rights on certain levee district land; to provide for transfer of certain property; to provide for evidence of transfer of certain property; and to provide for related matters.

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

**SENATE BILL NO. 1060—**  
BY SENATOR BARHAM

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries to exchange title to certain described property in Ouachita Parish; to provide for property descriptions; to provide for 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.

**SENATE BILL NO. 1061—**  
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 33:7571.1 and R.S. 34:1652(C)(21) and (D), relative to the Greater Lafourche Port Commission; to provide for rights and powers; to provide for formation of certain beachfront development districts; and to provide for related matters.

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

**SENATE BILL NO. 1062—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 52:5, relative to public lands; to authorize the governor to cede concurrent jurisdiction to the federal government of certain lands, waters, and improvements acquired, leased, occupied, or controlled by or for the United States Department of Justice or any of its agencies or bureaus; 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. 1063—**  
BY SENATOR ULLO

AN ACT

To enact Part III-G of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for the authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for the vesting of title; to provide for notice to the owner of the property or servitude; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide for penalty for nonuse of the expropriated property; and to provide for related matters.

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

**SENATE BILL NO. 1064—**  
BY SENATOR BAJOIE

AN ACT

To enact Code of Criminal Procedure Art. 228(C)(1)(e), relative to arrest; to provide with respect to booking of arrested person; to provide for medical history summary; and to provide for related matters.

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

**SENATE BILL NO. 1065—**  
BY SENATOR THOMAS

AN ACT

To enact R.S. 33:2737.71, relative to sales and use taxes; to authorize certain parishes to levy and collect an additional sales and use tax subject to voter approval; to provide for the use of proceeds from such tax; and to provide for related matters.

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

**SENATE BILL NO. 1066—**  
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 47:306(A)(3)(a) and (B)(4), and 318, relative to vendor's compensation for collection of state sales and use tax; to provide for the rate of such compensation; to provide for deposits to certain funds; and to provide for related matters.

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

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 25—**

BY SENATORS BRANCH, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

A RESOLUTION

To commend and congratulate Anne Katherine Lene´ upon winning the title of Miss L.S.U. U.S.A. and to wish her the best of luck in representing the university in the Miss Louisiana U.S.A. Pageant.

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

**SENATE CONCURRENT RESOLUTION NO. 84—**

BY SENATOR ELLINGTON

**A CONCURRENT RESOLUTION**

To commend Reverend Everett Mayo for fifty years in the ministry, the last thirty-nine years at Aimwell Pentecostal Church in Aimwell, Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Branch  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 85—**

BY SENATOR HINES AND COX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to provide for an additional one hundred personal care attendant Medicaid waiver slots for disabled adults from funds received by the state from any tobacco industry settlement, agreement, or judgment.

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

**SENATE CONCURRENT RESOLUTION NO. 86—**

BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Max W. Maxwell former state representative, father, grandfather, veteran, businessman, Christian, and friend.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Dean  
Total—1

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 26, 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 Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE JOHN SMITH

**A CONCURRENT RESOLUTION**

To request that the Department of Natural Resources study the possibility of establishment of new rental and royalty requirements for the lease of state land and the possibility of incorporating such new requirements into existing leases.

**HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE WILLARD

**A CONCURRENT RESOLUTION**

To direct the Louisiana Gaming Control Board to study the feasibility, practicality, and effectiveness of offering compulsive gambling services in more than one language.

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE WRIGHT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to study the results and consequences of the introduction of livestock on the Dewey Wills Wildlife Management Area, and to report findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 75—**

BY REPRESENTATIVE HEBERT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Natural Resources to study the effects of the Keystone Lock and Dam located on Bayou Teche on fields and siltation, and to report study findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 107—**

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

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to amend the Federal Migratory Bird Conservation Act (16 U.S.C.A. 715) to authorize certain states to issue temporary federal duck stamp privileges through electronic license issuance systems.

**HOUSE CONCURRENT RESOLUTION NO. 126—**

BY REPRESENTATIVE FARVE

**A CONCURRENT RESOLUTION**

To urge and request the Orleans Parish School Board to combine the Helen S. Edwards Elementary School, the G. W. Carver Middle School, and the G. W. Carver Senior High School into the Helen S. Edwards/G. W. Carver Accelerated Center for Excellence for purposes of implementing on a pilot basis accelerated school programs designed to improve the academic achievement levels of students.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE JOHN SMITH

**A CONCURRENT RESOLUTION**

To request that the Department of Natural Resources study the possibility of establishment of new rental and royalty requirements for the lease of state land and the possibility of incorporating such new requirements into existing leases.

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

**HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE WILLARD

**A CONCURRENT RESOLUTION**

To direct the Louisiana Gaming Control Board to study the feasibility, practicality, and effectiveness of offering compulsive gambling services in more than one language.

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

**HOUSE CONCURRENT RESOLUTION NO. 46—**

BY REPRESENTATIVE WRIGHT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to study the results and consequences of the introduction of livestock on the Dewey Wills Wildlife Management Area, and to report findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

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

**HOUSE CONCURRENT RESOLUTION NO. 75—**

BY REPRESENTATIVE HEBERT

**A CONCURRENT RESOLUTION**

To urge and request the Department of Natural Resources to study the effects of the Keystone Lock and Dam located on Bayou Teche on fields and siltation, and to report study findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

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

**HOUSE CONCURRENT RESOLUTION NO. 107—**

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

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to amend the Federal Migratory Bird Conservation Act (16 U.S.C.A. 715) to authorize certain states to issue temporary federal duck stamp privileges through electronic license issuance systems.

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

**HOUSE CONCURRENT RESOLUTION NO. 126—**

BY REPRESENTATIVE FARVE

**A CONCURRENT RESOLUTION**

To urge and request the Orleans Parish School Board to combine the Helen S. Edwards Elementary School, the G. W. Carver Middle School, and the G. W. Carver Senior High School into the Helen S. Edwards/G. W. Carver Accelerated Center for Excellence for purposes of implementing on a pilot basis accelerated school programs designed to improve the academic achievement levels of students.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 26, 1999

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 382—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 13:1899(C), relative to the assessment and disposition of court costs; to increase such costs; and to provide for related matters.

Reported favorable.

**SENATE BILL NO. 720—**  
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 30:2417(B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 30:2417(N), relative to used oil; to require certain used oil facilities to obtain hazardous waste permits from the Department of Environmental Quality; and to provide for related matters.

Reported favorable.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON**

**FINANCE**

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

April 26, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 356—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 15:1231 and 1233, and to enact R.S. 15:1237, relative to law enforcement services for the elderly; to create the Aged and Law Enforcement Response Team Program; to provide for objectives, duties and responsibilities; to establish state and parish level participation; to provide for an elderly services officer and an elderly services assistant district attorney in each parish; to provide for a selection, testing, training and certification program; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JOHN HAINKEL  
Chairman

**Rules Suspended**

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2014 from the Committee on Education.

**HOUSE BILL NO. 2014—**  
BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 17:3972(B)(2), 3973(2)(b)(ii), 3982, and 3991(B)(1) and to repeal R.S. 17:3983(A)(2)(a)(ii), relative to charter school demonstration programs; to provide relative to the purpose of the charter school law; to provide relative to the definition of a type 2 charter school; to provide for duties of local school boards; to provide relative to conversions of preexisting public schools; to repeal certain provisions relative to proposals for a type 3 charter school; and to provide for related matters.

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

**Rules Suspended**

Senator Casanova asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 725 from the Committee on Health and Welfare.

**SENATE BILL NO. 725—**  
BY SENATOR CASANOVA

AN ACT

To enact R.S. 37:1302 and 1303, relative to physicians; to provide requirements of certain physicians who supervise or collaborate with certain persons who are licensed to prescribe or dispense controlled substances or legend drugs; and to provide for related matters.

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

**Motion to Recommit**

Senator Thomas asked for and obtained a suspension of the rules and recommitted House Bill No. 669 from the Committee on Health and Welfare to the Committee on Insurance.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

April 26, 1999

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolution:

**SENATE CONCURRENT RESOLUTION NO. 74—**

BY SENATORS HINES, BAJOE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

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.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Leaves of Absence**

The following leaves of absence were asked for and granted:  
Dyess                      ½ Day                      Heitmeier                      ½ Day

**Adjournment**

Senator Bean moved that the Senate adjourn until Tuesday, April 27, 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 Tuesday, April 27, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk