

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

NINETEENTH 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

Thursday, April 29, 1999

The Senate was called to order at 9:00 o'clock A.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	Dean	Lambert
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—36		

ABSENT

Fields C	Heitmeier	Tarver
Total—3		

The President of the Senate announced there were 36 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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 30—
BY SENATOR DEAN

A RESOLUTION

To adopt Senate Rule No. 3.7(B)(17) and Chapter 14-A, comprised of Senate Rule 14.11, of the Rules of Order of the Senate, relative to Senate proceedings and records; to require that an electronic record be made and maintained of all Senate proceedings.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 29, 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. 162—
BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To urge and request the Honorable M.J. "Mike" Foster, governor of Louisiana, to take all necessary actions to prevent the New Orleans Saints football franchise from having to relocate to another city.

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. 162—
BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To urge and request the Honorable M.J. "Mike" Foster, governor of Louisiana, to take all necessary actions to prevent the New Orleans Saints football franchise from having to relocate to another city.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

April 28, 1999

To the President and Members of the Senate:

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

April 29, 1999

SENATE BILL NO. 379—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 40:1501(A) relative to fire protection districts; to authorize elections to levy ad valorem taxes for the purpose of paying for the cost of fire protection services and emergency medical services; to define "emergency medical service"; to authorize fire protection districts to enter into public services contracts to obtain emergency medical services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 384—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:1353(A), 1356, and 1359, and to repeal R.S. 33:1353(D), relative to interlocal risk management agencies formed by local housing authorities; to authorize such agencies to pool fire and extended coverage risks; to repeal the provision which prohibits such agencies from self-insuring against losses caused by fire and extended coverage; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 847—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4712.7, relative to property of political subdivisions; to provide relative to the financing of equipment and movables by political subdivisions; to provide for the disposition of such property upon non-appropriation of funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 986—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:2721.6(A)(2), relative to municipalities and parishes; to provide authorization for parishes and school boards to establish new limits of local sales and use taxes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1027—
BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.46 relative to special taxing districts; to create a downtown economic development district in the city of Monroe; to authorize special uses of the Ouachita River; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1036—
BY SENATOR JOHNSON AND REPRESENTATIVE WILLARD

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1039—

BY SENATORS BAJOIE, BOISSIERE, JOHNSON, IRONS, AND W. FIELDS, AND REPRESENTATIVES HUDSON, FARVE, MITCHELL, WELCH, GREEN, MORRELL, QUEZAIRE, WILLARD, COPELIN, MURRAY, PIERRE, JETSON, HUNTER AND BAYLOR

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1047—
BY SENATORS CRAVINS, HINES, AND ROMERO

AN ACT

To enact Chapter 39 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9551, relative to the creation of a special taxing district in St. Landry Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1051—

BY SENATORS MALONE, BEAN, CRAVINS, HINES, ROMERO, AND TARVER AND REPRESENTATIVES MONTGOMERY, DOWNER, BARTON, BAYLOR, DEVILLE, GLOVER, AND HOPKINS

AN ACT

To enact Chapter 39 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9551, relative to the creation of a special taxing district in Bossier Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairman

**REPORT OF COMMITTEE ON
EDUCATION**

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

April 28, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 16—
BY SENATOR LANDRY

AN ACT

To enact R.S. 17:3996(B)(19) and (F), relative to the Charter Schools Demonstration Program Law; to require compliance by charter schools with the public bid law; to provide that charter schools be subject to certain audits; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 178—
BY SENATOR DYESS

AN ACT

To enact R.S. 17:241, relative to prohibited materials and devices in public schools; to prohibit the use or possession of any laser pointer or pen by a student in a public school; to require each city and parish school board to adopt a policy and rules to implement the policy to enforce such prohibition; to provide a deadline for the adoption of such policy and rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 671—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 17:3048.1(K)(3), relative to the Tuition Opportunity Program for Students, to provide an alternative method for accepting a Tuition Opportunity for Students award; and to provide for related matters.

Reported favorable.

SENATE BILL NO. 1004—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 17:222(B), relative to school entrance; to require a social security number be furnished by a child entering a school system for the first time; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1040—
BY SENATOR THOMAS

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1044—
BY SENATOR W. FIELDS

AN ACT

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

Reported with amendments.

Respectfully submitted,
THOMAS A. GREENE
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 704—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1201(F) and to repeal R.S. 23:1201.2; relative to workers' compensation; to provide for penalties for nonpayment of benefits; to authorize and prohibit the imposition

of penalties under certain circumstances; to remove the requirement that employers pay attorneys fees for nonpayment of benefits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 750—

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, AND ULLO

AN ACT

To enact R.S. 23:1034(E), relative to public employers' liability for workers' compensation; to provide that workers' compensation is an injured public employee's exclusive remedy in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 751—

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, LENTINI, AND ULLO

AN ACT

To enact R.S. 23:1034(E), relative to workers' compensation for public employees; to clarify the definition of "public employees"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1174—

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY

AN ACT

To amend and reenact R.S. 23:1727, relative to unemployment compensation contributions; to provide that certain assessments do not affect certain security interests; to provide for a lien for future unpaid contributions, interest, and penalties; to provide for the ranking of liens; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHARLES D. JONES
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

April 28, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 71—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 73—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATORS HINES AND DEAN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to develop a repellent to protect oyster beds from black drum predation.

Reported favorably.

SENATE BILL NO. 1009—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:1847(56) relative to the scenic rivers system, to include that segment of the Tangipahoa River from the Interstate 12 crossing to its entrance into Lake Pontchartrain in Tangipahoa Parish in the Louisiana Natural and Scenic Rivers System; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1038—
BY SENATOR ROBICHAUX

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1043—
BY SENATOR W. FIELDS

AN ACT

To repeal R.S. 56:1702, relative to the transfer of the administration, possession, control, management, and operation of the Camp Moore Commemorative Area from the Department of Culture, Recreation and Tourism to Southeastern Louisiana University; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1046—
BY SENATOR ROMERO

AN ACT

To enact R.S. 56: 331, relative to crabbing; to establish a minimum distance from the shoreline of Marsh Island Wildlife Refuge that commercial crabbers must set their traps; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

**REPORT OF COMMITTEE ON
TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS**

Senator Landry, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

April 29, 1999

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

SENATE BILL NO. 88—
BY SENATOR LANDRY

AN ACT

To amend and reenact Title 48 of the Louisiana Revised Statutes of 1950, relative to roads and highways; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 164—
BY SENATOR BARHAM

AN ACT

To enact R.S. 47:462(C), relative to motor vehicles; to provide relative to prestige plates; to authorize such plates for use on certain oversized private vehicles; to provide relative to fees; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 273—
BY SENATOR EWING

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 14(B) and 27(B) of the Constitution of Louisiana; to authorize the use of public funds through the Louisiana Infrastructure Bank; to authorize the use of Transportation Trust Fund monies through the Louisiana Infrastructure Bank subject to Transportation Trust Fund restrictions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 350—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 32:303(D), relative to traffic; to provide relative to motor vehicle equipment; to provide relative to headlamps; to prohibit the use of colored high intensity discharge forward lighting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 377—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 32:387(B)(3), relative to motor vehicles; to provide relative to special permits; to require access to information of such permits by the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 484—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:945 and to enact R.S. 47:820.5(D), relative to tolls on bridges; to provide relative to assessing tolls on bridges; to classify certain motorcycles as two axle vehicles; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 524—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 38:291(U)(2), 329(C) and (J), and 334.2, and to repeal Section 4 of Act 1407 of the 1997 Regular Session of the Legislature, relative to the Terrebonne Levee and Conservation District; to provide for the membership of the board of commissioners of the district; to provide for the authority and duties of such board; to delete the repeal of the South Terrebonne Parish Tidewater Management and Conservation District and the North Terrebonne Parish Drainage and Conservation District; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 803—
BY SENATOR LANDRY

AN ACT

To enact R.S. 38:387.11 and 387.12, relative to special permits; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to a semi-annual (critical off-road equipment) permit; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to an annual (non critical off-road equipment) permit; to provide for permit criteria; to provide for fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 806—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1719(B) and 1720(A), relative to motor vehicles; to provide for times of notification of vehicle owners by storage facility and parking lot operators; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 882—
BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2212(R), relative to the public bid law; to provide relative to the advertisement and the letting of contracts to the lowest responsible bidder; to exempt certain purchases by contractors or subcontractors awarded public works contracts by a public entity; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 982—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:1603 and 1604(A), (C), (E), (G), and (J), relative to public transportation; to provide relative to the River Parishes Transit Authority; to provide relative to the composition of the board of commissioners of such authority; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 996—
BY SENATOR LANDRY

AN ACT

To amend and reenact the introductory paragraphs of R.S. 34:2471(A), R.S. 34:2471(A)(1), (3), and (4), 2471(A)(6)(a), 2472(A), 2473(B)(2) and (3), (C), (D), (E), and (F), 2473.1(B), (C), (D), and (E), R.S. 34:2474(A), 2475, and 2476 and to enact R.S. 34:2473.1(F), relative to ports; to provide relative to the Port of South Louisiana; to provide relative to designations of officers of the commission; to provide relative to contracts for professional services; to provide relative to powers of the commission; to authorize additional powers; to provide that the title to facility improvements shall vest to the port; to increase monetary limits of contracts and purchasing requiring commission approval; to increase the limits authorized for outstanding bonds and notes; to authorize acquisition of facility improvements by expropriation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1012—
BY SENATOR BARHAM

AN ACT

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

Reported favorably.

SENATE BILL NO. 1013—
BY SENATOR THOMAS

AN ACT

To authorize and empower the secretary of the Department of Transportation and Development to transfer title to a certain described parcel of land in St. Tammany Parish to the St. Tammany Parish Police Jury; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1026—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:757(A)(1)(c), relative to construction or maintenance work performed by the Department of Transportation and Development; to provide for off-system work on certain intersections performed by the department; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1035—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 34:1121(B)(2), relative to pilot fee commissions; to replace the Baton Rouge Steamship Association with the Mississippi River Maritime Association; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
RON LANDRY
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

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

April 29, 1999

SENATE BILL NO. 100 (DUPLICATE OF HOUSE BILL NO. 245)—

BY SENATOR HINES AND REPRESENTATIVE DOWNER AND COAUTHORED BY SENATORS BAJOEI, CASANOVA, DYESS, LANDRY AND SCHEDLER AND REPRESENTATIVE HOLDEN AN ACT

To enact Subpart D of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1236.11 through 1236.14, relative to emergency medical services; to provide for legislative intent; to provide for definitions; to establish certain requirements of any person or entity who possesses an automated external defibrillator; to provide for certain requirements of an automated external defibrillator; to provide for civil immunity for certain persons relative to the operation of an automated external defibrillator; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 100 by Senator Hines

AMENDMENT NO. 1

On page 2, lines 9, 14, and 16, change "defibrillator" to "defibrillators"

On motion of Senator Hines, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 245, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 132—

BY SENATORS CAMPBELL AND CRAVINS AN ACT

To enact Part XIX-A of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.11 through 3577.23, and to repeal Part XIX-A of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8; to replace the Louisiana Small Loan Act with the Louisiana Pay Day Loan Act on January 1, 2001 in order to provide for comprehensive regulation of the deferred deposit loan or "pay day loan" business; to provide for civil and criminal penalties; to provide for civil remedies; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 132 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 7, change "January 1, 2000" to "January 1, 2001"

AMENDMENT NO. 2

On page 3, line 8, change "January 1, 2000" to "January 1, 2001"

AMENDMENT NO. 3

On page 3, line 26, change "January 1, 2000" to "January 1, 2001"

AMENDMENT NO. 4

On page 11, line 6, change "thirty-six percent" to "one hundred - sixty percent"

AMENDMENT NO. 5

On page 15, line 13, change "January 1, 2000" to "January 1, 2001"

AMENDMENT NO. 6

On page 16, line 5, change "January 1, 2000" to "January 1, 2001"

AMENDMENT NO. 7

On page 16, line 18, change "January 1, 2000" to "January 1, 2001"

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

SENATE BILL NO. 144—

BY SENATORS DARDENNE AND SCHEDLER AN ACT

To enact R.S. 40:967(F)(3), relative to controlled dangerous substances; to provide increased penalties for possession of large quantities of gamma hydroxybutyric acid; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 144 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and delete lines 3 and 4 and insert the following:

"R.S. 40:967(F)(3), relative to controlled dangerous substances; to provide increased penalties for possession of large quantities of gamma hydroxybutyric acid; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 6 through 16 and on page 2, delete lines 1 through 7, and insert the following:

"Section 1. R.S. 40:967(F)(3) is hereby enacted to read as follows:
"\$967. Prohibited acts--Schedule II, penalties

* * *

F. Other penalties for possession.

* * *

R.S. 40:967(F)(3) is all proposed new law.

(3) Except as otherwise authorized in this Part:

(a) Any person who knowingly or intentionally possesses twenty-eight grams or more, but less than two hundred grams, of gamma hydroxybutyric acid or of a mixture or substance containing a detectable amount of gamma hydroxybutyric acid or of its analogues as provided in Schedule II(A)(4) R.S. 40:964, shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years, nor more than sixty years, and to pay a fine of not less than fifty thousand dollars, nor more than one hundred fifty thousand dollars.

(b) Any person who knowingly or intentionally possesses two hundred grams or more, but less than four hundred grams, of gamma hydroxybutyric acid or of a mixture or substance containing a detectable amount of gamma hydroxybutyric acid or of its analogues as provided in Schedule II(A)(4) of R.S. 40:964, shall be sentenced to serve a term of imprisonment at hard labor of not less than twenty years, nor more than sixty years, and to pay a fine of not less than one hundred thousand dollars, nor more than three hundred fifty thousand dollars.

(c) Any person who knowingly or intentionally possesses four hundred grams or more of gamma hydroxybutyric acid or of a mixture or substance containing a detectable amount of gamma hydroxybutyric acid or of its analogues as provided in Schedule II(A)(4) of R.S. 40:964, shall be sentenced to serve a term of

imprisonment at hard labor of not less than thirty years, nor more than sixty years and to pay a fine of not less than two hundred fifty thousand dollars, nor more than six hundred thousand dollars."

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

SENATE BILL NO. 155—
BY SENATOR SMITH

AN ACT

To enact R.S. 37:3124(C), relative to buyer's fees at auctions; to provide for advertisement of buyer's fees; to provide for the posting of the amount of the buyer's fee; to provide for the announcement of the buyer's fee; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 155 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "37:3124(C)," delete the remainder of the line and delete line 3 and insert "relative to buyer's fees at auctions; to provide for advertisement of buyer's fees; to provide for the posting of the amount of the buyer's fee; to provide for the announcement of the buyer's fee;"

AMENDMENT NO. 2

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

"C.(1) The auctioneers shall include in all advertisements including, but not limited to, newspaper, radio, television, and brochures, the amount of any buyer's fee that will be charged.

(2) The auctioneer shall post in writing at the registration desk, in a conspicuous place, the amount of any buyer's fee.

(3) Upon opening an auction, the auctioneer shall verbally announce the amount of any buyer's fee, explain what the fee is, how such fee will be paid, and how the fee will work."

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

SENATE BILL NO. 175 (DUPLICATE OF HOUSE BILL NO. 547)—
BY SENATOR ULLO AND REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 13:3715.1, relative to autopsy records; to provide for the manner of obtaining autopsy records; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator Hines, the bill, which was designated a duplicate of House Bill No. 547, was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 197—
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 32:393.2, relative to traffic; to provide relative to administrative violation checkpoints established by law enforcement; to provide relative to traffic infraction detection checkpoints; to require publication of certain information in local journals at the completion of such checkpoints; to require certain time limits for such publication; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 197 by Senator W. Fields

AMENDMENT NO. 1

On page 2, line 5 change "two" to "ten"

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

SENATE BILL NO. 209—

BY SENATORS HINES AND SCHEDLER
AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.8(A), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D)(1) and (2), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; and to provide for related matters.

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

SENATE BILL NO. 229—

BY SENATORS SMITH AND JORDAN

A JOINT RESOLUTION

Proposing to add Article IV, Section 22, relative to the executive branch of state government; to provide that a person who has served for more than two and one-half consecutive terms, or twelve years, whichever occurs first as a member of any state board or commission, whether elected or appointed as such, shall not be appointed or elected for the succeeding term; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 229 by Senator Smith

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert the following:

"Proposing to add Article IV, Section 22, relative to the executive branch of state government; to"

AMENDMENT NO. 2

On page 1, line 4, change "one and one-half" to "two and one-half"

AMENDMENT NO. 3

On page 1, line 5, and on page 2, line 16, and on page 2, line 20, after "terms" insert ", or twelve years, whichever occurs first"

AMENDMENT NO. 4

On page 1, line 5, after "member of" delete the rest of the line and insert "any state board or commission, whether elected or appointed as such,"

AMENDMENT NO. 5

On page 1, line 6, delete "Secondary Education"

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AMENDMENT NO. 6

On page 1, line 7, after "succeeding term;" delete the rest of the line, and delete lines 8 through 13 in their entirety

AMENDMENT NO. 7

On page 1, line 14, delete "be appointed to the succeeding term;"

AMENDMENT NO. 8

On page 2, line 4, after "a proposal to" delete the rest of the line and insert "add Article IV, Section 22"

AMENDMENT NO. 9

On page 2, line 5, delete "7(B), and 7.1(B)"

AMENDMENT NO. 10

On page 2, delete lines 6 through 13 in their entirety

AMENDMENT NO. 11

On page 2, between lines 13 and 14, insert "§22. State boards and commissions; term limits"

AMENDMENT NO. 12

On page 2, line 14, delete "(2)"

AMENDMENT NO. 13

On page 2, line 15, and on page 2, line 19, change "the board" to "any state board or commission"

AMENDMENT NO. 14

On page 2, line 17, and on page 2, line 21, change "the board" to "such board or commission" and change "2000" to "1996"

AMENDMENT NO. 15

On page 2, delete lines 23 through 27 in their entirety

AMENDMENT NO. 16

On page 3 and page 4, delete lines 1 through 27 in their entirety

AMENDMENT NO. 17

On page 5, delete lines 1 through 4 in their entirety

AMENDMENT NO. 18

On page 5, line 14, after "consecutive terms" insert ", or twelve years, whichever occurs first" and change "of the" to "of any state board or commission"

AMENDMENT NO. 19

On page 5, delete lines 15 through 20 in their entirety and on line 21 delete "Community and Technical Colleges"

AMENDMENT NO. 20

On page 5, line 22, change "2000" to "1996"

AMENDMENT NO. 21

On page 5, line 23, after "board" insert "or commission"

AMENDMENT NO. 22

On page 5, line 23, change "Amends" to "Adds"

AMENDMENT NO. 23

On page 5, line 24, change "Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B)" to "Article IV, Section 22"

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

SENATE BILL NO. 354—

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

AN ACT

To direct the Louisiana State Law Institute to change certain references in the law in matters of workforce development; and to provide for related matters.

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

SENATE BILL NO. 378—

BY SENATOR DYESS

AN ACT

To enact R.S. 49:155.5, relative to state symbols; to designate "Leadership" by Jean McGivney Boese as the official state legislative poem; and to provide for related matters.

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

SENATE BILL NO. 542—

BY SENATOR HINES

AN ACT

To enact R. S. 40:964, Schedule III(A)(5) and (6), and Schedule IV(35), and to repeal R. S. 40:964, Schedule II(A)(1)(g) and (C)(3),(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to remove Apomorphine, Phenmetrazine, Phendimetrazine and Phentermine from Schedule II; to add Phenmetrazine and Phendimetrazine to Schedule III; to add Phentermine to Schedule IV; and to provide for related matters.

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

SENATE BILL NO. 572—

BY SENATOR JORDAN

AN ACT

To enact R.S. 18:435(E), relative to the Louisiana Election Code; to authorize the use of video cameras at polling places; to provide for access of watchers; to provide for ejection of watchers; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 572 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 4, change "watcher" to "watchers"

AMENDMENT NO. 2

On page 2, at the end of line 2, delete the comma ", "

AMENDMENT NO. 3

On page 2, line 8, delete "ejected watchers" and after "duties" insert "of the ejected watchers"

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

SENATE BILL NO. 575—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 18:1398, relative to the Louisiana Election Code; to require the commissioner of elections to utilize mechanical or electronic voting machines which are capable of producing printed election results; to require the utilization of such voting machines throughout the state in any parish or parishes thereof for any election; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 575 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 14, delete "is"

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

SENATE BILL NO. 576—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 33:1555 relative to coroners; to prohibit certain funeral home personnel from serving as deputy or assistant coroners; and to provide for related matters.

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

SENATE BILL NO. 581—
BY SENATOR THOMAS

AN ACT

To enact R.S. 33:1563(I), relative to coroners; to provide for the duties of coroners; to provide relative to the disposition of certain reports by the coroner upon written request and authorization by certain family members; and to provide for related matters.

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

SENATE BILL NO. 662—
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 49:158.1; to designate the last week of September each year as "Native American Week" in Louisiana; and to provide for related matters.

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

SENATE BILL NO. 680 (DUPLICATE OF HOUSE BILL NO. 1103)—

BY SENATOR HEITMEIER AND REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 22:1405(B), 1406.5 and 1435, relative to certain insurance plans and associations; to provide for the membership of the governing authority of the Property Insurance Association of Louisiana, the Louisiana Joint Reinsurance Plan, and the Louisiana Insurance Underwriting Plan; to provide for certain requirements for members of each governing authority; to provide for Senate confirmation; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 680 by Senator Heitmeier

AMENDMENT NO. 1**AMENDMENT NO. 2**

On page 1, line 2, delete "relative to" and insert in lieu thereof the following:

"1406.5 and 1435, relative to certain insurance plans and associations; to provide for the membership of the governing authority of"

AMENDMENT NO. 3

On page 1, line 3, after "Louisiana" change the semicolon ";" to a comma "," and delete the remainder of the line and delete lines 4 and 5 in their entirety and insert in lieu thereof the following:

"the Louisiana Joint Reinsurance Plan, and the Louisiana Insurance Underwriting Plan; to provide for certain requirements for members of each governing authority; to provide for Senate confirmation; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 7, delete "R.S. 22:1405(B) is" and insert "R.S. 22:1405(B), 1406.5, and 1435 are"

AMENDMENT NO. 5

On page 3, below line 12, add the following:

"§1406.5. ~~Governing committee~~ **Board of directors** of plan

~~The governing committee of the plan shall consist of seven representatives of participants in the plan.~~

R.S. 22:1406.5 is all proposed new law.

A. The board of directors of the plan shall be residents of this state and shall consist of the following seventeen members:

(1) The commissioner of the Department of Insurance, or his designee, shall be an ex-officio member.

(2) Two members appointed by the commissioner of the Department of Insurance.

(3) One member shall be a representative designated by the Louisiana Insurance Rating Commission.

(4) One member shall be a representative designated by the Professional Insurance Agents of Louisiana, or its successor.

(5) One member shall be a representative designated by the Independent Insurance Agents of Louisiana, or its successor.

(6) The chairman of the House Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.

(7) The chairman of the Senate Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.

(8) Nine members who shall be elected from and by the participants of the plan. These nine members shall be apportioned between stock and nonstock members predicated on the ratio of their net property insurance premiums for the calendar year immediately preceding said election. Net property insurance

premiums shall be furnished the plan by the commissioner of the Department of Insurance.

B. Except for the ex-officio members of the legislature, or their designees, serving on the board pursuant to Subsection A of this Section, each board member shall have one vote on the board. The ex-officio members of the legislature, or their designees, shall serve as nonvoting members of the board and shall not be counted for purposes of establishing a quorum of the board. Officers of the board shall consist of a president, vice-president, and secretary-treasurer and such other necessary or advisable officers and employees as may be provided in the bylaws of the board. The main office of the plan shall be in the city of New Orleans and branch offices may be established throughout the state by the board.

C. All members of the board of directors, except the three ex-officio members and their designees, shall be subject to Senate confirmation.

* * *

§1435. ~~Governing committee~~ **Board of directors** of the plan

~~The governing committee of the plan shall consist of seven representatives of participants in the plan.~~

R.S. 22:1435 is all proposed new law.

A. The board of directors of the plan shall be residents of this state and shall consist of the following seventeen members:

(1) The commissioner of the Department of Insurance, or his designee, shall be an ex-officio member.

(2) Two members appointed by the commissioner of the Department of Insurance.

(3) One member shall be a representative designated by the Louisiana Insurance Rating Commission.

(4) One member shall be a representative designated by the Professional Insurance Agents of Louisiana, or its successor.

(5) One member shall be a representative designated by the Independent Insurance Agents of Louisiana, or its successor.

(6) The chairman of the House Committee on Insurance, or a member of that committee designed by the chairman, shall be an ex-officio member.

(7) The chairman of the Senate Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.

(8) Nine members who shall be elected from and by the participants of the plan. These nine members shall be apportioned between stock and nonstock members predicated on the ratio of their net property insurance premiums for the calendar year immediately preceding said election. Net property insurance premiums shall be furnished the plan by the commissioner of the Department of Insurance.

B. Except for the ex-officio members of the legislature, or their designees, serving on the board pursuant to Subsection A of this Section, each board member shall have one vote on the board. The ex-officio members of the legislature, or their designees, shall serve as nonvoting members of the board and shall not be counted for purposes of establishing a quorum of the board. Officers of the board shall consist of a president, vice-president, and secretary-treasurer and such other necessary or advisable officers and

employees as may be provided in the bylaws of the board. The main office of the plan shall be in the city of New Orleans and branch offices may be established throughout the state by the board.

C. All members of the board of directors, except the three ex-officio members and their designees, shall be subject to Senate confirmation."

On motion of Senator Bean, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1103, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 709—

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

AN ACT

To amend and reenact R.S. 40:3.1(A), (B), (E), and (F) and 8, relative to the powers, duties, and functions of the state health officer and the Department of Health and Hospitals, office of public health; to provide for the investigation of potential threats to the public health; to grant the authority to the state health officer to petition a court to compel production of documents in such investigations; to provide for confidentiality of information obtained in such investigations; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 709 by Senator Hines

AMENDMENT NO. 1

On page 1, line 6, after "to" delete the remainder of the line and insert "the state health officer to petition a court to compel production of documents in such"

AMENDMENT NO. 2

On page 2, line 6, after "a" delete the remainder of the line and at the beginning of line 7, delete "**subpoena duces tecum**" and insert "**court order issued**"

AMENDMENT NO. 3

On page 2, line 17, after "**abnormalities**" insert a period "." and delete the remainder of the line and delete line 18 in its entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 23, delete "**subpoena or subpoena duces tecum**" and insert "**court order**"

AMENDMENT NO. 5

On page 3, delete lines 8 and 9 in their entirety and insert "**order to compel attendance of witnesses or production of documents**"

AMENDMENT NO. 6

On page 3, line 17, after "health" insert a period "." and delete the remainder of the line and delete lines 18 through 20 in their entirety

AMENDMENT NO. 7

On page 3, line 27, between "**may**" and "**to**" delete "**issue a subpoena**" and insert "**petition the district court of the parish where the person, agency, organization, or legal entity resides, may be found, transacts business, or has its principal place of business for an order**"

AMENDMENT NO. 8

On page 4, line 1, after "**or**" delete "**a subpoena duces tecum**"

AMENDMENT NO. 9

On page 4, line 5, after the period "." delete the remainder of the line and delete lines 6 through 24 in their entirety and insert the following:

"D. The clerk of court of the parish where the district court is located that issues an order under this Section shall mail a certified copy of the order and certified copy of the state health officer's petition to the parties indicated in the state health officer's petition to receive service of process of the order and petition. The clerk shall file a certificate in the record showing the date on which, and the counsel and parties to whom, the certified copy of the order and petition were mailed. The mailing of the certified copy of the order and petition shall be effective service of process on residents and nonresidents under R.S. 13:3201 et seq."

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

SENATE BILL NO. 710 (DUPLICATE OF HOUSE BILL NO. 1182)—

BY SENATOR BEAN AND REPRESENTATIVE STELLY
AN ACT

To enact Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2101 through 2106, relative to insurers; to provide for the limited licensing of rental car companies to sell insurance in conjunction with the leasing of rental cars from such rental car companies; to establish certain licensing and reporting requirements; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 710 by Senator Bean

AMENDMENT NO. 1

On page 3, at the end of line 19 insert the following:

" The initial application fee for a licensee who maintains twenty-five or less vehicles shall be one hundred dollars and the renewal fee shall be fifty dollars."

On motion of Senator Bean, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1182, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 782—

BY SENATOR LENTINI
AN ACT

To enact R.S. 46:56 (F)(10), relative to records and reports concerning certain dependents; to provide limited access to complaints against caregivers for certain dependents; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 782 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 3, change "children" to "certain dependents" and change "sitters" to "caregivers"

AMENDMENT NO. 2

On page 1, line 4, change "children" to "certain dependents"

AMENDMENT NO. 3

On page 1, line 4, change "retroactivity" to "retroactive application"

AMENDMENT NO. 4

On page 2, line 1, after "request" insert "of a caregiver"

AMENDMENT NO. 5

On page 2, line 3, change "potential" to "prospective"

AMENDMENT NO. 6

On page 2, line 4, after "children" insert "or other dependent person"

AMENDMENT NO. 7

On page 2, line 5, change "sitter" to "caregiver"

AMENDMENT NO. 8

On page 2, line 7, after "has" insert "received", and after "report" delete "in its possession"

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

SENATE BILL NO. 789—

BY SENATOR THOMAS
AN ACT

To enact R.S. 40:1234(H) and (I), relative to duties of emergency medical personnel; to provide for emergency medical service protocol in parishes without organized or functional medical societies; to require the Department of Health and Hospitals to promulgate rules relative to statewide emergency medical service protocols; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 789 by Senator Thomas

AMENDMENT NO. 1

On page 2, line 5, after "the" delete the remainder of the line and at the beginning of line 6, delete "recommendation of the commission," and insert "district medical society"

AMENDMENT NO. 2

On page 2, line 8, after "society." insert the following:

"In the event the district medical society does not approve an emergency medical service protocol for the parish without an organized or functional local parish medical society, the disaster and emergency medical services committee of the Louisiana State Medical Society shall approve an emergency medical service protocol for the parish without an organized or functional local parish medical society."

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

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SENATE BILL NO. 850—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 37:2950(D)(3), relative to the effect of felony convictions on trade or occupational and professional licensing; to provide for certain exemptions for the Louisiana State Board of Private Investigator Examiners; and to provide for related matters.

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

SENATE BILL NO. 851—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:3503(4), 3505(A)(1), (B)(6), (C) and (D), 3506, 3510(C), 3514(F)(1), the introductory paragraphs of both 3516(A)(1) and (2), and 3518, and to enact R.S. 37:3507.2, relative to private investigators; to provide for definitions; to provide for the powers, duties and responsibilities of the board; to provide for the position of executive director and his duties; to provide for types of licenses; to provide for time period for retaking licensing examination; to provide for the term of registration cards; to provide with respect to reciprocity; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 851 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "3503" delete "(3) and"

AMENDMENT NO. 2

On page 1, line 3, after "3514(F)(1)," insert " the introductory paragraphs of both 3516(A)(1) and (2)," and after "3518," insert "and to enact R.S. 37:3507.2"

AMENDMENT NO. 3

On page 1, line 6, after "duties;" insert "to provide for types of licenses;"

AMENDMENT NO. 4

On page 1, line 10, after "3503" delete "(3) and"

AMENDMENT NO. 5

On page 1, line 11, after "3514(F)(1)," insert "the introductory paragraphs of both 3516(A)(1) and (2)," and after "reenacted" insert "and R.S. 37:3507.2 is hereby enacted"

AMENDMENT NO. 6

On page 2, delete lines 2 through 8

AMENDMENT NO. 7

On page 3, line 11, after "exceed" change "thirty-five" to "fifty"

AMENDMENT NO. 8

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

R.S. 37:3507.2 is all proposed new law

"§3507.2 Types of licenses

A. The board is authorized to issue the following types of licenses to qualified applicants:

(1)(a) "Private investigation agency license" - issued to any person or entity, as defined in La. R.S. 37:3503(8), where the individual seeking license or the partner of the partnership seeking license or the principal corporate officer of the corporation seeking license (i) has at least three years experience within the last ten years either working as a private investigator or in an investigative capacity and (ii) satisfies all other requirements for licensing.

(b) The provisions of this paragraph requiring investigative experience for licensing as a private investigator agency shall not apply to any person or entity licensed as a private investigator agency on August 15, 1999.

(2) "Private investigator license" - issued to any person, as defined in La. R.S. 37:3503(8), who satisfies the requirements for licensing and is employed by a licensed private investigator agency.

(3) "Apprentice license" - issued to any person who satisfies the minimum requirements for licensing as an apprentice, as established by rules and regulations promulgated by the board.

B. The individual or the partner of the partnership or the principal corporate officer of the corporation with the requisite experience licensed to operate as a "private investigator agency" may operate as a private investigator and hire others licensed as a "private investigator."

C. The individual licensed as a "private investigator" may only operate as a private investigator if employed by a licensed private investigator agency.

* * *

AMENDMENT NO. 9

On page 4, between lines 16 and 17, insert the following:

"§3516. Fees

A. The board shall assess the following schedule of fees which shall not be refundable:

(1) ~~Licensee or any business entity employing more than one investigator~~ **Private investigator agency:**

* * *

(2) Private investigator ~~employed by a company or corporation;~~ or apprentice investigator:

* * *

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

SENATE BILL NO. 853—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1470 and the introductory paragraph of 30:2544(C), (C)(2), (D), and (E) and to enact R.S. 30:2544(F), relative to political campaign signs; to provide for notice and opportunity for hearing to political candidates relative to certain prohibitions involving campaign signs; to provide for removal of certain political campaign signs; and to provide for related matters.

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

SENATE BILL NO. 870—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 13:3715.1(J) and to enact R.S. 44:4(25), relative to the Louisiana State Board of Social Work Examiners; to exempt the board from complying with certain notice provisions governing the release of certain medical or hospitals records; to exempt certain records in the custody of the board from the public records law; and to provide for related matters.

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

SENATE BILL NO. 878 (DUPLICATE OF HOUSE BILL NO. 1183)—

BY SENATOR THOMAS AND REPRESENTATIVE THOMPSON AND COAUTHORED BY REPRESENTATIVE MURRAY
AN ACT

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

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 878 by Senator Thomas

AMENDMENT NO. 1

On page 2, line 18, change "two" to "one"

AMENDMENT NO. 2

On page 12, between lines 14 and 15, insert the following:

"R.S. 22:247(C) is all proposed new law.

C. Any purchasing cooperative developed shall include choices and options in coverage and benefits. Any such purchasing cooperative shall also provide employers and employees with data that includes but is not limited to cost, quality, and outcomes of care offered by the various health care insurers and managed care organizations participating in the plan."

On motion of Senator Bean, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1183, 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. 1113—

BY SENATOR COX (Substitute for Senate Bill No. 28 by Senator Cox.)
AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 15:587.1(G) and 587.3, relative to children; to provide relative to the sharing of information between local law enforcement officials and the Louisiana Bureau of Criminal Identification and Information; to authorize the use of the National Crime Information Center to conduct such background checks as are required by the Louisiana Child Protection Act; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; and to provide for related matters.

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

Special Order of the Day

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

SENATE BILL NO. 296—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:47(D), 500.2 and 1202, relative to sick leave for school personnel; to provide relative to advanced sick leave for certain employees; to eliminate the prohibition on certain deductions from the salary of a teacher or school bus driver under certain circumstances; to provide for the granting of certain sick leave advances under certain circumstances; to require that disability insurance be made available to certain employees; to provide for the disposition of monies saved by eliminating certain mandates; to provide for additional compensation to certain teachers; to provide for the responsibilities of city and parish school boards and the State Board of Elementary and Secondary Education; and to provide for related matters.

Rules Suspended

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

Senator W. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dyess	Schedler
Cain	Ellington	Siracusa
Campbell	Greene	Smith
Casanova	Hainkel	Theunissen
Dardenne	Hollis	Thomas
Dean	Lambert	
Total—17		

NAYS

Bajoie	Fields W	Landry
Bean	Hines	Lentini
Boissiere	Irons	Malone
Branch	Johnson	Robichaux
Cox	Jones	Romero
Cravins	Jordan	Ullo
Total—18		

ABSENT

Mr. President	Heitmeier
Fields C	Tarver

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Total—4

The Chair declared the Senate refused to suspend the rules.

Motion

On motion of Senator Cox, Senate Bill No. 296 was made Special Order of the Day, No. 1 on Wednesday, May 5, 1999 immediately following the Morning Hour.

Without objection, so ordered.

Motion

On motion of Senator Greene, Senate Bill No. 297 was made Special Order of the Day, No. 2 on Wednesday, May 5, 1999 immediately following the Morning Hour.

Without objection, so ordered.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

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.

Senator W. Fields in the Chair

Motion

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

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Senators Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Cox, Cravins, Dyess, Ellington, Hainkel, Hines, Hollis, Irons, Jones, Lambert, Malone, Robichaux, Romero, Siracusa, Smith, Theunissen, and Thomas.

NAYS

Table listing nays for Senators Dardenne, Dean, Fields W, Greene, Johnson, Jordan, Landry, Lentini, and Schedler.

ABSENT

Table listing absent members: Mr. President, Casanova, Fields C, Heitmeier, and Tarver.

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

Mr. President in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Senators Barham, Bean, Boissiere, Branch, Cain, Cravins, Dean, Dyess, Ellington, Fields W, Hollis, Irons, Jones, Jordan, Lambert, Landry, Romero, Siracusa, Smith, Theunissen, Thomas, and Ullo.

NAYS

Table listing nays for Mr. President, Campbell, Cox, Dardenne, Greene, Hainkel, Hines, Johnson, Lentini, Malone, Robichaux, and Schedler.

ABSENT

Table listing absent members: Bajoie, Casanova, Fields C, Heitmeier, and Tarver.

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was 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.

Motion

On motion of Senator Hainkel, Senate Bill No. 632 was made Special Order of the Day, No. 3 on Wednesday, May 5, 1999 immediately following the Morning Hour.

Without objection, so ordered.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 94—

BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Jill Tompkins, mother, daughter, student, Christian, and friend.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Hines	Romero
Campbell	Hollis	Schedler
Cox	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Thomas
Dyess	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Casanova	Heitmeier
Barham	Fields C	Tarver
Total—6		

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

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request Louisiana State University to examine the possibility of developing a special fisheries class as part of the Louisiana Agricultural Leadership Development Program.

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

Rules Suspended

Senator Cox asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 63 from the Committee on Judiciary C.

HOUSE BILL NO. 63—

BY REPRESENTATIVES SCHNEIDER, BRUCE, AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:571.3(C)(4), relative to the earning of diminution of sentence for good behavior; to provide that such diminution is not allowed for inmates incarcerated for certain attempted sex offenses; and to provide for related matters.

On motion of Senator Cox, the bill which is a duplicate of Senate Bill No. 277 was read by title and lies over under the rules.

Rules Suspended

Senator Bean asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1103 from the Committee on Insurance.

HOUSE BILL NO. 1103—

BY REPRESENTATIVE THERIOT

AN ACT

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

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 680 was read by title and lies over under the rules.

Rules Suspended

Senator Thomas asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1183 from the Committee on Insurance.

HOUSE BILL NO. 1183—

BY REPRESENTATIVES THOMPSON AND MURRAY

AN ACT

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

On motion of Senator Thomas, the bill which is a duplicate of Senate Bill No. 878 was read by title and lies over under the rules.

Rules Suspended

Senator Bean asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 152 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 152—

BY SENATOR BEAN

AN ACT

To enact R.S. 42:1310, relative to the Louisiana Deferred Compensation Commission; to allow an employee's deferred compensation funds to be invested with an investment product company which has been selected by his employer; and to provide for related matters.

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

Leaves of Absence

The following leaves of absence were asked for and granted:

C. Fields	1 Day	Heitmeier	1 Day
Tarver	1 Day		

Adjournment

Senator Bean moved that the Senate adjourn until Monday, May 3, 1999 at 4:00 o'clock P.M.

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The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, May 3, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk