

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

**TWENTIETH 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, May 3, 1999

The Senate was called to order at 4:00 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	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
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		

**ABSENT**

Romero  
Total—1

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

**Prayer**

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

**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**

May 3, 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. 47—**  
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To urge and request the Board of Regents and the Board of Supervisors for the University of Louisiana System to take the necessary steps to name the administration building, located at Southeastern Louisiana University, the Dr. Luther H. Dyson Administration Building.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 89—**  
BY SENATOR COX

A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Lake Charles-Boston High School boys basketball team upon its excellence during the 1998-1999 season that culminated in winning its first 3A state high school basketball title and in compiling a record of 27-9 and a district record of 10-0.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 90—**  
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request development of an ongoing association between the state of Louisiana and the province of Alberta, Canada.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 93—**  
BY SENATOR EWING

A CONCURRENT RESOLUTION

To designate April 28, 1999, as Workers' Memorial Day.

Reported without amendments.

**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.

Reported without amendments.

May 3, 1999

**SENATE CONCURRENT RESOLUTION NO. 27—**  
BY SENATORS JORDAN, BEAN, BRANCH, BOISSIERE, CRAVINS, DARDENNE, C. FIELDS, W. FIELDS, HAINKEL, HEITMEIER, HINES, LANDRY, ROMERO, TARVER, THEUNISSEN AND ULLO

**A CONCURRENT RESOLUTION**

To urge and request the Adjutant General of the Louisiana National Guard to establish the Cold War Victory Medal to commemorate those members of the Louisiana National Guard who served during the Cold War era from 1945 until 1991.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 28—**  
BY SENATORS JORDAN, BEAN, BRANCH, BOISSIERE, CRAVINS, DARDENNE, C. FIELDS, W. FIELDS, HAINKEL, HEITMEIER, HINES, LANDRY, ROMERO, TARVER, THEUNISSEN AND ULLO

**A CONCURRENT RESOLUTION**

To memorialize Congress to establish the Cold War Victory Medal to commemorate those members of America's armed services who served during the Cold War era from 1945 until 1991.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 14—**  
BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Department of Education, in cooperation with the Louisiana Alliance for Arts Education and the Louisiana Division of the Arts, to establish and convene a task force to study and develop an assessment to measure students' knowledge in arts education.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 42—**  
BY SENATOR CAIN AND REPRESENTATIVE HILL

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to proclaim the first week in August of each year as "National Week of Prayer for Schools".

Reported without amendments.

**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.

Reported without amendments.

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

**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**

May 3, 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. 477—**  
BY REPRESENTATIVES TRICHE, HOPKINS, LEBLANC, MCCALLUM, SALTER, JACK SMITH, THOMPSON, AND KENNEY

**A JOINT RESOLUTION**

Proposing to amend Article VIII, Section 7.1(D) of the Constitution of Louisiana, to provide relative to state general fund appropriations for certain higher education institutions; to prohibit the reduction of such appropriations below certain amounts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 492—**  
BY REPRESENTATIVES DEWITT AND CRANE  
**A JOINT RESOLUTION**

Proposing to amend Article XII, Section 8.1(F) of the Constitution of Louisiana, to authorize the Louisiana Workers' Compensation Corporation to participate in any plan, pool, association, guaranty fund, or insolvency fund authorized or required pursuant to the Insurance Code upon the extinguishment of the full faith and credit guarantee of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 1047 (Duplicate of Senate Bill No. 683)—**  
BY REPRESENTATIVE DEVILLE AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES RIDDLE, WALSWORTH, JACK SMITH, CARTER, MCMAINS, BAUDOIN, AND SCHWEGMANN

**AN ACT**

To amend and reenact R.S. 9:344, relative to visitation rights of grandparents; to authorize the court to award reasonable visitation rights to grandparents when such visitation would be in the best interest of the child; and to provide for related matters.

**HOUSE BILL NO. 1083—**  
BY REPRESENTATIVE HAMMETT  
**AN ACT**

To amend and reenact R.S. 56:259(C) and to enact R.S. 56:105(D), relative to hunting licenses; to provide for a special permit to hunt beaver at night; and to provide for related matters.

**HOUSE BILL NO. 1157—**  
BY REPRESENTATIVES KENNARD, BRUCE, COPELIN, CRANE, DIEZ, DONELON, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAU, GLOVER, JENKINS, JOHNS, KENNEY, MCDONALD, POWELL, SHAW, JACK SMITH, THOMPSON, THORNHILL, WIGGINS, WINDHORST, AND WOOTON

**AN ACT**

To amend and reenact R.S. 32:407(D) and R.S. 40:1321(E) and (F), relative to drivers' licenses and state-issued identification cards; to provide for licenses and identification cards issued to applicants less than twenty-one years of age; to require distinguishable licenses and identification cards for applicants less than twenty-one years of age; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 392—**  
BY REPRESENTATIVES DUPRE, KENNARD, AND SCALISE  
**AN ACT**

To amend and reenact R.S. 32:378.2(A)(1) and (2)(a) and (G), 414(A)(1)(b), 667(B)(3), and 668(B)(1)(c) and to repeal R.S. 32:414(B)(2)(b) and (D)(1)(b), relative to drivers' licenses; to prohibit persons placed on probation for second and third offenses of driving while intoxicated from operating motor vehicles during probation; to remove authorization of issuance of restricted drivers' licenses under certain circumstances; to prohibit persons placed on probation for second, third, or subsequent offenses of driving while intoxicated from applying for restricted driving privileges for a certain period of time; to repeal provisions authorizing issuance of restricted drivers' licenses for persons convicted of second and third offense driving while intoxicated upon providing proof their vehicle is equipped with a functioning ignition interlock device; and to provide for related matters.

**HOUSE BILL NO. 805 (Duplicate of Senate Bill No. 813)—**  
 BY REPRESENTATIVE DUPRE AND SENATOR EWING AND  
 COAUTHORED BY REPRESENTATIVE CURTIS  
 AN ACT

To enact R.S. 32:300, relative to motor vehicles; to prohibit the possession of open alcoholic beverage containers in motor vehicles; to prohibit the consumption of alcoholic beverages in the passenger area of motor vehicles; to provide for definitions; to provide for penalties; to provide for exceptions; to provide relative to enforcement; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 847—**  
 BY REPRESENTATIVE DURAND  
 AN ACT

To amend and reenact R.S. 13:971(C)(1)(a) and (2), relative to court reporters in the Sixteenth Judicial District Court; to provide for the cost per page for original transcription and copies in civil and criminal matters; and to provide for related matters.

**HOUSE BILL NO. 856—**  
 BY REPRESENTATIVE HILL  
 AN ACT

To amend and reenact R.S. 1:55(E)(1)(a)(iii), relative to legal holidays; to provide that Mardi Gras is a legal holiday for the clerk of court of the Thirty-third Judicial District Court; and to provide for related matters.

**HOUSE BILL NO. 1017—**  
 BY REPRESENTATIVE HAMMETT  
 AN ACT

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 1177—**  
 BY REPRESENTATIVE HUNTER  
 AN ACT

To enact R.S. 33:2711.11.1, relative to municipal sales and use taxes; to authorize the governing body of the city of Monroe to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 1156—**  
 BY REPRESENTATIVE HAMMETT  
 AN ACT

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 1217—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To repeal R.S. 33:2556(1)(d), relative to fire and police civil service; to repeal provisions relative to provisional employees acquiring permanent status in the classified service.

**HOUSE BILL NO. 1218—**  
 BY REPRESENTATIVES BAYLOR AND PIERRE  
 AN ACT

To amend and reenact R.S. 33:2476(B) and 2536(B)(2)(a), relative to fire and police civil service; to provide relative to persons ineligible to serve on local civil service boards due to their rank; and to provide for related matters.

**HOUSE BILL NO. 1219—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To amend and reenact R.S. 33:2536(M), relative to fire and police civil service; to provide relative to the number of persons required for a quorum of and for decisions by certain local civil service boards; and to provide for related matters.

**HOUSE BILL NO. 1220—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(9)(j) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2479(G) and to amend and reenact R.S. 33:2539, relative to fire and police civil service; to remove requirements that the state examiner act as secretary for civil service boards when requested; and to provide for related matters.

**HOUSE BILL NO. 1221—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To amend and reenact R.S. 33:2553(3), relative to fire and police civil service; to provide relative to qualifications for admission to certain competitive employment tests for such service; and to provide for related matters.

**HOUSE BILL NO. 1222—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(24)(a) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2494(A) and to amend and reenact R.S. 33:2554(A), relative to fire and police civil service; to provide relative to the certification of names of persons eligible for appointment; specifically to remove the time limitation on the validity of such certification; and to provide for related matters.

**HOUSE BILL NO. 1223—**  
 BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
 AN ACT

To amend and reenact R.S. 33:2501(D) and 2561, relative to fire and police civil service; to require recusal of certain members of local civil service boards from voting on appeals of disciplinary actions; to provide relative to appeals of board decisions on questions related to recusal; and to provide for related matters.

**HOUSE BILL NO. 1311—**  
 BY REPRESENTATIVE DAMICO  
 AN ACT

To enact R.S. 33:1236.25, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Plantation Estates subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district tax; and to provide for related matters.

**HOUSE BILL NO. 1322—**  
 BY REPRESENTATIVE WADDELL  
 AN ACT

To authorize the Shreve Memorial Library Board of Control in Shreveport, Louisiana, to rename the Margaret S. Higginbotham Branch of Shreve Memorial Library, located in Greenwood, Louisiana, as the Higginbotham-Bryson Branch of Shreve Memorial Library; and to provide for related matters.

**HOUSE BILL NO. 1601—**  
 BY REPRESENTATIVE MCDONALD  
 AN ACT

To enact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo), relative to the creation of tourist commissions for certain parishes; to create tourist commissions composed of all the territory in certain parishes as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; and to provide for related matters.

**HOUSE BILL NO. 1976—**

BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 33:2212(G), relative to employees of a municipal police department; to provide for a salary increase for members of the police department of the city of Monroe; and to provide for related matters.

**HOUSE BILL NO. 672—**

BY REPRESENTATIVE WESTON  
AN ACT

To amend and reenact R.S. 47:120.35, relative to state individual income tax checkoffs; to provide for the income tax checkoff for donations to the Children's Trust Fund; and to provide for related matters.

**HOUSE BILL NO. 727—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 32:1734, relative to towing; to prohibit certain gate fees; to provide for a cause of action; and to provide for related matters.

**HOUSE BILL NO. 615—**

BY REPRESENTATIVES LONG, McDONALD, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, FARVE, KENNEY, POWELL, PRATT, SALTER, SHAW, AND WRIGHT  
AN ACT

To amend and reenact R.S. 17:1808(J)(3), relative to exemptions for certain postsecondary, academic degree-granting institutions from Board of Regents' registration and licensure requirements; to remove the provisions exempting from such requirements institutions granted tax exempt status under Section 501(c)(3) of the federal Internal Revenue Code; to provide relative to compliance with registration requirements by such institutions; to provide relative to completion of the licensure process; and to provide for related matters.

**HOUSE BILL NO. 1345—**

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

To amend and reenact R.S. 32:668(B)(1)(c), relative to driver's license suspensions for operating a motor vehicle under the influence of alcohol; to provide for eligibility for a restricted license upon installation of an ignition interlock device; and to provide for related matters.

**HOUSE BILL NO. 1314—**

BY REPRESENTATIVE ALARIO  
AN ACT

To enact R.S. 27:93(A)(8), relative to allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish in certain cases; and to provide for related matters.

**HOUSE BILL NO. 1846—**

BY REPRESENTATIVES MCCALLUM, KENNEY, JACK SMITH, AND THOMPSON  
AN ACT

To enact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for the disposition of monies in the fund in excess of the maximum allowed amount; to provide for the use of such excess funds; and to provide for related matters.

**HOUSE BILL NO. 1877—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 24:522(B) and (G) and to enact Part I-A of Chapter 2 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:81 through 85, and R.S. 24:522(J), relative to judicial budget and performance accountability; to provide for the strategic planning process of the supreme court, appellate courts, district courts, and other courts; to provide for

performance information provisions relative to the several courts; to provide for performance information reporting; to provide relative to certain budgetary requirements; and to provide for related matters.

**HOUSE BILL NO. 2039—**

BY REPRESENTATIVE WINSTON  
AN ACT

To enact Subpart U of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.61, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to Louisiana Breast Cancer Task Force; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

**HOUSE BILL NO. 363—**

BY REPRESENTATIVE CARTER  
AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(introductory paragraph) and (b)(introductory paragraph), relative to harvest season permits; to authorize a harvest season permit for vehicles transporting brewer's grain; and to provide for related matters.

**HOUSE BILL NO. 411—**

BY REPRESENTATIVES BRUNEAU AND MORRELL  
AN ACT

To amend and reenact R.S. 9:228, relative to applications for marriage licenses; to authorize a juvenile court judge to waive the requirement that the applicant submit a birth certificate prior to the issuance of a marriage license; and to provide for related matters.

**HOUSE BILL NO. 976—**

BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact R.S. 47:302.2 and 332.6 and Section 2 of Act 957 of the 1992 Regular Session of the Legislature, relative to the Shreveport Riverfront and Convention Center Fund; to revise the dedication of monies in the fund; to expand the allowable uses of monies in the fund to include renovation, expansion, or maintenance of Independence Stadium; and to provide for related matters.

**HOUSE BILL NO. 1188—**

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

To amend and reenact R.S. 43:111(A)(8) and to enact R.S. 43:111(A)(9), relative to state advertisements; to provide that the office of community services in the Department of Social Services may expend public funds to advertise for the recruitment of foster or adoptive parents; and to provide for related matters.

**HOUSE BILL NO. 1347—**

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

To amend and reenact R.S. 32:414.2(B)(1), relative to commercial motor vehicle drivers; to provide for a definition of out-of-service order; and to provide for related matters.

**HOUSE BILL NO. 1348—**

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

To enact R.S. 47:511.2, relative to registration of trucks; to provide for a temporary permit for unregistered trucks in certain situations; to provide for the duration of the permit; to provide for restrictions on the type of vehicle eligible to receive the permit; to provide for penalties for not possessing the permit; and to provide for related matters.

**HOUSE BILL NO. 1351—**

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

AN ACT

To amend and reenact R.S. 47:511, relative to motor vehicles; to provide relative to the International Registration Plan; and to provide for related matters.

**HOUSE BILL NO. 1428—**

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

AN ACT

To amend and reenact R.S. 32:364, relative to equipment on motor vehicles; to provide for the use of devices to minimize the spray or splash of materials; and to provide for related matters.

**HOUSE BILL NO. 1429—**

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. 32:387(B)(3), relative to special permits; to require the Department of Transportation and Development to provide computer terminal access of all special permits applicant information to the Department of Public Safety and Corrections; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 2016—**

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

AN ACT

To amend and reenact R.S. 32:1513(A), relative to hazardous materials transportation and motor carrier safety; to provide relative to penalties for failure to pay fines; to authorize the department to deny renewal of certain vehicle registrations; to authorize the department to deny the renewal or reissuance of certain drivers' licenses; to provide relative to responsible parties; and to provide for related matters.

**HOUSE BILL NO. 574—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 40:2019(C)(8) and to enact R.S. 40:2019(C)(9), relative to the Louisiana State Child Death Review Panel established within the Department of Health and Hospitals; to provide relative to the membership of that panel; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1190—**

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

AN ACT

To amend and reenact R.S. 46:236.1(A)(4)(a) and (B)(2) and to enact R.S. 46:236.2(D), relative to family and child support programs; to provide that services be made available through the Department of Social Services in non-TANF cases; and to provide for related matters.

**HOUSE BILL NO. 1769—**

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 56:8(28) and 320(B)(3) and to enact R.S. 56:8(26.1), (77.1), and (91.1) and 326(A)(12), relative to crabs; to provide for definitions, methods of taking, and possession limits for stone crabs; and to provide for related matters.

**HOUSE BILL NO. 2078—**

BY REPRESENTATIVE THERIOT

AN ACT

To amend and reenact R.S. 22:1405(B), 1406.5, and 1435, relative to the COASTAL and FAIR plans; to increase the membership of the governing authorities of the Property Insurance Association of

Louisiana, the Louisiana Joint Reinsurance Plan, and the Louisiana Insurance Underwriting Plan; to include certain public officials or designees and other representatives; and to provide for related matters.

**HOUSE BILL NO. 1448—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 3:85(A), R.S. 4:422(A), R.S. 6:217(B), 232(C), 364.1(B), 706(D), and 1273(C), R.S. 9:3401, 3402, and 3405, R.S. 12:23(A), 25(A)(1) and (B), 32(B), 35(C), 163(F)(1), 165(B) and (E), 205(A) and (B), 238(B), 239.1(C)(1), 301, 304(B) and (C)(1), 305(A)(2) and (3), 311(A)(introductory paragraph), 312(C), 1304, 1309(C), 1310(F), 1345(C), 1346(2) and (3), 1351(C) and (D), R.S. 22:34, 493(C), 982(B), 1078(A), 2003(D)(1) and (2) and (E)(2), and R.S. 51:215.1(B)(2) and to enact R.S. 12:2, 1306(A)(4), and 1312(D), and R.S. 51:211(J), relative to the secretary of state; to provide relative to the filing of documents; to provide for electronic filing and facsimile transmissions; to provide relative to corporate names; to provide relative to corporations "not in good standing"; to provide for managers listed in articles of incorporation; to provide relative to documents filed relating to insurance; and to provide for related matters.

**HOUSE BILL NO. 167—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 22:1419(A)(2), relative to the dedication of assessments paid by certain insurers; to increase the dedication to the Municipal Fire and Police Civil Service Operating Fund; and to provide for related matters.

**HOUSE BILL NO. 338—**

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 32:408(A)(1) and (4), relative to drivers' licenses; to authorize certain third parties to administer written tests for Class "D" or "E" drivers' licenses; and to provide for related matters.

**HOUSE BILL NO. 567—**

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 49:327(C)(1)(a), relative to investment of state funds; to provide for investment of funds not on deposit with the state treasury in certain financial institutions; and to provide for related matters.

**HOUSE BILL NO. 134—**

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 32:398(K), relative to accident reports; to require accident reports to be made available within seven working days following the completion of an accident investigation; and to provide for related matters.

**HOUSE BILL NO. 882—**

BY REPRESENTATIVES ANSARDI AND MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Articles 42(2), (4), and (5), 690, 691, 692, 739, 740, 5091(A)(2)(b), 5251(11) and (12) and R.S. 13:3206 and 3471(1) and to enact Code of Civil Procedure Article 1266, all with respect to limited liability companies; to provide for service of citation or other process on a limited liability company; to provide for venue, suits in the company name, procedural capacity, receivership and liquidation, appointment of counsel, definitions, nonresident for purposes of long-arm, and supplementary rules of service of process for limited liability companies; and to provide for related matters.

**HOUSE BILL NO. 780—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Articles 6(A)(introductory paragraph), (1), and (3), 10(A)(1), 1313(A)(introductory paragraph), (1), (2), and (4), 1314(A)(introductory paragraph) and (2), 1811(A)(1) and (D), 1911, 1913, 1915(A)(3) and (B)(1), and 1974, and Civil Code Article 3463 and to enact Code of Civil Procedure Art. 1313(C), relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure, and to provide for voluntary dismissal in the Civil Code; to provide for jurisdiction over the person, jurisdiction over status in adoption proceedings, motions for summary judgment, service by mail, delivery or facsimile, service by the sheriff, motions for judgments notwithstanding the verdict, appeals from final and partial final judgments, notice of judgment, partial final judgments, partial judgments, partial exceptions, and partial summary judgments, delays for applying for new trial, and the effect of voluntary dismissal of an action by the plaintiff; and to provide for related matters.

**HOUSE BILL NO. 1187—**

BY REPRESENTATIVES WINSTON, THOMPSON, AND WILKERSON  
AN ACT

To enact R.S. 25:900.1, to establish and provide for the Percent for Art program; to require that one percent of the expenditure for construction or renovation of a state building shall be for works of art by Louisiana artists and craftsmen for the building or its grounds; to provide exceptions; to provide for rules; and to provide for related matters.

**HOUSE BILL NO. 1244 (Duplicate of Senate Bill No. 929)—**

BY REPRESENTATIVE SCHWEGMANN AND SENATOR JOHNSON AND COAUTHORED BY REPRESENTATIVES COPELIN AND MURRAY  
AN ACT

To amend and reenact R.S. 47:1992(F)(2)(b) and (c), relative to the assessment of movable and immovable property in Orleans Parish; to change the time period for filing a complaint regarding an assessment with the board of review; and to provide for related matters.

**HOUSE BILL NO. 1248—**

BY REPRESENTATIVES THOMPSON AND LONG  
AN ACT

To amend and reenact R.S. 39:1595(B) and (C)(6) and to enact R.S. 39:1595(C)(7), relative to public contracts; to provide a preference for paper and paper products manufactured and converted in Louisiana; and to provide for related matters.

**HOUSE BILL NO. 1336—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 40:1563.I(A)(introductory paragraph) and (C) and 1568 and to enact R.S. 40:1563(H) and (I) and to repeal R.S. 40:1569, relative to the office of fire marshal; to provide for powers and duties; to provide for the execution of search warrants; to provide for criminal contempt for failure to comply with a subpoena or a subpoena duces tecum; to provide relative to the authority to make arrests and to carry firearms; to delete authority of the fire marshal as committing magistrate; to repeal provisions providing for contempt of court powers of a fire marshal acting as a magistrate; and to provide for related matters.

**HOUSE BILL NO. 519—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:299.2(1)(d) and 299.11(8), relative to individual income tax; to provide for offset of income tax refunds of persons indebted to municipalities and parishes, excluding the city of New Orleans and the parish of Orleans; and to provide for related matters.

**HOUSE BILL NO. 1243—**

BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 47:4304(F), relative to contracts of exemption with existing manufacturing establishments; to prohibit recipients of exemption contracts from paying employee bonuses or issuing stock dividends during the term of the contract; and to provide for related matters.

**HOUSE BILL NO. 1272—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 49:327(B)(1)(b) and (e), relative to investments of monies on deposit in the state treasury by the state treasurer; to provide for restrictions on certain investments; and to provide for related matters.

**HOUSE BILL NO. 1425—**

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

To amend and reenact R.S. 32:664(B), relative to tests for suspected drunken drivers; to provide for the taking of blood samples from persons arrested for driving while intoxicated to determine the alcoholic content or presence of any abused or illegal controlled dangerous substance; to authorize an additional chemical test to be administered by a qualified person of the suspect's choice; to provide for the payment of costs of such additional test; and to provide for related matters.

**HOUSE BILL NO. 1490—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 9:397.2 and 397.3(A) and (B)(2)(a), relative to paternity; to provide relative to the chain of custody and admissibility of blood or tissue sampling; and to provide for related matters.

**HOUSE BILL NO. 1625—**

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

To amend and reenact R.S. 32:666(B) and 668(A)(introductory paragraph), relative to chemical tests to determine blood alcohol content of certain persons; to require law enforcement officers to execute a sworn report when the person submits to such testing; to require that the officer provide certain information about the test; to provide relative to hearings; to provide that such report is competent evidence; and to provide for related matters.

**HOUSE BILL NO. 2060 (Substitute for House Bill No. 1907 by Representative Copelin)—**

BY REPRESENTATIVE COPELIN  
AN ACT

To temporarily suspend the prescriptive period in which a minor may establish filiation for the sole purpose of receiving survivor benefits; to provide for retrospective application; and to provide for related matters.

**HOUSE BILL NO. 480—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 38:2251(A)(5) and (H)(1) and (3), relative to the purchase or procurement of certain Louisiana products; to provide for conditions for purchase of such products in preference to products from outside the state; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 601—**

BY REPRESENTATIVE JOHN SMITH  
A JOINT RESOLUTION

Proposing to add Article VII, Section 14(E) of the Constitution of Louisiana, relative to public contracts; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 511—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To enact Part IX of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2320, relative to surplus property; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; and to provide for related matters.

**HOUSE BILL NO. 512—**

BY REPRESENTATIVE THORNHILL  
AN ACT

To enact R.S. 29:731.1, R.S. 38:2212(D)(3), and R.S. 39:1313.1 and 1598(D), relative to expenditure of public funds for disaster and emergency assistance activities; to provide for a preference for local organizations, firms, and individuals in making certain expenditures; and to provide for related matters.

**HOUSE BILL NO. 635—**

BY REPRESENTATIVES WESTON, LONG, AND THOMPSON  
AN ACT

To enact R.S. 41:1605.1, relative to the archaeological resources of the state; to create the Archaeological Curation Fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 928(A); relative to exceptions; to provide for the time for the filing of the declinatory and dilatory exceptions; and to provide for related matters.

**HOUSE BILL NO. 778—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To repeal Civil Code Articles 3506(4), (6), (7), (9), (10), (11), (13) through (22), (24) through (27), and (29) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged".

**HOUSE BILL NO. 1131—**

BY REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 32:707.2 and to amend and reenact R.S. 47:532.1(A)(7), relative to the Vehicle Certificate of Title Law; to authorize the department to develop and implement an electronic media system for lien recordation and title information on motor vehicles; to authorize the setting of fees for such services; to require public license tag agents operating a secured host computer to provide a bond in an amount set by the department; to require the confidentiality of certain information; to authorize promulgation of rules and regulations; to authorize public license tag agents to contract for the administration of the electronic media system; and to provide for related matters.

**HOUSE BILL NO. 1189—**

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

AN ACT

To amend and reenact R.S. 9:315.32(A)(1) and 315.34(B)(1), relative to child support; to provide relative to suspension of licenses for nonsupport; to require the court to give written and oral reasons in certain cases; to provide for the issuance of an ex parte order of compliance by the Department of Social Services, office of support enforcement; and to provide for related matters.

**HOUSE BILL NO. 1238—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:402(A) and (B), 408(A)(1) and (4), and 408.2 and R.S. 47:532.1(A)(7), relative to drivers' licenses, relative to public license tag agents; to authorize the department to enter into contracts with public license tag agents for the issuance of certain drivers' licenses; to provide for minimum qualifications; to provide for the costs of licenses; to provide for the maximum fee which can be charged by a public license tag agent for a driver's license; to provide for penalties for violations; to provide for the promulgation of rules and regulations; to authorize public license tag agents to administer written knowledge and skills tests to applicants for issuance of certain drivers' licenses; to provide for limitation of liability; and to provide for related matters.

**HOUSE BILL NO. 1346—**

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

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a), relative to operating records of drivers; to provide for the inclusion of certain information on operating records; and to provide for related matters.

**HOUSE BILL NO. 1424—**

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

AN ACT

To enact R.S. 49:200.1, relative to state agencies; to provide relative to the obligation of certain agencies in the executive branch of state government to respond to provide certain items under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 106—**

BY REPRESENTATIVES ODINET AND WARNER  
AN ACT

To enact R.S. 47:322.39, relative to the state sales and use tax; to dedicate a portion of the state tax on hotel occupancy in St. Bernard Parish; and to provide for related matters.

**HOUSE BILL NO. 131—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:880(A)(1) and (2), relative to compulsory liability insurance for nonresident operators of motor vehicles; to require proof of insurance or posting of a bond and deposit of a driver's license when the nonresident operator is involved in an accident; and to provide for related matters.

**HOUSE BILL NO. 1084—**

BY REPRESENTATIVE HILL AND SENATOR CAIN  
AN ACT

To amend and reenact R.S. 33:3006(D), relative to the Allen Parish Local Government Gaming Mitigation Fund; to provide for the membership of the Gaming Revenue Distribution Committee; and to provide for related matters.

May 3, 1999

HOUSE BILL NO. 1349—
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 32:414(B)(1), relative to suspension of drivers' licenses for certain offenses; to provide for the suspension of an offender's driver's license for the crime of vehicular homicide; and to provide for related matters.

HOUSE BILL NO. 1898—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 25:1222 through 1225 and R.S. 36:209(M) and 901(A) and to enact R.S. 25:1223.1, relative to the Atchafalaya Trace Commission; to provide relative to the composition, purposes, operation, powers, duties, and functions of the commission; to create an advisory board for the commission; to provide relative to termination of the commission; 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. 106—

BY REPRESENTATIVES ODINET AND WARNER

AN ACT

To enact R.S. 47:322.39, relative to the state sales and use tax; to dedicate a portion of the state tax on hotel occupancy in St. Bernard Parish; and to provide for related matters.

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

HOUSE BILL NO. 131—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:880(A)(1) and (2), relative to compulsory liability insurance for nonresident operators of motor vehicles; to require proof of insurance or posting of a bond and deposit of a driver's license when the nonresident operator is involved in an accident; and to provide for related matters.

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

HOUSE BILL NO. 134—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 32:398(K), relative to accident reports; to require accident reports to be made available within seven working days following the completion of an accident investigation; and to provide for related matters.

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

HOUSE BILL NO. 167—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 22:1419(A)(2), relative to the dedication of assessments paid by certain insurers; to increase the dedication to the Municipal Fire and Police Civil Service Operating Fund; and to provide for related matters.

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

HOUSE BILL NO. 338—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 32:408(A)(1) and (4), relative to drivers' licenses; to authorize certain third parties to administer written tests for Class "D" or "E" drivers' licenses; and to provide for related matters.

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

HOUSE BILL NO. 363—

BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(introductory paragraph) and (b)(introductory paragraph), relative to harvest season permits; to authorize a harvest season permit for vehicles transporting brewer's grain; and to provide for related matters.

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

HOUSE BILL NO. 392—

BY REPRESENTATIVES DUPRE, KENNARD, AND SCALISE

AN ACT

To amend and reenact R.S. 32:378.2(A)(1) and (2)(a) and (G), 414(A)(1)(b), 667(B)(3), and 668(B)(1)(c) and to repeal R.S. 32:414(B)(2)(b) and (D)(1)(b), relative to drivers' licenses; to prohibit persons placed on probation for second and third offenses of driving while intoxicated from operating motor vehicles during probation; to remove authorization of issuance of restricted drivers' licenses under certain circumstances; to prohibit persons placed on probation for second, third, or subsequent offenses of driving while intoxicated from applying for restricted driving privileges for a certain period of time; to repeal provisions authorizing issuance of restricted drivers' licenses for persons convicted of second and third offense driving while intoxicated upon providing proof their vehicle is equipped with a functioning ignition interlock device; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 812, was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 411—

BY REPRESENTATIVES BRUNEAU AND MORRELL

AN ACT

To amend and reenact R.S. 9:228, relative to applications for marriage licenses; to authorize a juvenile court judge to waive the requirement that the applicant submit a birth certificate prior to the issuance of a marriage license; and to provide for related matters.

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

HOUSE BILL NO. 477—

BY REPRESENTATIVES TRICHE, HOPKINS, LEBLANC, MCCALLUM, SALTER, JACK SMITH, THOMPSON, AND KENNEY

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 7.1(D) of the Constitution of Louisiana, to provide relative to state general fund appropriations for certain higher education institutions; to prohibit the reduction of such appropriations below certain amounts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 480—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 38:2251(A)(5) and (H)(1) and (3), relative to the purchase or procurement of certain Louisiana products; to provide for conditions for purchase of such products in preference to products from outside the state; to provide for definitions; and to provide for related matters.

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

**HOUSE BILL NO. 492—**

BY REPRESENTATIVES DEWITT AND CRANE  
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(F) of the Constitution of Louisiana, to authorize the Louisiana Workers' Compensation Corporation to participate in any plan, pool, association, guaranty fund, or insolvency fund authorized or required pursuant to the Insurance Code upon the extinguishment of the full faith and credit guarantee of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 511—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To enact Part IX of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2320, relative to surplus property; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; and to provide for related matters.

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

**HOUSE BILL NO. 512—**

BY REPRESENTATIVE THORNHILL  
AN ACT

To enact R.S. 29:731.1, R.S. 38:2212(D)(3), and R.S. 39:1313.1 and 1598(D), relative to expenditure of public funds for disaster and emergency assistance activities; to provide for a preference for local organizations, firms, and individuals in making certain expenditures; and to provide for related matters.

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

**HOUSE BILL NO. 519—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:299.2(1)(d) and 299.11(8), relative to individual income tax; to provide for offset of income tax refunds of persons indebted to municipalities and parishes, excluding the city of New Orleans and the parish of Orleans; and to provide for related matters.

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

**HOUSE BILL NO. 567—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 49:327(C)(1)(a), relative to investment of state funds; to provide for investment of funds not on deposit with the state treasury in certain financial institutions; and to provide for related matters.

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

**HOUSE BILL NO. 574—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 40:2019(C)(8) and to enact R.S. 40:2019(C)(9), relative to the Louisiana State Child Death Review Panel established within the Department of Health and Hospitals; to provide relative to the membership of that panel; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 601—**

BY REPRESENTATIVE JOHN SMITH  
A JOINT RESOLUTION

Proposing to add Article VII, Section 14(E) of the Constitution of Louisiana, relative to public contracts; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 615—**

BY REPRESENTATIVES LONG, MCDONALD, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, FARVE, KENNEY, POWELL, PRATT, SALTER, SHAW, AND WRIGHT

AN ACT

To amend and reenact R.S. 17:1808(J)(3), relative to exemptions for certain postsecondary, academic degree-granting institutions from Board of Regents' registration and licensure requirements; to remove the provisions exempting from such requirements institutions granted tax exempt status under Section 501(c)(3) of the federal Internal Revenue Code; to provide relative to compliance with registration requirements by such institutions; to provide relative to completion of the licensure process; and to provide for related matters.

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

**HOUSE BILL NO. 635—**

BY REPRESENTATIVES WESTON, LONG, AND THOMPSON  
AN ACT

To enact R.S. 41:1605.1, relative to the archaeological resources of the state; to create the Archaeological Curation Fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 672—**

BY REPRESENTATIVE WESTON  
AN ACT

To amend and reenact R.S. 47:120.35, relative to state individual income tax checkoffs; to provide for the income tax checkoff for donations to the Children's Trust Fund; and to provide for related matters.

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

May 3, 1999

**HOUSE BILL NO. 727—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 32:1734, relative to towing; to prohibit certain gate fees; to provide for a cause of action; and to provide for related matters.

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

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 928(A); relative to exceptions; to provide for the time for the filing of the declinatory and dilatory exceptions; and to provide for related matters.

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

**HOUSE BILL NO. 778—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To repeal Civil Code Articles 3506(4), (6), (7), (9), (10), (11), (13) through (22), (24) through (27), and (29) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged".

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

**HOUSE BILL NO. 780—**

BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Articles 6(A)(introductory paragraph), (1), and (3), 10(A)(1), 1313(A)(introductory paragraph), (1), (2), and (4), 1314(A)(introductory paragraph) and (2), 1811(A)(1) and (D), 1911, 1913, 1915(A)(3) and (B)(1), and 1974, and Civil Code Article 3463 and to enact Code of Civil Procedure Art. 1313(C), relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure, and to provide for voluntary dismissal in the Civil Code; to provide for jurisdiction over the person, jurisdiction over status in adoption proceedings, motions for summary judgment, service by mail, delivery or facsimile, service by the sheriff, motions for judgments notwithstanding the verdict, appeals from final and partial final judgments, notice of judgment, partial final judgments, partial judgments, partial exceptions, and partial summary judgments, delays for applying for new trial, and the effect of voluntary dismissal of an action by the plaintiff; and to provide for related matters.

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

**HOUSE BILL NO. 805 (Duplicate of Senate Bill No. 813)—**

BY REPRESENTATIVE DUPRE AND SENATOR EWING AND  
COAUTHORED BY REPRESENTATIVE CURTIS  
AN ACT

To enact R.S. 32:300, relative to motor vehicles; to prohibit the possession of open alcoholic beverage containers in motor vehicles; to prohibit the consumption of alcoholic beverages in the passenger area of motor vehicles; to provide for definitions; to provide for penalties; to provide for exceptions; to provide relative to enforcement; to provide for an effective date; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 813, was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 847—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 13:971(C)(1)(a) and (2), relative to court reporters in the Sixteenth Judicial District Court; to provide for the cost per page for original transcription and copies in civil and criminal matters; and to provide for related matters.

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

**HOUSE BILL NO. 856—**

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact R.S. 1:55(E)(1)(a)(iii), relative to legal holidays; to provide that Mardi Gras is a legal holiday for the clerk of court of the Thirty-third Judicial District Court; and to provide for related matters.

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

**HOUSE BILL NO. 882—**

BY REPRESENTATIVES ANSARDI AND MCMAINS  
AN ACT

To amend and reenact Code of Civil Procedure Articles 42(2), (4), and (5), 690, 691, 692, 739, 740, 5091(A)(2)(b), 5251(11) and (12) and R.S. 13:3206 and 3471(1) and to enact Code of Civil Procedure Article 1266, all with respect to limited liability companies; to provide for service of citation or other process on a limited liability company; to provide for venue, suits in the company name, procedural capacity, receivership and liquidation, appointment of counsel, definitions, nonresident for purposes of long-arm, and supplementary rules of service of process for limited liability companies; and to provide for related matters.

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

**HOUSE BILL NO. 976—**

BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact R.S. 47:302.2 and 332.6 and Section 2 of Act 957 of the 1992 Regular Session of the Legislature, relative to the Shreveport Riverfront and Convention Center Fund; to revise the dedication of monies in the fund; to expand the allowable uses of monies in the fund to include renovation, expansion, or maintenance of Independence Stadium; and to provide for related matters.

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

**HOUSE BILL NO. 1017—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

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

**HOUSE BILL NO. 1047 (Duplicate of Senate Bill No. 683)—**  
 BY REPRESENTATIVE DEVILLE AND SENATOR DARDENNE AND  
 COAUTHORED BY REPRESENTATIVES RIDDLE, WALSWORTH, JACK  
 SMITH, CARTER, MCMAINS, BAUDOIN, AND SCHWEGMANN  
 AN ACT

To amend and reenact R.S. 9:344, relative to visitation rights of grandparents; to authorize the court to award reasonable visitation rights to grandparents when such visitation would be in the best interest of the child; and to provide for related matters.

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

**HOUSE BILL NO. 1083—**  
 BY REPRESENTATIVE HAMMETT  
 AN ACT

To amend and reenact R.S. 56:259(C) and to enact R.S. 56:105(D), relative to hunting licenses; to provide for a special permit to hunt beaver at night; and to provide for related matters.

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

**HOUSE BILL NO. 1084—**  
 BY REPRESENTATIVE HILL AND SENATOR CAIN  
 AN ACT

To amend and reenact R.S. 33:3006(D), relative to the Allen Parish Local Government Gaming Mitigation Fund; to provide for the membership of the Gaming Revenue Distribution Committee; and to provide for related matters.

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

**HOUSE BILL NO. 1131—**  
 BY REPRESENTATIVE DIEZ  
 AN ACT

To enact R.S. 32:707.2 and to amend and reenact R.S. 47:532.1(A)(7), relative to the Vehicle Certificate of Title Law; to authorize the department to develop and implement an electronic media system for lien recordation and title information on motor vehicles; to authorize the setting of fees for such services; to require public license tag agents operating a secured host computer to provide a bond in an amount set by the department; to require the confidentiality of certain information; to authorize promulgation of rules and regulations; to authorize public license tag agents to contract for the administration of the electronic media system; and to provide for related matters.

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

**HOUSE BILL NO. 1156—**  
 BY REPRESENTATIVE HAMMETT  
 AN ACT

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

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

**HOUSE BILL NO. 1157—**  
 BY REPRESENTATIVES KENNARD, BRUCE, COPELIN, CRANE, DIEZ, DONELON, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAU, GLOVER, JENKINS, JOHNS, KENNEY, MCDONALD, POWELL, SHAW, JACK SMITH, THOMPSON, THORNHILL, WIGGINS, WINDHORST, AND WOOTON  
 AN ACT

To amend and reenact R.S. 32:407(D) and R.S. 40:1321(E) and (F), relative to drivers' licenses and state-issued identification cards; to provide for licenses and identification cards issued to applicants less than twenty-one years of age; to require distinguishable licenses and identification cards for applicants less than twenty-one

years of age; to provide for rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 1177—**  
 BY REPRESENTATIVE HUNTER  
 AN ACT

To enact R.S. 33:2711.11.1, relative to municipal sales and use taxes; to authorize the governing body of the city of Monroe to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

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

**HOUSE BILL NO. 1187—**  
 BY REPRESENTATIVES WINSTON, THOMPSON, AND WILKERSON  
 AN ACT

To enact R.S. 25:900.1, to establish and provide for the Percent for Art program; to require that one percent of the expenditure for construction or renovation of a state building shall be for works of art by Louisiana artists and craftsmen for the building or its grounds; to provide exceptions; to provide for rules; and to provide for related matters.

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

**HOUSE BILL NO. 1188—**  
 BY REPRESENTATIVES SCHWEGMANN, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, AND WELCH AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND LANDRY  
 AN ACT

To amend and reenact R.S. 43:111(A)(8) and to enact R.S. 43:111(A)(9), relative to state advertisements; to provide that the office of community services in the Department of Social Services may expend public funds to advertise for the recruitment of foster or adoptive parents; and to provide for related matters.

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

**HOUSE BILL NO. 1189—**  
 BY REPRESENTATIVES RIDDLE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
 AN ACT

To amend and reenact R.S. 9:315.32(A)(1) and 315.34(B)(1), relative to child support; to provide relative to suspension of licenses for nonsupport; to require the court to give written and oral reasons in certain cases; to provide for the issuance of an ex parte order of compliance by the Department of Social Services, office of support enforcement; and to provide for related matters.

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

**HOUSE BILL NO. 1190—**  
 BY REPRESENTATIVES MURRAY, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
 AN ACT

To amend and reenact R.S. 46:236.1(A)(4)(a) and (B)(2) and to enact R.S. 46:236.2(D), relative to family and child support programs; to provide that services be made available through the Department of Social Services in non-TANF cases; 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.

May 3, 1999

**HOUSE BILL NO. 1217—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To repeal R.S. 33:2556(1)(d), relative to fire and police civil service; to repeal provisions relative to provisional employees acquiring permanent status in the classified service.

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

**HOUSE BILL NO. 1218—**  
BY REPRESENTATIVES BAYLOR AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2476(B) and 2536(B)(2)(a), relative to fire and police civil service; to provide relative to persons ineligible to serve on local civil service boards due to their rank; and to provide for related matters.

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

**HOUSE BILL NO. 1219—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2536(M), relative to fire and police civil service; to provide relative to the number of persons required for a quorum of and for decisions by certain local civil service boards; and to provide for related matters.

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

**HOUSE BILL NO. 1220—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(9)(j) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2479(G) and to amend and reenact R.S. 33:2539, relative to fire and police civil service; to remove requirements that the state examiner act as secretary for civil service boards when requested; and to provide for related matters.

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

**HOUSE BILL NO. 1221—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2553(3), relative to fire and police civil service; to provide relative to qualifications for admission to certain competitive employment tests for such service; and to provide for related matters.

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

**HOUSE BILL NO. 1222—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(24)(a) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2494(A) and to amend and reenact R.S. 33:2554(A), relative to fire and police civil service; to provide relative to the certification of names of persons eligible for appointment; specifically to remove the time limitation on the validity of such certification; and to provide for related matters.

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

**HOUSE BILL NO. 1223—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2501(D) and 2561, relative to fire and police civil service; to require recusal of certain members of local civil service boards from voting on appeals of disciplinary actions; to provide relative to appeals of board decisions on questions related to recusal; and to provide for related matters.

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

**HOUSE BILL NO. 1238—**  
BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:402(A) and (B), 408(A)(1) and (4), and 408.2 and R.S. 47:532.1(A)(7), relative to drivers' licenses, relative to public license tag agents; to authorize the department to enter into contracts with public license tag agents for the issuance of certain drivers' licenses; to provide for minimum qualifications; to provide for the costs of licenses; to provide for the maximum fee which can be charged by a public license tag agent for a driver's license; to provide for penalties for violations; to provide for the promulgation of rules and regulations; to authorize public license tag agents to administer written knowledge and skills tests to applicants for issuance of certain drivers' licenses; to provide for limitation of liability; and to provide for related matters.

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

**HOUSE BILL NO. 1243—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 47:4304(F), relative to contracts of exemption with existing manufacturing establishments; to prohibit recipients of exemption contracts from paying employee bonuses or issuing stock dividends during the term of the contract; 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.

**HOUSE BILL NO. 1244 (Duplicate of Senate Bill No. 929)—**  
BY REPRESENTATIVE SCHWEGMANN AND SENATOR JOHNSON AND  
COAUTHORED BY REPRESENTATIVES COPELIN AND MURRAY  
AN ACT

To amend and reenact R.S. 47:1992(F)(2)(b) and (c), relative to the assessment of movable and immovable property in Orleans Parish; to change the time period for filing a complaint regarding an assessment with the board of review; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 929, was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1248—**  
BY REPRESENTATIVES THOMPSON AND LONG  
AN ACT

To amend and reenact R.S. 39:1595(B) and (C)(6) and to enact R.S. 39:1595(C)(7), relative to public contracts; to provide a preference for paper and paper products manufactured and converted in Louisiana; and to provide for related matters.

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

**HOUSE BILL NO. 1272—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 49:327(B)(1)(b) and (e), relative to investments of monies on deposit in the state treasury by the state treasurer; to provide for restrictions on certain investments; and to provide for related matters.

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

**HOUSE BILL NO. 1311—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 33:1236.25, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Plantation Estates subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district 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.

**HOUSE BILL NO. 1314—**

BY REPRESENTATIVE ALARIO  
AN ACT

To enact R.S. 27:93(A)(8), relative to allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish in certain cases; and to provide for related matters.

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

**HOUSE BILL NO. 1322—**

BY REPRESENTATIVE WADDELL  
AN ACT

To authorize the Shreve Memorial Library Board of Control in Shreveport, Louisiana, to rename the Margaret S. Higginbotham Branch of Shreve Memorial Library, located in Greenwood, Louisiana, as the Higginbotham-Bryson Branch of Shreve Memorial Library; and to provide for related matters.

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

**HOUSE BILL NO. 1336—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 40:1563.I(A)(introductory paragraph) and (C) and 1568 and to enact R.S. 40:1563(H) and (I) and to repeal R.S. 40:1569, relative to the office of fire marshal; to provide for powers and duties; to provide for the execution of search warrants; to provide for criminal contempt for failure to comply with a subpoena or a subpoena duces tecum; to provide relative to the authority to make arrests and to carry firearms; to delete authority of the fire marshal as committing magistrate; to repeal provisions providing for contempt of court powers of a fire marshal acting as a magistrate; and to provide for related matters.

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

**HOUSE BILL NO. 1345—**

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

AN ACT

To amend and reenact R.S. 32:668(B)(1)(c), relative to driver's license suspensions for operating a motor vehicle under the influence of alcohol; to provide for eligibility for a restricted license upon installation of an ignition interlock device; and to provide for related matters.

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

**HOUSE BILL NO. 1346—**

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

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a), relative to operating records of drivers; to provide for the inclusion of certain information on operating records; and to provide for related matters.

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

**HOUSE BILL NO. 1347—**

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

AN ACT

To amend and reenact R.S. 32:414.2(B)(1), relative to commercial motor vehicle drivers; to provide for a definition of out-of-service order; and to provide for related matters.

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

**HOUSE BILL NO. 1348—**

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

AN ACT

To enact R.S. 47:511.2, relative to registration of trucks; to provide for a temporary permit for unregistered trucks in certain situations; to provide for the duration of the permit; to provide for restrictions on the type of vehicle eligible to receive the permit; to provide for penalties for not possessing the permit; and to provide for related matters.

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

**HOUSE BILL NO. 1349—**

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

AN ACT

To amend and reenact R.S. 32:414(B)(1), relative to suspension of drivers' licenses for certain offenses; to provide for the suspension of an offender's driver's license for the crime of vehicular homicide; and to provide for related matters.

On motion of Senator Bean, the bill, which is a duplicate of Senate Bill No. 713 was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1351—**

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

AN ACT

To amend and reenact R.S. 47:511, relative to motor vehicles; to provide relative to the International Registration Plan; and to provide for related matters.

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

**HOUSE BILL NO. 1424—**

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

AN ACT

To enact R.S. 49:200.1, relative to state agencies; to provide relative to the obligation of certain agencies in the executive branch of state

government to respond to provide certain items under certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 1425—**

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

AN ACT

To amend and reenact R.S. 32:664(B), relative to tests for suspected drunken drivers; to provide for the taking of blood samples from persons arrested for driving while intoxicated to determine the alcoholic content or presence of any abused or illegal controlled dangerous substance; to authorize an additional chemical test to be administered by a qualified person of the suspect's choice; to provide for the payment of costs of such additional test; and to provide for related matters.

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

**HOUSE BILL NO. 1428—**

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

AN ACT

To amend and reenact R.S. 32:364, relative to equipment on motor vehicles; to provide for the use of devices to minimize the spray or splash of materials; and to provide for related matters.

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

**HOUSE BILL NO. 1429—**

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. 32:387(B)(3), relative to special permits; to require the Department of Transportation and Development to provide computer terminal access of all special permits applicant information to the Department of Public Safety and Corrections; to provide for an effective date; and to provide for related matters.

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 377 was read by title and lies over under the rules.

**HOUSE BILL NO. 1448—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 3:85(A), R.S. 4:422(A), R.S. 6:217(B), 232(C), 364.1(B), 706(D), and 1273(C), R.S. 9:3401, 3402, and 3405, R.S. 12:23(A), 25(A)(1) and (B), 32(B), 35(C), 163(F)(1), 165(B) and (E), 205(A) and (B), 238(B), 239.1(C)(1), 301, 304(B) and (C)(1), 305(A)(2) and (3), 311(A)(introductory paragraph), 312(C), 1304, 1309(C), 1310(F), 1345(C), 1346(2) and (3), 1351(C) and (D), R.S. 22:34, 493(C), 982(B), 1078(A), 2003(D)(1) and (2) and (E)(2), and R.S. 51:215.1(B)(2) and to enact R.S. 12:2, 1306(A)(4), and 1312(D), and R.S. 51:211(J), relative to the secretary of state; to provide relative to the filing of documents; to provide for electronic filing and facsimile transmissions; to provide relative to corporate names; to provide relative to corporations "not in good standing"; to provide for managers listed in articles of incorporation; to provide relative to documents filed relating to insurance; and to provide for related matters.

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

**HOUSE BILL NO. 1490—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:397.2 and 397.3(A) and (B)(2)(a), relative to paternity; to provide relative to the chain of custody and admissibility of blood or tissue sampling; and to provide for related matters.

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

**HOUSE BILL NO. 1601—**

BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo), relative to the creation of tourist commissions for certain parishes; to create tourist commissions composed of all the territory in certain parishes as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; and to provide for related matters.

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

**HOUSE BILL NO. 1625—**

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

AN ACT

To amend and reenact R.S. 32:666(B) and 668(A)(introductory paragraph), relative to chemical tests to determine blood alcohol content of certain persons; to require law enforcement officers to execute a sworn report when the person submits to such testing; to require that the officer provide certain information about the test; to provide relative to hearings; to provide that such report is competent evidence; and to provide for related matters.

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

**HOUSE BILL NO. 1769—**

BY REPRESENTATIVE WINSTON

AN ACT

To amend and reenact R.S. 56:8(28) and 320(B)(3) and to enact R.S. 56:8(26.1), (77.1), and (91.1) and 326(A)(12), relative to crabs; to provide for definitions, methods of taking, and possession limits for stone crabs; and to provide for related matters.

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

**HOUSE BILL NO. 1846—**

BY REPRESENTATIVES MCCALLUM, KENNEY, JACK SMITH, AND THOMPSON

AN ACT

To enact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for the disposition of monies in the fund in excess of the maximum allowed amount; to provide for the use of such excess funds; and to provide for related matters.

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

**HOUSE BILL NO. 1877—**

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 24:522(B) and (G) and to enact Part I-A of Chapter 2 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:81 through 85, and R.S. 24:522(J), relative to judicial budget and performance accountability; to provide for the strategic planning process of the supreme court,

appellate courts, district courts, and other courts; to provide for performance information provisions relative to the several courts; to provide for performance information reporting; to provide relative to certain budgetary requirements; and to provide for related matters.

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

**HOUSE BILL NO. 1898—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 25:1222 through 1225 and R.S. 36:209(M) and 901(A) and to enact R.S. 25:1223.1, relative to the Atchafalaya Trace Commission; to provide relative to the composition, purposes, operation, powers, duties, and functions of the commission; to create an advisory board for the commission; to provide relative to termination of the commission; and to provide for related matters.

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

**HOUSE BILL NO. 1976—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 33:2212(G), relative to employees of a municipal police department; to provide for a salary increase for members of the police department of the city of Monroe; and to provide for related matters.

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

**HOUSE BILL NO. 2016—**  
BY REPRESENTATIVES CARTER, DEWITT, DOWNER, MCMAINS, DIEZ,  
AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,  
AND SCHEDLER  
AN ACT

To amend and reenact R.S. 32:1513(A), relative to hazardous materials transportation and motor carrier safety; to provide relative to penalties for failure to pay fines; to authorize the department to deny renewal of certain vehicle registrations; to authorize the department to deny the renewal or reissuance of certain drivers' licenses; to provide relative to responsible parties; and to provide for related matters.

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

**HOUSE BILL NO. 2039—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To enact Subpart U of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.61, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to Louisiana Breast Cancer Task Force; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

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

**HOUSE BILL NO. 2060 (Substitute for House Bill No. 1907 by Representative Copelin)—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To temporarily suspend the prescriptive period in which a minor may establish filiation for the sole purpose of receiving survivor benefits; to provide for retrospective application; and to provide for related matters.

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

**HOUSE BILL NO. 2078—**  
BY REPRESENTATIVE THERIOT  
AN ACT

To amend and reenact R.S. 22:1405(B), 1406.5, and 1435, relative to the COASTAL and FAIR plans; to increase the membership of the governing authorities of the Property Insurance Association of Louisiana, the Louisiana Joint Reinsurance Plan, and the Louisiana Insurance Underwriting Plan; to include certain public officials or designees and other representatives; and to provide for related matters.

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

**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**

May 3, 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. 9—**  
BY REPRESENTATIVE TRAVIS  
A CONCURRENT RESOLUTION

To authorize Meeks Land and Timber Company to file suit or to prosecute any suit now pending against the state of Louisiana through the division of administration, state land office, concerning a claim of ownership or possession, or both, of present or former water bottoms under or in the vicinity of the middle fork of Thompson Creek in West Feliciana Parish, and concerning the ownership of and the rights to the minerals associated with those water bottoms, and to provide for related matters.

**HOUSE CONCURRENT RESOLUTION NO. 28—**  
BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to construct an exit ramp from Louisiana Highway 3213 to Louisiana Highway 641 in Gramercy, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 29—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a new traffic light at the intersection of Louisiana Highway 3274 and Louisiana Highway 3125 in Gramercy, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 30—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to update and modernize Louisiana Highway 3274, located in the town of Gramercy, Louisiana.

May 3, 1999

**HOUSE CONCURRENT RESOLUTION NO. 63—**  
BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal light at the intersection of Louisiana Highway 3125 and Louisiana Highway 3274 in St. James Parish, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 96—**  
BY REPRESENTATIVE WIGGINS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to adequately staff its truck permit office and weight enforcement office.

**HOUSE CONCURRENT RESOLUTION NO. 147—**  
BY REPRESENTATIVE CARTER  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Louisiana Highway 38 and 13th Street in Kentwood, Louisiana, Tangipahoa Parish.

**HOUSE CONCURRENT RESOLUTION NO. 6—**  
BY REPRESENTATIVE WINDHORST  
A CONCURRENT RESOLUTION

To amend the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rules (LAC 42:I.1731(C), LAC 42:I.1742(B)(1), LAC 42:I.1757(A), LAC 42:I.1787(A)(2), and LAC 42:I.2215), to provide that certain pull-tabs may be defaced two hours following the session, to provide for the timely payment for charitable gaming supplies, and to provide for prohibited combination of interests for commercial lessors and their immediate family members; to provide with respect to the model accounting system; and to repeal the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rule (LAC 42:I.1725(D)(1)(d)), which provides that a bingo caller is a position of managerial capacity, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

**HOUSE CONCURRENT RESOLUTION NO. 43—**  
BY REPRESENTATIVE LONG  
A CONCURRENT RESOLUTION

To urge and request the legislative auditor to conduct a comprehensive study and comparison of state operated correctional and privately operated facilities in Louisiana to determine the overall effectiveness and efficiency of each.

**HOUSE CONCURRENT RESOLUTION NO. 127—**  
BY REPRESENTATIVE JOHN SMITH  
A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 1999-2000, as adopted by the Wetlands Conservation and Restoration Authority.

**HOUSE CONCURRENT RESOLUTION NO. 128—**  
BY REPRESENTATIVE DUPRE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact the Estuary Habitat Restoration Partnership Act to be introduced by United States Senators John Chaffe and John Breaux.

**HOUSE CONCURRENT RESOLUTION NO. 138—**  
BY REPRESENTATIVE PRATT  
A CONCURRENT RESOLUTION

To create the Task Force on Alternative Education Programs, hereafter referred to as the "task force", to be in existence for the period from its first meeting not later than September 30, 1999, through February 29, 2000, to review the most effective operation of alternative education programs for students, including any current programs in operation, and to report its findings and

recommendations to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the beginning of the 2000 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 168—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To commend and congratulate the Lady Tigers of Donaldsonville High School for winning the State Class AAA Championship in basketball for the 1998-1999 basketball season.

**HOUSE CONCURRENT RESOLUTION NO. 167—**  
BY REPRESENTATIVE HOLDEN  
A CONCURRENT RESOLUTION

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

**HOUSE CONCURRENT RESOLUTION NO. 163 —**  
BY REPRESENTATIVE DOWNER  
A CONCURRENT RESOLUTION

To designate and proclaim the week of May 16 through 22, 1999, as Emergency Medical Services Week.

**HOUSE CONCURRENT RESOLUTION NO. 164—**  
BY REPRESENTATIVE MURRAY  
A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the recent passing of Alois Maxwell Hirt, Jr., world renown trumpet player and New Orleans musician and native.

**HOUSE CONCURRENT RESOLUTION NO. 166—**  
BY REPRESENTATIVE CRANE  
A CONCURRENT RESOLUTION

To recognize Thursday, May 6, 1999, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 169—**  
BY REPRESENTATIVE WELCH AND SENATOR CLEO FIELDS  
A CONCURRENT RESOLUTION

To proclaim May 3, 1999, as "Old McKinley High School Day" in the state of Louisiana in an effort to support and promote restoration of that historic building and to recognize the significance of that institution and facility in the city of Baton Rouge and the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 170—**  
BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAU, THERIOT, AND TRICHE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to divide Highway District 2 and create an additional district.

**HOUSE CONCURRENT RESOLUTION NO. 172—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn lane and an acceleration lane on U.S. Highway 61 at the entrance to the Reserve Christian Church and School in St. John Parish.

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. 6—**

BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION

To amend the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rules (LAC 42:I.1731(C), LAC 42:I.1742(B)(1), LAC 42:I.1757(A), LAC 42:I.1787(A)(2), and LAC 42:I.2215), to provide that certain pull-tabs may be defaced two hours following the session, to provide for the timely payment for charitable gaming supplies, and to provide for prohibited combination of interests for commercial lessors and their immediate family members; to provide with respect to the model accounting system; and to repeal the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rule (LAC 42:I.1725(D)(1)(d)), which provides that a bingo caller is a position of managerial capacity, and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

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

**HOUSE CONCURRENT RESOLUTION NO. 9—**

BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To authorize Meeks Land and Timber Company to file suit or to prosecute any suit now pending against the state of Louisiana through the division of administration, state land office, concerning a claim of ownership or possession, or both, of present or former water bottoms under or in the vicinity of the middle fork of Thompson Creek in West Feliciana Parish, and concerning the ownership of and the rights to the minerals associated with those water bottoms, and to provide for related matters.

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

**HOUSE CONCURRENT RESOLUTION NO. 28—**

BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to construct an exit ramp from Louisiana Highway 3213 to Louisiana Highway 641 in Gramercy, 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. 29—**

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a new traffic light at the intersection of Louisiana Highway 3274 and Louisiana Highway 3125 in Gramercy, 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. 30—**

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to update and modernize Louisiana Highway 3274, located in the town of Gramercy, 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. 43—**

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the legislative auditor to conduct a comprehensive study and comparison of state operated correctional and privately operated facilities in Louisiana to determine the overall effectiveness and efficiency of each.

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. 63—**

BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal light at the intersection of Louisiana Highway 3125 and Louisiana Highway 3274 in St. James 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. 96—**

BY REPRESENTATIVE WIGGINS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to adequately staff its truck permit office and weight enforcement office.

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. 127—**

BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 1999-2000, as adopted by the Wetlands Conservation and Restoration Authority.

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

**HOUSE CONCURRENT RESOLUTION NO. 128—**

BY REPRESENTATIVE DUPRE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact the Estuary Habitat Restoration Partnership Act to be introduced by United States Senators John Chaffe and John Breaux.

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

**HOUSE CONCURRENT RESOLUTION NO. 138—**

BY REPRESENTATIVE PRATT

A CONCURRENT RESOLUTION

To create the Task Force on Alternative Education Programs, hereafter referred to as the "task force", to be in existence for the period from its first meeting not later than September 30, 1999, through February 29, 2000, to review the most effective operation of alternative education programs for students, including any current programs in operation, and to report its findings and recommendations to the House Committee on Education and the Senate Committee on Education at least sixty days prior to the beginning of the 2000 Regular Session.

May 3, 1999

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

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Louisiana Highway 38 and 13th Street in Kentwood, Louisiana, Tangipahoa Parish.

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. 163 —

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To designate and proclaim the week of May 16 through 22, 1999, as Emergency Medical Services Week.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Fields C, Johnson, Total—3

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

HOUSE CONCURRENT RESOLUTION NO. 164—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the recent passing of Alois Maxwell Hirt, Jr., world renown trumpet player and New Orleans musician and native.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dyess, Landry

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

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Fields C, Johnson, Total—3

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

HOUSE CONCURRENT RESOLUTION NO. 166—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To recognize Thursday, May 6, 1999, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Fields C, Johnson, Total—3

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

HOUSE CONCURRENT RESOLUTION NO. 167—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields C	Johnson
Total—3		

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

**HOUSE CONCURRENT RESOLUTION NO. 168—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To commend and congratulate the Lady Tigers of Donaldsonville High School for winning the State Class AAA Championship in basketball for the 1998-1999 basketball season.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields C	Johnson
Total—3		

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

**HOUSE CONCURRENT RESOLUTION NO. 169—**  
BY REPRESENTATIVE WELCH AND SENATOR CLEO FIELDS  
A CONCURRENT RESOLUTION

To proclaim May 3, 1999, as "Old McKinley High School Day" in the state of Louisiana in an effort to support and promote restoration of that historic building and to recognize the significance of that institution and facility in the city of Baton Rouge and the state of Louisiana.

The resolution was read by title. Senator W. Fields 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 W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Jones	Theunissen
Cravins	Jordan	Thomas
Dardenne	Lambert	Ullo
Dyess	Landry	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields C
Dean	Johnson
Total—4	

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

**HOUSE CONCURRENT RESOLUTION NO. 170—**  
BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAUX, THERIOT, AND TRICHE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to divide Highway District 2 and create an additional district.

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. 172—**  
BY REPRESENTATIVE FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn lane and an acceleration lane on U.S. Highway 61 at the entrance to the Reserve Christian Church and School in St. John Parish.

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

May 3, 1999

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. 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 certain aspects of the public bid law; to provide that charter schools be subject to certain audits; 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. 16 by Senator Landry

AMENDMENT NO. 1

On page 1, line 4, after "with" insert "certain aspects of "

AMENDMENT NO. 2

On page 2, line 6, change "bids," to "bids for the erection, construction, alteration, improvement, or repair of a public facility or immovable property, Part II of Chapter 10 of"

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. 88— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:1(20) and (21) and to enact R.S. 30:2006, relative to roads and highways; to provide for issues related to the transportation of wastes, including those from minerals, oil and gas; to create the Advisory Committee on Waste Transportation Warnings; to provide for powers and duties of the committee; 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. 88 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 48:1(20) and (21) and to enact R.S. 30:2006,"

AMENDMENT NO. 2

On page 1, line 3, after "highways;" insert "to provide for issues related to the transportation of wastes, including those from minerals, oil and gas; to create the Advisory Committee on Waste Transportation Warnings; to provide for powers and duties of the committee;"

AMENDMENT NO. 3

On page 1, between line 4 and 5 insert the following:

"Section 1. R.S. 30:2006 is hereby enacted to read as follows: §2006. Advisory Committee on Waste Transportation Warnings

R.S. 30:2006 is all new law.

A. There is hereby created within the Department of Environmental Quality, the Advisory Committee on Waste Transportation Warnings. The committee shall provide recommendations to the secretary of the Department of Environmental Quality, to the Department of Natural Resources, the Department of Public Safety, the Department of Transportation and Development and Development, and the Legislature concerning whether warnings should be required to be attached to vehicles, vessels, aircraft, railroads, and other instrumentalities of transportation when transporting hazardous and non-hazardous waste, including those from the production of minerals, oil and gas, and the environment, and the type, sufficiency, placement, and cost-effectiveness of such warnings.

B. The committee shall consist of the following nine members:

(1) The secretary of the Department of Transportation and Development, or his designee, who shall be the chairman of the committee.

(2) The secretary of the Department of Public Safety and Corrections, or his designee.

(3) The secretary of the Department of Environmental Quality, or his designee.

(4) The secretary of the Department of Natural Resources, or his designee.

(5) The commissioner of conservation, or his designee.

(6) The chairmen of the Senate and House committees on transportation, highways, and public works, or their designees.

(7) The following three members, who shall be appointed by the governor subject to confirmation by the Senate:

(a) One member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by motor vehicle to be appointed from a list of three such persons nominated by the Louisiana Motor Transport Association and the Louisiana Chemical Association.

(b) A member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by water from a list of three such persons nominated by the Louisiana Barge and Fleeting Association Of Waterway Operators and Shipyards and the Louisiana Chemical Association.

(c) A member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by rail, air, or other instrumentality of transportation from a list of three such persons nominated by the Louisiana Airport Managers Association, the Louisiana Railroad Association, and the Louisiana Chemical Association."

AMENDMENT NO. 4

On page 1, line 5, change "Section 1." to "Section 2."

AMENDMENT NO. 5

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

"Section 3. 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 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. 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 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. 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 or any school bus; 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 by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 178 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 4, after "public school" and before the semicolon insert "or any school bus"

AMENDMENT NO. 2

On page 2, line 5, between "can" and "seen" insert "be"

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. 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 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. 273 by Senator Ewing

AMENDMENT NO. 1

On page 4, delete lines 20 through 26 and add in lieu thereof:

"credited to the trust fund.

(2) Monies in the trust fund may be dedicated, appropriated, or allocated to the projects and for the purposes provided in this Section, through the Louisiana Infrastructure Bank; provided that any such monies, and any earnings from such monies, shall be and remain trust fund monies held in trust with the Louisiana Infrastructure Bank subject to the restrictions provided in this Section."

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. 350—**

BY SENATOR ULLO AND REPRESENTATIVE DAMICO  
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 off road colored lights; 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. 350 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 4, after "of" delete the remainder of the line and insert "off road colored lights;"

AMENDMENT NO. 2

On page 1, line 16, delete "emit" and insert "are"

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 and insert "off road colored lights. The provisions of this Subparagraph shall not apply to white emitting lights."

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. 377 (DUPLICATE OF HOUSE BILL NO. 1429)—**

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

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 the Department of Transportation and Development; 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. 377 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 4, after "Corrections" add "and the Department of Transportation and Development"

AMENDMENT NO. 2

On page 2, between lines 8 and 9, add the following:

"(c) Due to concurrent authority between the Department of Transportation and Development and the Department of Public Safety and Corrections for the enforcement of weight, size, and measurement law and regulations, the secretary of the Department of Public Safety and Corrections shall provide computer access to information pertaining to all special permits to the Department of Transportation and Development. All costs related to the acquisition of such access shall be incurred by the Department of Transportation and Development."

May 3, 1999

On motion of Senator Landry, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1429, was read by title and ordered engrossed and passed to a third reading.

**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"; 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. 379 by Senator Dyess

AMENDMENT NO. 1

On page 1, delete lines 5 through 7 in their entirety and insert:

"to define "emergency medical service"; and to provide for related matters."

AMENDMENT NO. 2

On page 3, line 10, after "contrary," delete the remainder of the line and delete lines 11 and 12 in their entirety

AMENDMENT NO. 3

On page 3, line 13, delete "absence of public service entities"

AMENDMENT NO. 4

On page 3, line 16, after "mean" delete the remainder of the line

AMENDMENT NO. 5

On page 3, line 17, delete "as well as"

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. 384 (DUPLICATE OF HOUSE BILL NO. 1149)—**

BY SENATOR THEUNISSEN AND REPRESENTATIVE ANSARDI AND COAUTHORED BY REPRESENTATIVE HUDSON

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 by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill, which was designated a duplicate of House Bill No. 1149, was read by title, ordered engrossed and passed to a third reading.

**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 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. 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 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. 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 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. 704 (DUPLICATE OF HOUSE BILL NO. 1945)—**

BY SENATOR DARDENNE AND REPRESENTATIVE MICHOT

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 attorney fees for nonpayment of benefits; 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. 704 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 6 after "maximum of" delete "two" and insert in lieu thereof "five"

AMENDMENT NO. 2

**R.S. 23:1201(F)(2)(a) and (b) are all proposed new law.**

On page 2, delete lines 15-22 and insert in lieu thereof the following:

(2)(a) Only one award of a penalty and only one award of an attorney fee may be made in a judgment resolving claims initiated by the filing of a form 1008 and any and all disputes put at issue by any party in connection with such form 1008.

(b) Nothing in the preceding paragraph shall be construed to prohibit the award of a penalty and an attorney fee, if warranted pursuant to this subsection, in connection with any subsequently filed form 1008 and any and all disputes put at issue by any party in connection with such subsequently filed form 1008, if the facts and circumstances giving rise to the claim for such penalty and

attorney fee arose after the hearing date on the previously filed form 1008.

AMENDMENT NO. 3

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

(3) The provisions of Subsection F. shall not apply if such nonpayment results from any of the following:

AMENDMENT NO. 4

On page 3, at the beginning of line 1 change "with" to "within"

AMENDMENT NO. 5

On page 3, lines 6 after "proof" and before "as" insert "of the absence of such a good faith belief on the part of the employer or insurer,"

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 3, line 12 change "(4)" to "(5)"

AMENDMENT NO. 8

On page 3, line 17 change "(5)" to "(6)"

AMENDMENT NO. 9

On page 3, after line 19 insert " \* \* \*

Section 2. R.S. 23:1201.2 is hereby repealed in its entirety."

On motion of Senator Jones, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1945, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 803— BY SENATOR LANDRY

AN ACT

To amend R.S. 32:387(C)(3)(f)(ii) and to enact R.S. 32:387.11 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; to provide relative to equipment used for the transfer of certain recyclable products; 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. 803 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "To" add "amend R.S. 32:387(C)(3)(f)(ii) and to"

AMENDMENT NO. 2

On page 1, line 2, after "R.S." change "38:" to "32:"

AMENDMENT NO. 3

On page 1, line 8, after "fees;" add "to provide relative to equipment used for the transfer of certain recyclable products;"

AMENDMENT NO. 4

On page 1, line 11, after "1." add "R.S. 32:387(C)(3)(f)(ii) is hereby amended and reenacted and"

AMENDMENT NO. 5

On page 1, line 11, after "R.S." change "38:" to "32:"

AMENDMENT NO. 6

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

"§387. Special permits

- C. \* \* \*
(3) \* \* \*
(f) \* \* \*

(ii) In addition, upon application of the owner or operator of any vehicle or combination of vehicles which has a minimum of eighteen wheels used to transfer bundled or bailed recyclable waste paper products and upon payment of a fee of one thousand dollars, the secretary shall issue a special permit authorizing the vehicle or combination of vehicles to operate at the maximum axle weights provided under the Department of Transportation and Development's regulations for overweight permit loads on any state-maintained highway except the interstate system. Such vehicles or the loads thereon shall not exceed a width of ten feet. The permit shall be valid for one year. Except as otherwise provided in this Subparagraph, all the provisions of this Paragraph shall apply to permits issued under the provisions of this Subparagraph and to vehicle or combinations of vehicles for which permits are issued under the provisions of this Subparagraph. The provisions of this Sub-subparagraph shall include the equipment necessary for the loading or unloading of the load.

\* \* \*

AMENDMENT NO. 7

On page 2, line 11, after "weight x" change "\$0.7" to "\$.07"

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

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 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. 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 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. 847 by Senator Johnson

May 3, 1999

AMENDMENT NO. 1

On page 2, line 1, delete "either of"

AMENDMENT NO. 2

On page 2, line 7, after "the agreement" change "or (2) The" to "; and (2) the"

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. 882 (DUPLICATE OF HOUSE BILL NO. 1381)—**

BY SENATOR LANDRY AND REPRESENTATIVE MONTGOMERY  
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 by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill, which was designated a duplicate of House Bill No. 1381, was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 982 (DUPLICATE OF HOUSE BILL NO. 1010)—**

BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX  
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 by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill, which was designated a duplicate of House Bill No. 1010, was read by title, ordered engrossed and passed to a third reading.

**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 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. 996—**

BY SENATOR LANDRY  
AN ACT

To amend and reenact the introductory paragraphs of R.S. 34:2471(A), and (A)(1), (3), and (4), 2471(A)(6)(a), 2473(B)(3), (C), (D), (E), and (F), 2473.1(B), (C), (D), and (E), R.S. 34:2474, 2475(B) and (C), 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 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. 996 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, after "2471(A)(6)(a)," delete "2472(A)," and after "2473(B)" delete "(2)"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "and"

AMENDMENT NO. 3

On page 1, line 5, after "2475" add "(B) and (C)" and after "34:2473.1(F)" add "2474(A)(3)"

AMENDMENT NO. 4

On page 2, line 2, after "2471(A)(6)(a)," delete "2472(A)" and after "2473(B)" delete "(2) and"

AMENDMENT NO. 5

On page 2, line 3, after "2475" add "(B) and (C)"

AMENDMENT NO. 6

On page 2, line 4, after "R.S." add "34:" and after "24473.1(F)" add "and 2474(A)(3)"

AMENDMENT NO. 7

On page 2, line 10, after "state," delete the remainder of the line and add in lieu thereof "with jurisdictional authority encompassing the geographical boundaries of the parishes of St. Charles, St. John the Baptist, and St. James. The Port of South Louisiana shall be governed by a board of commissioners"

AMENDMENT NO. 8

On page 2, at the beginning of line 11, delete "governed by a board of commissioners" and at the end of the line delete "South"

AMENDMENT NO. 9

On page 2, at the beginning of line 12, change "Louisiana Port Commission" to "'Port of South Louisiana Commission'"

AMENDMENT NO. 10

On page 3, between lines 13 and 14, add the following:

"B. It shall be a violation of R.S. 42:1111(C)(2)(c) and (d), 1112(B)(3) and (D), or 1113(B) for an appointed commissioner to serve as a member of an advisory board of a bank which transacts business with the **commission port** if such commissioner recuses himself from voting on any matter which vote would be a violation of those Sections."

AMENDMENT NO. 11

On page 3, delete lines 14 through 27 in their entirety

AMENDMENT NO. 12

On page 4, delete lines 5 through 7 in their entirety

AMENDMENT NO. 13

On page 4, line 18, after "exceeding" change "twenty" to "ten"

AMENDMENT NO. 14

On page 4, at the end of line 27, delete "upon the record vote of a majority"

AMENDMENT NO. 15

On page 5, at the beginning of line 1, delete "of its membership,"

AMENDMENT NO. 16

On page 6, line 9, after "as the" change "port" to "commission"

AMENDMENT NO. 17

On page 6, at the beginning of line 12, change "port" to "commission"

AMENDMENT NO. 18

On page 6, line 14, after "by the" change "port" to "commission"

AMENDMENT NO. 19

On page 7, at the end of line 2, add ", upon a record vote of a majority of the commission,"

AMENDMENT NO. 20

On page 7, line 11, after "exceeds" change "twenty-five" to "fifteen"

AMENDMENT NO. 21

On page 7, line 24, after "by the" change "chairman" to "president"

AMENDMENT NO. 22

On page 8, line 13, after "port" add ", upon a record vote of a majority of the commission,"

AMENDMENT NO. 23

On page 9, at the beginning of line 2, change "president" to "executive director"

AMENDMENT NO. 24

On page 9, at the end of line 20, change "with" to "within"

AMENDMENT NO. 25

On page 11, between lines 15 and 16, add the following:

"(3) The authority to issue bonds provided for by this Section shall be in compliance with the provisions of R.S. 39:991.1."

AMENDMENT NO. 26

On page 11, line 17, after "area" add a period "."

AMENDMENT NO. 27

On page 11, at the beginning of line 19, change "however, the" to "The"

AMENDMENT NO. 28

On page 12, line 20, after "39:1421" change "to" to "through" and after "39:1426" add "and of R.S. 13:5121 through 5130"

AMENDMENT NO. 29

On page 11, delete lines 24 through 27 and add in lieu thereof

"\* \* \*

AMENDMENT NO. 30

On page 12, delete lines 1 through 7

AMENDMENT NO. 31

On page 12, line 16, after "of the" change "port" to "commission"

AMENDMENT NO. 32

On page 12, line 24, after "Louisiana" add "Commission"

AMENDMENT NO. 33

On page 13, line 5, after "Louisiana" add "Commission"

AMENDMENT NO. 34

On page 13, line 6, after "land" add ", servitudes,"

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. 1004—**

BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 17:222(B), relative to school entrance; to encourage that 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 by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 1004 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, delete "require" and insert "encourage that"

AMENDMENT NO. 2

On page 2, line 14, change "**required**" to "**strongly encouraged**"

AMENDMENT NO. 3

On page 2, line 16, after "enrollment." insert "**Failure to provide a social security number shall not result in the denial of any service to a child.**"

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. 1009—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:1847(56) and 1855(J), 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; to provide exceptions; 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. 1009 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "1847(56)" insert "and 1855(J),"

AMENDMENT NO. 2

On page 1 line 5, after "System;" insert "to provide exceptions;"

AMENDMENT NO. 3

On page 1, line 8, after "1847(56)" delete "is" and insert in lieu thereof "and 1855(J)" are

AMENDMENT NO. 4

On page 1, after line 15, insert the following:

"\* \* \*

§1855. Exceptions

\* \* \*

**R.S. 56:1855(J) is all proposed new law.**

J. Notwithstanding other provisions of R.S. 56:1853, snagging and dredging operations for drainage purposes in the Tangipahoa River, from the Interstate 12 crossing to its entrance into Lake Pontchartrain, may be permitted by the department. Any such permit shall be issued in

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accordance with the requirements and procedures provided for in R.S. 56:1849. The department shall also consider the impact that the method of snagging and the type of equipment, proposed to be used by the applicant, may have on the natural and scenic characteristics and qualities of the river."

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. 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 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. 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 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. 1013 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 10, after "to" add "sell,"

AMENDMENT NO. 2

On page 2, line 22, after "the", change "director of the state land office" to "secretary of the Department of Transportation and Development or his designated representative"

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. 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 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. 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 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. 1027 by Senator Jones

AMENDMENT NO. 1

On page 1, line 14 after "Monroe" delete "and" and at the beginning of line 15 delete "the parish of Ouachita" and after "mayor" delete "- president"

AMENDMENT NO. 2

On page 2, line 1 after "shall be" delete "coterminous with boundaries of"

AMENDMENT NO. 3

On page 2, delete line 2 and insert in lieu thereof "located within the city of Monroe and described as follows:

Beginning at the intersection of the centerline of the Ouachita River and the centerline of the I-20 Bridge; thence easterly along the centerline of the I-20 to the centerline of the Civic Center Expressway; thence in an easterly and northerly direction along the south and east sides of the Monroe Civic Center to South 11th Street and continuing northerly along the centerline of South 11th Street to the centerline of Manassas Street; thence northeasterly along the centerline of Manassas Street to Desiard Street; thence northerly along the centerline of Pendleton Street to the centerline of Washington Street; thence westerly along the centerline of Washington Street to the centerline of North 9th Street; thence northerly along the centerline of North 9th Street to the intersection with an alley located between Louisville Avenue and Bres Avenue; thence westerly along the centerline of said alley and along an extended line to the centerline of the Ouachita River; thence southerly along the centerline of the Ouachita River, which is also the Monroe city limits line, to the point of beginning; and that certain property located south of the centerline of I-20 and north of the Masur Museum of Art between the Ouachita river and South Grand Street; and that certain property located north of the centerline of Louisville Avenue and south of the Forsythe Boat Dock between Ouachita River and Riverside Drive."

AMENDMENT NO. 4

On page 2, line 19 after "composed of" delete "fifteen" and insert in lieu thereof "nine"

AMENDMENT NO. 5

On page 2, line 20 after "Ouachita," change ", and shall have" to a period "."

AMENDMENT NO. 6

On page 2, delete line 21

AMENDMENT NO. 7

On page 2, at the beginning of line 22 delete "the Downtown Economic Development District."

AMENDMENT NO. 8

On page 2, at the beginning of line 24 delete "fifteen" and insert in lieu thereof "nine"

AMENDMENT NO. 9

On page 2, delete line 25 and insert in lieu thereof "(a) Two members shall be appointed by the mayor."

AMENDMENT NO. 10

On page 2, delete line 26 and 27 and insert in lieu thereof "(b) Two members shall be appointed by the city council."

AMENDMENT NO. 11

On page 3, delete lines 1-3 and insert in lieu thereof "(c) Two members shall be appointed by the city council from a list of nominees submitted by the Monroe Chamber of Commerce."

AMENDMENT NO. 12

On page 3, delete lines 4-6 and insert in lieu thereof "(d) Three members shall be appointed by the city council from a list of nominees submitted by the three largest assessed property owners within the district and at least one appointment must be made from each of the three largest assessed property owners."

AMENDMENT NO. 13

On page 3, delete lines 7-11 and insert in lieu thereof the following:

"The members appointed by the city council in Subparagraph (d) above shall have their principal place of business or profession in, or own property in, the district."

AMENDMENT NO. 14

On page 3, line 14 after "(i)" delete "Two" and insert in lieu thereof "Three"

AMENDMENT NO. 15

On page 3, line 15 after "(ii)" and before "members" delete "Two" and insert in lieu thereof "Three"

AMENDMENT NO. 16

On page 4, line 2 after "meet." delete "The mayor shall serve as chairman."

AMENDMENT NO. 17

On page 4, line 3 after "number a" and before "vice-chairman" insert "chairman,"

AMENDMENT NO. 18

On page 4, line 12 after "government." delete "The city" and insert in lieu thereof "An attorney appointed by the mayor"

AMENDMENT NO. 19

On page 4, at the beginning of line 13, delete "attorney"

AMENDMENT NO. 20

On page 9, line 20 after "boundaries of the" delete "district" and insert in lieu thereof "city of Monroe"

AMENDMENT NO. 21

On page 10, line 2 after "of the" delete "district" and insert in lieu thereof "city of Monroe and"

AMENDMENT NO. 22

On page 10, line 19 after "parish" delete ", nor shall"

AMENDMENT NO. 23

On page 10 delete lines 20-22

AMENDMENT NO. 24

On page 10, at the beginning of line 23 delete "such bonds"

AMENDMENT NO. 25

On page 11, at the end of line 14 after "mayor" delete "-president of the"

AMENDMENT NO. 26

On page 11, at the beginning of line 15 delete "council" and after "and the" and before "of the council" delete "council administrator" and insert in lieu thereof "clerk"

AMENDMENT NO. 27

On page 12, line 24 after "have the" and before "to pay" delete "power" and insert in lieu thereof "authority" and at the end of line 24 after

"Monroe" insert ", the Monroe Chamber of Commerce and/or the Ouachita Economic Development Corporation"

AMENDMENT NO. 28

On page 12, at the beginning of line 25 delete "funds", and after "rendered by" delete "the city" and insert in lieu thereof "each respective entity"

AMENDMENT NO. 29

On page 12, line 26 after "district and" delete "the city" and insert in lieu thereof "such entity for services rendered in furtherance of this Act"

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. 1035 (DUPLICATE OF HOUSE BILL NO. 2156)—**

BY SENATOR BEAN AND REPRESENTATIVE TRAVIS AND COAUTHORED BY REPRESENTATIVES ALEXANDER, CARTER, DAMICO, FRITH, HEBERT, MARIONNEAUX, MARTINY, MCCAIN, MICHOT, MONTGOMERY, THERIOT, THOMPSON AND WARNER  
AN ACT

To amend and reenact R.S. 34:1121(B)(2), 1122(D)(1), 1124 and 1125, relative to pilot fee commissions; to replace the Baton Rouge Steamship Association with the Mississippi River Maritime Association; to provide for a two-third vote for fee increases; 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. 1035 by Senator Bean

AMENDMENT NO. 1

On page 1, line 2, after "1121(B)(2)" insert ", 1122(D)(1), 1124 and 1125"

AMENDMENT NO. 2

On page 1, line 4, after "Association;" insert "to provide for a two-third vote for fee increases;"

AMENDMENT NO. 3

On page 1, line 6, after "1121(B)(2)" delete "is" and insert ", 1122(D)(1), 1124 and 1125 are"

AMENDMENT NO. 4

On page 2, after line 7 insert:

§1122. Fees and charges; adjudication of disputes

\* \* \*

D.(1) A decision by a **majority two-thirds vote** of the members of the commission shall constitute the decision of the commission. Whenever negotiation of an issue has been requested, in writing, by any two members and ~~a majority two-thirds of the members~~ of the commission ~~is are~~ unable to decide the issue within ninety days of the request for negotiation, any member may certify and file, in writing, the issue with the Louisiana Public Service Commission for expedited adjudication. Upon such filing, as is provided by R.S. 34:1121(C), the Louisiana Public Service Commission shall constitute the commission.

\* \* \*

§1124. Fees and charges to remain in effect until changed

All pilotage fees and charges provided by applicable laws shall remain in full force and effect until changed by majority a favorable vote of two-thirds of the members of the pilotage fee commission for any of said pilot associations.

§1125. Rules and by-laws; officers

Each pilot fee commission may adopt rules of procedure and by-laws and elect officers, other than the chairman. The chairman shall call meetings of the commissions, or special meetings may be called on written notice to the members, signed by any two members thereof. All actions of the Commission shall be by majority vote of all members, except when considering a fee increase provided for in R.S. 34:1122 and 1124."

On motion of Senator Landry, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 2156, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1036 (DUPLICATE OF HOUSE BILL NO. 1316)—**

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 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. 1036 by Senator Johnson

AMENDMENT NO. 1

On page 5, at the end of line 23, delete ", the New"

AMENDMENT NO. 2

On page 5, delete line 24 in its entirety

AMENDMENT NO. 3

On page 5, at the beginning of line 25, insert "or"

AMENDMENT NO. 4

On page 5, delete line 26 in its entirety and insert in lieu thereof: "Superintendent of the New Orleans Police Department"

AMENDMENT NO. 5

On page 5, at the beginning of line 27, delete "agencies"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1316, was read by title and ordered engrossed and passed to a third reading.

**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 by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1038 by Senator Robichaux

AMENDMENT NO. 1

On page 2, between lines 26 and 27, insert the following:

"E. It is specifically provided that the intent of the legislature in the enactment of the Louisiana Marine Resources Conservation Act of 1995 (Act No. 1316 of the 1995 Regular Session) is to promote the enhancement of Louisiana's marine resources by the removal of indiscriminate entanglement nets from coastal waters."

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. 1039—**

BY SENATORS BAJOIE, BOISSIERE, JOHNSON, JONES, IRONS, AND W. FIELDS, AND REPRESENTATIVES BAYLOR, COPELIN, CURTIS, FARVE, GREEN, HUDSON, HUNTER, MITCHELL, MORRELL, MURRAY, PIERRE, QUEZAIRE, WELCH AND WILLARD  
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 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. 1039 by Senator Bajoie

AMENDMENT NO. 1

On page 1, between lines 4 and 5 add "Notice of intention to introduce this Act has been published."

AMENDMENT NO. 2

On page 1, lines 7 and 11, delete "Sports"

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. 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 meet certain additional criteria; 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. 1040 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 7, after "Schools" insert "and meet certain additional criteria"

AMENDMENT NO. 2

On page 2, line 7, after "located" delete the remainder of the line and line 8 in its entirety and insert "or, has received its accreditation by the Southern Association of Colleges and Schools' Commission on Secondary and Middle Schools and additionally meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana."

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

**SENATE BILL NO. 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 by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title and passed to a third reading.

**SENATE BILL NO. 1044—**  
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b), (c), and (d) and (P)(1)(b) and (d), (2)(c) and (d), (3)(c) and (d), and (4)(c) and (d), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility requirements for students who graduate from approved nonpublic high schools in this state and students who graduate from high schools in states other than Louisiana; 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. 1044 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 2, after "3048.1" insert "(A)(1)(b), (c), and (d) and"

AMENDMENT NO. 2

On page 1, line 3, after "(c) and (d)," delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 5, delete "certain" and after "graduate" insert "from approved nonpublic high schools in this state and students who graduate"

AMENDMENT NO. 4

On page 1, line 6, after "Louisiana" delete the remainder of the line and delete line 7 and insert "and to"

AMENDMENT NO. 5

On page 1, line 10, after "3048.1" insert ""(A)(1)(b), (c), and (d) and"

AMENDMENT NO. 6

On page 1, delete line 11, and insert "(d), and (4)(c) and (d) are hereby"

AMENDMENT NO. 7

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

" A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a state college or university or a

regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

\* \* \*

(b) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or a nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has **taken and passed at the level required for a public high school graduation any test required by law or rule for a student to graduate from a public high school in Louisiana,** has a minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a composite score on the 1990 version of the American College Test which is at least equal to or higher than the state's average composite score, rounded to the nearest whole number, reported for the prior year but never less than nineteen or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the administering agency, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall be the recipient of an "Opportunity Award" for the purposes of this program.

(c) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has **taken and passed at the level required for a public high school graduation any test required by law or rule for a student to graduate from a public high school in Louisiana,** has enrolled, unless granted an exception for cause by the administering agency, in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school, has achieved a minimum cumulative grade point average of 3.50 calculated on a 4.00 scale, and has a composite score on the 1990 version of the American College Test of twenty-three or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of a "Performance Award" for the purposes of this program.

(d) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education **with, has taken and passed at the level required for a public high school graduation any**

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**test required by law or rule for a student to graduate from a public high school in Louisiana, has** a minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of twenty-seven or higher on the 1990 version of the American College Test or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the administering agency, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of an "Honors Award" for the purposes of this program."

**AMENDMENT NO. 8**

On page 2, line 6, after "scale" delete "**and**" and insert "**, has taken and passed at the level required for a public high school graduation any test required by law or rule for a student to graduate from a public high school in Louisiana,**"

**AMENDMENT NO. 9**

On page 2, line 23, after "scale" delete "**and**" and insert "**, has taken and passed at the level required for a public high school graduation any test required by law or rule for a student to graduate from a public high school in Louisiana,**"

**AMENDMENT NO. 10**

On page 3, line 13, change "2.50" to "3.50" and after "scale" delete "**and**" and insert "**, has taken and passed at the level required for a public high school graduation any test required by law or rule for a student to graduate from a public high school in Louisiana,**"

**AMENDMENT NO. 12**

On page 4, line 3, change "2.50" to "3.50"

**AMENDMENT NO. 13**

On page 4, delete lines 14 through 27 and delete page 5 and on page 6, delete lines 1 through 20

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

**SENATE BILL NO. 1047—**

BY SENATORS CRAVINS, HINES, AND ROMERO AND REPRESENTATIVES DEVILLE, DOWNER AND MONTGOMERY

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 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. 1047 by Senator Cravins

**AMENDMENT NO. 1**

On page 3, line 13, change "(e)" to "(2)"

**AMENDMENT NO. 2**

On page 3, line 15, change "(2)" to "(3)"

**AMENDMENT NO. 3**

On page 3, line 16, at the beginning of the line, after "governor" insert ", subject to the consent of the Senate"

**AMENDMENT NO. 4**

On page 5, line 12, between "(4)" and "Notwithstanding" insert "(a)"

**AMENDMENT NO. 5**

On page 5, between lines 16 and 17 insert:

"(b) A licensed eligible facility shall be entitled to a credit against the tax levied pursuant to this Section in an amount equal to any annual contribution made by the eligible facility to the Jockey Guild, Inc. to enable the Jockey Guild, Inc. to provide for the health and welfare of its active and retired members and their dependents. The amount of such credit taken in each year shall not exceed one-half of one percent of the annual taxable net slot machine proceeds for the eligible facility for that year.

Section 2. In purchasing or contracting for goods and services, the licensed eligible facility shall give preference and priority to Louisiana residents, laborers, vendors, and suppliers except where not reasonably possible to do so without added expense, substantial inconvenience, or sacrifice in operational efficiency. In considering applicants for employment, the licensed eligible facility shall give preference and priority to Louisiana residents, and no less than eighty percent of the persons employed by the licensed eligible facility must have been residents of the state for at least one year immediately prior to employment. If any contract or other agreement to which the licensed eligible facility is a party contains a provision or clause establishing a different percentage or requiring more than fifty percent of the persons employed to be residents of any one parish, any such provision or clause shall be null and void and unenforceable as against public policy."

**AMENDMENT NO. 6**

On page 5, line 17, change "2" to "3"

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

**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 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. 1051 by Senator Malone

AMENDMENT NO. 1

On page 3, line 19, change "(f)" to "(2)"

AMENDMENT NO. 2

On page 3, line 21, change "(2)" to "(3)"

AMENDMENT NO. 3

On page 3, at the beginning of line 22, after "governor" insert "subject to the consent of the Senate"

AMENDMENT NO. 4

On page 5, line 2, after "exceed" delete the remainder of the line and insert the following: "the percentage of fees imposed pursuant to R.S. 27:91(B)(2) and (C) on riverboats located within the boundaries of the district."

AMENDMENT NO. 5

On page 5, line 17, after "(4)" insert "(a)"

AMENDMENT NO. 6

On page 5, between lines 21 and 22 insert:

"(b) A licensed eligible facility shall be entitled to a credit against the tax levied pursuant to this Section in an amount equal to any annual contribution made by the eligible facility to the Jockey Guild, Inc. to enable the Jockey Guild, Inc. to provide for the health and welfare of its active and retired members and their dependents. The amount of such credit taken in each year shall not exceed one-half of one percent of the annual taxable net slot machine proceeds for the eligible facility for that year.

Section 2. In purchasing or contracting for goods and services, the licensed eligible facility shall give preference and priority to Louisiana residents, laborers, vendors, and suppliers except where not reasonably possible to do so without added expense, substantial inconvenience, or sacrifice in operational efficiency. In considering applicants for employment, the licensed eligible facility shall give preference and priority to Louisiana residents, and no less than eighty percent of the persons employed by the licensed eligible facility must have been residents of the state for at least one year immediately prior to employment. If any contract or other agreement to which the licensed eligible facility is a party contains a provision or clause establishing a different percentage or requiring more than fifty percent of the persons employed to be residents of any one parish, any such provision or clause shall be null and void and unenforceable as against public policy."

AMENDMENT NO. 7

On page 5, line 22, change "2" to "3"

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

**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 by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1060 by Senator Barham

AMENDMENT NO. 1

On page 3, line 4, after "conveys." insert the following:

"The state shall retain all mineral rights in any exchange or transfer of property authorized by this Act."

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.

**House Bills and Joint Resolutions  
on Second Reading**

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

**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.

**Floor Amendments Sent Up**

Senator Cox sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Cox to Engrossed House Bill No. 63 by Representative Schneider (Duplicate of Senate Bill No. 277 by Senator Cox )

AMENDMENT NO. 1

On page 1, line 2, change "the earning of" to "eligibility for"

AMENDMENT NO. 2

On page 1, line 5, delete "sex"

AMENDMENT NO. 3

On page 1, line 15, between "state" and "of any one" insert the following:

**" , any other state, or the federal government"**

On motion of Senator Cox, the amendments were adopted.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**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.

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Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1103 by Representative Theriot (Duplicate of Senate Bill No. 680 by Senator Heitmeier)

AMENDMENT NO. 1

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. 2

On page 1, line 3, after "Louisiana" change the semicolon ";" to a comma "," and delete the remainder of the line and on line 4, delete "the board of directors of the association," 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;"

AMENDMENT NO. 3

On page 1, line 7, change "is" to ", 1406.5 and 1435 are"

AMENDMENT NO. 4

On page 3, between lines 12 and 13, insert 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 by-laws 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 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 by-laws 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 Heitmeier, the amendments were adopted.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**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.

**Floor Amendments Sent Up**

Senator Thomas sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Thomas to Engrossed House Bill No. 1183 by Representative Thompson (Duplicate of Senate Bill No. 878 by Senator Thomas)

AMENDMENT NO. 1  
On page 2, line 16, change "two" to "one"

AMENDMENT NO. 2  
On page 3, line 5, change "two" to "one"

AMENDMENT NO. 3  
On page 9, line 9, change "criterion" to "criteria"

AMENDMENT NO. 4  
On page 13, delete lines 10 through 14 in their entirety.

On motion of Senator Thomas, the amendments were adopted.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**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. 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 by the Committee on Labor and Industrial Relations. 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 BILL NO. 751—**  
BY SENATOR EWING  
AN ACT

To provide that judges of the Second Judicial District Court who are elected at large from the Second Judicial District reside in specific parishes of the district; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. 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. 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 by the Committee on Labor and Industrial Relations. 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 Resolutions  
on Second Reading  
Reported by Committees**

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

**SENATE RESOLUTION NO. 28—**  
BY SENATORS EWING, DARDENNE, LANDRY, BARHAM, SCHEDLER,  
HAINKEL, TARVER AND BEAN  
A RESOLUTION

To adopt Senate Rule Nos. 10.13(D) and 13.9(D) of the Rules of Order of the Senate, relative to deadline for Senate Bills to be reported from committee and deadline for consideration of Senate Bills on final passage.

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 Resolution No. 28 by Senator Ewing

AMENDMENT NO. 1  
On page 1, line 13, and on page 2, line 3, change "senate bill" to "Senate Bill or joint resolution"

AMENDMENT NO. 2  
On page 2, line 9, change "deadline" to "deadlines"

AMENDMENT NO. 3  
On page 2, line 10, change "house" to "House"

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

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

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

May 3, 1999

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

**SENATE CONCURRENT RESOLUTION NO. 9—**  
BY SENATOR COX

A CONCURRENT RESOLUTION

To urge and request the United States Environmental Protection Agency to take certain actions to promote safe drinking water in Calcasieu Parish.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Concurrent Resolution No. 9 by Senator Cox

AMENDMENT NO. 1

On page 3, at the beginning of line 13, change "Prohibiting" to "Consider the prohibition of"

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

**Senator Hainkel in the Chair**

**Motion**

Senator Theunissen moved to table the entire subject matter.

Senator Cox objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Barham	Ellington	Schedler
Branch	Greene	Siracusa
Cain	Hollis	Smith
Casanova	Lentini	Tarver
Dardenne	Malone	Theunissen
Dean	Romero	Thomas
Total—18		

**NAYS**

Bajoie	Dyess	Johnson
Bean	Fields C	Jones
Boissiere	Fields W	Jordan
Campbell	Heitmeier	Landry
Cox	Hines	Robichaux
Cravins	Irons	Ullo
Total—18		

**ABSENT**

Mr. President	Hainkel	Lambert
Total—3		

The Chair declared the Senate refused to table the entire subject matter.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dyess	Jordan
Bean	Fields C	Lambert
Boissiere	Fields W	Landry
Cain	Hines	Robichaux
Campbell	Irons	Schedler
Cox	Johnson	Tarver
Cravins	Jones	Ullo
Total—21		

**NAYS**

Barham	Greene	Romero
Branch	Hainkel	Siracusa
Casanova	Heitmeier	Smith
Dardenne	Hollis	Theunissen
Dean	Lentini	Thomas
Ellington	Malone	
Total—17		

**ABSENT**

Mr. President
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 13—**  
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to place a moratorium on the issuance, renewal, major modification, or transfer of any permit, license, registration, or variance relative to the operation of commercial hazardous waste incinerators for a period of one year.

Reported unfavorably by the Committee on Environmental Quality.

**Motion**

Senator Lambert moved that the resolution be indefinitely postpone.

Senator Robichaux moved as a substitute motion that the resolution be passed to a third reading.

Senator Lambert objected.

**ROLL CALL**

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

**YEAS**

Bajoie	Fields C	Landry
Boissiere	Fields W	Lentini
Cain	Greene	Robichaux
Campbell	Johnson	Ullo
Casanova	Jones	
Total—14		

**NAYS**

Barham	Ellington	Schedler
Bean	Hainkel	Siracusa
Branch	Hines	Smith

Cox	Hollis	Tarver
Cravins	Jordan	Theunissen
Dardenne	Lambert	Thomas
Dean	Malone	
Dyess	Romero	
Total—22		

ABSENT

Mr. President	Heitmeier	Irons
Total—3		

The Chair declared the Senate refused to pass the resolution to a third reading.

**ROLL CALL**

The roll was called on the original motion to indefinitely postpone with the following result:

YEAS

Bean	Dyess	Romero
Branch	Ellington	Schedler
Cain	Hainkel	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cravins	Johnson	Theunissen
Dardenne	Lambert	Thomas
Dean	Malone	
Total—23		

NAYS

Bajoie	Fields W	Lentini
Barham	Greene	Robichaux
Boissiere	Jones	Ullo
Cox	Jordan	
Fields C	Landry	
Total—13		

ABSENT

Mr. President	Heitmeier	Irons
Total—3		

The Chair declared the resolution was indefinitely postponed.

**Personal Privilege**

Senator Cox asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the substitute motion by Senator Robichaux. He voted nay on the motion and had intended to vote yea. He asked that the Official Journal so state.

**SENATE CONCURRENT RESOLUTION NO. 57—**  
BY SENATOR COX

A CONCURRENT RESOLUTION

To urge and request the Evidence Code Advisory Committee of the Louisiana State Law Institute to study the tracking, confiscation, and destruction of pornographic material in the possession of law enforcement agencies that is no longer needed as evidence in criminal cases.

Reported favorably by the Committee on Judiciary B.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 69—**

BY SENATOR DEAN

A CONCURRENT RESOLUTION

To memorialize the United States Senate to refuse to ratify the Kyoto Protocol on global climate change.

Reported favorably by the Committee on Environmental Quality.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Original Senate Concurrent Resolution No. 69 by Senator Dean

AMENDMENT NO. 1

On page 2, line 8, after "no" insert "substantial"

AMENDMENT NO. 2

On page 2, line 10, after "no" insert "substantial"

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Barham	Greene	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Siracusa
Campbell	Hines	Smith

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Casanova	Hollis	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Landry	
Dyess	Lentini	
Total—28		

**NAYS**

Bajoie	Cox	Johnson
Boissiere	Fields C	Robichaux
Cain	Fields W	
Total—8		

**ABSENT**

Irons	Lambert	Thomas
Total—3		

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

**Mr. President in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 48—**  
BY SENATOR THOMAS

**A CONCURRENT RESOLUTION**

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

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 Concurrent Resolution No. 48 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 3, after "No. 1" insert "and St. Charles Parish Hospital Service District" and delete "a"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, change "agency" to "agencies"

AMENDMENT NO. 3

On page 2, line 21, delete "is" and insert "and St. Charles Parish Hospital Service District are"

AMENDMENT NO. 4

On page 2, line 22, change "it" to "they" and at the end of the line, delete "effective"

AMENDMENT NO. 5

On page 2, at the beginning of line 23, delete "October 1, 1994, rather than" and insert "prior to the passage of the act, but after"

AMENDMENT NO. 6

On page 2, line 25, after "No. 1" insert "and St. Charles Parish Hospital Service District", delete "a", and change "agency" to "agencies"

AMENDMENT NO. 7

On page 3, line 2, after "No. 1" insert "and St. Charles Parish Hospital Service District", delete "a", and change "agency" to "agencies"

AMENDMENT NO. 8

On page 3, line 7, delete "is" and insert "and St. Charles Parish Hospital Service District are"

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

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

**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	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Cravins	Irons
Total—2	

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

**SENATE CONCURRENT RESOLUTION NO. 67—**

BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To authorize and direct the commissioner of administration to establish a Year 2000 contingency planning committee to develop and implement a statewide contingency plan as it relates to disruptions caused by the Year 2000 problem.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Service Commission to investigate the use of regulated funds by public utility companies for non-regulated contracting activities.

Reported favorably by the Committee on Commerce and Consumer Protection.

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

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 by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
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

Romero  
Total—1

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

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 by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
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

Romero  
Total—1

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

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 by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—2

May 3, 1999

ABSENT

Romero  
Total—1

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

**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 by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
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

Romero  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 92—**  
BY SENATORS EWING, DARDENNE, LANDRY, BARHAM, SCHEDLER, HAINKEL, TARVER, AND BEAN

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of Order of the Senate and House of Representatives, relative to legislative instruments with fiscal impact; to provide procedures for and deadlines relative to legislative instruments recommitted due to fiscal impact; and to prohibit the recommitment of certain legislative instruments with a fiscal impact; 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 Concurrent Resolution No. 92 by Senator Ewing

AMENDMENT NO. 1

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

"However, with the consent of the author, the instrument may be amended in the second standing committee."

AMENDMENT NO. 2

On page 2, line 10, delete "either"

AMENDMENT NO. 3

On page 2, line 11, after "Pass" delete the period "." and insert the following:

" or "Recommend Pass With Amendments" "

AMENDMENT NO. 4

On page 2, line 23, after "state" change the comma "," to "or"

AMENDMENT NO. 5

On page 1, line 25, after "state" insert a comma ","

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

**Senate and Concurrent Resolutions to be Adopted, Subject to Call**

The following Senate and Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Hines asked that Senate Concurrent Resolution No. 5 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 5—**  
BY SENATOR HINES AND REPRESENTATIVES R. ALEXANDER AND ILES  
A CONCURRENT RESOLUTION

To direct the office of public health to modify the immunization schedule to require that all students eighteen years of age or below who are enrolled in elementary and secondary schools be immunized against Hepatitis B unless otherwise indicated.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Engrossed Senate Concurrent Resolution No. 5 by Senator Hines

AMENDMENT NO. 1

On page 1, line 3, after "students" delete "eighteen years of age or below"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "enrolled in elementary and secondary" and insert "entering middle"

AMENDMENT NO. 3

On page 2, line 20, after "students" delete "enrolled in elementary and secondary" and insert "entering middle"

AMENDMENT NO. 4

On page 2, delete line 26, and insert "students entering middle"

AMENDMENT NO. 5

On page 2, at the beginning of line 27, delete "secondary"

AMENDMENT NO. 6

On page 3, after line 2, insert the following:

"BE IT FURTHER RESOLVED that the department shall implement this Resolution by January 1, 2001."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of senators and their counts for YEAS. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—35.

NAYS

Dean Total—1

ABSENT

Table with 3 columns listing names of senators and their counts for ABSENT. Includes Hainkel, Heitmeier, Romero, Total—3.

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and 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. 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.

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. 170 by Senator Hainkel

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "(ii)" and before "(iii)" insert "a comma ","

AMENDMENT NO. 2

On page 2, line 21, following "parish" and before "will" insert ", or pupils from the same area as those permitted to attend the preexisting school"

AMENDMENT NO. 3

On page 2, line 22, following "attend" delete the remainder of the line and on line 23, delete "the preexisting school"

AMENDMENT NO. 4

On page 3, line 6, following "parish and before "will" insert ", or pupils from the same area as those permitted to attend the preexisting school"

AMENDMENT NO. 5

On page 3, line 6, following "attend" delete the remainder of the line and line 7, and on line 8, delete "school"

AMENDMENT NO. 6

On page 5, line 8, delete "an exceptional child" and insert "a child with an exceptionality" and change "1943(2)" to "1943(4)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of senators and their counts for YEAS. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—37.

NAYS

Total—0

ABSENT

Table with 3 columns listing names of senators and their counts for ABSENT. Includes Fields W, Romero, Total—2.

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

SENATE BILL NO. 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.

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. 173 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 19, after "using" delete the remainder of the line and add in lieu thereof "the cost estimate for the particular item of work that the design professional used in preparing the project cost."

AMENDMENT NO. 2

On page 2, at the beginning of line 20, delete "the particular type of construction."

On motion of Senator Theunissen, 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

Table with 3 columns: Name, Cravins, Lambert. Rows: Bean, Cain, Campbell, Cox, Total—12.

NAYS

Table with 3 columns: Name, Fields W, Jordan. Rows: Mr. President, Bajoie, Barham, Boissiere, Casanova, Dardenne, Dean, Fields C, Total—24.

ABSENT

Table with 3 columns: Name, Romero, Tarver. Rows: Branch, Total—3.

The Chair declared the amended bill failed to pass. Senator Hainkel moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

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.

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. 206 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2 and on page 2, line 4, following "2:131(A)" and before "(A)" change "131.5" to "135.1"

AMENDMENT NO. 2

On page 5, line 27, at the beginning of the line delete "for lease"

AMENDMENT NO. 3

On page 9, line 14, following "in" and before "The" change "R.S. 2:1(26)" to "R.S. 2:1 (27)"

AMENDMENT NO. 4

On page 12, line 20, following "and" and before "other" change "the" to "any"

AMENDMENT NO. 5

On page 12, line 21, following "such" and before "as" change "terms" to "term"

AMENDMENT NO. 6

On page 12, line 22, following "resolution" and before "thereafter" change ". But" to ", but"

On motion of Senator Lentini, the amendments were adopted.

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. 206 by Senator Theunissen

AMENDMENT NO. 1

On page 4, line 19, change "Public Bid Law, R.S. 38:2181, et seq." to "Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 2

On page 7, line 19, change "R.S. 38:2211 et seq." to "Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950."

On motion of Senator Theunissen, 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

Table with 3 columns: Name, Dyess, Lambert. Rows: Mr. President, Bajoie.

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

NAYS

Total—0

ABSENT

Romero  
Total—1

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. 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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Romero  
Total—1

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.

**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.

**Floor Amendments Sent Up**

Senator Casanova sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Casanova to Engrossed Senate Bill No. 268 by Senator Casanova

AMENDMENT NO. 1

On page 1, line 3, after "public" insert "and nonpublic"

AMENDMENT NO. 2

On page 1, line 15, after "activity" insert "in any public or nonpublic high school"

Senator Casanova moved adoption of the amendments.

Senator Jordan objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lambert
Bajoie	Dyess	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Cain	Greene	Schedler
Campbell	Hainkel	Smith
Casanova	Hines	Tarver
Cox	Hollis	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Total—30		

NAYS

Boissiere	Irons	Siracusa
Ellington	Jordan	
Heitmeier	Landry	
Total—7		

ABSENT

Branch	Romero
Total—2	

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Cain sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 268 by Senator Casanova

AMENDMENT NO. 1

On page 1, line 13 change "1999-2000" to "2003-2004"

May 3, 1999

Senator Cain moved adoption of the amendments.

Senator Casanova objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Dyess	Jones
Barham	Ellington	Jordan
Bean	Fields C	Landry
Boissiere	Fields W	Lentini
Branch	Heitmeier	Tarver
Cain	Hines	Tarver
Cox	Irons	Ullo
Dardenne	Johnson	
Total—23		

**NAYS**

Mr. President	Greene	Smith
Campbell	Hainkel	Theunissen
Casanova	Hollis	Thomas
Cravins	Lambert	
Dean	Malone	
Total—13		

**ABSENT**

Robichaux	Romero	Siracusa
Total—3		

The Chair declared the amendments were adopted.

**Motion**

Senator Jordan moved to return the amended bill to the Involuntary Calendar.

Senator Casanova objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields W	Landry
Bean	Heitmeier	Tarver
Cain	Hines	
Fields C	Jordan	
Total—10		

**NAYS**

Barham	Dyess	Lentini
Boissiere	Ellington	Malone
Branch	Greene	Robichaux
Campbell	Hainkel	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Lambert	Ullo
Total—27		

**ABSENT**

Mr. President	Romero
Total—2	

The Chair declared the Senate refused to return the amended bill to the Involuntary Calendar.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Schedler
Barham	Dyess	Smith
Bean	Greene	Tarver
Campbell	Hainkel	Theunissen
Casanova	Hollis	Thomas
Cox	Jones	Ullo
Cravins	Lambert	
Dardenne	Malone	
Total—22		

**NAYS**

Bajoie	Fields C	Johnson
Boissiere	Fields W	Jordan
Branch	Heitmeier	Landry
Cain	Hines	Lentini
Ellington	Irons	Siracusa
Total—15		

**ABSENT**

Robichaux	Romero
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Casanova 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.

**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. 31—**

BY SENATOR COX

**A RESOLUTION**

To commend the Louisiana Black Publishers Association for its professionalism, dedication and outstanding contributions to the people of the state of Louisiana.

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

**SENATE CONCURRENT RESOLUTION NO. 96—**

BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To commend and congratulate Reverend Jesse Louis Jackson on his success in freeing the American servicemen Christopher J. Stone, Steven M. Gonzales, and Andrew Ramirez from their imprisonment by the Serbian forces of Slobadan Milosevic.

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	Jordan
Bajoie	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields C	Malone
Boissiere	Fields W	Smith
Branch	Hainkel	Tarver
Cain	Heitmeier	Theunissen
Campbell	Hollis	Thomas
Cox	Irons	Ullo
Cravins	Johnson	
Dardenne	Jones	
Total—31		

**NAYS**

Total—0

**ABSENT**

Casanova	Lentini	Schedler
Greene	Robichaux	Siracusa
Hines	Romero	
Total—8		

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

**SENATE CONCURRENT RESOLUTION NO. 97—**  
BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request Louisiana's law enforcement community to intensify its efforts to prevent individuals arrested for DWI offenses from operating their motor vehicles shortly after their arrest.

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

**SENATE CONCURRENT RESOLUTION NO. 98—**  
BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana to the family of Joe Bill Adcock on the occasion of his death.

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

Total—36

**NAYS**

Total—0

**ABSENT**

Heitmeier	Robichaux	Romero
Total—3		

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

**SENATE CONCURRENT RESOLUTION NO. 99—**  
BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to study the effect of disease management/education combined with pharmaceutical compliance on health complications of asthma.

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

**SENATE CONCURRENT RESOLUTION NO. 100—**  
BY SENATOR CAIN

**A CONCURRENT RESOLUTION**

To commend Joe Dumars, Detroit Pistons star and McNeese State University alumnus, on his achievements on and off the basketball court.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Casanova	Robichaux
Greene	Romero
Total—4	

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

**SENATE CONCURRENT RESOLUTION NO. 101—**  
BY SENATORS JOHNSON AND SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request that the Department of Transportation and Development develop a plan to deal with the traffic congestion in East New Orleans on the Interstate 10 corridor.

May 3, 1999

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

SENATE CONCURRENT RESOLUTION NO. 102— BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To commend entertainment mogul and musician Percy "Master P" Miller, for his recent financial support of organizations located in the community where he grew up in the city of New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Bean, Boissiere, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dyess, Ellington, Fields C, Fields W, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Robichaux, Schedler, Smith, Tarver, Thomas, Ullo. Total—29

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Barham, Casanova, Dean, Greene, Lentini, Malone, Romero, Siracusa, Theunissen. Total—10

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 3, 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 CONCURRENT RESOLUTION NO. 88— BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to form a standing committee to study and investigate the tax laws of Louisiana and report to the legislature with respect thereto.

Reported with amendments.

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 with amendments.

SENATE BILL NO. 758—

BY SENATOR HINES AN ACT

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

Reported favorably.

SENATE BILL NO. 773—

BY SENATOR DARDENNE AN ACT

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

Reported favorably.

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.

Reported favorably.

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:

May 3, 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. 6—**  
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 40:1300.84(B)(3), relative the Louisiana Kidney Health Care Program; to revise the financial criteria for eligibility to participate in the program; to provide an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 146—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 48:278, relative to highways; to provide relative to limited access highways; to discourage peak time construction and maintenance work on such highways in certain areas; to encourage preference for night time construction and maintenance work on such highways in certain areas; to authorize the Department of Transportation and Development to determine exceptions; to provide for a determination by oversight committee; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 198—**  
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a), relative to the Tuition Opportunity Program for Students; to provide relative to eligibility; to provide for residency requirements; and to provide for related matters.

Reported with amendments.

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

AN ACT

To amend and reenact R.S. 17:24.4(G)(4) and 346.1 and to repeal 24.4(H), relative to competency-based education programs; to require that summer school remediation programs be offered to certain students; to provide relative to the requirements for summer school remediation programs; to provide relative to the funding for certain competency-based education programs, including summer school remediation programs; to provide relative to maximum required length of a school year for teachers and students; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 256—**  
BY SENATORS HINES, EWING, IRONS, BAJOEI, SCHEDLER, DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 46:976(A)(5), (B)(1) and (2), the introductory paragraph of (C), (D), and (E) and to repeal R.S. 46:976(F), relative to the Children's Health Insurance Program; to expand eligibility criteria for the program and for implementation thereof; to provide relative to a private insurance model; to provide an effective date; and to provide for related matters.

Reported with amendments.

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

AN ACT

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

Reported favorably.

Respectfully submitted,  
JOHN HAINKEL  
Chairman

**REPORT OF COMMITTEE ON  
RETIREMENT**

Senator Heitmeier, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 3, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 467—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:1419(A)(4), relative to the insurance premium assessment against insurers; to provide with respect to distributions of the assessment; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1030—**  
BY SENATOR GREENE (BY REQUEST)

AN ACT

To amend and reenact R.S. 11:153(B), relative to retirement credit; to authorize the Atchafalaya Basin Levee District to pay a portion of the actuarial cost of acquiring certain military service credit in the Louisiana State Employees' Retirement System; to provide for limitations on such purchases; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1067—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3385.1(C), (G), (H), (I), (J), (K)(3), (5), and (6) and to enact R.S. 11:3385.2, relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for a Deferred Retirement Option Plan; to increase the duration of possible participation in the plan; to provide for the accrual of interest on an individual account; to provide for the assessment of fees on an individual account; to provide for the withdrawal of funds from the individual account; to provide for an initial lump sum benefit option for certain members; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1080—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 11:1318, relative to State Police Retirement Fund; to provide for payment of survivor's benefits to a totally disabled child; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1083—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for a benefit payable to certain members; and to provide for related matters.

May 3, 1999

Reported favorably.

**SENATE BILL NO. 1084—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:3384(B), relative the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for a retirement benefit for certain members; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1087—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 11:2260(A)(11)(f)(i), relative to the Firefighters' Retirement System; to authorize certain fire protection district employees to become members of the system; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1092—**  
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:153(A)(2) and to enact R.S. 11:1310(B), relative to the State Police Pension and Retirement System; to provide with respect to the option to obtain military service credit; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 514—**  
BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 11:701(29), (30), and (31) and 739, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to the purchase of service credit and funds usable therefor; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 517—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:537(D) and to enact R.S. 11:537(F), relative to the Louisiana State Employees' Retirement System; to provide with respect to repayment of refunds, restoration of service credit, and a temporary pilot program related thereto; to provide regarding certain age requirements; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 602—**  
BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 11:2174.1, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to out-of-state full-time law enforcement service credit and the purchase thereof; to provide regarding the application procedures for such purchases; to provide regarding the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 729—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:403(28), 411(introductory paragraph) and (5), 413(6) and (8), 424(A)(1)(introductory paragraph) and (2) and (D), and 444(C)(introductory paragraph), (7), and (10)(b),

relative to the Louisiana State Employees' Retirement System; to provide with respect to definitions; to provide regarding membership and eligibility criteria related thereto; and to provide regarding service credit and the conversion of certain leave to credit; to provide regarding benefits and the computation thereof; to provide regarding average compensation; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 730—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:2174(B)(1) and (5)(a), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to membership and contributions; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 829—**  
BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:1305(A)(introductory paragraph) and to enact R.S. 11:1305(C), relative to the State Police Pension and Retirement System; to provide with respect to membership; to provide with respect to service credit and the actuarial transfer thereof; to provide an effective date; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 911—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:701(6) and (26), 728(F), 762(F), 781(A)(1) and (3), and 783(A)(Option 1) and to repeal R.S. 11:728(D) and 729, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to credit for certain teaching service; to provide with respect to the payment of survivor benefits and the options related thereto; to

provide with respect to the refund of contributions; to repeal provisions granting credit for service in certain limited situations; to provide an effective date; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 1790—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 44:39(A)(2)(b), relative to all public retirement systems, plans, and funds; to provide with respect to administration of documents and the digitized preservation of the original source documents; to exempt the systems from certain requirements otherwise applicable when documents have been electronically digitized; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

**Messages from the House**

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

May 3, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 151—**  
BY REPRESENTATIVES MCDONALD, HUNTER, MCCALLUM, THOMPSON, AND WALSWORTH  
A CONCURRENT RESOLUTION

To recognize and commend Bob Anderson, Northeast Louisiana State University's fabled sports information director, for his remarkable service to the university and the state, upon the occasion of his induction into the university's Hall of Fame.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Romero     ½ Day

**Adjournment**

Senator Bean moved that the Senate adjourn until Tuesday, May 4, 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, May 4, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk