

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

TWENTY-SECOND DAY'S PROCEEDINGS

**Twenty-Fifth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 5, 1999

The Senate was called to order at 1:30 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

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

Total—39

ABSENT

Total—0

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

Prayer

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

May 5, 1999

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 517 by Representative Stelly

AMENDMENT NO. 1

On page 2, line 14, delete "only be restored" to "be restored only"

AMENDMENT NO. 2

On page 2, line 15, following "commensurate" change "to such repayment" to "with such repayment"

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 without amendments.

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 without amendments.

May 5, 1999

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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.

Reported without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

Respectfully submitted,
ARTHUR J. LENTINI
Chairman

Adoption of Legislative Bureau Report

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

**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. 58—

BY SENATORS LANDRY AND JORDAN
AN ACT

To amend and reenact R.S. 14:45(B), relative to kidnapping; to enhance the penalty for simple kidnapping; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 58 by Senator Landry

AMENDMENT NO. 1

On page 1, after "reenact" delete the remainder of the line and delete lines 3 through 16 in their entirety and insert the following:

"R. S. 14:45(B), relative to kidnapping; to enhance the penalty for simple kidnapping; and to provide for related matters.

Section 1. R. S. 14:45(B) is hereby amended and reenacted to read as follows:

§45. Simple kidnapping

* * *

B. Whoever commits the crime of simple kidnapping shall be fined not more than five thousand dollars, imprisoned with or without hard labor for not more than five ten years, or both."

AMENDMENT NO. 2

On page 2, delete lines 1 through 26 in their entirety and on page 3, delete lines 1 through 7

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

SENATE BILL NO. 122— BY SENATOR HAINKEL

AN ACT

To enact R.S. 9:2346(C), relative to public trusts; to require a public trust in which the state of Louisiana is beneficiary to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for budget modifications; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ullo, the bill, which was designated a duplicate of House Bill No. 2045, was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 239— BY SENATOR ROMERO

A JOINT RESOLUTION

Proposing to add Article VI, Section 25.1 of the Constitution of Louisiana relative to mandates on the expenditure of state funds; to require the payment of state funded salary supplements to certain law enforcement and fire protection officers; to require the appropriation of funds sufficient to fully fund the state supplement to the salaries of full-time law enforcement and fire protection officers as required by law; to prohibit the reduction of such appropriation, except under certain circumstances; to provide relative to reductions in otherwise mandated expenditures; to provide relative to authority to appropriate for any purpose money from certain dedicated funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 239 by Senator Romero

AMENDMENT NO. 1

On page 2, line 26, change "congressional" to "gubernatorial"

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

SENATE BILL NO. 294— BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, relative to state and city civil service rules; to authorize supplemental pay to certain police officers from funds available; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 294 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "10(A)(1)" delete "(a)"

AMENDMENT NO. 2

On page 1, line 10, after "10(A)(1)" delete "(a)"

AMENDMENT NO. 3

On page 1, line 13, after "(1) Powers." change "(a)" to "(a)"

AMENDMENT NO. 4

On page 3, line 13, after "10(A)(1)" delete "(a)"

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

SENATE BILL NO. 295— BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to amend Article V, Sections 4, 9, 21, 22(A),(B) and (C), and 24, and to add Article V, Section 22 (D) and (E) of the Constitution of Louisiana, relative to judges; to provide for the selection of judges; to provide for filling of a newly created judgeship or vacancy in the office of judge; to provide for retention elections; to provide for a term of office for judges; to provide for qualifications; to provide for submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 295 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 4, after "Louisiana" insert ",relative to judges" and on line 6, after "provide" and before "a" insert "for"

AMENDMENT NO. 2

On page 4, line 14, after "appointment," insert "all"

AMENDMENT NO. 3

On page 6, between lines 17 and 18 insert the following:

"Section 3. This Act shall be effective January 1, 2001"

AMENDMENT NO. 4

On page 6, line 18, change "3." to "4."

AMENDMENT NO. 5

On page 6, line 22 after "provide" insert "effective January 1, 2001"

AMENDMENT NO. 6

On page 7, line 5, change "Adds" to "adds" and delete line 6

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

May 5, 1999

SENATE BILL NO. 327—
BY SENATOR HEITMEIER

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to inmate litigation; to provide for forfeiture of good time; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 327 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 4, delete "loss of privileges, sanctions, or"

AMENDMENT NO. 2

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

"(1) "Department" means the Department of Public Safety and Corrections."

AMENDMENT NO. 3

On page 2, line 9, change "(1)" to "(2)"

AMENDMENT NO. 4

On page 2, line 11, change "(2)" to "(3)"

AMENDMENT NO. 5

On page 2, line 12, after "fact" delete "in"

AMENDMENT NO. 6

On page 2, line 14, change "(3)" to "(4)"

AMENDMENT NO. 7

On page 2, line 18, change "(4)" to "(5)"

AMENDMENT NO. 8

On page 2, line 22, delete "denial of privileges;"

AMENDMENT NO. 9

On page 2, delete lines 24 through 27 and on page 3, delete lines 1 through 15

AMENDMENT NO. 10

On page 3, line 16, change "C." to "A."

AMENDMENT NO. 11

On page 3, line 26, change "D." to "B."

AMENDMENT NO. 12

On page 4, line 8, change "E." to "C."

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

SENATE BILL NO. 440—
BY SENATOR COX

AN ACT

To amend and reenact the introductory paragraph of R.S. 24:933(B) and R.S. 24:933(B)(19) and (C)(2), 935(6), and 936(A) and to enact R.S. 24:933(C)(3) and (4), relative to the Interagency Council on the Prevention of Sex Offenses; to provide for three additional members; to provide for changes for the establishment and maintenance of a registry of authorized sex treatment professionals; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 440 by Senator Cox

AMENDMENT NO. 1

On page 1, line 3, between "(C)(2)" and "and" insert ", 935(6), and 936(A)" and between (C)(3) and the comma "," insert "and (4)"

AMENDMENT NO. 2

On page 1, line 5, change "two" to "three" and between "members;" and "and" insert "to provide for changes for the establishment and maintenance of a registry of authorized sex treatment professionals;"

AMENDMENT NO. 3

On page 1, line 8, between "(C)(2)" and "are" insert ",935(6), and 936(A)" and on line 9, change "is" to "and (4) are"

AMENDMENT NO. 4

On page 1, line 13, change "twenty-three" to "twenty-four"

AMENDMENT NO. 5

On page 1, line 16, change "Four" to "Five"

AMENDMENT NO. 6

On page 2, after line 12, add the following:

"R.S. 24:933(C)(4) is all proposed new law.

(4) One member appointed by the governor must be designated by the Victims and Citizens Against Crime, Inc.

* * *

§935. Council responsibilities

The council shall:

* * *

(6) ~~Establish and maintain~~ **Advise the office of mental health of the Department of Health and Hospitals on the establishment and maintenance of** a registry of individuals and programs providing mental health and medical services for sex offenders in accordance with Section 936.

* * *

§936. Registry

A.(1) The **office of mental health of the Department of Health and Hospitals, with the advice of the** council shall, **through contract**, establish and maintain a registry of individuals who provide mental health or medical services for rehabilitation of sex offenders.

(2) The **office, upon recommendation and advice of the** council, by rule, shall develop procedures and eligibility requirements for registration.

(3) The **office, upon recommendation and advice of the** council, may, establish a reasonable fee for registration to cover the costs of administering the registry.

(4) The ~~council~~ **office** shall **be responsible to have prepared** annually ~~prepare~~ a list of the treatment providers registered under this Section. The council, by rule, shall establish procedures for developing and distributing the list. The **office** ~~council~~, on request, shall **be responsible for making** ~~make~~ the list available for a reasonable fee to cover the costs of printing and distribution.

* * *

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

SENATE BILL NO. 549—
BY SENATOR ROMERO

AN ACT

To enact Code of Criminal Procedure Art. 740, relative to restrictions on subpoenas; to provide for a subpoena duces tecum for certain

records in the possession of the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 549 by Senator Romero

AMENDMENT NO. 1

On page 1, line 3, after "to" delete the remainder of the line and delete lines 4 and 5 and insert "provide for a subpoena duces tecum for certain records in the possession of the Department of Public Safety and Corrections; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 9, delete "law enforcement agency" and insert "the Department of Public Safety and Corrections"

AMENDMENT NO. 3

On page 1, line 11, after "tecum" delete the remainder of the line and delete lines 12 through 16 and insert the following:

"may be issued to any agency within the Department of Public Safety and Corrections only after service by mail, delivery of a written motion, or facsimile transmission to the department by the requesting party, specifically describing the item or items to be produced. Any subpoena issued in accordance herewith shall be returnable only to the court."

AMENDMENT NO. 4

On page 2, delete lines 1 through 3

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

SENATE BILL NO. 559—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:663, 664, 667, and 668, relative to motor vehicles; to provide for operation of motor vehicles while intoxicated; to provide for approval of methods used to determine intoxication; to provide for license suspension and revocation procedures for violations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 559 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 13, after "approved" insert "and promulgated"

AMENDMENT NO. 2

On page 1, line 14 delete "department" and insert "Department of Public Safety and Corrections" and after "and" insert "performed"

AMENDMENT NO. 3

On page 1, line 15, delete "this purpose" and insert "the purposes set forth in this Part"

AMENDMENT NO. 4

On page 1, line 16, delete "department" and insert "Department of Public Safety and Corrections"

AMENDMENT NO. 5

On page 2, at the end of line 16, insert the following:

"Only procedures approved and promulgated by the Department of Public Safety and Corrections may be used in the analysis of blood, urine, breath, or other bodily substance."

AMENDMENT NO. 6

On page 2, line 22, after "request" delete "the" and insert "a"

AMENDMENT NO. 7

On page 2, line 23, after "inability" insert "of the person"

AMENDMENT NO. 8

On page 2, at the beginning of line 24, delete "by a person"

AMENDMENT NO. 9

On page 2, at the end of line 25, delete the "." and insert ", unless said person was denied rights guaranteed to him by law."

AMENDMENT NO. 10

On page 3, line 25, delete "ten" and insert "fifteen"

AMENDMENT NO. 11

On page 3, line 27, delete "department" and insert "Department of Public Safety and Corrections"

AMENDMENT NO. 12

On page 4, line 5, delete "ten" and insert "fifteen"

AMENDMENT NO. 13

On page 5, line 8, delete "ten" and insert "fifteen"

AMENDMENT NO. 14

On page 7, line 12, after "shall" delete the remainder of the line and on line 13, delete "and no later than by January 1, 1991, to" and after "for" delete "prompt" and insert "a hearing to determine"

AMENDMENT NO. 16

On page 7, line 14, after "privileges" delete "within an average of forty-five" and insert ", and said hearing shall be held within ninety"

AMENDMENT NO. 17

On page 7, line 15, after "cases" insert the following ", unless continued at the request of the driver"

AMENDMENT NO. 18

On page 9, line 16, delete "warned" and insert "advised"

AMENDMENT NO. 19

On page 9, line 17, delete "(C)"

AMENDMENT NO. 20

On page 9, line 24, after "the" delete the remainder of the line and delete line 25, and insert "legal rights of the person, including compliance with regulations promulgated by the Department of Public Safety and Corrections and rights afforded to the person by law or jurisprudence."

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

SENATE BILL NO. 599—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R. S. 14:108.1(B), relative to the crime of flight from an officer; to increase the penalty; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

May 5, 1999

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 599 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 11, after "imprisoned" delete "with or without hard labor"

AMENDMENT NO. 2

On page 1, line 12, after "less" insert "than thirty days nor more" and after "months" delete "nor more than one year" and after "both." insert the following:

"At least forty-eight hours of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. Nothing herein shall prohibit a court from sentencing a defendant to home incarceration, if otherwise allowed under the provisions of Article 894.2 of the Code of Criminal Procedure."

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

SENATE BILL NO. 611—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:3881(A)(1)(a), relative to seizure; to exempt from seizure certain child support or Earned Income Tax Credit benefits received by an obligee; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 611 by Senator Cox

AMENDMENT NO. 1

On page 1, line 3, delete ", alimony" and after "Income" insert "Tax"

AMENDMENT NO. 2

On page 2, line 13, delete ", alimony" and after "Income" insert "Tax"

On motion of Senator Ullo, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 414, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 635—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 9:2343(A), relative to public trusts; to provide that maximum per diem paid a trustee of a public trust for which the state is the beneficiary shall be no greater than the per diem paid to members of the legislature; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ullo, the bill, which was designated a duplicate of House Bill No. 2047, was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 637—

BY SENATOR HAINKEL

AN ACT

To enact Chapter 1-C of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:51 through 54, and to repeal Subpart D of Part VII of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:621, relative to judges; to create judicial nominating commissions to make nominations for the selection of judges; to provide for the

membership, terms, duties, and functions of such commissions; to provide for appointments from such nominations; to provide for retention elections for judges; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Ullo, the bill, which was designated a duplicate of House Bill No. 629, was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 830—

BY SENATOR BAJOIE

AN ACT

To enact R.S. 40:1793, relative to weapons; to require firearm dealers, manufacturers or importers to provide, when available, safety locking devices for firearms sold or transferred; to provide for penalties; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 830 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 3, delete "possible, child" and insert "available,"

AMENDMENT NO. 2

On page 1, line 5, delete "development" and insert "promulgation"

AMENDMENT NO. 3

On page 1, line 12, delete "possible" and insert "available"

AMENDMENT NO. 4

On page 1, at the end of line 13, add the following:

"If a safety locking device is not readily available each wholesaler, pawnbroker, and other person dealing in used firearms shall provide information as to where safety locking devices can be obtained or purchased."

AMENDMENT NO. 5

On page 2, line 4, after "Safety" insert "and Corrections"

AMENDMENT NO. 6

On page 2, line 6, after "person" insert "." and delete the remainder of the line and delete line 7

AMENDMENT NO. 7

On page 2, line 18, change "may" to "shall"

AMENDMENT NO. 8

On page 2, after line 21, add the following:

"Section 2. The provision of Subsection D shall not become effective until rules and regulations are promulgated by the Department of Public Safety and Corrections."

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

SENATE BILL NO. 836—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 13:4751(C)(2)(c), relative to authorizing the custodial parent of a minor child to change the name of a minor child under certain conditions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 836 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 6, change "two" to "ten"

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

SENATE BILL NO. 922—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 40:1485.4(3) and to enact R.S. 33:4861.2(8) and R.S. 33:4861.29, relative to the charitable raffles, bingo, and keno licensing law; to provide for the establishment of progressive pull tab games; to provide relative to the responsibilities of the charitable gaming division in the office of state police; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 922 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 11, after "Division" delete the comma ","

AMENDMENT NO. 2

On page 3, between lines 9 and 10, insert the following:

"(4) Any such organization(s) which conducts progressive pull tab games in accordance with this Subsection, may establish a maximum jackpot or cap not to exceed twenty-five thousand dollars. After such cap is reached, the participating organization may continue to accumulate money in their Charitable Gaming Checking Account to accumulate a second or subsequent jackpot.

(5) Once a progressive tab jackpot cap has been reached, organizations may approve a guaranteed give away by allowing the seal card winner to also be the progressive pull tab jackpot winner as long as it is announced by the organization prior to the sale of the deal in play.

(6) Organizations shall accumulate in their Charitable Gaming Checking Account an amount equal to their progressive pull tab jackpots, and shall maintain at all times in the account, an amount equal to all progressive pull tab jackpots being offered.

(7) Money accumulated in a Charitable Gaming Checking Account for a progressive pull tab jackpot that is not awarded due to hall closure or because an organization withdraws or does not re-license, shall be considered Charitable Gaming net proceeds and shall be disbursed in accordance with the five uses allowed by law."

AMENDMENT NO. 3

On page 3, after line 22, insert the following:

"(5) All seal cards and progressive cards shall be opened by the organization's session manager in plain view of patrons.

(6) All progressive pull tab jackpots shall be recorded as a prize payout during the session it is won."

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

SENATE BILL NO. 1049—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 40:1228, relative to law enforcement agencies; to provide with respect to seized firearms; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1049 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 11, after "Section." insert "However, before the firearm is destroyed the law enforcement agency shall insure that any security interest attached to the firearm to be destroyed is satisfied in favor of the party holding the security interest in the firearm."

AMENDMENT NO. 2

On page 2, at the end of line 5, after "agency" insert "or any other law enforcement agency authorized to receive such weapons"

AMENDMENT NO. 3

On page 2, delete lines 6 through 9

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

SENATE BILL NO. 1050—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:2218.2(A), relative to supplemental pay; to provide for supplemental pay for law enforcement officers of certain state agencies and political subdivisions providing police services within certain municipalities; and to provide for related matters.

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

SENATE BILL NO. 1078—

BY SENATOR W. FIELDS

AN ACT

To amend and reenact R. S. 14:95.2(D) and to enact R.S. 14:54.3.1; relative to offenses affecting the public safety; to provide penalties for carrying a firearm, or dangerous weapon, by a student or nonstudent on school property or firearm-free zone; to provide for communicating of false information of planned bombing; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1078 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 2, after "(D)" and before ";" insert "and to enact R. S. 14:54.3.1"

AMENDMENT NO. 2

On page 1, line 4, delete ", at school" and on line 5, delete "sponsored functions" and after "zone;" insert "to provide for communicating of false information of planned bombing;"

AMENDMENT NO. 3

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

"Section 1. R. S. 14:54.3.1(C) is hereby enacted to read as follows:

§54.3.1. Communicating of false information of planned bombing on school property or firearm-free zone

R.S. 14:54.3.1 is all proposed new law.

A. Communicating of false information of a bombing threat on school property or firearm-free zone or such threat involving fake explosive devices is the intentional impartation or conveyance, or causing the impartation or conveyance by the use of the mail, telephone, telegraph, word of mouth, or other means of communication, of any such threat or false information knowing the same to be false.

B. Whoever commits the crime of communicating of false information of planned bombing on school property or in a firearm-free zone as defined in R. S. 14:95.6(A) shall be imprisoned for not less than one year and not more than two years."

AMENDMENT NO. 4

On page 1, line 8, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 1, delete ", at a school sponsored function,"

AMENDMENT NO. 6

On page 2, line 6, delete ", at a" and on line 7, delete "school sponsored function,"

AMENDMENT NO. 7

On page 2, line 9, delete ", at a school" and on line 10, delete "sponsored function,"

AMENDMENT NO. 8

On page 2, line 12, change "two" to "five"

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

SENATE BILL NO. 1100—

BY SENATOR JONES

AN ACT

To enact Part VIII of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.41 through 571.44, relative to alternative disposition of persons committed to the custody of the Department of Public Safety and Corrections; to provide for an alternative disposition pilot project; to require certain testing and findings; to establish an application process; to provide for the role of the courts; to provide for the proper venue, and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 1100 by Senator Jones

AMENDMENT NO. 1

On page 1, line 15, change "**PART**" to "**Part**"

AMENDMENT NO. 2

On page 2, line 13, change "§5711.42." to "§571.42"

AMENDMENT NO. 3

On page 2, line 27, after "secretary" insert "of the Department of Public Safety and Corrections"

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 1149—

BY REPRESENTATIVES ANSARDI AND HUDSON
AN ACT

To amend and reenact R.S. 33:1353(A), 1356, and 1359(D), to enact R.S. 33:1359(E), and to repeal R.S. 33:1353(D), relative to interlocal risk management agencies; to provide for housing authorities; to provide for fire and extended risks coverage; to provide for liability; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 384, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1381—

BY REPRESENTATIVE MONTGOMERY
AN ACT

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

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Landry to Engrossed House Bill No. 1381 by Representative Montgomery (Duplicate of Senate Bill No. 882 by Senator Landry)

AMENDMENT NO. 1

On page 1, line 2, change "38:2212(A)(1)(a)(iii)," to "38:2212(R),"

AMENDMENT NO. 2

On page 1, line 7, change "38:2212(A)(1)(a)(iii)" to "38:2212(R)"

AMENDMENT NO. 3

On page 1, delete line 10 in its entirety.

AMENDMENT NO. 4

On page 1, line 12, change "(iii) However, the" to "R. The"

AMENDMENT NO. 5

On page 1, line 13, after "contractors" delete the remainder of the line and delete lines 14 through 17 in their entirety and insert in lieu thereof the following:

"awarded public works contracts by a public entity; or to subcontractors of said contractors, who have been appointed or designated agents for the purchase of materials and supplies to be incorporated into a public work pursuant to a contract properly bid in accordance with this Chapter when acting pursuant to said appointment or designation."

AMENDMENT NO. 6

On page 2, delete lines 1 and 2 in their entirety.

On motion of Senator Landry, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the bill as amended, which is a duplicate of Senate Bill No. 882, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1474—
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 27:311(I), relative to video draw poker licensing; to provide that the office of a distributor, device owner, or service entity may be located in a parish which voted against the operation of video draw poker devices; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 1002, 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. 331—
BY REPRESENTATIVE MURRAY
AN ACT

To enact Code of Civil Procedure Article 253.3, relative to random assignment of cases; to authorize duty judges to hear emergency matters; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 331 by Representative Murray

AMENDMENT NO. 1
On page 1, line 13, delete "to"

AMENDMENT NO. 2

On page 2, after line 6, insert the following:
"(8) Any matter in any case before issues are joined."

On motion of Senator Ullo, the committee amendment was 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. 912—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 3:3004(A) and to repeal R.S. 40:1379.5, relative to the office of state police; to delete the requirement that state police impound livestock found at large upon public highways; to abolish the violent crimes unit within the office of state police; and to provide for related matters.

Reported favorably by the Committee on Agriculture. 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. 1644—
BY REPRESENTATIVES BRUNEAU, WINDHORST, HUDSON, AND MURRAY
AN ACT

To enact R.S. 27:114, relative to riverboat gaming; to provide that electronic gaming devices on licensed riverboats shall be linked by telecommunication to a central computer system for purposes of

monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 1844—
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, CRANE, BRUCE, AND FRITH AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER
AN ACT

To amend and reenact Section 1(A) of Act No. 207 of the 1990 Regular Session of the Legislature, relative to the Departments of Agriculture and Forestry and Transportation and Development; to remove the Department of Transportation and Development from participation in designing and developing a brochure presenting an ecological tour of Louisiana's natural and scenic resources along Interstate 49; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Agriculture. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

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

Special Order of the Day

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

SENATE BILL NO. 296—
BY SENATOR GREENE
AN ACT

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

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Engrossed Senate Bill No. 296 by Senator Greene

AMENDMENT NO. 1
On page 1, line 3, after "personnel;" delete the remainder of the line and on line 4, delete "certain employees;"

AMENDMENT NO. 2
On page 1, line 6, after "certain" insert "extended"

AMENDMENT NO. 3
On page 1, delete lines 7 through 9 and insert "under certain circumstances; to provide"

May 5, 1999

AMENDMENT NO. 4

On page 2, delete lines 15 through 27 and on page 3, delete lines 1 through 23 and insert the following:

"this Section shall grant to each teacher not more than ninety days of extended sick leave in each six year period of employment which may be used in the manner provided in this Subsection at any time that the teacher has no remaining regular sick leave balance.

(2)(a) Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment.

(b) The balance of days of extended leave available to a teacher shall transfer with such teacher from one public school employer to another without loss of days and without restoration of days.

(c) Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to a teacher.

(3)(a) All time while on extended sick leave is regular service time for all purposes for which service time is calculated or used.

(b) Any teacher on extended sick leave shall be paid sixty-five percent of the salary paid to him at the time the extended sick leave begins.

(4)(a) No teacher may undertake additional gainful employment while on extended sick leave, unless all of the following conditions are met:

(i) The teacher can demonstrate that he will be working not more than twenty hours a week in a part-time job that he has been working for not less than one hundred and twenty days prior to the beginning of any period of extended sick leave.

(ii) The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended leave is required.

(b) Any violation of this prohibition shall require the teacher to return to the employer all compensation paid during the period of extended leave and to reimburse the employer all related employment costs attributable to such period as calculated by the employer, without any restoration of such days.

(5) On every occasion when a teacher uses extended sick leave, a statement from a licensed physician certifying that the leave is medically necessary shall be presented prior to the extension of such leave.

(6)(a) If the board, upon review of the application, questions the validity or accuracy of the certification, the employer may require the teacher, as a condition for continued extended leave, to be examined by a licensed physician selected by the employer. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the employer finds medical necessity, the leave shall be granted.

(b) If the physician selected by the public school employer disagrees with the certification of the physician selected by the teacher, then the employer may require the teacher, as a condition for continued extension of sick leave, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the employer. The opinion of the third physician shall be determinative of the issue.

(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125.

(d)(i) In addition to the authority provided in Subsection A of this Section, the board shall adopt a policy regarding providing for employees suffering from catastrophic and long-term illness.

(ii) The board may, as part of a collective bargaining agreement, or by their own policy provide additional compensation or extended leave days in excess of what is required in this Section.

(e) All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law."

AMENDMENT NO. 5

On page 4, delete lines 12 through 27 and on page 5, delete lines 1 through 22 and insert:

"grant to each school bus operator not more than ninety days of extended sick leave in each six year period of employment which may be used in the manner provided in this Subsection at any time that the school bus operator has no remaining regular sick leave balance.

B.(1) Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment.

(2) The balance of days of extended leave available to a school bus operator shall transfer with such school bus operator from one public school employer to another without loss of days and without restoration of days.

(3) Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to a school bus operator.

C.(1) All time while on extended sick leave is regular service time for all purposes for which service time is calculated or used.

(2) Any school bus operator on extended sick leave shall be paid sixty-five percent of the salary paid to him at the time the extended sick leave begins.

D.(1) No school bus operator may undertake additional gainful employment while on extended sick leave, unless all of the following conditions are met:

(a) The school bus operator can demonstrate that he will be working not more than twenty hours a week in a part-time job that he has been working for not less than one hundred and twenty days prior to the beginning of any period of extended sick leave.

(b) The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended leave is required.

(2) Any violation of this prohibition shall require the school bus operator to return to the employer all compensation paid during the period of extended leave and to reimburse the employer all related employment costs attributable to such period as calculated by the employer, without any restoration of such days.

E.(1) On every occasion when a school bus operator uses extended sick leave, a statement from a licensed physician certifying that the leave is medically necessary shall be presented prior to the extension of such leave.

(2)(a) If the board, upon review of the application, questions the validity or accuracy of the certification, the employer may require the school bus operator, as a condition for continued extended leave, to be examined by a licensed physician selected by the employer. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the employer finds medical necessity, the leave shall be granted.

(b) If the physician selected by the public school employer disagrees with the certification of the physician selected by the school bus operator, then the employer may require the school bus operator, as a condition for continued extension of sick leave, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the employer. The opinion of the third physician shall be determinative of the issue.

(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125.

(d)(i) In addition to the authority provided in R.S. 17:500(B), the board shall adopt a policy regarding providing for employees suffering from catastrophic and long-term illness.

(ii) The board may, as part of a collective bargaining agreement, or by their own policy provide additional compensation or extended leave days in excess of what is required in this Section.

(e) All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law."

AMENDMENT NO. 6

On page 6, delete lines 10 through 27 and on page 7, delete lines 1 through 19 and insert:

"shall grant to each teacher not more than ninety days of extended sick leave in each six year period of employment which may be used in the manner provided in this Subsection at any time that the teacher has no remaining regular sick leave balance.

B.(1) Unused days during any six-year period of employment shall not cumulate or carry forward into the next six-year period of employment.

(2) The balance of days of extended leave available to a teacher shall transfer with such teacher from one public school employer to another without loss of days and without restoration of days.

(3) Interruptions of service between periods of employment with a public school employer shall not be included in any calculation of a six-year period, such that any employment with any public school employer, regardless of when it occurs, shall be included in any determination of the balance of days of extended sick leave available to a teacher.

C.(1) All time while on extended sick leave is regular service time for all purposes for which service time is calculated or used.

(2) Any teacher on extended sick leave shall be paid sixty-five percent of the salary paid to him at the time the extended sick leave begins.

D.(1)No teacher may undertake additional gainful employment while on extended sick leave, unless all of the following conditions are met:

(a) The teacher can demonstrate that he will be working not more than twenty hours a week in a part-time job that he has been working for not less than one hundred and twenty days prior to the beginning of any period of extended sick leave.

(b) The physician who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the extended leave is required.

(2) Any violation of this prohibition shall require the teacher to return to the employer all compensation paid during the period of extended leave and to reimburse the employer all related employment costs attributable to such period as calculated by the employer, without any restoration of such days.

E.(1) On every occasion when a teacher uses extended sick leave, a statement from a licensed physician certifying that the leave is medically necessary shall be presented prior to the extension of such leave.

(2)(a) If the board, upon review of the application, questions the validity or accuracy of the certification, the employer may require the teacher, as a condition for continued extended leave, to be examined by a licensed physician selected by the employer. In such a case, the employer shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the employer finds medical necessity, the leave shall be granted.

(b) If the physician selected by the public school employer disagrees with the certification of the physician selected by the teacher, then the employer may require the teacher, as a condition for continued extension of sick leave, to be examined by a third licensed appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the employer. The opinion of the third physician shall be determinative of the issue.

(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125.

(d)(i) In addition to the authority provided in R.S. 17:1201(A)(2), the board shall adopt a policy regarding providing for employees suffering from catastrophic and long-term illness.

(ii) The board may, as part of a collective bargaining agreement, or by their own policy provide additional compensation or extended leave days in excess of what is required in this Section.

(3) All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law."

On motion of Senator Greene, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 296 by Senator Greene

AMENDMENT NO. 1

On page 1, line 2, after "500.2" insert a comma "," and delete "and" and after "1202," insert "and 1206(A)"

AMENDMENT NO. 2

On page 1, line 5, change "teacher or school bus driver" to "certain employees"

AMENDMENT NO. 3

On page 1, line 15, after "500.2," delete "and" and after "1202" insert ", and 1206(A)"

AMENDMENT NO. 4

On page 7, between lines 19 and 20, insert the following:

* * *

§1206. Ten days sick leave for employees; cumulation of unused sick leave

A.(1) All such employees, as defined in R.S. 17:1205, shall be entitled to and shall be allowed a minimum of ten days leave of absence as sick leave or in case of other emergencies, per school year, without loss of pay. Any portion of such sick leave not used

May 5, 1999

in any year shall be accumulated to the credit of the employee without limitation. When such employee is absent for six or more consecutive days because of personal illness, he shall be required to present a certificate from a physician certifying such illness. Each parish and city school board may adopt such rules and regulations as are necessary relative to the use of such sick leave, either current or accumulated, for emergencies. The parish and city school boards may grant additional sick leave, without loss of pay, or with such reduction of pay as they may establish and fix.

R.S. 17:1206(A)(2) is all proposed new law.

(2) The board shall advance sick leave, as provided in Paragraph (1) of this Subsection, to any employee who has no remaining sick leave and who is ill or injured such that the employee is required to remain away from school, who seeks such advance leave, and who certifies that need by presentation of a sworn statement from a licensed physician to the board or in the manner required by the board.

R.S. 17:1206(A)(3) is all proposed new law.

(3) The use of such advanced sick leave shall result in a reduction in the number of days of regular sick leave accruing to such employee in the normal course of employment equal to the number of days advanced to the employee until no liability remains for days of advanced sick leave.

R.S. 17:1206(A)(4) is all proposed new law.

(4) At no time shall any employee be permitted to exceed an advanced sick leave liability of ten days.

R.S. 17:1206(A)(5) is all proposed new law.

(5)(a) Upon termination of an employee's employment, should an advanced sick leave liability remain as to such employee, the employee shall repay to the state the per diem cost of such days of leave calculated based on the employee's salary at the time of such termination. This liability shall be repaid prior to the issuance of a final salary due such employee and, if not repaid within thirty days of notice of the liability, may be withheld from any final salary or other compensation due such employee.

(b) Should an employee with advanced sick leave liability terminate during a period of the year when no salary or other compensation is due an employee and the liability is not repaid within sixty days of notice of the liability, the matter shall be turned over to the office of the attorney general for collection.

(c) Should an employee with advanced sick leave liability seek to retire or participate in a deferred retirement option program, the employee shall repay to the state the per diem cost of such days of leave calculated based on the employee's salary at the time of such termination prior to retiring or participating in a deferred retirement option program.

(d) Should an employee die with advanced sick leave liability, such liability shall be forgiven by the state.

R.S. 17:1206(A)(6) is all proposed new law.

(6) The board shall provide for the availability of disability insurance for each employee as a benefit of employment.

* * *

Senator W. Fields moved adoption of the amendments.

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cox	Hines	Landry
Fields C	Johnson	Robichaux
Fields W	Jones	Tarver
Heitmeier	Lambert	Thomas
Total—12		

NAYS

Mr. President	Dean	Malone
---------------	------	--------

Barham	Dyess	Romero
Bean	Ellington	Schedler
Branch	Greene	Siracusa
Campbell	Hainkel	Smith
Casanova	Hollis	Theunissen
Dardenne	Lentini	Ullo
Total—21		

ABSENT

Bajoie	Cain	Irons
Boissiere	Cravins	Jordan
Total—6		

The Chair declared the amendments were rejected.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 296 by Senator Greene

AMENDMENT NO. 1

In Senate Floor Amendment No.4 proposed by Senator Greene and adopted by the Senate on May 5, 1999, on page 2, line 5, change "shall" to "may" and on line 6, change "the period" to "any week of extended leave in which the teacher worked more than twenty hours"

AMENDMENT NO. 2

In Senate Floor Amendment No.4 proposed by Senator Greene and adopted by the Senate on May 5, 1999, on page 2, line 7, delete "of extended leave"

AMENDMENT NO. 3

In Senate Floor Amendment No.5 proposed by Senator Greene and adopted by the Senate on May 5, 1999, on page 3, line 28, change "shall" to "may" and on line 30, change "the period of extended leave" to "any week of extended leave in which the school bus driver worked more than twenty hours"

AMENDMENT NO. 4

In Senate Floor Amendment No.6 proposed by Senator Greene and adopted by the Senate on May 5, 1999, on page 4, line 48, change "shall" to "may" and on line 49, change "the period" to "any week of extended leave in which the teacher worked more than twenty hours"

AMENDMENT NO. 5

In Senate Floor Amendment No.6 proposed by Senator Greene and adopted by the Senate on May 5, 1999, on page 4, line 50, delete "of extended leave"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 296 by Senator Greene

AMENDMENT NO. 1

On page 8, after line 11, insert the following:

"Section 3. The provisions of this Act shall become effective upon certification by the Education Estimating Conference that the average salary of public school teachers in Louisiana equals not less than the average salary of teachers who teach in all states comprising the Southern Regional Education Board."

Motion

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

Senator W. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—30; Dean, Dyess, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Jones, Jordan; Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Fields C, Fields W, Total—4; Landry, Lentini.

ABSENT

Mr. President, Boissiere, Total—5; Irons, Johnson, Lambert.

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

Senator W. Fields moved adoption of the amendments.

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Boissiere, Cain, Campbell, Cox, Total—13; Cravins, Fields C, Fields W, Irons, Jones; Jordan, Landry, Tarver.

NAYS

Table listing NAYS: Mr. President, Barham, Bean, Branch, Casanova, Dardenne, Dean, Dyess, Total—24; Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Lambert, Lentini; Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo.

ABSENT

Johnson, Total—2; Robichaux.

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Mr. President, Barham, Boissiere, Branch, Campbell, Casanova, Dardenne, Dean, Dyess, Ellington, Total—30; Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo.

NAYS

Cain, Cox, Cravins, Total—7; Fields C, Fields W, Jones; Tarver.

ABSENT

Bajoie, Total—2; Bean.

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 297—

BY SENATOR GREENE

AN ACT

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

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. 297 by Senator Greene

AMENDMENT NO. 1

On page 1, lines 3 and 12, change "3323(A)" to "3323"

AMENDMENT NO. 2

May 5, 1999

On page 6, lines 15, 22, and 25, at the beginning of the line change "(1)", "(2)" and "(3)" to "(a)", "(b)", and "(c)" respectively

AMENDMENT NO. 3

On page 13, line 8, following "C" delete "(1)" and delete lines 13 through 18

AMENDMENT NO. 4

On page 14, line 7, at the beginning of the line delete "the"

AMENDMENT NO. 5

On page 16, line 6, delete "(1)" and on line 12, at the beginning of the line, delete "(2)" and insert "B." in lieu thereof

AMENDMENT NO. 6

On page 16, line 23, before "sixty-" insert "at the rate of"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Engrossed Senate Bill No. 297 by Senator Greene

AMENDMENT NO. 1

On page 1, line 3, after "1177," insert "and" and delete "3321(A), 3322, 3323(A), and 3326,"

AMENDMENT NO. 2

On page 1, line 12, after "1177," insert "and" and delete ", 3321(A), 3322, 3323(A), and 3326"

AMENDMENT NO. 3

On page 2, line 1, after "or" delete "~~for the purpose of~~" and insert "**, if the teacher's regular sick leave balance is twenty-five days or less, for the purpose of**"

AMENDMENT NO. 4

On page 2, line 20, after "requested" delete the remainder of the line and delete lines 21 through 24 and insert:

" , except that where a teacher has become sick during a semester and requests ~~sabbatical~~ **medical** leave for the purpose of recuperating from such sickness, it shall be sufficient if the application is mailed thirty days before the date upon which the requested leave is to commence."

AMENDMENT NO. 5

On page 3, line 11, after "earlier." delete the remainder of the line and delete lines 12 through 17 and on line 18 delete "~~selection of applicants for that semester.~~" and insert:

"Applicants whose applications are filed in the first thirty days of the semester shall be given preference over those who seek sabbatical leave under the special provisions relating to sickness during a school semester. Whenever, in accordance with the method of selection outlined herein, the quota established for **medical** leave ~~for the purpose of rest and recuperation~~ has been filled, all remaining applications shall be rejected and shall be disregarded in any further selection of applicants for that semester."

AMENDMENT NO. 6

On page 3, delete lines 23 through 26 and insert:

"board or rejected; where the application is for ~~rest and recuperation~~ **medical leave** from sickness the superintendent shall notify the applicant within thirty days from the date of the filing of the application whether the application has been granted or rejected. If the application has been"

AMENDMENT NO. 7

On page 5, delete lines 7 through 11 and on line 12, delete "board." and insert:

"appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the school board."

AMENDMENT NO. 8

On page 6, line 7, after "~~unless~~" insert "**all of the following conditions are met:**" and delete the remainder of the line and delete lines 8 and 9 and insert:

- "(i) The teacher can demonstrate that he will be working not more than twenty hours a week in a part-time job that he has been working for not less than one hundred and twenty days prior to the beginning of such leave.**
- "(ii) The doctor who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the leave is granted.**
- "(iii) The board authorizes such part-time work."**

AMENDMENT NO. 9

On page 6, line 15, change "ten" to "~~ten~~ **nine**"

AMENDMENT NO. 10

On page 6, at the beginning of line 16, change "credit hours," to "credit hours provided such hours directly improve the person's skills and knowledge as a teacher,"

AMENDMENT NO. 11

On page 7, line 2, after "N." insert "**(1)**"

AMENDMENT NO. 12

On page 7, delete lines 16 and 17 and insert:

"(2) The board may pay such additional compensation to teachers on sabbatical leave grant such additional leave and/or compensation as it may establish and fix."

AMENDMENT NO. 13

On page 7, line 23, after "or" insert "**, if the teacher's regular sick leave balance is twenty-five days or less,**"

AMENDMENT NO. 14

On page 8, line 9, after "requested" delete the remainder of the line and delete lines 10 through 13 and insert:

" , except that where a teacher has become sick during a semester and requests ~~sabbatical~~ **medical** leave for the purpose of recuperating from such sickness, it shall be sufficient if the application is mailed thirty days before the date upon which the requested leave is to commence."

AMENDMENT NO. 15

On page 8, line 16, delete "~~except~~" and delete lines 17 through 21 and insert the following:

" , except that, where a teacher has become sick during a semester and has requested ~~sabbatical leave for the purpose of recuperating from such illness~~ **medical leave**, the superintendent shall inform the teacher of the approval or denial of such leave as soon as possible after receipt of his request for leave."

AMENDMENT NO. 16

On page 9, delete lines 10 through 16 and on line 17, delete "for that semester." and insert:

"Applicants whose applications are filed in the first thirty days of the semester shall be given preference over those who seek sabbatical leave under the special provisions relating to sickness during a school semester. Whenever, in accordance with the method of selection outlined herein, the quota established for medical leave for the purpose of rest and recuperation has been filled, all remaining applications shall be rejected and shall be disregarded in any further selection of applicants for that semester."

AMENDMENT NO. 17

On page 9, delete lines 23 through 26 and insert:

"rejected; where the application is for ~~rest and recuperation~~ medical leave from sickness the superintendent shall notify the applicant within thirty days from the date of the filing of the application whether the application has been granted or rejected. If the application has been rejected, the"

AMENDMENT NO. 18

On page 11, delete lines 8 through 12 and insert:

"appropriate physician whose name appears next in the rotation of physicians on a list established by the local medical society for such purpose and maintained by the school"

AMENDMENT NO. 19

On page 12, line 10, after "unless" insert "all of the following conditions are met:" and delete the remainder of the line and delete lines 11 and 12 and insert:

"(a) The teacher can demonstrate that he will be working not more than twenty hours a week in a part-time job that he has been working for not less than one hundred and twenty days prior to the beginning of such leave.

(b) The doctor who certifies the medical necessity of the leave indicates that such part-time work does not impair the purpose for which the leave is granted.

(c) The board authorizes such part-time work."

AMENDMENT NO. 20

On page 12, line 17, change "twelve" to "twelve nine"

AMENDMENT NO. 21

On page 12, at the beginning of line 18, change "credit hours," to "credit hours provided such hours directly improve the person's skills and knowledge as a teacher,"

AMENDMENT NO. 22

On page 12, line 21, after "B." delete the remainder of the line and delete lines 22 through 27 and on page 13, line 1, delete "hours."

AMENDMENT NO. 23

On page 13, delete lines 13 through 18 and insert:

"(2) The board may grant such additional leave and/or compensation as it may establish and fix."

AMENDMENT NO. 24

On page 14, delete lines 11 through 27 and delete page 15, and on page 16, delete lines 1 through 26

AMENDMENT NO. 25

On page 17, after line 2, insert the following:

"Section 3. Beginning in the 1999-2000 school year, each full-time classroom teacher employed in a public elementary and secondary

school, in a state school for the deaf, blind, spastic, and cerebral palsied and in Special School District Number One whose employment requires a regular teacher's certificate shall receive an increase in compensation by the employing board funded from monies saved as a result of the elimination of the requirement of law for the granting of rest and recuperation sabbatical leaves as provided in this Act. This increase in teacher compensation shall be in addition to any other increase granted to full-time certificated classroom teachers by a city or parish school board funded through a state appropriation whether through the minimum foundation program formula or otherwise. Such monies saved shall be the average of the total amount expended in a given city or parish school system or state school on such extended sick leave during the 1998-1999 school year and the three school years preceding the 1998-1999 school year. The manner in which such increase may be applied to teacher compensation within a given local school system shall be determined by the city or parish school board for those teachers employed by such school board, and by the State Board of Elementary and Secondary Education for those teachers who are employed by the state board."

On motion of Senator Greene, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere
Total—1

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

Personal Privilege

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 297. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Special Order of the Day

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

May 5, 1999

SENATE BILL NO. 632—
BY SENATORS HAINKEL AND GREENE
AN ACT

To amend and reenact R.S. 17:47(A), 500(B), 1201(A) and 1206(A), relative to sick leave for school employees; to provide for the acquisition of sick leave days according to when, in the course of a school year, the employee begins work; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cain
Total—1

ABSENT

Jordan
Total—1

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

Regular Order of the Day Resumed

Reconsideration

On motion of Senator Cox, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 4, 1999 was reconsidered.

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

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

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

Reconsideration

On motion of Senator Dean, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 4, 1999 was reconsidered.

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

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

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

Rules Suspended

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

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. 679—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact Civil Code Art. 811, relative to judicial partitions; to clarify the circumstances under which a court shall order a juridical partition by private act instead of by licitation; and to provide for related matters.

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

SENATE BILL NO. 776—
BY SENATORS DARDENNE, ELLINGTON AND HOLLIS
AN ACT

To amend and reenact R.S. 46:1842 and 1844, Code of Evidence Art. 615(A), and Code of Criminal Procedure Art. 877(A), 886(A), and 905.2(A), and to enact Code of Criminal Procedure Art. 883.2, relative to rights of crime victims and witnesses; to provide relative to definitions; to provide relative to basic rights for victims and witnesses; to provide relative to the exclusion of witnesses; to provide relative to investigation reports; to provide relative to enforcement of fines and restitution; to provide relative to sentencing hearing; to provide relative to victim restitution; 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. 776 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 23, before the comma "," change "(S)" to "(T)"

AMENDMENT NO. 2

On page 3, line 26, following "46:1844" and before the period "." change "(O)" to "(R)"

AMENDMENT NO. 3

On page 7, line 8, following "Subsection" and before "of" change "S" to "T"

AMENDMENT NO. 4

On page 8, line 21, following "The" and before "and" change "victims" to "victim"

AMENDMENT NO. 5

On page 22, line 23, following "615(A)" and before "is" delete "(4)"

AMENDMENT NO. 6

On page 23, delete line 27, and on page 24, delete lines 1 through 8, and on page 24, between lines 21 and 22, insert :

"Art. 883.2 Restitution to victim

Article 883.2 is all proposed new law.

In all cases in which the court finds an actual pecuniary loss to a victim as defined in R.S. 46:1842, or in any case where the court finds that costs have been incurred by the victim in connection with a criminal prosecution, the trial court shall order the defendant to provide restitution to the victim as a part of any sentence that the court shall impose.

* * *

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 776 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 10, after "or" insert "victim who is"

AMENDMENT NO. 2

On page 2, line 21, delete "Juvenile crime victim" and insert "Crime victim who is a minor"

AMENDMENT NO. 3

On page 2, line 22, change "seventeen" to "eighteen"

AMENDMENT NO. 4

On page 2, line 25, insert a comma after "homicide" and insert "any" before "felony"

AMENDMENT NO. 5

On page 2, line 26, after "R.S. 14:2" insert "(13)"

AMENDMENT NO. 6

On page 2, line 27, after "offense" put a "." and delete "in which the victim is an individual."

AMENDMENT NO. 7

Between page 2, line 27, and page 3, line 1, insert:

"(c) The offenses of vehicular negligent injuring and first degree vehicular negligent injuring."

AMENDMENT NO. 8

On page 3, line 4, after "clerk" insert "of court, the Crime Victims Reparations Board."

AMENDMENT NO. 9

On page 3, line 5, delete "Department" and insert "Division"

AMENDMENT NO. 10

On page 4, line 6, after "or" insert "any" and delete the comma after the word "offense"

AMENDMENT NO. 11

On page 4, line 7, after "R.S. 14:2" insert "(13)"

AMENDMENT NO. 12

On page 4, line 8, after "offense" put a "." and delete "in which the victim is an individual."

AMENDMENT NO. 13

On page 4, between lines 8 and 9 insert:

"(c) The offenses of vehicular negligent injuring and first degree vehicular negligent injuring."

AMENDMENT NO. 14

On page 4, line 9, delete "means" and insert "includes"

AMENDMENT NO. 15

On page 7, line 17, after "proceeding" insert "in a timely manner"

AMENDMENT NO. 16

On page 8, line 5, delete "if available"

AMENDMENT NO. 17

On page 9, line 5, delete "on" and insert "regarding"

AMENDMENT NO. 18

On page 9, line 17, after "victim" insert "or the designated family member"

AMENDMENT NO. 19

On page 12, line 4, after "whether" insert "the victim or designated family member has requested notification and, if so, whether"

AMENDMENT NO. 20

On page 12, line 6, after "office." insert the phrase "If notice has been requested and proper notice has not been issued." and change "The" to "the" and "may" to "shall"

AMENDMENT NO. 21

On page 12, line 7, delete "reasonable" and insert "proper" and after "issued" put a "." and delete "to a victim or designated family member."

AMENDMENT NO. 22

On page 12, line 9, delete "or designated family member" and insert "and victim's family members"

AMENDMENT NO. 23

On page 14, line 12, after "victim" and before "was" insert "or designated family member"

AMENDMENT NO. 24

On page 14, line 12, at the end of the line after "victim" insert "or designated family member"

AMENDMENT NO. 25

On page 14, line 13, after "victim" insert "or designated family member"

AMENDMENT NO. 26

On page 14, line 14, after "victim" insert "or designated family member"

AMENDMENT NO. 27

On page 17, line 16, delete "inmate" and insert "person"

AMENDMENT NO. 28

On page 19, line 9, after "updated" delete "each year thereafter on the anniversary date" and insert "as necessary"

AMENDMENT NO. 29

On page 19, lines 12-15, delete from "Such forms" to "distributed."

May 5, 1999

AMENDMENT NO. 30

On page 21, line 26, after "jointly" delete "study and establish" and insert "operate the hotline and periodically review the"

AMENDMENT NO. 31

On page 22, lines 1, 3, 8, and 15, delete "juvenile crime victims" and insert "crime victims who are minors"

AMENDMENT NO. 32

On page 22, lines 3, 9, and 22, delete "seventeen" and insert "eighteen"

AMENDMENT NO. 33

On page 22, lines 6 and 13, after "clerks of court" insert "Crime Victims Reparations Board."

AMENDMENT NO. 34

On page 22, lines 17 and 21, delete "juvenile crime victim" and insert "crime victim who is a minor"

AMENDMENT NO. 35

On page 24, line 3, delete "as defined in R.S. 46:1842"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns of names: Boissiere, Heitmeier, Smith

Total—3

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

SENATE BILL NO. 876—

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

To amend and reenact R.S. 40:1299.39, the introductory paragraph of (F), and (L)(1) and 1299.39.1(B)(1)(b) and the introductory paragraph of (G), and to enact R.S. 40:1299.39(L)(4), relative to medical malpractice liability for state services; to provide for a definition of "malpractice"; to provide that the commissioner of administration promulgate reimbursement schedules for the payment of future medical care and related benefits and that such payments are to be paid directly to the health care provider; to reduce the amount of future medical care and related benefits due a patient in a sum equal to the amount received by such patient

from a collateral source; to provide relative to the medical review panel's expert opinions; to provide for an extension of a medical review upon written stipulation of the parties; 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. 876 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 1, following "reenacted" and before "to" insert "and (L)(4) is hereby enacted"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 877 (DUPLICATE OF HOUSE BILL NO. 1913)—

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

To amend and reenact R.S. 40:1299.41(A)(8), 1299.42(B)(1) and (2), 1299.44(C)(5), and 1299.47(B)(1)(b) and (3), (G) and (J), and to enact R.S. 40:1299.41(A)(21) and (K), 1299.43(B)(3), and 1299.44(C)(9), relative to medical malpractice; to provide for definitions; to provide for limitations on recovery; to provide for notice and participation by the Patient's Compensation Fund Oversight Board in arbitration proceedings; to provide for payment of medical care and related benefits; to provide an extension of a medical review panel upon written stipulation of the parties; to provide relative to the medical review panel; to provide relative to the Patient's Compensation Fund; to provide for recovery of future medical care and related benefits; and to provide for related matters.

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

Senator Ellington in the Chair

SENATE BILL NO. 959—

BY SENATOR SMITH AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to increase the probation period for certain offenses; and to provide for related matters.

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

SENATE BILL NO. 977—

BY SENATOR JOHNSON AN ACT

To enact R.S. 14:107.3, relative to the criminal offense of blighting of property; to provide for the offense; to provide for definitions; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 977 by Senator Johnson

AMENDMENT NO. 1

On page 3, line 4, following "or" and before "2576" delete "R.S. 13:"

AMENDMENT NO. 2

On page 3, line 20, following "under" and before "D" change "Paragraphs" to "Subsection"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 977 by Senator Johnson

AMENDMENT NO. 1

On page 3, line 4, after "hearing" delete the remainder of the line insert the following:

" , pursuant to R.S. 13:2575 or R.S. 13:2576, and after all reviews or appeals have occurred."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Casanova	Hainkel
Greene	Jordan
Total—4	

ABSENT

Malone
Total—1

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

Personal Privilege

Senator Bajoie asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate

Bill No. 977. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

SENATE BILL NO. 987—

BY SENATORS LANDRY, W. FIELDS AND JORDAN
AN ACT

To enact R.S. 14:141.1 and R.S. 30:2026.1, relative to offenses affecting the public and the environment; to create the crime of environmental fraud by state employees; to provide for criminal and civil penalties and fines; to provide relative to the prosecution of environmental fraud crimes; to provide for citizen suits under certain circumstances; to provide relative to prohibited reprisals and remedies; 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	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 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. 997—

BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 13:782(A), relative to compensation and expenses of clerks; to provide for participation by clerks in deferred compensation plans; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler

May 5, 1999

Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Siracusa
Total—1

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

SENATE BILL NO. 1002 (DUPLICATE OF HOUSE BILL NO. 1474)—
BY SENATOR BRANCH AND REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 27:311(I), relative to the Video Draw Poker Devices Control Law; to provide that the office of a distributor, device owner, or service entity may be located in a parish which voted against the operation of video draw poker devices; and to provide for related matters.

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

SENATE BILL NO. 1028—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R. S. 14:62.4(A), relative to the unauthorized entry of a place of business; to provide that a place of business shall include any structure or premises that is partially or completely enclosed by any type of physical barrier; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell
Total—1

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

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

SENATE BILL NO. 144—
BY SENATORS DARDENNE AND SCHEDLER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Landry
Total—1

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

SENATE BILL NO. 155—
BY SENATOR SMITH

AN ACT

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

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 155 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:3124(C)" insert "and to repeal R.S. 37:3104"

AMENDMENT NO. 2

On page 1, at the end of line 4, insert "to repeal exclusions;"

AMENDMENT NO. 3

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

"Section 2. R.S. 37:3104 is hereby repealed."

Senator Dean moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Dean	Lentini
Boissiere	Hines	
Casanova	Jordan	
Total—7		

NAYS

Mr. President	Ellington	Robichaux
Bajoie	Fields C	Romero
Barham	Fields W	Schedler
Branch	Greene	Siracusa
Cain	Hainkel	Smith
Campbell	Heitmeier	Tarver
Cox	Irons	Theunissen
Cravins	Lambert	Thomas
Dardenne	Landry	Ullo
Dyess	Malone	
Total—29		

ABSENT

Hollis	Johnson	Jones
Total—3		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis
Total—1

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
---------------	-----------	---------

May 5, 1999

Bajoie	Fields C	Malone
Bean	Fields W	Romero
Boissiere	Greene	Schedler
Branch	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—34		

NAYS

Cain
Total—1

ABSENT

Barham	Hollis
Hainkel	Robichaux
Total—4	

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

SENATE BILL NO. 197—
BY SENATOR W. FIELDS

AN ACT

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

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. 197 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 16, following "under" delete "the Highway"

AMENDMENT NO. 2

On page 2, line 1, before "R.S. 32:141 delete "Regulatory Act,"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 209—
BY SENATORS HINES AND SCHEDLER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Boissiere	Cain	Hainkel
Total—3		

ABSENT

Hollis
Total—1

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

Personal Privilege

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 209. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 229—
BY SENATORS SMITH AND JORDAN
A JOINT RESOLUTION

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

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. 229 by Senator Smith

AMENDMENT NO. 1

On page 1, line 16, following "than" change "one" to "two"

AMENDMENT NO. 2

On page 2, line 1, change "two" to "three"

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2, line 6, change "two" to "three"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, line 19, change "two" to "three"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 229 by Senator Smith

AMENDMENT NO. 1

On page 2, line 3, change "1996" to "2000"

AMENDMENT NO. 2

On page 2, line 8, change "1996" to "2000"

AMENDMENT NO. 3

On page 2, line 22, change "1996" to "2000"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 229 by Senator Smith

AMENDMENT NO. 1

On page 2, at the end of line 9, insert the following:

"These limitations shall only apply to terms of state board or commission members, whether elected or appointed, that begin on or after January 10, 2000."

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed Senate Bill No. 229 by Senator Smith

AMENDMENT NO. 1

On page 1, line 5, delete "whether" and on line 6, delete "elected or appointed as such,"

AMENDMENT NO. 2

On page 1, delete lines 15 and 16

AMENDMENT NO. 3

On page 2, delete line 1 through 3, and on line 4, delete "succeeding term."

AMENDMENT NO. 4

On page 2, line 17, delete "elected and"

AMENDMENT NO. 5

On page 2, line 22, delete "elected or "

Senator Robichaux moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoro, Barham, Bean, Boissiere, Cox, Cravins, Dyess, Fields C, Fields W, Heitmeier, Hines, Irons, Johnson, Jones, Jordan, Landry, Lentini, Robichaux, Romero, Schedler, Tarver, Theunissen

NAYS

Table with 3 columns: Branch, Cain, Campbell, Casanova, Dardenne, Dean, Ellington, Greene, Hainkel, Lambert, Malone, Siracusa, Smith, Thomas, Ullo

ABSENT

Table with 2 columns: Mr. President, Hollis

The Chair declared the amendments were adopted.

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

SENATE BILL NO. 354

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoro, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Irons, Johnson, Jones, Lambert, Landry, Lentini, Malone, Romero, Schedler, Tarver, Theunissen, Thomas, Ullo

May 5, 1999

Dean	Jordan	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Robichaux	Smith
Hollis	Siracusa	
Total—5		

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

SENATE BILL NO. 378—
BY SENATOR DYESS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Hainkel	Hollis
Total—3		

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

SENATE BILL NO. 542—
BY SENATOR HINES

AN ACT

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

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. 542 by Senator Hines

AMENDMENT NO. 1

On page 1, line 10, following "IV" change "(36)" to "(35)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	Irons	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Cravins	Hollis
Total—2	

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

SENATE BILL NO. 572—
BY SENATOR JORDAN

AN ACT

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

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

SENATE BILL NO. 575—
BY SENATOR JORDAN

AN ACT

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

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

SENATE BILL NO. 576—
BY SENATOR JORDAN

AN ACT

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

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. 576 by Senator Jordan

AMENDMENT NO. 1

On page 2, after line 10, insert "****"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 581—
BY SENATOR THOMAS

AN ACT

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

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. 581 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 10, following "1563" insert "(I)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Malone
Campbell	Hainkel	Romero
Casanova	Heitmeier	Siracusa
Cox	Hines	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Jordan	
Ellington	Lambert	
Total—31		

NAYS

Barham	Cain	Smith
Total—3		

ABSENT

Bajoie	Hollis	Schedler
Branch	Robichaux	
Total—5		

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

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 581. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 662—
BY SENATOR ROBICHAUX

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel	Hollis
Total—2	

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

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

BY SENATOR HEITMEIER AND REPRESENTATIVE THERIOT
AN ACT

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

May 5, 1999

On motion of Senator Heitmeier, the bill, which is a duplicate of Senate Bill No. 1103 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 709— BY SENATORS HINES, DARDENNE, HAINKEL, BARHAM AND SCHEDLER AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Hollis, Lambert. Lists names like Bean, Total—3.

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

SENATE BILL NO. 710 (DUPLICATE OF HOUSE BILL NO. 1182)— BY SENATOR BEAN AND REPRESENTATIVE STELLY AN ACT

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

On motion of Senator Bean, the bill, which is a duplicate of Senate Bill No. 1182 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 782— BY SENATOR LENTINI AN ACT

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

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. 782 by Senator Lentini

AMENDMENT NO. 1

On page 1, lines 3 and 4, following "certain" and before "; to" change "dependents" to "persons"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Lists names like Mr. President, Bajoie, Barham, etc.

Total—38

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Hollis, Lambert. Lists names like Hollis, Total—1.

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

SENATE BILL NO. 789— BY SENATOR THOMAS AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis
Total—1

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

SENATE BILL NO. 850—
BY SENATOR DARDENNE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis
Total—1

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

SENATE BILL NO. 851—
BY SENATOR DARDENNE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis
Total—2

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

SENATE BILL NO. 853—
BY SENATOR DARDENNE

AN ACT

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

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

May 5, 1999

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry
Total—1

ABSENT

Hollis
Total—2

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

SENATE BILL NO. 870—
BY SENATOR HAINKEL

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis
Thomas

Total—2

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

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

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

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

On motion of Senator Bean, the bill, which is a duplicate of Senate Bill No. 1183 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1113—

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

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

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

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.

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	Fields W	Lentini
Bajoie	Heitmeier	Robichaux
Bean	Hines	Siracusa
Boissiere	Irons	Tarver
Campbell	Johnson	Theunissen
Cox	Jones	Ullo
Cravins	Lambert	
Fields C	Landry	

Total—22

NAYS

Barham	Dean	Jordan
Branch	Dyess	Malone
Cain	Ellington	Romero
Casanova	Greene	Schedler
Dardenne	Hainkel	Smith

Total—15

ABSENT

Hollis Thomas

Total—2

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. 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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Bajoie Hollis

Hainkel Thomas

Total—4

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Hollis Robichaux

Total—2

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

SENATE BILL NO. 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.

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

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.

May 5, 1999

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Lentini. Lists names of senators and their corresponding counts for the 'YEAS' roll call.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Landry. Lists names of senators and their corresponding counts for the 'ABSENT' roll call.

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

SENATE BILL NO. 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.

On motion of Senator Dyess, the bill, which is a duplicate of Senate Bill No. 1429 was read by title and returned to the Calendar, subject to call.

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.

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. 379 by Senator Dyess

AMENDMENT NO. 1

On page 2, line 26, change "Louisiana Constitution of 1974" to "Constitution of Louisiana"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Lists names of senators and their corresponding counts for the 'YEAS' roll call.

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Robichaux. Lists names of senators and their corresponding counts for the 'ABSENT' roll call.

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

SENATE BILL NO. 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.

On motion of Senator Theunissen, the bill, which is a duplicate of Senate Bill No. 1149 was read by title and returned to the Calendar, subject to call.

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.

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

NAYS

Total—0

ABSENT

Hollis
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. 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.

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. 524 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 2, following "334.2" and before ", and" insert "(A)"

AMENDMENT NO. 2

On page 1, line 12, following "334.2" and before "are" insert "(A)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Fields W
Total—2
Hollis

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

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.

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. 671 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, following "Opportunity" insert "Program"

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

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

May 5, 1999

NAYS

Total—0

ABSENT

Hollis

Total—1

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. 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.

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. 704 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 19, following "Paragraph" and before "of" change "(4)" to "(5)"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cox, Total—2

Dean

ABSENT

Hines, Total—2

Hollis

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

SENATE BILL NO. 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.

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

NAYS

Fields W, Total—1

ABSENT

Hollis, 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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Ellington, Lentini, Bajoie, Fields C, Malone, Barham, Fields W, Robichaux, Bean, Greene, Romero, Boissiere, Hainkel, Schedler

Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ulló
Dean	Lambert	
Dyess	Landry	

Total—37

NAYS

Total—0

ABSENT

Casanova
Total—2

Hollis

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

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.

On motion of Senator Landry, the bill, which is a duplicate of Senate Bill No. 1381 was read by title and returned to the Calendar, subject to call.

Rules Suspended

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Smith asked that Senate Bill No. 288 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 288—
BY SENATOR SMITH
AN ACT

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

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana to the family of Billy Ray "Red" Hendrix on the occasion of his death.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Campbell	Hollis	Lambert
----------	--------	---------

Total—3

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

Mr. President in the Chair

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana to the family of John Eric Chargois on the occasion of his death.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

May 5, 1999

Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Cravins	Lambert	Siracusa
Total—3		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 5, 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. 1363—
BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 40:1485.5(A)(1), 1485.8(A), (B), and (C), 1485.9(B) and (C), and to enact R.S. 33:4861.2(8) and (9), relative to the regulation of charitable gaming; to include and define noncommercial lessor and casino night contractor within licensing provisions; to make changes to incorporate the definitions; and to provide for related matters.

HOUSE BILL NO. 1361—
BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 33:4861.13(D), relative to statement of receipts for charitable gaming organizations; to provide that any disbursements of charitable gaming net proceeds by the charitable organization be approved by the board of directors or financial members in charge; and to provide for related matters.

HOUSE BILL NO. 1397—
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 40:2104(B), 2106, and 2138, relative to information received pursuant to licensing of certain health care facilities; to provide for confidentiality of financial information received by the Department of Health and Hospitals pursuant to licensing of hospitals and ambulatory surgical centers; and to provide for related matters.

HOUSE BILL NO. 1555—
BY REPRESENTATIVE PRATT
AN ACT
To enact R.S. 17:3904(A)(6), relative to the school personnel evaluation program; to provide program requirements relative to the evaluation of school principals; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1556—
BY REPRESENTATIVE PRATT
AN ACT
To amend and reenact R.S. 17:3911(B)(introductory paragraph) and (12), relative to public school progress profiles; to provide for the collection of certain data; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1618—
BY REPRESENTATIVE RIDDLE
AN ACT
To amend and reenact R.S. 15:587.1(A) and R.S. 46:51.2(E) and (F)(1) and to enact R.S. 46:1441.13, relative to registered family child day care homes; to require care providers at said homes to have current cardiopulmonary resuscitation (CPR) training; to prohibit persons convicted of certain crimes from working or living in registered family child day care homes; to provide for exceptions; to provide for violations; to authorize criminal background checks; and to provide for related matters.

HOUSE BILL NO. 1674—
BY REPRESENTATIVE DONELON
AN ACT
To enact R.S. 22:658.1(E), relative to failure to satisfy a claim under a criminal bond contract; to require commercial sureties to pay fines for certain hearings to show cause; and to provide for related matters.

HOUSE BILL NO. 1824—
BY REPRESENTATIVES DONELON AND MARTINY
AN ACT
To amend and reenact R.S. 22:2092.1(B), 2092.2(1), (8), (10), (11), (13), (15), (16), (17)(a) and (b)(introductory paragraph) and (vi), (18)(introductory paragraph), (c), and (e), (19), 2092.3, 2092.4(3), 2092.5(B) and (C)(2), 2092.6 through 2092.9, 2092.10, 2092.11(A)(introductory paragraph), (1)(introductory paragraph) and (a), (2), (3)(b) and (4), and (B), 2092.13, and 2092.14, to enact R.S. 22:2092.2(4.1), 2092.2(17)(b)(vii) and (viii), (18)(h), 2092.6.1, 2092.8.1 through 2092.8.5, and 2092.9.1 through 2092.9.4, and to repeal R.S. 22:2092.11(C), relative to title insurance; to provide for the Louisiana Title Insurance Act; to provide for agents; to provide for title insurers; to provide for examinations; to provide for underwriting contracts; to provide for terminations; to provide for restrictions; to provide for audits; to provide for escrows; to provide for funds; to provide for rules; and to provide for related matters.

HOUSE BILL NO. 457—
BY REPRESENTATIVE MCCAIN
AN ACT
To enact R.S. 17:439, relative to policies on transferring accrued sick leave among school employees; to authorize parish and city school boards to adopt such policies; and to provide for related matters.

HOUSE BILL NO. 774—
BY REPRESENTATIVE MCCAIN
AN ACT
To enact R.S. 42:1121(G), relative to the Code of Governmental Ethics; to authorize appointment of a former member of a municipal governing authority as mayor regardless of the amount of time that has elapsed since termination of his service as a member of the municipal governing authority; and to provide for related matters.

HOUSE BILL NO. 806—

BY REPRESENTATIVES FRUGE AND HUDSON
AN ACT

To enact R.S. 42:1123(27), relative to prohibited transactions; to except from provisions of the Code of Governmental Ethics certain transactions by former members of the governing authorities of water districts; and to provide for related matters.

HOUSE BILL NO. 904—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:7.1(A)(2), relative to the certification of elementary and secondary school teachers; to provide relative to qualifications for entrance into a teacher education program; and to provide for related matters.

HOUSE BILL NO. 925—

BY REPRESENTATIVES HAMMETT AND CARTER
AN ACT

To amend and reenact R.S. 40:1300.144(A)(3)(b) and to enact R.S. 40:1300.144(A)(3)(c), relative to Medicaid reimbursement to out-of-state providers; to provide for a lower possible reimbursement rate for services rendered; to authorize the secretary of the Department of Health and Hospitals to negotiate higher reimbursement rates to out-of-state providers in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 967—

BY REPRESENTATIVES FARVE AND SCALISE
AN ACT

To amend and reenact R.S. 42:1169(B), relative to the Code of Governmental Ethics; to protect public employees who disclose certain improper acts from reprisals; to provide relative to the reinstatement of any such employee who is wrongfully suspended, demoted, or dismissed; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 1182—

BY REPRESENTATIVE STELLY
AN ACT

To enact Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2101 through 2112, relative to motor vehicle insurance; to provide for licensing of rental car companies; to provide for the sale of insurance; to provide for requirements; to provide for fees; to provide for limitations; to provide for authorized employees; to provide for rulemaking; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 171—

BY REPRESENTATIVES FLAVIN, BARTON, FRUGE, JOHNS, KENNARD, LANCASTER, MICHOT, PINAC, POWELL, SHAW, STELLY, TOOMY, AND WINSTON AND SENATORS BEAN, DEAN, HAINKEL, LENTINI, AND ROMERO

AN ACT

To amend and reenact R.S. 46:236.6(F), relative to support obligations; to authorize the Department of Social Services to adopt rules governing the publication of certain information regarding delinquent child support orders; and to provide for related matters.

HOUSE BILL NO. 413—

BY REPRESENTATIVES MONTGOMERY, MCDONALD, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUINEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCMAINS, MICHOT, MITCHELL, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, AND WESTON

AN ACT

To amend and reenact R.S. 17:3048.1(A)(4)(a) and (d) and to enact R.S. 17:3048.1(C)(3), relative to the Tuition Opportunity Program for Students; to provide continuing eligibility requirements for certain program awards; to provide limitations; to provide for the reinstatement of certain award payments under specified circumstances; to provide for notification of certain program changes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 432—

BY REPRESENTATIVE DUPRE
AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to allow certain constables of justice of the peace courts and certain marshals to contemporaneously hold the position of deputy sheriff; to provide an exemption from the prohibition against dual officeholding; and to provide for related matters.

HOUSE BILL NO. 810 (Duplicate of Senate Bill No. 769)—

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 18:1491.6(D) and 1495.4(D), relative to campaign finance disclosure; to require certain supplemental reports; to require certain reports in the case of deficits; to require certain reports in the case of surplus campaign funds; and to provide for related matters.

HOUSE BILL NO. 1586—

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

AN ACT

To amend and reenact R.S. 30:2195.3(A)(7) and (B), relative to the Department of Environmental Quality; to provide relative to the Tank Trust Fund; to provide relative to the receipt date of the invoice and payment from bulk facility operators; to provide relative to motor fuel underground storage tanks and fee amounts; to provide for rules for late fees; to provide for the effects of failure to pay fees; and to provide for related matters.

HOUSE BILL NO. 1694—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 30:2373(B) and to enact R.S. 32:1510(E), relative to hazardous materials transportation; to provide that certain transportation incidents, accidents, and cleanups shall be subject to reporting requirements of the Department of Environmental Quality and the Hazardous Material Information Development, Preparedness and Response Act administered by the Department of Public Safety and Corrections; to provide reporting requirements, violations, and penalties; and to provide for related matters.

HOUSE BILL NO. 1997—

BY REPRESENTATIVES TRICHE, MCCALLUM, AND HILL
AN ACT

To enact R.S. 42:883, relative to the State Employees Group Benefits Program; to provide for special enrollments for certain retirees; 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:

May 5, 1999

HOUSE BILL NO. 171—

BY REPRESENTATIVES FLAVIN, BARTON, FRUGE, JOHNS, KENNARD, LANCASTER, MICHOT, PINAC, POWELL, SHAW, STELLY, TOOMY, AND WINSTON AND SENATORS BEAN, DEAN, HAINKEL, LENTINI, AND ROMERO

AN ACT

To amend and reenact R.S. 46:236.6(F), relative to support obligations; to authorize the Department of Social Services to adopt rules governing the publication of certain information regarding delinquent child support orders; and to provide for related matters.

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

HOUSE BILL NO. 413—

BY REPRESENTATIVES MONTGOMERY, MCDONALD, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCMAINS, MICHOT, MITCHELL, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, AND WESTON

AN ACT

To amend and reenact R.S. 17:3048.1(A)(4)(a) and (d) and to enact R.S. 17:3048.1(C)(3), relative to the Tuition Opportunity Program for Students; to provide continuing eligibility requirements for certain program awards; to provide limitations; to provide for the reinstatement of certain award payments under specified circumstances; to provide for notification of certain program changes; 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. 514, was read by title and referred to the Committee on Education.

HOUSE BILL NO. 432—

BY REPRESENTATIVE DUPRE

AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to allow certain constables of justice of the peace courts and certain marshals to contemporaneously hold the position of deputy sheriff; to provide an exemption from the prohibition against dual officeholding; and to provide for related matters.

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

HOUSE BILL NO. 457—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 17:439, relative to policies on transferring accrued sick leave among school employees; to authorize parish and city school boards to adopt such policies; 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. 774—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 42:1121(G), relative to the Code of Governmental Ethics; to authorize appointment of a former member of a municipal governing authority as mayor regardless of the amount of time that has elapsed since termination of his service as a member of the municipal governing authority; and to provide for related matters.

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

HOUSE BILL NO. 806—

BY REPRESENTATIVES FRUGE AND HUDSON
AN ACT

To enact R.S. 42:1123(27), relative to prohibited transactions; to except from provisions of the Code of Governmental Ethics certain transactions by former members of the governing authorities of water districts; and to provide for related matters.

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

HOUSE BILL NO. 810 (Duplicate of Senate Bill No. 769)—

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 18:1491.6(D) and 1495.4(D), relative to campaign finance disclosure; to require certain supplemental reports; to require certain reports in the case of deficits; to require certain reports in the case of surplus campaign funds; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 769, was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 904—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:7.1(A)(2), relative to the certification of elementary and secondary school teachers; to provide relative to qualifications for entrance into a teacher education program; 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. 925—

BY REPRESENTATIVES HAMMETT AND CARTER
AN ACT

To amend and reenact R.S. 40:1300.144(A)(3)(b) and to enact R.S. 40:1300.144(A)(3)(c), relative to Medicaid reimbursement to out-of-state providers; to provide for a lower possible reimbursement rate for services rendered; to authorize the secretary of the Department of Health and Hospitals to negotiate higher reimbursement rates to out-of-state providers in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 967—

BY REPRESENTATIVES FARVE AND SCALISE
AN ACT

To amend and reenact R.S. 42:1169(B), relative to the Code of Governmental Ethics; to protect public employees who disclose certain improper acts from reprisals; to provide relative to the reinstatement of any such employee who is wrongfully suspended, demoted, or dismissed; to provide penalties; and to provide for related matters.

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

HOUSE BILL NO. 1182—

BY REPRESENTATIVE STELLY
AN ACT

To enact Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2101 through 2112, relative to motor vehicle insurance; to provide for licensing of rental car companies; to provide for the sale of insurance; to provide for requirements; to provide for fees; to provide for limitations; to provide for authorized employees; to provide for

rulemaking; to provide for penalties; and to provide for related matters.

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 710 was read by title and lies over under the rules.

HOUSE BILL NO. 1361—
BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 33:4861.13(D), relative to statement of receipts for charitable gaming organizations; to provide that any disbursements of charitable gaming net proceeds by the charitable organization be approved by the board of directors or financial members in charge; 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. 1363—
BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1485.5(A)(1), 1485.8(A), (B), and (C), 1485.9(B) and (C), and to enact R.S. 33:4861.2(8) and (9), relative to the regulation of charitable gaming; to include and define noncommercial lessor and casino night contractor within licensing provisions; to make changes to incorporate the definitions; 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. 1397—
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:2104(B), 2106, and 2138, relative to information received pursuant to licensing of certain health care facilities; to provide for confidentiality of financial information received by the Department of Health and Hospitals pursuant to licensing of hospitals and ambulatory surgical centers; and to provide for related matters.

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

HOUSE BILL NO. 1555—
BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:3904(A)(6), relative to the school personnel evaluation program; to provide program requirements relative to the evaluation of school principals; to provide for effectiveness; 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 Education.

HOUSE BILL NO. 1556—
BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:3911(B)(introductory paragraph) and (12), relative to public school progress profiles; to provide for the collection of certain data; 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 Education.

HOUSE BILL NO. 1586—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:2195.3(A)(7) and (B), relative to the Department of Environmental Quality; to provide relative to the Tank Trust Fund; to provide relative to the receipt date of the invoice and payment from bulk facility operators; to provide relative to motor fuel underground storage tanks and fee amounts; to provide for rules for late fees; to provide for the effects of failure to pay fees; and to provide for related matters.

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

HOUSE BILL NO. 1618—
BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 15:587.1(A) and R.S. 46:51.2(E) and (F)(1) and to enact R.S. 46:1441.13, relative to registered family child day care homes; to require care providers at said homes to have current cardiopulmonary resuscitation (CPR) training; to prohibit persons convicted of certain crimes from working or living in registered family child day care homes; to provide for exceptions; to provide for violations; to authorize criminal background checks; 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. 1674—
BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 22:658.1(E), relative to failure to satisfy a claim under a criminal bond contract; to require commercial sureties to pay fines for certain hearings to show cause; 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. 1694—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 30:2373(B) and to enact R.S. 32:1510(E), relative to hazardous materials transportation; to provide that certain transportation incidents, accidents, and cleanups shall be subject to reporting requirements of the Department of Environmental Quality and the Hazardous Material Information Development, Preparedness and Response Act administered by the Department of Public Safety and Corrections; to provide reporting requirements, violations, and penalties; and to provide for related matters.

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

HOUSE BILL NO. 1824—
BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:2092.1(B), 2092.2(1), (8), (10), (11), (13), (15), (16), (17)(a) and (b)(introductory paragraph) and (vi), (18)(introductory paragraph), (c), and (e), (19), 2092.3, 2092.4(3), 2092.5(B) and (C)(2), 2092.6 through 2092.9, 2092.10, 2092.11(A)(introductory paragraph), (1)(introductory paragraph) and (a), (2), (3)(b) and (4), and (B), 2092.13, and 2092.14, to enact R.S. 22:2092.2(4.1), 2092.2(17)(b)(vii) and (viii), (18)(h), 2092.6.1, 2092.8.1 through 2092.8.5, and 2092.9.1 through 2092.9.4, and to repeal R.S. 22:2092.11(C), relative to title insurance; to provide for the Louisiana Title Insurance Act; to provide for agents; to provide for title insurers; to provide for examinations; to provide for underwriting contracts; to provide for

May 5, 1999

terminations; to provide for restrictions; to provide for audits; to provide for escrows; to provide for funds; 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 Insurance.

HOUSE BILL NO. 1997— BY REPRESENTATIVES TRICHE, MCCALLUM, AND HILL AN ACT

To enact R.S. 42:883, relative to the State Employees Group Benefits Program; to provide for special enrollments for certain retirees; 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 5, 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. 176— BY REPRESENTATIVE SALTER A CONCURRENT RESOLUTION

To urge and request the Federal Energy Regulatory Commission to exercise its authority to interpret the hydroelectric power sales agreement and power plant license involving the Louisiana Sabine River Authority.

HOUSE CONCURRENT RESOLUTION NO. 181— BY REPRESENTATIVE HOLDEN A CONCURRENT RESOLUTION

To commend and congratulate Professor Florence T. Robinson of Baton Rouge for her dedication to the preservation of the environment, and to congratulate her upon being named a co-recipient of the Heinz Award for the Environment.

HOUSE CONCURRENT RESOLUTION NO. 182— BY REPRESENTATIVE WIGGINS A CONCURRENT RESOLUTION

To commend and congratulate Mr. Robert Biggs for being honored as Pineville Kiwanis Club's Businessman of the Year.

HOUSE CONCURRENT RESOLUTION NO. 186— BY REPRESENTATIVES KENNARD, ALARIO, ALEXANDER, CRANE, DANIEL, DEVILLE, DEWITT, DIEZ, DONELON, FAUCHEUX, FONTENOT, HOLDEN, ILES, KENNEY, LANCASTER, LONG, MCCALLUM, MCMAINS, MONTGOMERY, ODINET, PERKINS, SALTER, SCALISE, SCHWEGMANN, SHAW, THOMPSON, WALSWORTH, WARNER, WESTON, WINDHORST, AND WOOTON A CONCURRENT RESOLUTION

To commend and congratulate Senator J. Bennett Johnston, Football Hall of Fame star Jim Taylor, actress Faith Ford, and singer Irma Thomas for the success they have achieved in each of their respective professional endeavors and for receiving the Louisiana Legends Award from the Friends of Louisiana Public Broadcasting.

HOUSE CONCURRENT RESOLUTION NO. 184— BY REPRESENTATIVES MCMAINS, CRANE, DANIEL, HOLDEN, JENKINS, JETSON, KENNARD, PERKINS, TRAVIS, WELCH, AND WESTON A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana on the death of Douglas Lewis Manship, Sr., a civic leader, outstanding publisher, and a caring person who had a profound impact on Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 187— BY REPRESENTATIVES MARTINY AND ANSARDI A CONCURRENT RESOLUTION

To recognize the Louisiana Diabetes Council, Southeast Region, as an organization dedicated toward improving the recognition, education, and treatment of the disease, diabetes mellitus, and reducing the long-term costs to the state for treating patients with diabetes mellitus and its many complications.

HOUSE CONCURRENT RESOLUTION NO. 183— BY REPRESENTATIVE THOMPSON A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the drainage problems along Interstate Highway 20 in Richland Parish and especially in the towns of Rayville, Delhi, and Start.

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. 176— BY REPRESENTATIVE SALTER A CONCURRENT RESOLUTION

To urge and request the Federal Energy Regulatory Commission to exercise its authority to interpret the hydroelectric power sales agreement and power plant license involving the Louisiana Sabine River Authority.

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

HOUSE CONCURRENT RESOLUTION NO. 181— BY REPRESENTATIVE HOLDEN A CONCURRENT RESOLUTION

To commend and congratulate Professor Florence T. Robinson of Baton Rouge for her dedication to the preservation of the environment, and to congratulate her upon being named a co-recipient of the Heinz Award for the Environment.

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

Table with 3 columns: Name, Dardenne, Landry. Rows include Mr. President, Bajoje, Barham, Bean, Boissiere, Branch, Cain, Dyess, Fields C, Fields W, Greene, Hainkel, Heitmeier, Lentini, Malone, Robichaux, Romero, Schedler, Smith.

Campbell	Hines	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Ullo
Cravins	Jones	
Total—32		

NAYS

Syracusa	
Total—1	

ABSENT

Dean	Hollis	Lambert
Ellington	Jordan	Thomas
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 182—
 BY REPRESENTATIVE WIGGINS
A CONCURRENT RESOLUTION
 To commend and congratulate Mr. Robert Biggs for being honored as Pineville Kiwanis Club's Businessman of the Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Lentini
Barham	Ellington	Malone
Bean	Fields C	Robichaux
Boissiere	Fields W	Romero
Branch	Greene	Schedler
Cain	Hainkel	Syracusa
Campbell	Heitmeier	Smith
Casanova	Hines	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Landry	
Total—34		

NAYS

Total—0	
---------	--

ABSENT

Mr. President	Jordan	Thomas
Hollis	Lambert	
Total—5		

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

HOUSE CONCURRENT RESOLUTION NO. 183—
 BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION
 To urge and request the Department of Transportation and Development to study the drainage problems along Interstate Highway 20 in Richland Parish and especially in the towns of Rayville, Delhi, and Start.

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. 184—
 BY REPRESENTATIVES MCMAINS, CRANE, DANIEL, HOLDEN, JENKINS, JETSON, KENNARD, PERKINS, TRAVIS, WELCH, AND WESTON
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana on the death of Douglas Lewis Manship, Sr., a civic leader, outstanding publisher, and a caring person who had a profound impact on Baton Rouge.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0	
---------	--

ABSENT

Hainkel	Jordan
Hollis	Lambert
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. 186—
 BY REPRESENTATIVES KENNARD, ALARIO, ALEXANDER, CRANE, DANIEL, DEVILLE, DEWITT, DIEZ, DONELON, FAUCHEUX, FONTENOT, HOLDEN, ILES, KENNEY, LANCASTER, LONG, MCCALLUM, MCMAINS, MONTGOMERY, ODINET, PERKINS, SALTER, SCALISE, SCHWEGMANN, SHAW, THOMPSON, WALSWORTH, WARNER, WESTON, WINDHORST, AND WOOTON
A CONCURRENT RESOLUTION

To commend and congratulate Senator J. Bennett Johnston, Football Hall of Fame star Jim Taylor, actress Faith Ford, and singer Irma Thomas for the success they have achieved in each of their respective professional endeavors and for receiving the Louisiana Legends Award from the Friends of Louisiana Public Broadcasting.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Romero
Boissiere	Greene	Schedler
Branch	Hainkel	Syracusa

May 5, 1999

Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Landry	
Total—37		

NAYS

Total—0

ABSENT

Hollis	Lambert
Total—2	

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

HOUSE CONCURRENT RESOLUTION NO. 187—
 BY REPRESENTATIVES MARTINY AND ANSARDI
 A CONCURRENT RESOLUTION

To recognize the Louisiana Diabetes Council, Southeast Region, as an organization dedicated toward improving the recognition, education, and treatment of the disease, diabetes mellitus, and reducing the long- term costs to the state for treating patients with diabetes mellitus and its many complications.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hollis	Jordan	Lambert
Total—3		

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
 INSURANCE**

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

May 5, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 4—
 BY SENATOR BAJOIE

AN ACT

To enact R.S. 22:215.16, relative to health insurance coverage; to provide for coverage for bone mass measurement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 129—
 BY SENATOR COX

AN ACT

To amend and reenact R.S. 22:2016, and to enact R.S. 22:214, relative to health plans; to prohibit denial of coverage on health and accident insurance policies that would otherwise be covered except for the potential liability of an employer's workers' compensation plan; to provide for subrogation rights of the health insurer for reimbursement of claims paid; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 243—
 BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 22:1406(D)(1)(a)(ii), relative to uninsured motorist coverage; to provide for the rejection of uninsured motorist coverage; to require that such rejection be valid for the life of the policy; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 300—
 BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 22:637.1, relative to insurance premiums; to provide for payment of interest on premium refunds due to overpayment by an insured; to remove certain exceptions to payments of interest on premium refunds; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 499—
 BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1117(C)(1)(b), relative to the licensing of insurance agents, brokers and solicitors; to prohibit certain activities by the employees of insurance companies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 955—
 BY SENATOR LENTINI

AN ACT

To enact R.S. 22:622.2, Part XXVI-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1247.1 through 1247.4, and Part VI of Chapter 5 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1045 through 1045.4, relative to insurance claims; to require certain information relative to fraud on insurance claim forms; to create the Louisiana Fraud Prevention Act; to provide for

prohibited acts and omissions; to provide for penalties for violation; to create the Louisiana Insurance Fraud Prevention Bureau within the Department of Public Safety and Corrections, office of state police; to provide for reporting and investigations of violations of the Louisiana Fraud Prevention Act; to provide for funding of investigations and administration; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 5, 1999

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 30—
BY SENATOR DEAN

A RESOLUTION

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

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To create a special committee to study the constitutional power and authority of the three branches of government with respect to execution of clemency power.

Reported with amendments.

SENATE BILL NO. 9—
BY SENATOR CAMPBELL

A JOINT RESOLUTION

Proposing to amend Article III, Section 2 of the Constitution of Louisiana, relative to the legislative branch; to limit the number of bills a legislator may introduce for a regular session of the legislature to twelve; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 282—
BY SENATOR SCHEDLER

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(1) and (3), of the Constitution of Louisiana, relative to sessions of the legislature; to provide for a regular limited subject matter session prior to the regular session in the third year of a term; to provide limitations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

HOUSE BILL NO. 472—
BY REPRESENTATIVE COPELIN

AN ACT

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

Reported favorably.

HOUSE BILL NO. 498—
BY REPRESENTATIVES BRUNEAU AND SCHNEIDER
AN ACT

To amend and reenact R.S. 18:108, 110(B)(1), 116(A)(1)(a) and (E), 173(A), 402(E)(1)(introductory paragraph), 424(C)(2), 425(C), 431(A)(1)(b) and (B)(1), 433(A)(3), 461(B), 492(4), 532(B)(1), 532.1(D) and (E)(1) and (3), 562(D), 571(11), 573(A)(3), 583(B)(3) and (C), 651, 652, 653, 654, 1285(B)(1)(a), 1300(C)(1), 1300.13, 1307(B), 1309(D), 1312(B), 1313(I)(2) and (3), 1333(A), 1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410, 1485(B), and 1903(A), to enact R.S. 18:173(D), 178, 196(C)(3), 532(B)(5), 532.1(G), 1313(I)(4), 1401(D), 1405(G), and 1415(F), and to repeal R.S. 18:402(E)(4), relative to elections; to provide with respect to the registration of voters and the cancellation of such registration; to require the reporting of deaths in the state to certain election officials; to require notification of certain election officials of returned jury duty notices; to require a report of the unavailability of certain voters to serve on certain jury panels; to authorize the registrar to update certain registration records; to change the minimum period of time between issuing the proclamation calling a special election and holding of such special election; to repeal certain provisions regarding the holding of certain special elections; to prohibit the preparation of lists of persons voting other than the official poll lists; to provide with respect to multiple candidacies; to provide with respect to the establishment of and the changing of boundaries of precincts; to provide with respect to a commissioner's responsibilities regarding poll lists and election materials; to provide for the requirements of the courses of instruction for commissioners and commissioners-in-charge; to provide with respect to the reinspection of voting machines; to provide with respect to the reimbursement of the parish board of supervisors; to provide a procedure for the resignation of members of the legislature; to provide with respect to notices of retirements; to provide the deadline for the filing notice with the secretary of state for certain proposition elections; to provide with respect to the declaration of a vacancy in office under certain circumstances; to provide with respect to absentee voting; to provide with respect to the recount of absentee ballots; to provide for definitions; to provide for reimbursement for costs of certain discovery; to provide for the due date of certain reports; to provide with respect to precincts, including the establishment of precincts, precinct freezes and other areas with respect to reapportionment; to provide with respect to an objection to the calling of a special election; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2025—
BY REPRESENTATIVES WADDELL AND WALSWORTH
AN ACT

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

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON HEALTH AND WELFARE

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

May 5, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 53— BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to take necessary steps to continue providing accessible health care services to the residents of Algiers, Louisiana.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 85— BY SENATOR HINES AND COX

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide for an additional one hundred personal care attendant Medicaid waiver slots for disabled adults from funds received by the state from any tobacco industry settlement, agreement, or judgment.

Reported with amendments.

SENATE BILL NO. 234— BY SENATOR BAJOE

AN ACT

To enact Part M of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1300.151 through 1300.154, relative to the treatment of breast cancer; to require physicians and surgeons to discuss and to provide a written summary of treatment alternatives to their patients diagnosed with breast cancer; to provide that failure to so act shall be considered unprofessional conduct; to provide for the content, preparation, revision, and distribution of the summary; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 374— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 40:2195.6(A), relative to health care; to provide funding for the establishment of primary health care clinics in rural parishes in the state from a portion of monies received by the state in settlement of certain litigation; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 620— BY SENATOR HINES

AN ACT

To amend and reenact R.S. 36:259(E)(14) and Chapter 14 of Title 37, to be comprised of R.S. 37:1161 through 1249 and to repeal Chapter 14-A of Title 37, comprised of R.S. 37:1221 through 1229 and Chapter 44 of Title 51, comprised of R.S. 51:2701 through 2705, all in the Louisiana Revised Statutes of 1950, relative to the practice of pharmacy; to provide for legislative declaration; to provide for statement of purpose, to provide for definitions; to provide for the Louisiana Board of Pharmacy and its membership, qualification, appointment process and pharmacy

districts, compensation, terms, officers, powers and duties, meetings, domicile, and records; to provide for fees; to provide for licensing, registration, and certification to practice pharmacy and qualifications thereof; to provide for licensure by examination and by reciprocity; to provide for certificates issued by the board and for duplicate certificates and silver certificates; to provide for renewal of a license, registration, and certification and for waivers of a license renewal; to provide for continuing education; to provide for pharmacy interns and pharmacy technicians; to provide for notification of change of certain addresses by a pharmacist, pharmacy intern, and pharmacy technician; to provide for display of licenses, certificates, and registrations; to prohibit the opening, establishing, operating, or maintaining of a pharmacy with a permit issued by the board; to provide qualifications for the issuance of a permit; to provide for classifications of permits; to prohibit the compounding and filing of prescriptions under certain circumstances; to provide for the labeling of drugs and prescriptions; to provide for the display of permits; to provide for the equipment required of a pharmacy; to provide for the records of prescriptions and inspections of such records; to provide for renewal of a permit; to authorize the board to enter into certain agreements; to provide for out-of-state pharmacies doing business in the state; to provide discipline of persons practicing pharmacy; to provide grounds for the refusal to issue or to suspend or revoke a license, permit, registration, or certificate to practice pharmacy; to provide for assessing a fine for violation; to provide for enforcement and for injunction, penalty, attorney's fees and costs; to provide for investigation and hearings, issuance of subpoenas and rehearings; to provide for reinstatement or reissuance of licenses, registrations, certificates, and permits; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 825— BY SENATOR HINES

AN ACT

To enact Part XIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.36 through 1299.36.6, and R.S. 37:1285(A)(31), all relative to human cloning; to prohibit human cloning; to prohibit the expenditure of state funds for the purpose of human cloning; to provide for definitions; to provide penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 829— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 36:259(K) and Part XXXVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1299.181 through 1299.183, relative to the Minority Health Affairs Council; to re-create the council; to change the name of the council; to provide for the membership, filling of vacancies, meetings, compensation, domicile, election of officers, powers and duties, and termination; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1074— BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:2018.1(A), (B)(11), and (G) and to enact R.S. 40:2018.1(B)(12), relative to the Louisiana Commission on HIV and AIDS; to recreate the commission; to provide for its membership; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1089—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 46:1403(A)(4), (8), and (9) and to enact R.S. 46:1403(A)(10) and 1427, relative to day care facilities; to define "day care center" and "relative"; to provide exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 742—

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

AN ACT

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

Reported with amendments.

Respectfully submitted,
DONALD E. HINES
Chairman

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

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

May 5, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 337—
BY SENATOR JONES

AN ACT

To enact R.S. 36:109(E)(16) and (17) and to repeal R.S. 36:309(D), relative to the organization of the executive branch of state government; to transfer the Board of Barber Examiners and the Board of Examiners of Journeyman Plumbers from the Department of Labor to the Department of Economic Development; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 505—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 14; of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1071 through 1086, relative to check cashing and currency exchanges; to provide for the licensing of persons engaged in currency exchange; to provide for license fees; to provide for revocation of licenses; to provide for regulation of fees charged for currency exchange services; to provide for penalties; to provide that a violation of any provision or requirement of this Chapter is a misdemeanor and shall be punishable by a fine of not less than two hundred and fifty dollars but not more than five hundred dollars, imprisonment for a term of not more than six months, or both; to provide for rules; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 893—

BY REPRESENTATIVES DANIEL AND MURRAY
AN ACT

To enact R.S. 36:109(E)(4) and Chapter 17-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1471 through 1489, relative to the Louisiana Home Inspectors Licensing Law; to provide for a short title; to provide for purposes and legislative findings; to provide for definitions; to create and provide for the Louisiana State Board of Home Inspectors; to provide for powers and duties of the board; to provide for licensing requirements and qualifications for licensure; to provide for fees; to provide for required written reports and to prohibit solicitation; to provide for license renewal and appearance of license number on documents; to provide for continuing education requirements; to provide for insurance requirements; to prohibit corporations as home inspectors; to provide for exemptions for licensure; to provide for reciprocal licenses; to provide for prohibited acts and penalties; to provide for reissuance after revocation or suspension; to provide for payment of costs of proceedings; to provide for penalties; to provide for cease and desist orders and injunctive relief; to provide for the disbursement of funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1864—

BY REPRESENTATIVES DANIEL, FRITH, CRANE, AND WALSWORTH
AN ACT

To amend and reenact R.S. 4:421(A)(2) and (4), 422(A), 423(B), (C), (D), and (E), 424(A)(introductory paragraph), (8), and (9), 425(A) and (C), 426(A)(introductory paragraph) and (1), (B), and (C), 427(A)(introductory paragraph), (B), and (C), and 430, to enact R.S. 4:420, 421(A)(7) and (8), 422.1, 423(F) and (G), 431, 432, and 433, and to repeal R.S. 4:422(F), relative to athlete agents; to provide for the registration of athlete agents; to provide for grounds for refusing to issue or renew registrations; to provide relative to agent contracts; to provide for suspension or revocation of registration; to prohibit certain acts; to remove certain exemptions for attorneys; to provide for enforcement; to provide for certain causes of action; to provide for certain other offenses by athletes and athlete agents and for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

SUPPLEMENTAL REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 5, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 254—
BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(2) and (3) of the Constitution of Louisiana, relative to legislative sessions, to provide for sessions in even-numbered years to be general in nature, and for sessions in odd-numbered years to be restricted to the consideration of certain fiscal matters; and to specify an election

date for submission of the proposition to electors and provide a ballot proposition.

Reported by substitute.

Respectfully submitted,
JAY DARDENNE
Chairman

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 5, 1999

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

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, Dr. Luther H. Dyson Hall.

SENATE CONCURRENT RESOLUTION NO. 96— BY SENATORS JONES AND JOHNSON 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 Slobodan Milosevic.

SENATE CONCURRENT RESOLUTION NO. 98— BY SENATOR SMITH AND REPRESENTATIVES JOHNS AND SALTER 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.

SENATE CONCURRENT RESOLUTION NO. 100— BY SENATORS CAIN, BAJOIE, BARHAM, BEAN, BOISSIERE, BRANCH, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HETTMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GULLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZARE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Joe Dumars, Detroit Pistons' star and McNeese State University alumnus, on his achievements on and off the basketball court.

SENATE CONCURRENT RESOLUTION NO. 102— BY SENATOR BAJOIE AND REPRESENTATIVES COPELIN, FARVE, GREEN, HOLDEN, MORRELL, MURRAY, PRATT AND WILLARD 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.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Messages from the House

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 5, 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 Bills and Joint Resolutions:

HOUSE BILL NO. 241 (Duplicate of Senate Bill No. 137)— BY REPRESENTATIVE ALEXANDER AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVE ROMERO AN ACT

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

HOUSE BILL NO. 448— BY REPRESENTATIVE SALTER AN ACT

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

HOUSE BILL NO. 507 (Duplicate of Senate Bill No. 366)— BY REPRESENTATIVE WINDHORST AND SENATOR LENTINI AND COAUTHORED BY REPRESENTATIVE SCHNEIDER AN ACT

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

HOUSE BILL NO. 508 (Duplicate of Senate Bill No. 424)— BY REPRESENTATIVE ALEXANDER AND SENATOR SCHEDLER AND COAUTHORED BY REPRESENTATIVES JETSON, MITCHELL, WIGGINS, CLARKSON, AND SCHWEGMANN AND SENATORS HINES, DYESS, IRONS, AND LANDRY AN ACT

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

HOUSE BILL NO. 565 (Duplicate of Senate Bill No. 612)—
BY REPRESENTATIVE JOHN SMITH AND SENATOR SIRACUSA AND
COAUTHORED BY REPRESENTATIVES DANIEL, FLAVIN, AND MICHOT
AN ACT

To repeal R.S. 30:607 and Chapter 10 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:1001 through 1011, relative to conservation; to repeal certain requirements regarding the first sale of new natural gas.

HOUSE BILL NO. 1018 (Duplicate of Senate Bill No. 967)—
BY REPRESENTATIVE HILL AND SENATOR CAIN AND COAUTHORED BY
REPRESENTATIVES BAUDOIN, BRUCE, CARTER, FRITH, ILES, AND
THOMPSON AND SENATOR BARHAM
AN ACT

To enact R.S. 3:4278.3, relative to forest products, to provide that persons transporting or receiving forest products shall maintain appropriate records as required by the commissioner of agriculture and forestry; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1260—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS,
DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL,
BARHAM, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 1264—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS,
DIEZ, CRANE, FRITH, AND HEBERT AND SENATORS DARDENNE, EWING,
HAINKEL, BARHAM, SCHEDLER, AND ULLO
AN ACT

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

HOUSE BILL NO. 1559—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS,
DIEZ, CRANE, DANIEL, AND SCHNEIDER AND SENATORS DARDENNE,
EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 1564—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS,
DIEZ, CRANE, AND SCHNEIDER AND SENATORS DARDENNE, EWING,
HAINKEL, BARHAM, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 2014 (Duplicate of Senate Bill No. 645)—
BY REPRESENTATIVE SALTER AND SENATOR SMITH
AN ACT

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

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 Bills and Joint Resolutions contained herein were signed by the President of the Senate.

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 5, 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. 152—
BY REPRESENTATIVE WESTON
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 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 REPRESENTATIVES MURRAY, ALARIO, ALEXANDER, ANSARDI,
BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER,
CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL,
DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE,
DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE,
GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON,
HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS,
JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU,
LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM,
MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY,
MORRELL, MORRISH, ODINET, PERKINS, PIERRE, PINAC, POWELL,
PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER,
SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN,
THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE,
WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS,
WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND
WRIGHT AND SENATORS BAJOEI, BARHAM, BEAN, BOISSIERE, BRANCH,
CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN,
DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL,
HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN,
LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO,
SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS, AND
ULLO

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the recent passing of Alois Maxwell Hirt, Jr., world renowned 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.

May 5, 1999

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVE HOLDEN AND SENATOR LAMBERT
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. 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. 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.

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.

Adjournment

Senator Bean moved that the Senate adjourn until Thursday, May 6, 1999 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 6, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk