

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

TWENTY-SIXTH 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 12, 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 Irons, 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 Irons, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

**Message from the House
CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 12, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Lillie B. Coleman, mother, grandmother, great-grandmother, community organizer, Christian, and friend.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 118—
BY SENATORS C. FIELDS AND COX

A CONCURRENT RESOLUTION

To commend and congratulate Reverend Samuel C. Tolbert, Jr. on the occasion of his fifteenth anniversary as pastor.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 109—
BY SENATOR EWING

A CONCURRENT RESOLUTION

To commend Steps to Success and its efforts to coordinate and integrate statewide early learning programs for young children.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 12, 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. 106—
BY REPRESENTATIVES ODINET AND WARNER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 215—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:428(A), relative to the Louisiana State Employees' Retirement System; to provide with respect to service credit and the criterion used to determine eligibility for the purchase thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 354—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 11:1503(8), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to definitions; to provide that the clerks' of court expense allowance shall be considered salary for retirement purposes; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 357—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 33:1420.1(C), relative to the retirement program for retired employees of the city of Plaquemine; to provide with respect to the definition of the term "retired employee"; to provide regarding the number of years a full-time city employee must have been employed to be considered a "retired employee"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 467—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 11:881(3) and (6), relative to the Teachers' Retirement System, but only applicable to certain employees holding joint membership in the U.S. Civil Service Employees' Retirement System; to provide with respect to the commencement of supplemental benefits and the age requirements relative thereto; to provide for the actuarial reduction of supplemental benefits in certain circumstances; to provide for the selection of an optional method for the payment of death benefits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 678—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 11:411(introductory paragraph) and to enact R.S. 11:411(9), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership; to provide regarding service credit and the actuarial purchase thereof; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1653—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2218(G), relative to the Municipal Police Employees' Retirement System; to provide with respect to contributions, refunds, and the repayment thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1693—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 11:2224(F), relative to the Municipal Police Employees' Retirement System; to provide with respect to benefits and the options related to the payment thereof; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1777—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 11:1732(33) through (36), 1754(3), 1767, 1768, and 1769 and Part VIII of Chapter 4 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1881 through 1884, relative to the Municipal Employees' Retirement System; to provide with respect to definitions, contributions, benefits, and certain limitations applicable thereto, rollover of funds, and administration of system assets; to provide regarding the creation of an excess benefit plan; to provide with respect to membership and the termination thereof for certain ward court employees; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1777 by Representative Pinac

AMENDMENT NO. 1

On page 9, line 25, following "following" and before "the calendar" delete "the later of"

AMENDMENT NO. 2

On page 9, line 26, following "or" and before "terminates" insert "in which he" and following "employment" and before the period "." insert ", whichever is later"

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.

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 12, 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. 1112—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 9:3530(F), relative to consumer credit; to provide for convenience fees; and to provide for related matters.

HOUSE BILL NO. 1130—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:771(18) and to enact R.S. 32:771(19) and 1261, relative to used motor vehicles; to provide for the definition of "water- damaged vehicle"; to authorize setting aside

the sale, transfer, or conveyance of a used motor vehicle under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1211—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 48:461.4(introductory paragraph) and (a)(1), relative to the Department of Transportation and Development; to provide relative to outdoor advertising; to include certain land, buildings, and structures as areas where outdoor advertising shall be permitted; to include illuminated signs, marquees, and electronic readerboard systems as permitted signs; to delete certain provisions relating to illuminated signs which indicate customary public service information; and to provide for related matters.

HOUSE BILL NO. 1225—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:511.2, relative to motor vehicle registration; to provide for the issuance of temporary registration plates for certain motor vehicles; to provide for fees; to provide for their duration; to provide for administrative rules; and to provide for related matters.

HOUSE BILL NO. 1335—

BY REPRESENTATIVE MARIONNEAUX

AN ACT

To amend and reenact R.S. 22:672(D)(1), relative to motor vehicles towed and stored for repairs; to provide for towing; to provide for storage fees; and to provide for related matters.

HOUSE BILL NO. 1344—

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. 47:806(B)(1), relative to the taxation of special fuels; to specify the length of time records of bulk sales and deliveries of special fuels shall be kept by the supplier or dealer; and to provide for related matters.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2054(B)(2)(b)(vii), relative to the Louisiana Air Control Law; to provide restrictions on the powers of the secretary of the Department of Environmental Quality with regard to certain motor vehicle fuels programs; and to provide for related matters.

HOUSE BILL NO. 1579—

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

AN ACT

To enact R.S. 32:291.1, relative to motor vehicles; to provide for reimbursement for the cost of cleanup or removal of road hazards; and to provide for related matters.

HOUSE BILL NO. 349—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:778, relative to licensure by the Used Motor Vehicle and Parts Commission; to provide relative to the exemption from licensure of licensees of the Louisiana Motor Vehicle Commission; and to provide for related matters.

HOUSE BILL NO. 708—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

HOUSE BILL NO. 577—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:2234, relative to trusts; to provide for a prescriptive period for actions by a beneficiary against a trustee; and to provide for related matters.

HOUSE BILL NO. 900—

BY REPRESENTATIVES LEBLANC AND DOWNER AND SENATORS HAINKEL, ULLO, AND DARDENNE

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

HOUSE BILL NO. 1774—

BY REPRESENTATIVES DURAND AND CLARKSON

AN ACT

To enact Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2741 through 2745, relative to public health; to create the Louisiana Healthy People 2010 Planning Council in the Department of Health and Hospitals; to provide for the office of public health in the Department of Health and Hospitals to design a process for a state plan for Healthy People 2010 prior to the convening of the council; to provide for the council to convene and further develop and achieve the final implementation of the Louisiana Healthy People 2010 State Plan; to provide for legislative findings; to provide for powers, duties, and functions of the council; to provide for membership of the council; to provide for periodic reports to the legislature; to provide for termination of the council; and to provide for related matters.

HOUSE BILL NO. 1924—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:1426 and to enact R.S. 15:708(A)(5) and F, relative to inmate labor; to authorize a sheriff to contract with the United States government to provide certain services; to authorize a sheriff to use inmate labor to work on flood gates or locks situated on a waterway within a parish; to prohibit inmate labor for private contractors; and to provide for related matters.

HOUSE BILL NO. 1964—

BY REPRESENTATIVE TRICHE

AN ACT

To provide relative to the authority of certain water districts to hire attorneys; and to provide for related matters.

HOUSE BILL NO. 1680—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 34:322, 323, 324, 326, 328, and 330 and to enact R.S. 34:323.1, relative to the Morgan City Harbor and Terminal District; to provide relative to membership, duties, and powers of the board of commissioners; to authorize the board of commissioners to acquire, construct, control, and alienate industrial parks and facilities; to fund authorized public functions; to enter into cooperative endeavors; to incur debt and issue bonds; to pay bonds from various sources of income; to lend capital; to levy taxes; to increase bidding limits; to reimburse reasonable and necessary expenses; to define certain terms; and to provide for related matters.

HOUSE BILL NO. 292—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:771(3), (4), (5), (6), (7), (12), (15), (16)(a), and (18), 772(F)(8), 773(A)(5) and (7)(a), 773.1(A)(1) and (2)(a), (b), (c), (d), (f), (g), (h), (i), (j), and (l)(introductory paragraph) and (B), 773.2(A), (B), and (C), 774(A), (B)(3), (D)(2), (E), (G)(1), and (J)(1), (3), and (4), 775(A)(3) and (F)(2) and (3), 776(A)(2) and (C)(1)(a), 779, and 780(A) and (D) and to

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enact R.S. 32:760(A)(7)(c), 772(F)(9), 775(A)(7)(f), (g), and (h), and 777(D), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for grounds to deny application for, revoke, or suspend licenses; to provide for definitions; to provide for the powers and duties of the commission; to provide relative to licensure of dealers, manufacturers, and distributors; to provide relative to certain unlawful acts; to provide for the repurchase of certain vehicles and parts; to provide for certain educational requirements for licensure; to provide relative to fees for licensure; to provide for bonding; to provide for fines and penalties; to provide for procedures for denial, suspension, or revocation of licenses; to provide for the issuance of cease and desist orders; and to provide for related matters.

HOUSE BILL NO. 1269—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 32:1252(1), (2), (3), (10), (13), and (16), 1253(A)(3), 1254(F)(3), (I), (K), (M), (N)(1)(a), (3)(introductory paragraph) and (7), and (R), 1255(3) and (6), 1256.1, and 1257(A)(1)(introductory paragraph), (a)(introductory paragraph), (b), (c), and (d), (2), (B), (C), (D), and (E), to enact R.S. 32:1252(2.1), (2.2), (9.2), (10.1), (15.1), (19.1), (19.2), (19.3), and (24), 1254(N)(3)(g), (4)(e), (6)(r), and (8), and (S), (T), (U), (V), and (W), and 1256(G)(4), and to repeal R.S. 32:1252(15)(b)(iv), relative to the sale and distribution of motor vehicles; to provide for the hearing of disputes; to provide for licensure of converters, lease facilitators, motor vehicle lessor franchisors, satellite warranty and repair centers, and speciality vehicle dealers; to provide for fee requirements and bonding requirements; to provide for prohibited activities; to provide for certain business practices; to provide relative to franchises; to provide for grounds for denial, suspension, or revocation of a license; to provide relative to venues for litigation and arbitration; to provide relative to the repurchase of various items; and to provide for related matters.

HOUSE BILL NO. 2063—

BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1403.1, relative to criminal street gangs; to create the crime of solicitation of membership of a criminal street gang; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 2064—

BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1405.3, relative to release from custody of a criminal street gang member; to require the Department of Public Safety and Corrections to notify law enforcement agencies upon release from custody of a member of a criminal street gang; and to provide for related matters.

HOUSE BILL NO. 2108—

BY REPRESENTATIVES JOHN SMITH, COPELIN, FONTENOT, ILES, MONTGOMERY, WADDELL, WALSWORTH, WELCH, AND WILLARD AND SENATOR CAIN
AN ACT

To enact R.S. 29:295, relative to the Department of Veterans Affairs; to provide for the establishment and operation of veterans cemeteries; to provide for acquisition of land, eligibility for burial, fees, and acceptance of gifts, grants, and bequests; and to provide for related matters.

HOUSE BILL NO. 2162—

BY REPRESENTATIVES ILES AND CLARKSON
AN ACT

To enact R.S. 40:2741, relative to lactation consultants; to provide for a registry of persons who are International Board Certified Lactation Consultants; and to provide for related matters.

HOUSE BILL NO. 2181—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 40:1299.184 through 1299.188, relative to disparity in health care outcomes; to create the Disparity Commission to study disparity in disease and death rates among certain sectors of the population; to provide for legislative findings; to provide for powers, duties, and functions of the commission; to provide for membership of the commission; to provide for termination of the commission; and to provide for related matters.

HOUSE BILL NO. 2186—

BY REPRESENTATIVES JENKINS, PERKINS, AND DANIEL
AN ACT

To authorize and provide the state through the Department of Health and Hospitals to transfer certain tracts of land situated in East Baton Parish to the Recreation and Park Commission for the Parish of East Baton Rouge; and to provide for related matters.

HOUSE BILL NO. 2229—

BY REPRESENTATIVE GUILLORY
AN ACT

To authorize and provide the state through the division of administration to transfer certain tracts of land situated in Calcasieu Parish to Huff and Thomas Perpetual Care Cemetery, Inc.; and to provide for related matters.

HOUSE BILL NO. 2231—

BY REPRESENTATIVE WOOTON
AN ACT

To transfer to the Plaquemines Parish School Board from the State Board of Elementary and Secondary Education certain land, buildings, other facilities, and equipment under the supervision and control of the State Board of Elementary and Secondary Education and previously used by the board to provide postsecondary vocational and technical education to students; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 117—

BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAUX, AND TRICHE
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(l) and (C)(1)(a), 4574.1(C)(1), and 4574.1-A(A)(1)(l) and (B)(1) and R.S. 47:302.20(B), 322.24(B), and 332.39(B), relative to the Houma-Terrebonne Tourist Commission; to change the name of such commission; and to provide for related matters.

HOUSE BILL NO. 118—

BY REPRESENTATIVES DOWNER, CLARKSON, AND DUPRE
AN ACT

To enact R.S. 33:4574(A)(4), relative to tourist commissions; to provide relative to the designation of tourist commissions; to provide relative to changes in such designation; and to provide for related matters.

HOUSE BILL NO. 266—

BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 13:996.28(A) and (B), relative to the Judicial Expense Fund for the Ninth Judicial District Court; to provide for the allocation of additional costs in criminal cases to the fund; and to provide for related matters.

HOUSE BILL NO. 369—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 26:78(A), relative to alcoholic beverage permits; to require the office of alcohol and tobacco control, upon the written request of an applicant for a permit, to obtain a certification from the Department of Revenue concerning the applicant's liability for delinquent sales taxes; and to provide for related matters.

HOUSE BILL NO. 677—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 49:170.5, relative to state symbols; to delete the prohibition on payment of royalties and the commercial usage of the state painting; and to provide for related matters.

HOUSE BILL NO. 2010—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 42:821(A)(2)(a)(viii) and 851(A)(2)(a)(viii), relative to life and health and accident insurance coverage of the State Employees Group Benefits Program; to expand the definition of employees eligible for the program to include active and retired employees of the Acadiana Criminalistics Laboratory Commission; and to provide for related matters.

HOUSE BILL NO. 510—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 32:1734, relative to towing; to authorize drivers to select a licensed towing company; to provide for minimum requirements; and to provide for related matters.

HOUSE BILL NO. 528—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:773.1(A)(2)(b) and (l)(introductory paragraph) and 773.2(D) and to enact R.S. 32:771(19), relative to motorcycle and all-terrain vehicle dealers; to provide for definitions; to provide for unlawful acts of manufacturers and distributors; and to provide for related matters.

HOUSE BILL NO. 758—

BY REPRESENTATIVE WILLARD
AN ACT

To enact R.S. 32:1254(N)(3)(g) and (h) and (4)(e) and (f), relative to motor vehicle salesmen and lessors; to provide for a complete explanation of certain charges; to provide for a consumer's right to refuse certain fees; and to provide for related matters.

HOUSE BILL NO. 828—

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 9:2796(A), relative to limitation of liability for loss connected with Mardi Gras parades and festivities; to provide individual members of any krewe or organization with limitation of liability; and to provide for related matters.

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 117—

BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAUX, AND TRICHE
AN ACT

To amend and reenact R.S. 33:4574(A)(2)(l) and (C)(1)(a), 4574.1(C)(1), and 4574.1-A(A)(1)(l) and (B)(1) and R.S. 47:302.20(B), 322.24(B), and 332.39(B), relative to the Houma-Terrebonne Tourist Commission; to change the name of such commission; and to provide for related matters.

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

HOUSE BILL NO. 118—

BY REPRESENTATIVES DOWNER, CLARKSON, AND DUPRE
AN ACT

To enact R.S. 33:4574(A)(4), relative to tourist commissions; to provide relative to the designation of tourist commissions; to provide relative to changes in such designation; and to provide for related matters.

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

HOUSE BILL NO. 266—

BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 13:996.28(A) and (B), relative to the Judicial Expense Fund for the Ninth Judicial District Court; to provide for the allocation of additional costs in criminal cases to the fund; and to provide for related matters.

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

HOUSE BILL NO. 292—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 32:771(3), (4), (5), (6), (7), (12), (15), (16)(a), and (18), 772(F)(8), 773(A)(5) and (7)(a), 773.1(A)(1) and (2)(a), (b), (c), (d), (f), (g), (h), (i), (j), and (l)(introductory paragraph) and (B), 773.2(A), (B), and (C), 774(A), (B)(3), (D)(2), (E), (G)(1), and (J)(1), (3), and (4), 775(A)(3) and (F)(2) and (3), 776(A)(2) and (C)(1)(a), 779, and 780(A) and (D) and to enact R.S. 32:760(A)(7)(c), 772(F)(9), 775(A)(7)(f), (g), and (h), and 777(D), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for grounds to deny application for, revoke, or suspend licenses; to provide for definitions; to provide for the powers and duties of the commission; to provide relative to licensure of dealers, manufacturers, and distributors; to provide relative to certain unlawful acts; to provide for the repurchase of certain vehicles and parts; to provide for certain educational requirements for licensure; to provide relative to fees for licensure; to provide for bonding; to provide for fines and penalties; to provide for procedures for denial, suspension, or revocation of licenses; to provide for the issuance of cease and desist orders; and to provide for related matters.

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

HOUSE BILL NO. 349—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 32:778, relative to licensure by the Used Motor Vehicle and Parts Commission; to provide relative to the exemption from licensure of licensees of the Louisiana Motor Vehicle Commission; and to provide for related matters.

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

HOUSE BILL NO. 369—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 26:78(A), relative to alcoholic beverage permits; to require the office of alcohol and tobacco control, upon the written request of an applicant for a permit, to obtain a certification from the Department of Revenue concerning the applicant's liability for delinquent sales taxes; and to provide for related matters.

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

HOUSE BILL NO. 510—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 32:1734, relative to towing; to authorize drivers to select a licensed towing company; to provide for minimum requirements; and to provide for related matters.

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

HOUSE BILL NO. 528—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:773.1(A)(2)(b) and (l)(introductory paragraph) and 773.2(D) and to enact R.S. 32:771(19), relative to motorcycle and all-terrain vehicle dealers; to provide for definitions; to provide for unlawful acts of manufacturers and distributors; and to provide for related matters.

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

HOUSE BILL NO. 577—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:2234, relative to trusts; to provide for a prescriptive period for actions by a beneficiary against a trustee; and to provide for related matters.

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

HOUSE BILL NO. 677—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 49:170.5, relative to state symbols; to delete the prohibition on payment of royalties and the commercial usage of the state painting; 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. 708—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

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

HOUSE BILL NO. 758—

BY REPRESENTATIVE WILLARD
AN ACT

To enact R.S. 32:1254(N)(3)(g) and (h) and (4)(e) and (f), relative to motor vehicle salesmen and lessors; to provide for a complete explanation of certain charges; to provide for a consumer's right to refuse certain fees; and to provide for related matters.

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

HOUSE BILL NO. 828—

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 9:2796(A), relative to limitation of liability for loss connected with Mardi Gras parades and festivities; to provide individual members of any krewe or organization with limitation of liability; and to provide for related matters.

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

HOUSE BILL NO. 900—

BY REPRESENTATIVES LEBLANC AND DOWNER AND SENATORS HAINKEL, ULLO, AND DARDENNE
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

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

HOUSE BILL NO. 1112—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 9:3530(F), relative to consumer credit; to provide for convenience fees; and to provide for related matters.

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

HOUSE BILL NO. 1130—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:771(18) and to enact R.S. 32:771(19) and 1261, relative to used motor vehicles; to provide for the definition of "water-damaged vehicle"; to authorize setting aside the sale, transfer, or conveyance of a used motor vehicle under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1211—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 48:461.4(introductory paragraph) and (a)(1), relative to the Department of Transportation and Development; to provide relative to outdoor advertising; to include certain land, buildings, and structures as areas where outdoor advertising shall be permitted; to include illuminated signs, marquees, and electronic readerboard systems as permitted signs; to delete certain provisions relating to illuminated signs which indicate customary public service information; and to provide for related matters.

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

HOUSE BILL NO. 1225—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 47:511.2, relative to motor vehicle registration; to provide for the issuance of temporary registration plates for certain motor vehicles; to provide for fees; to provide for their duration; to provide for administrative rules; and to provide for related matters.

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

HOUSE BILL NO. 1269—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 32:1252(1), (2), (3), (10), (13), and (16), 1253(A)(3), 1254(F)(3), (I), (K), (M), (N)(1)(a), (3)(introductory paragraph) and (7), and (R), 1255(3) and (6), 1256.1, and 1257(A)(1)(introductory paragraph), (a)(introductory paragraph), (b), (c), and (d), (2), (B), (C), (D), and (E), to enact R.S. 32:1252(2.1), (2.2), (9.2), (10.1), (15.1), (19.1), (19.2), (19.3), and (24), 1254(N)(3)(g), (4)(e), (6)(r), and (8), and (S), (T), (U),

(V), and (W), and 1256(G)(4), and to repeal R.S. 32:1252(15)(b)(iv), relative to the sale and distribution of motor vehicles; to provide for the hearing of disputes; to provide for licensure of converters, lease facilitators, motor vehicle lessor franchisors, satellite warranty and repair centers, and speciality vehicle dealers; to provide for fee requirements and bonding requirements; to provide for prohibited activities; to provide for certain business practices; to provide relative to franchises; to provide for grounds for denial, suspension, or revocation of a license; to provide relative to venues for litigation and arbitration; to provide relative to the repurchase of various items; and to provide for related matters.

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

HOUSE BILL NO. 1335—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To amend and reenact R.S. 22:672(D)(1), relative to motor vehicles towed and stored for repairs; to provide for towing; to provide for storage fees; and to provide for related matters.

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

HOUSE BILL NO. 1344—
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. 47:806(B)(1), relative to the taxation of special fuels; to specify the length of time records of bulk sales and deliveries of special fuels shall be kept by the supplier or dealer; and to provide for related matters.

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

HOUSE BILL NO. 1550—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2054(B)(2)(b)(vii), relative to the Louisiana Air Control Law; to provide restrictions on the powers of the secretary of the Department of Environmental Quality with regard to certain motor vehicle fuels programs; 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. 1579—
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 32:291.1, relative to motor vehicles; to provide for reimbursement for the cost of cleanup or removal of road hazards; and to provide for related matters.

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

HOUSE BILL NO. 1680—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 34:322, 323, 324, 326, 328, and 330 and to enact R.S. 34:323.1, relative to the Morgan City Harbor and Terminal District; to provide relative to membership, duties, and powers of the board of commissioners; to authorize the board of commissioners to acquire, construct, control, and alienate industrial parks and facilities; to fund authorized public functions; to enter into cooperative endeavors; to incur debt and issue bonds; to pay

bonds from various sources of income; to lend capital; to levy taxes; to increase bidding limits; to reimburse reasonable and necessary expenses; to define certain terms; and to provide for related matters.

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

HOUSE BILL NO. 1774—
BY REPRESENTATIVES DURAND AND CLARKSON
AN ACT

To enact Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2741 through 2745, relative to public health; to create the Louisiana Healthy People 2010 Planning Council in the Department of Health and Hospitals; to provide for the office of public health in the Department of Health and Hospitals to design a process for a state plan for Healthy People 2010 prior to the convening of the council; to provide for the council to convene and further develop and achieve the final implementation of the Louisiana Healthy People 2010 State Plan; to provide for legislative findings; to provide for powers, duties, and functions of the council; to provide for membership of the council; to provide for periodic reports to the legislature; to provide for termination of the council; 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. 1924—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 33:1426 and to enact R.S. 15:708(A)(5) and F, relative to inmate labor; to authorize a sheriff to contract with the United States government to provide certain services; to authorize a sheriff to use inmate labor to work on flood gates or locks situated on a waterway within a parish; to prohibit inmate labor for private contractors; 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. 1964—
BY REPRESENTATIVE TRICHE
AN ACT

To provide relative to the authority of certain water districts to hire attorneys; and to provide for related matters.

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

HOUSE BILL NO. 2010—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 42:821(A)(2)(a)(viii) and 851(A)(2)(a)(viii), relative to life and health and accident insurance coverage of the State Employees Group Benefits Program; to expand the definition of employees eligible for the program to include active and retired employees of the Acadiana Criminalistics Laboratory Commission; 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. 2063—
BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1403.1, relative to criminal street gangs; to create the crime of solicitation of membership of a criminal street gang; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 2064—

BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1405.3, relative to release from custody of a criminal street gang member; to require the Department of Public Safety and Corrections to notify law enforcement agencies upon release from custody of a member of a criminal street gang; and to provide for related matters.

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

HOUSE BILL NO. 2108—

BY REPRESENTATIVES JOHN SMITH, COPELIN, FONTENOT, ILES, MONTGOMERY, WADDELL, WALSWORTH, WELCH, AND WILLARD AND SENATOR CAIN

AN ACT

To enact R.S. 29:295, relative to the Department of Veterans Affairs; to provide for the establishment and operation of veterans cemeteries; to provide for acquisition of land, eligibility for burial, fees, and acceptance of gifts, grants, and bequests; 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. 2162—

BY REPRESENTATIVES ILES AND CLARKSON
AN ACT

To enact R.S. 40:2741, relative to lactation consultants; to provide for a registry of persons who are International Board Certified Lactation Consultants; 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. 2181—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 40:1299.184 through 1299.188, relative to disparity in health care outcomes; to create the Disparity Commission to study disparity in disease and death rates among certain sectors of the population; to provide for legislative findings; to provide for powers, duties, and functions of the commission; to provide for membership of the commission; to provide for termination of the commission; and to provide for related matters.

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

HOUSE BILL NO. 2186—

BY REPRESENTATIVES JENKINS, PERKINS, AND DANIEL
AN ACT

To authorize and provide the state through the Department of Health and Hospitals to transfer certain tracts of land situated in East Baton Parish to the Recreation and Park Commission for the Parish of East Baton Rouge; and to provide for related matters.

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

HOUSE BILL NO. 2229—

BY REPRESENTATIVE GULLORY
AN ACT

To authorize and provide the state through the division of administration to transfer certain tracts of land situated in Calcasieu Parish to Huff and Thomas Perpetual Care Cemetery, Inc.; and to provide for related matters.

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

HOUSE BILL NO. 2231—

BY REPRESENTATIVE WOOTON
AN ACT

To transfer to the Plaquemines Parish School Board from the State Board of Elementary and Secondary Education certain land, buildings, other facilities, and equipment under the supervision and control of the State Board of Elementary and Secondary Education and previously used by the board to provide postsecondary vocational and technical education to students; 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 Natural Resources.

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 12, 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. 199—

BY REPRESENTATIVES WINSTON AND STRAIN AND SENATORS SCHEDLER AND THOMAS

A CONCURRENT RESOLUTION

To commend and congratulate the Students for Environmental Awareness Club at Covington High School for their work on the Mile Branch Stream Restoration Project and for being awarded the 1998 President's Environmental Youth Award for Region 6 of the United States Environmental Protection Agency.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVES LONG, 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, GULLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request Northwestern State University, through its management board, to designate an existing scholarship available to students enrolled in the College of Education in the name of the Honorable Everett G. Doerge, former State Representative.

HOUSE CONCURRENT RESOLUTION NO. 201—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install lighting at the intersections of Interstate Highway 55 and Interstate Highway 10 and Interstate Highway 10 and United States Highway 51 in La Place, Louisiana.

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. 199—
BY REPRESENTATIVES WINSTON AND STRAIN AND SENATORS SCHEDLER AND THOMAS

A CONCURRENT RESOLUTION

To commend and congratulate the Students for Environmental Awareness Club at Covington High School for their work on the Mile Branch Stream Restoration Project and for being awarded the 1998 President's Environmental Youth Award for Region 6 of the United States Environmental Protection Agency.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names and counts for YEAS. Includes Mr. President, Barham, Bean, Branch, Cain, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—31.

NAYS

Total—0

ABSENT

Table with 3 columns listing names and counts for ABSENT. Includes Bajoie, Boissiere, Campbell, Total—8.

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

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVES LONG, 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, GULLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request Northwestern State University, through its management board, to designate an existing scholarship available

to students enrolled in the College of Education in the name of the Honorable Everett G. Doerge, former State Representative.

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

HOUSE CONCURRENT RESOLUTION NO. 201—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install lighting at the intersections of Interstate Highway 55 and Interstate Highway 10 and Interstate Highway 10 and United States Highway 51 in La Place, Louisiana.

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

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 12, 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. 761—
BY SENATOR BEAN

AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide for coverage of certain patients participating in selected clinical trials; to provide for approval of entities conducting such trials; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 595—
BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:620(A), relative to insurance policy forms; to provide with respect to such forms subject to approval by the commissioner of insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 616—
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 22:230.2 and 250.11(B) and (C) and to enact R.S. 22:250.11(E), relative to health insurance; to provide relative to individual insurance coverage portability, including limitations on preexisting condition exclusions; to provide with respect to conversion policies; to provide relative to the time period to add a newborn child to an individual policy or subscriber agreement; and to provide for related matters.

Reported with amendments.

May 12, 1999

HOUSE BILL NO. 623—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 22:228(D), 250.7(C)(1)(d), (2)(a)(iii), and (3) and F, and 250.13(C)(1)(d), (2)(a)(iii), and (3) and F, relative to health insurance; to provide with respect to health insurance issuers discontinuing to offer products in the individual or group market; to provide relative to nonrenewal of health insurance coverage; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 669—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:9(A)(1)(introductory paragraph), (h), (i), (k), (l), (m), (v), and (w), (2), (6), and (7), (B), and (C) and R.S. 36:686 and to enact R.S. 36:802.16, relative to the Louisiana Health Care Commission; to provide with respect to the membership of the commission; to provide relative to its powers, duties, and responsibilities; to provide relative to its placement within the Department of Insurance; to delete the termination date for the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1122—

BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1823—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:175(B)(introductory paragraph) and (3) and 215(A)(1)(a)(ii), relative to group life and health and accident insurance; to provide relative to the required employee participation if the entire premium is not paid by the employer; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 1868—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:73, 624(B)(introductory paragraph), 644, and 1112(1), to enact R.S. 22:6(15) through (17), 624(B)(8) and (9), and 644.1, and to repeal Part V-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:191 through 197, and R.S. 22:1078(B)(3)(b)(v), relative to insurance; to provide relative to shareholder consent on capital stock; to provide relative to text and numbers on policy forms; to provide for the definitions of insurance agent, homeowners' insurance, credit insurance, and annuities; to provide for rules and regulations for life insurance and annuity replacements; brokers, solicitors, and surplus lines brokers; to provide relative to fees assessed by the commissioner; and to provide for related matters.

Reported with amendments.

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

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

AN ACT

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

Reported favorably.

Respectfully submitted,
GREGORY TARVER
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 12, 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. 99—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effect of disease management/education combined with pharmaceutical compliance on health complications of asthma.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATOR DARDENNE AND REPRESENTATIVE ALARIO
A CONCURRENT RESOLUTION

To create the Task Force on Community Services and Support of Louisiana Citizens with Mental Retardation and Other Developmental Disabilities; to identify and analyze the various waiting lists of Louisiana citizens with mental retardation or other developmental disabilities in need of community services and support and to study the effectiveness and funding of the community services delivery system in meeting those needs.

Reported with amendments.

SENATE BILL NO. 903—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 13:3734(A)(1), R.S. 14:81.2(D)(1), R.S. 15:440.4(A)(5), R.S. 22:669(A)(4) and (B), R.S. 23:1021(7)(d) and (11), R.S. 24:932(4), Chapter 35 of Title 37, to be comprised of R.S. 37:2701 through 2723, R.S. 37:3372(9)(b), R.S. 40:1098.2(5)(b), the introductory paragraph of R.S. 40:1299.39(A)(1)(a)(ii), and R.S. 40:1299.41(A)(1), Children's Code Arts. 326(A)(7), 1172, 1173(A)(2), and 1272(D), Code of Criminal Procedure Art. 644(D)(1), Code of Evidence Art. 510(A)(4)(c), relative to the profession of social worker; to provide for licensure, certification, and registration of the various classifications of social workers; to provide for the scope of practice for each of the various classifications of social workers; to change the name of the board charged with the regulation of the profession and to provide relative to the powers, duties, and responsibilities of the board; to provide relative to the composition of the board; to provide relative to the qualifications required for the various classifications of social workers; to provide for fees to be charged by the board; to provide for the disciplinary powers of the board; to provide for privileged communication between social workers and clients; to provide for penalties for certain violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 804—
BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 17:1519.6 and to enact R.S. 17:1519.3(C)(8), relative to the health care services division of Louisiana State University Medical Center; to delete provisions related to the selection, qualifications, powers, duties, and functions of a private third-party manager for Medical Center of Louisiana at New Orleans; to provide for the management of a part or service of a hospital; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD E. HINES
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 12, 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. 25—
BY SENATOR COX
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, relative to sessions of the legislature; to provide for annual general sessions of the legislature; to provide limitations; to provide for deadlines for certain actions; 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.

SENATE BILL NO. 245—
BY SENATOR HINES
A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to authorize the consideration of certain matters during regular sessions in even-numbered years which are not within the subject matter limitations for such sessions; to provide for the 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 favorably.

SENATE BILL NO. 246—
BY SENATOR JONES
AN ACT

To amend and reenact R.S. 1: 55(A)(1) and (6), (B)(1) and (2),(D) and (E)(1); relative to days of public rest and legal holidays; to make Dr. Martin Luther King, Jr.'s birthday a statewide legal holiday; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1014—
BY SENATOR SIRACUSA
AN ACT

To amend and reenact R.S. 17:71.5, relative to school board reapportionment; to require a school board to reapportion itself under certain circumstances; to provide relative to the procedures to be used in such reapportionment; and to provide for related matters.

Reported without action.

HOUSE BILL NO. 44—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:968(G), relative to the Administrative Procedure Act; to provide relative to the procedure for the proposal and adoption of certain rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 45—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:969, relative to the Administrative Procedure Act; to provide relative to the publication of concurrent resolutions adopted by the legislature affecting rules, regulations, or fees adopted by an agency; to provide for the effectiveness of such changes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1141—
BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 18:1485(A) and (B) and R.S. 42:1157.1, relative to the manner in which reports and other documents are timely filed with the Board of Ethics; to permit time of hand-

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delivery on a receipt from a commercial delivery service to establish the time of filing; to provide for filing when the due date falls on holidays or weekends; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1475—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 1:60, relative to miscellaneous general provisions; to provide that all papers, including applications, forms, reports, returns, statements, and filings of any kind are timely filed with the state, its agencies, boards and commissions if they are postmarked on or before the due date; to provide relative to applicability; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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

SENATE BILL NO. 172—
BY SENATOR HAINKEL
AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(A)(1), relative to limitations on jury trials; to reduce the monetary amount required to have a jury trial; 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. 172 by Senator Hainkel

AMENDMENT NO. 1
On page 1, line 11, change "ten" to "thirty-five"

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

SENATE BILL NO. 267—
BY SENATOR CASANOVA
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(A)(5) of the Constitution of Louisiana, relative to the disposition of certain monies received by the state; to provide for the deposit of amounts of revenue accruing to the state attributable to the conduct of gaming aboard a riverboat; to provide for exceptions; 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. 267 by Senator Casanova

AMENDMENT NO. 1
On page 1, line 2, change "10.8" to "10.3(A)(5)"

AMENDMENT NO. 2
On page 1, line 3, after "state;" delete "to"

AMENDMENT NO. 3
On page 1, delete lines 4 through 12 and insert "provide for the deposit of amounts of revenue accruing to the state attributable to the conduct of gaming aboard a riverboat; to provide for exceptions; and to specify an"

AMENDMENT NO. 4
On page 2, line 2, change "10.8" to "10.3(A)(5)"

AMENDMENT NO. 5
On page 2, delete lines 4 through 27, delete pages 3 and 4 and on page 5, delete lines 1 through 12 and insert:

"§10.3. Budget Stabilization Fund
A. Section 10.3.(A) There is hereby established in the state treasury a Budget Stabilization Fund hereinafter referred to as the fund. Money shall be deposited in the fund as follows:

* * *

Article VII, Section 10.3(A)(5) is all proposed new law.
(5) Beginning with the 2000-2001 Fiscal Year, ten percent of all revenue to the state which otherwise would become available for appropriation, except for amounts required by law to be appropriated for gaming regulation and regulatory enforcement, which is attributable to the conduct of gaming aboard a riverboat, plus an additional ten percent each fiscal year thereafter until, in the tenth year and thereafter, one hundred percent of all such revenue.

* * *

AMENDMENT NO. 6
On page 5, delete lines 20 through 27 and on page 6, delete lines 1 through 13 and insert:

"To direct all revenue to the state from riverboat gaming, except that required for regulation and enforcement, into the Budget Stabilization Fund and to phase such direction in over ten years at the rate of ten percent a year. (Adds Article VII, Section 10.3(A)(5))"

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. 473—
BY SENATORS HAINKEL AND SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Arts. 1424 and 1429, relative to the discovery of certain medical information; to provide for pre-suit independent discovery of certain medical reports when the mental or physical condition of a person is at issue; to authorize independent medical evaluation on certain terms and conditions as determined by the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. On motion of Senator Schedler, the bill was read by title and passed to a third reading.

SENATE BILL NO. 562—
BY SENATOR JORDAN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 327(A)(4) and (B), relative to requisites for bail undertakings; to provide for a single amount of bail for each charge; 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. 562 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 15, change "releasing" to "to release"

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. 563—

BY SENATOR JORDAN

AN ACT

To enact R.S. 15:85(12), relative to satisfaction of judgment of bond forfeiture; to provide a period of one year for the surety to satisfy a judgment of bond forfeiture for certain bail obligations; 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. 563 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "enact R. S. 15:85(12), relative to"

AMENDMENT NO. 2

On page 1, line 4, after "forfeiture" insert "for certain bail obligations"

AMENDMENT NO. 3

On page 1, line 7, after "15:85" delete the remainder of the line and insert "(12) is hereby"

AMENDMENT NO. 4

On page 1, delete lines 14 through 16 and insert the following:

(12) Notwithstanding any provision of law to the contrary, when a commercial surety's bail obligation is in excess of fifty-thousand dollars, the six month period referred to in this Section shall be extended to one year."

AMENDMENT NO. 5

On pages 2 and 3, delete lines 1 through 27, and on page 4, delete lines 1 and 2

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. 564—

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(D)(3), relative to surrender of defendants; to require that the defendant's sureties pay the reasonable cost of returning the defendant within ten days if the defendant is returned; 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. 564 by Senator Jordan

AMENDMENT NO. 1

On page 2, line 4, delete "within ten days of" and insert "prior to"

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. 624—

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

To amend and reenact Children's Code Art. 603(14), relative to children in need of care; to provide for the definition of "neglect"; to provide for effective date; and to provide for related matters.

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

SENATE BILL NO. 676—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 15:1228 and 1229, relative to the Commission on Law Enforcement and Administration of Criminal Justice; to establish an automated victim notification system within the commission; to provide for the functions, powers, and duties of the system; to permit victims and their families to register for notification; to require other state and local agencies to report to the system; 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. 676 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and delete lines 3 through 16 in their entirety and insert the following:

"R.S. 15:1228 and 1229, relative to the Commission on Law Enforcement and Administration of Criminal Justice; to establish an automated victim notification system within the commission; to provide for the functions, powers, and duties of the system; to permit victims and their families to register for notification; to require other state and local agencies to report to the system; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:1228 and 1229 are hereby enacted to read as follows:

R.S. 15:1228 is all proposed new law.

§1228. Automated victim notification system

A. There is hereby created within the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, hereinafter referred to as the "commission", an automated victim notification system, hereinafter referred to as the "system". The commission may appoint such employees, agents, consultants, and special committees as it may deem necessary to properly manage the system.

B. The system, by and through the commission, shall have the following functions, powers, and duties:

(1) To establish an automated victim notification system on offenders that automatically provides crime victims or their families with notice when there is a change in the status of the offender accused or convicted in a crime against that victim.

(2) To have the system accessible for crime victims or their families to initiate inquiries to the system to receive the latest status report on the offender charged or convicted in the crime against that person or his family member.

(3) To have the information that is accessible to victims and their families through the system to be the same information that is required by R.S. 46:1844 to be available to victims and their families.

(4) To promulgate rules and regulations pursuant to the Administrative Procedure Act as are necessary to effectuate the provisions of this Section and R.S. 15:2209.

(5) To design and implement a notification form for victims or their families to utilize that contains their name and phone number so the system can notify them and they have access to call in and make inquiries of the system.

(6) To provide information about the system.

(7) To make, solicit, and request proposals and offers, and to execute and effectuate agreements or contracts for the operation of any part of the system.

(8) To do all other things necessary or convenient to carry out the functions, powers, and duties set forth in this Section.

C. The automated victim notification system is provided as a service to victims of crime in Louisiana. The commission, or any unit of a local governing authority, or the state of Louisiana shall not be liable for the accuracy, timeliness, or completeness of the information contained in the system or the use of that information by any person.

D. The provisions of this Section requiring the creation, maintenance, and operation by the commission of the automated victim notification system shall be contingent upon receipt of adequate funding by the department specifically covering the costs of the system.

R. S. 15:1229 is all proposed new law.

§1229. Reports to the system; duties of persons and agencies

All law enforcement agencies, correctional agencies and institutions, district attorneys and municipal prosecutors, courts having criminal jurisdiction, or any other public agency dealing with crimes or criminals, when requested by the commission, shall:

(1) Install and maintain records needed for the system to accurately report to victims and their families information as required by the commission.

(2) Report to the commission any information requested or required.

(3) Upon the request of the commission, provide any other such assistance, information, and data which are reasonable and available as will enable the commission to properly carry out its powers and duties."

AMENDMENT NO. 2

On page 2, delete lines 1 through 20

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

SENATE BILL NO. 699—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 9:3890, relative to a conditional power of attorney; to provide for a conditional power of attorney that becomes effective upon a certain level of disability; to establish disability requirements relative to a conditional power of attorney; to provide for liability of third parties for refusal to accept the authority of conditional power of attorney; and to provide for related matters.

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

SENATE BILL NO. 735—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 13:782(A), relative to the compensation of certain clerks of district courts of the various parishes; to provide for an increase in such compensation; to provide for effective dates; 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.735 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, change "enact" to "amend and reenact" and after "782" change "(L)" to "(A)"

AMENDMENT NO. 2

On page 1, delete lines 10 through 16 and on page 2, delete lines 1 through 4 and insert the following:

" A. Clerks of district courts of the various parishes, Orleans Parish excepted, shall establish their own rates of annual compensation for their services, payable out of the clerk's salary fund, which rates shall not exceed the following amounts based on the applicable population of the respective parishes, according to the latest United States census as follows:

	Population	Compensation
(1)	Less than 50,000	\$50,000 \$55,000
(2)	50,001-100,000	\$55,000 \$60,000
(3)	100,001-200,000	\$60,000 \$65,000
(4)	200,001-300,000	\$65,000 \$70,000
(5)	Over 300,000	\$70,000 \$75,000
	* * *	

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. 869—
BY SENATOR HAINKEL

AN ACT

To enact Code of Civil Procedure Art. 1563, relative to exemplary damages; to require the court to order separate trials on the issue of liability and damages in certain cases; to require a specific finding of wanton and reckless handling of hazardous or toxic materials in determining the issue of liability; to limit exemplary damages to two and one-half times the economic amount of the compensatory damages awarded; to provide for an exemplary damages cap; to provide relative to interest and suspensive appeals;

to provide relative to pending class actions; 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. 869 by Senator Hainkle

AMENDMENT NO. 1

On page 1, line 5, after "reckless" delete "in the"

AMENDMENT NO. 2

On page 1, line 6, change "three" to "two and one-half"

AMENDMENT NO. 3

On page 1, line 7, delete "pecuniary" and insert "economic" and after "damages" delete "losses"

AMENDMENT NO. 4

On page 1, line 9, after "appeals;" insert " to provide relative to pending class actions;"

AMENDMENT NO. 5

On page 1, line 15, after "pending" insert "or any cause of action which arose or accrued" and on line 16, change "was" to "is"

AMENDMENT NO. 6

On page 2, line 1, change "Art." to "Act"

AMENDMENT NO. 7

On page 2, line 12 delete "three times the pecuniary amount of" and insert "two and one-half times the amount of the economic losses included within" and on line 13, delete "losses"

AMENDMENT NO. 8

On page 2, delete lines 18 and 19 and on line 20 delete "thereto" and insert the following:

"E. Neither legal nor judicial interest shall attach to any award of exemplary damages"

AMENDMENT NO. 9

On page 2, line 20, after "shall" delete "the" and insert "such" and on line 26, delete "interpretative,"

AMENDMENT NO. 10

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

"G. As respects any class action proceeding, pending or in which the cause of action arose or accrued on or before April 16, 1996, the procedures established by this Article shall apply to determinations pursuant to Article 593.I (2), repealed by Act No. 839 of the 1997 Regular Session of the Louisiana Legislature."

AMENDMENT NO. 11

On page 3, line 2, after "Act" insert "No."

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

SENATE BILL NO. 1005—

BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 9:2798(B), relative to the limitation of liability of a volunteer athletic coach, manager, team volunteer health care provider, or official; to provide for cardiopulmonary resuscitation training; 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. 1005 by Senator Dean

AMENDMENT NO. 1

On page 1, line 5, after "training" delete the remainder of the line and insert "; and to"

AMENDMENT NO. 2

On page 2, line 4, change "shall" to "may" and delete lines 5 and 6 and insert the following:

"a course in child cardiopulmonary resuscitation."

AMENDMENT NO. 3

On page 2, line 7, delete "organization."

AMENDMENT NO. 4

On page 2, delete lines 13 through 15 and insert the following:

"safety, and which may include a current certification in child cardiopulmonary resuscitation."

AMENDMENT NO. 5

On page 2, line 17, after "association" delete ", and the" and delete lines 18 through 20 and insert "shall be"

AMENDMENT NO. 6

On page 2, line 21, delete "until September 1," and on line 22, delete "2002"

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

SENATE BILL NO. 1018—

BY SENATOR JONES

AN ACT

To enact Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2488.91 through R.S. 13:2488.99, relative to city courts; to create a city court of Tallulah; to provide for the jurisdiction of said court, its personnel, and the collection and disbursement of funds; 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. 1018 by Senator Jones

AMENDMENT NO. 1

On page 2, delete line 2, and insert the following:

"jurisdiction of which shall be co-terminus with the corporate limits of the town of Tallulah" and on line 3, delete "parish of Madison."

AMENDMENT NO. 2

On page 2, line 7, after "in" delete "Madison parish" and insert "the town of Tallulah"

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

SENATE BILL NO. 1023—

BY SENATORS JORDAN, BARHAM, CAIN, CRAVINS, DARDENNE, DEAN, ELLINGTON, EWING, GREENE, HOLLIS, SCHEDLER, SMITH, HAINKEL, LENTINI AND DYESS

AN ACT

To amend and reenact R.S. 27:65(A), relative to riverboat gaming, to provide relative to the number of riverboat licenses which can be issued; to provide relative to the number of licenses which can be issued within a parish; 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. 1042—

BY SENATOR JORDAN

AN ACT

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

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

SENATE BILL NO. 1063—

BY SENATOR ULLO

AN ACT

To enact Part III-G of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for the authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for the vesting of title; to provide for notice to the owner of the property or servitude; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide for penalty for nonuse of the expropriated property; and to provide for related matters.

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. 1063 by Senator Ullo

AMENDMENT NO. 1

On page 5, line 5, after "beds" insert "leases"

AMENDMENT NO. 2

On page 3, line 1, change "must" to "shall"

AMENDMENT NO. 3

On page 3, line 3, change "must" to "shall"

AMENDMENT NO. 4

On page 3, line 7, change "must" to "shall"

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. 1099—

BY SENATOR DARDENNE

AN ACT

To enact Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463, relative to sports trading cards; to provide that the payment of

consideration or the venturing of money in order to participate in certain activities regarding sports trading cards shall be an unfair method of competition and an unfair or deceptive act or practice; 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. 1099 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 14:90.5" to the following:

"Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463"

AMENDMENT NO. 2

On page 1, line 2, change "prohibit" to "provide that"

AMENDMENT NO. 3

On page 1, line 4, after "cards" delete the remainder of the line and on line 5 delete "penalty;" and insert:

"shall be an unfair method of competition and an unfair or deceptive act or practice;"

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 14:90.5" to the following:

"Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:463,"

AMENDMENT NO. 5

On page 1, delete line 8, and insert:

"§463. Sports trading card games"

AMENDMENT NO. 6

On page 1, line 10, change "It shall be unlawful for any" to "No" and after "entity" change "to" to "shall"

AMENDMENT NO. 7

On page 1, line 14, change "a" to "such"

AMENDMENT NO. 8

On page 2, delete lines 8 through 10, and insert:

"C. Any violation of this Section shall constitute an unfair method of competition and an unfair or deceptive act or practice as provided for in R.S. 51:1405, and shall be subject to the enforcement provisions of the Unfair Trade Practices and Consumer Protection Law of Chapter 13 of this Title, R.S. 51:1401 et seq.."

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.

**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:

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HOUSE BILL NO. 17—BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Articles 2883(B), 2884(B), 2885(C), and 2886(C), relative to probate and the registry of an olographic testament, a nuncupative testament by private act, and a mystic testament; to remove the form requirement that the affidavits of witnesses be executed before a notary and two witnesses; to authorize witnesses to give testimony in the form of an affidavit in lieu of an authentic act, unless the court in its discretion requires the person to appear and testify orally; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 62—

BY REPRESENTATIVES SCHNEIDER, BRUNEAU, DONELON, MCMAINS, WINSTON, BRUCE, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DIEZ, DURAND, FLAVIN, FRITH, GAUTREAUX, JENKINS, MICHOT, PERKINS, SHAW, JOHN SMITH, STELLY, AND TOOMY AND SENATORS LAMBERT AND DARDENNE

AN ACT

To amend and reenact Civil Code Articles 776, 780, and 783 and to enact Part II-B of Chapter 1 of Code Title I of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:1141.1 through 1141.9, all relative to the use of property burdened with building restrictions; to clarify the codal authority to amend such restrictions, generally; to provide specifically for the application of such restrictions in residential planned communities and to statutorily recognize homeowners' communities; to provide definitions and applicability of the Louisiana Homeowners Association Act; to provide for the establishment, amendment, and termination of building restrictions imposed on homeowners association property; to provide with respect to enforcement of such restrictions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 76—BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 51:2613(I), relative to enforcement of the Louisiana Open Housing Act by private persons; to authorize courts to award court costs and reasonable attorney fees to a prevailing defendant; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 88—BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 9:2792.7, relative to offenses and quasi offenses; to provide a statutory definition of a "homeowners association"; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 94—BY REPRESENTATIVE BRUNEAU
AN ACT

To enact Code of Civil Procedure Art. 1915(A)(6), relative to judgments for sanctions and disciplinary actions; to authorize the rendition of a partial, final judgment on the issue of sanctions or disciplinary actions; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 104—BY REPRESENTATIVE FAUCHEUX
AN ACT

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

Reported favorably by the Committee on Judiciary B. 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. 113—BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Civil Procedure Art. 3956(2), relative to service of the petition in an "Article 102" divorce in certain circumstances; to provide with respect to evidence establishing the proof of service on the defendant; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 134—BY REPRESENTATIVE DURAND
AN ACT

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

Reported favorably by the Committee on Judiciary B. 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. 146—BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 13:2488.80, relative to the City Court of Breaux Bridge; to provide for the transfer of funds from the criminal fund and the civil fund of the court to the operating fund of the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 154—BY REPRESENTATIVE DOERGE
AN ACT

To enact R.S. 13:996.50(F), relative to court costs; to provide for an additional fee in certain criminal cases in the district court for Webster Parish to be used to defray certain costs related to parish prisoners; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 159—BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 9:2795.1, relative to limitations of civil liability; to provide for definitions; to provide for immunity from

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liability for certain persons for an injury or death resulting from certain farm animal activities; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 161—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 13:5202(A) and 5206(B), relative to small claims divisions of city courts; to increase the amount in dispute for civil subject matter jurisdiction; 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 Engrossed House Bill No. 161 by Representative Johns

AMENDMENT NO. 1
On page 1, line 4, after "jurisdiction;" insert "to provide certain limitations;"

AMENDMENT NO. 2
On page 1, line 13, after "law" insert "provided that not more than ten parties plaintiff shall be joined in the same action pursuant to Article 463 of the Code of Civil Procedure and that there shall be no class certification pursuant to Articles 591 through 597 of the Code of Civil Procedure"

On motion of Senator Ellington, 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. 175—
BY REPRESENTATIVE JOHNS
AN ACT

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

Reported favorably by the Committee on Judiciary B. 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. 210—
BY REPRESENTATIVE DIEZ AND SENATOR LAMBERT
AN ACT

To amend and reenact R.S. 13:756.1(A), relative to the clerk of court of Ascension Parish; to provide for the location of the branch office of the clerk of court office in Ascension Parish; to provide for the functions of the office; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 217—
BY REPRESENTATIVES BRUNEAU, MCMAINS, DIMOS, DURAND, FRUGE, JOHNS, WALSWORTH, WIGGINS, ALARIO, BARTON, BOWLER, BRUCE, COPELIN, CRANE, CURTIS, DANIEL, FAUCHEUX, FONTENOT, FRITH, HAMMETT, HUNTER, KENNEY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MONTGOMERY, MURRAY, PINAC, POWELL, ROMERO, SCALISE, SCHNEIDER, SHAW, JACK SMITH, TRAVIS, WADDELL, WARNER, WILLARD, AND WRIGHT
AN ACT

To amend and reenact R.S. 13:3881(D)(1) and (2), R.S. 20:33(1), and R.S. 22:647(B) and to enact R.S. 13:3881(D)(3), relative to general exemptions from seizure; to include all annuity contracts and tax-deferred arrangements as exempt; to provide subject to

standard exemptions; to define annuity contract; to provide for applicability; 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 Reengrossed House Bill No. 217 by Representative Bruneau

AMENDMENT NO. 1
On page 2, line 1, after "support:" insert "all pensions,"

AMENDMENT NO. 2
On page 3, line 15, after "All" insert "pensions,"

On motion of Senator Ellington, 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. 242—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Article 4844(A)(3), (4), and (5), relative to civil jurisdiction for parish and city courts; to increase the jurisdictional amounts in certain eviction proceedings; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 250—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to provide for an increase in court costs for the mayor's court in the town of Kinder; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 253—
BY REPRESENTATIVES MONTGOMERY, DURAND, WARNER, FAUCHEUX, AND HEATON
AN ACT

To enact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriffs of certain parishes and a civil district court to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; to provide for applicability to certain funds and associations; 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 Engrossed House Bill No. 253 by Representative Montgomery

AMENDMENT NO. 3
On page 2, line 10, after "Lincoln," and before "Madison," insert "Livingston,"

On motion of Senator Jordan, 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. 314—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 15:706(D), relative to the transportation of prisoners in parish prisons to trials in other judicial districts; to provide for the district attorney to seek a court order for the transportation of the prisoner; to provide for the sheriff of the parish in which the trial is held to transport the prisoner; to provide for reimbursement of the costs of transportation; 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 Engrossed House Bill No. 314 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 3, change "trials" to "criminal court proceedings"

AMENDMENT NO. 2

On page 1, line 5, change "trial" to "criminal court proceeding"

AMENDMENT NO. 3

On page 1, line 13, change "who is to be" to "whose presence is required in"

AMENDMENT NO. 4

On page 1, line 14, change "tried in a criminal trial" to "a criminal court proceeding"

AMENDMENT NO. 5

On page 1, line 17, change "trial" to "criminal court proceeding"

AMENDMENT NO. 6

On page 2, line 2, change "trial" to "criminal court proceeding"

AMENDMENT NO. 7

On page 2, line 4, change "trial" to "criminal court proceeding" and after "held" insert "and return the prisoner to that parish if so required"

AMENDMENT NO. 8

On page 2, line 5, change "trial" to "criminal court proceeding"

AMENDMENT NO. 9

On page 2, line 7, change "trial" to "criminal court proceeding and for returning the prisoner to the parish in which he was incarcerated"

On motion of Senator Ellington, 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. 326—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 40:1151, relative to the regulation of water supply and sewerage systems by the Department of Health and Hospitals; to provide for exemption of certain systems from such regulation if the exemption is necessary to meet federal requirements; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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. 375—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to authorize an increase in court costs for the mayor's court in

Clinton, Louisiana; to provide for the use of the additional funds; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 389—

BY REPRESENTATIVES MCMAINS, DEWITT, AND DOWNER

AN ACT

To amend and reenact R.S. 12:91 and 1314, relative to liability of officers and directors of certain business organizations and members and managers of limited liability companies; to provide for liability based on a standard of gross negligence and the requirements of the business judgment rule; to provide relative to the fiduciary duty rules applicable to business organizations and limited liability companies; 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. 389 by Representative McMains

AMENDMENT NO. 1

On page 2, line 13, before "indifference" insert "a conscious"

On motion of Senator Schedler, 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. 411—

BY REPRESENTATIVES BRUNEAU AND MORRELL

AN ACT

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

Reported favorably by the Committee on Judiciary A. 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. 571—

BY REPRESENTATIVES WINDHORST AND MURRAY

AN ACT

To enact R.S. 47:7003(G), (H), (I), and (J), relative to gaming licensing requirements; to provide for temporary special letters of authorization issued for exhibiting gaming equipment in certain circumstances; to provide for criteria; to provide for the issuance of temporary special letters of authorization for conducting raffles and drawings at trade shows, conventions, and expositions for noncash prizes; 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 Reengrossed House Bill No. 571 by Representatives Windhorst and Murray

AMENDMENT NO. 1

On page 2, line 26, after "adopt" insert "and submit to the Louisiana Register"

AMENDMENT NO. 2

On page 3, line 1, after "Section" insert "not later than September 15, 1999"

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On motion of Senator Ellington, 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. 686—
BY REPRESENTATIVE CURTIS
AN ACT

To amend and reenact R.S. 30:2040, relative to waste disposal facilities in Rapides Parish; to prohibit the location of such facilities within any portion of House of Representatives District 26 or within the city of Alexandria; to provide for a definition of commercial solid or hazardous waste disposal facility; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 686 by Representative Curtis

AMENDMENT NO. 1

On page 2, at the end of line 6, change "R.S. 24.35.4(26)." to "R.S. 24:35.4(26)."

On motion of Senator Lambert, 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. 776—
BY REPRESENTATIVE MCCAIN
AN ACT

To repeal Code of Civil Procedure Article 3955, relative to the inapplicability of the declinatory exception of lis pendens in a divorce proceeding filed under Civil Code Article 102.

Reported favorably by the Committee on Judiciary A. 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. 814—
BY REPRESENTATIVE MCCAIN
AN ACT

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

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. 814 by Representative McCain

AMENDMENT NO. 1

On page 2, line 2, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 2

On page 2, line 14, after "courier" insert ",when the person to be served is located outside of this state"

AMENDMENT NO. 3

On page 3, line 22, after "(D)" insert ", when the corporation or person to be served is located outside of this state"

AMENDMENT NO. 4

On page 4, line 9, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 5

On page 4, line 18, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 6

On page 5, line 7, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 7

On page 5, line 24, after "(D)" insert ", when the party to be served is located outside of this state"

AMENDMENT NO. 8

On page 6, line 14, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 9

On page 6, line 25, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 10

On page 7, line 4, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 11

On page 7, line 24, after "mail" delete the remainder of the line and insert "by the"

AMENDMENT NO. 12

On page 8, line 18, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 13

On page 9, line 15, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 14

On page 9, line 26, after "(D)" insert ", when the person to be served is located outside of this state"

AMENDMENT NO. 15

On page 10, lines 10, 18, and 24, after "(D)" insert ", when the person to be served is located outside of this state"

On motion of Senator Schedler, 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. 815—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 339, relative to elections of type of bail; to provide for a single amount of bail for each charge to be fixed by the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 817—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact Code of Criminal Procedure Article 345(G), relative to surrender of defendant; to provide for the placing of defendants charged with a felony who have forfeited their bail bonds to be

placed into the National Crime Information Center registry; 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 Engrossed House Bill No. 817 by Representative McCain

AMENDMENT NO. 1

On page 2, line 1, change "request" to "placement"

AMENDMENT NO. 2

On page 2, line 2, after "name" delete the remainder of the line and delete line 3 and insert "is removed from the National Crime Information Center registry without cause during the"

On motion of Senator Jordan, 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. 931—

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER, AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, AND ULLO
AN ACT

To amend and reenact R.S. 42:1441.3(C) and (D) and to enact R.S. 42:1441.3(E) and (F), relative to public liability; to provide for the determination of master of officer of a political subdivision; to provide for certain determinants; to define "political subdivision"; to provide that this Act shall be the exclusive means of imposing liability upon any political subdivision based upon offenses and quasi offenses of another political subdivision; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 944—

BY REPRESENTATIVES WINDHORST AND CHAISSON
AN ACT

To amend and reenact Code of Civil Procedure Article 4911(A), relative to civil jurisdiction for justice of the peace courts; to increase the amount in dispute; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 952—

BY REPRESENTATIVE MCCAIN
AN ACT

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

Reported favorably by the Committee on Judiciary A. 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. 988—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact Code of Civil Procedure Article 2784, relative to support; to provide relative to applicability of intrastate registration of support orders; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 989—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 9:315.16, relative to child support; to authorize the court to award child support beyond the schedule of support in certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1336—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 40:1563.1(A)(introductory paragraph) and (C) and 1568 and to enact R.S. 40:1563(H) and (I) and to repeal R.S. 40:1569, relative to the office of fire marshal; to provide for powers and duties; to provide for the execution of search warrants; to provide for criminal contempt for failure to comply with a subpoena or a subpoena duces tecum; to provide relative to the authority to make arrests and to carry firearms; to delete authority of the fire marshal as committing magistrate; to repeal provisions providing for contempt of court powers of a fire marshal acting as a magistrate; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 1389—

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

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1389 by Representative Alexander

AMENDMENT NO. 1

On page 4, line 24, at the beginning of the line and after "hearing" change "shall" to "may"

On motion of Senator Jordan, 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.
acted upon as follows:

HOUSE BILL NO. 1482—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and R.S. 33:171, relative to annexation; to provide relative to the distribution of proceeds from video draw poker to municipalities which annex certain areas; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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.

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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.

Reported favorably by the Committee on Environmental Quality. 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. 1588—

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. 30:2025(E)(3)(a)(introductory paragraph) and to enact R.S. 30:2025(E)(3)(c), relative to the Department of Environmental Quality; to provide relative to civil penalties; to provide that the secretary by rule may establish classifications or levels of violations and the appropriate enforcement response; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1588 by Representative Damico

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." delete the remainder of the line, and on line 10, delete "amended and reenacted and"

AMENDMENT NO. 3

On page 1, line 16, after "(3)" delete the remainder of the line and insert in lieu thereof "* * *"

AMENDMENT NO. 4

On page 1, delete lines 17 through 19 in their entirety

On motion of Senator Lambert, 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. 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.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1694 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:2373(B)" insert "and (C)(3)"

AMENDMENT NO. 2

On page 1, line 11, after "R.S. 30:2373(B)" delete "is" and insert in lieu thereof "and (C)(3) are"

AMENDMENT NO. 3

On page 2, at the beginning of line 17, delete "(3)"

AMENDMENT NO. 4

On page 2, at the beginning of line 20, before "(5)" insert "(3)"

AMENDMENT NO. 5

On page 2, line 23, before "* * *" insert "C."

AMENDMENT NO. 6

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

"(3) For owners and operators who knowingly fail to report a reportable release of a hazardous material regulated by this Chapter, the department may assess a civil penalty not to exceed twenty-five thousand dollars per violation per day. * * *"

AMENDMENT NO. 7

On page 3, delete lines 1 through 25 in their entirety and insert in lieu thereof the following:

"E.(1) Notwithstanding any other provision of law to the contrary, the provisions of this Section shall not apply to any incidents, accidents, or cleanup of incidents or accidents that occur within a facility that is subject to the release reporting requirements of R.S. 30:2373(B) and is engaged in activities defined or classified under one or more of the following subsectors, industry groups, or industries of the 1997 North American Industry Classification System (NAICS):

- (a) 211 (oil and gas extraction).
(b) 22111 (electric power generation).
(c) 3221 (pulp, paper, and paperboard mills).
(d) 324 (petroleum and coal products manufacturing).
(e) 325 (chemical manufacturing).
(f) 326 (plastics and rubber products manufacturing).
(g) 331 (primary metal manufacturing).
(h) 4953 (refuse systems).
(i) 4212 (local trucking without storage).
(j) 4789 (trucking without storage).

(2) Notwithstanding the provisions of Subsection (E)(1), this Section shall apply to any carrier involved in any incident, accident, or cleanup of an incident or accident which occurs outside the perimeter of any facility exempted from this Section pursuant to Subsection (E)(1)."

AMENDMENT NO. 8

On page 4, at the beginning of line 1, change "(4)" to "(3)"

AMENDMENT NO. 9

On page 4, line 3, between "address" and "changes" insert "any" and between "federal" and "regulations" insert "law, rules, or"

On motion of Senator Lambert, 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. 1764—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to parole; to provide for persons eligible to participate in intensive incarceration and intensive parole supervision programs; 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 Reengrossed House Bill No. 1764 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" insert "and (h)(i)"

AMENDMENT NO. 2

On page 1, line 7, after "(introductory paragraph)" insert "and (h)(i)"

AMENDMENT NO. 3

On page 2, line 9, after "a first offense for" insert "distribution, dispensing, or"

AMENDMENT NO. 4

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

"(h) When an offender completes intensive incarceration, the Board of Parole shall review the case of the offender and recommend either that the offender be released on intensive parole supervision or that the offender serve the remainder of his sentence as provided by law. When the offender is released to intensive parole supervision by the board, the board shall require the offender to comply with the following conditions of intensive parole supervision in addition to any other conditions of parole ordered by the board:

(i) Be subject to multiple weekly monthly visits with his supervising officers without prior notice.

* * *

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. 1855—

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

AN ACT

To amend and reenact R.S. 30:2224(A)(2)(introductory paragraph), relative to inactive or abandoned hazardous waste sites; to remove the Department of Transportation and Development from participation in cooperative agreements with certain state departments in regard to inactive or abandoned hazardous waste sites; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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.

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. 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.

Motion

Senator C. Fields moved the previous question on the entire subject matter.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jones
Barham	Ellington	Jordan
Bean	Fields C	Romero
Branch	Fields W	Schedler
Cain	Greene	Tarver
Campbell	Hainkel	Theunissen
Cravins	Hollis	Thomas
Total—21		

NAYS

Boissiere	Heitmeier	Malone
Casanova	Hines	Siracusa
Cox	Johnson	Smith
Dardenne	Landry	Ullo
Dean	Lentini	
Total—14		

ABSENT

Mr. President	Lambert
Irons	Robichaux
Total—4	

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

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

Branch	Greene	Schedler
Casanova	Hainkel	Theunissen
Dardenne	Hollis	Thomas
Dean	Romero	
Total—11		

NAYS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry

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Barham
Bean
Boissiere
Cain
Campbell
Cox
Cravins
Total—27

Fields C
Fields W
Heitmeier
Hines
Johnson
Jones
Jordan

Lentini
Malone
Robichaux
Siracusa
Smith
Tarver
Ullo

ABSENT

Irons
Total—1

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

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. 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.

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

Special Order of the Day

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

SENATE BILL NO. 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.

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. 1078 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 13, change "or such threat involving" to "whether or not such threat involves"

On motion of Senator W. Fields, 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. 1078 by Senator W. Fields

AMENDMENT NO. 1

On page 1, lines 5 and 13, and on page 2, line 3, after "property" insert ", at a school sponsored function,"

AMENDMENT NO. 2

On page 2, line 4, after "imprisoned" insert "with or without hard labor" and after "not" delete "less" and delete line 5, and add the following:

"more than twenty years. At least one year of imprisonment shall be served without benefit of probation, parole, or suspension of sentence.

C. For purposes of this Section, "at a school sponsored function" means the specific designated area of the function, including but not limited to athletic competitions, dances, parties, or any extracurricular activity."

AMENDMENT NO. 3

On page 2, line 14, after "property" insert ", at a school sponsored function,"

On motion of Senator W. Fields, 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. 1078 by Senator W. Fields

AMENDMENT NO. 1

On page 2, at the end of lines 5 and 26, insert the following:

"Upon commitment to the Department of Public Safety and Corrections after conviction for a crime committed on school property, at a school sponsored function or in a firearm-free zone, the department shall have the offender evaluated by a psychologist or a psychiatrist through appropriate examinations or tests conducted under the supervision of the department. Such evaluation shall be made within thirty days of the order of commitment."

On motion of Senator W. Fields, 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. 1078 by Senator W. Fields

AMENDMENT NO. 1

On page 1, line 2, after "14"54.3.1" insert "and R. S. 17:416.12"

AMENDMENT NO. 2

On page 1, line 6, after "bombing;" insert "to require schools to inform students of the consequences of violent acts committed on school property, at a school function or in a firearm-free school zone;"

AMENDMENT NO. 3

On page 2, after line 27, add the following:

"Section 3. R. S. 17:416.12 is hereby enacted to read as follows:

§416.12. Schools' duty to inform students of consequences of violent acts on school property, at a school sponsored function or in a firearm-free zone

R. S. 17:416.12 is all proposed new law.

A. Each city or parish school board shall require each school to have a special program to inform students of the consequences of violent acts committed on school property, at a school sponsored function or in a firearm-free zone.

B. Such program shall be held during the first week of each school year, beginning in school year 1999-2000."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Barham	Fields C	Landry
Bean	Fields W	Lentini
Branch	Greene	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Schedler
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Dyess	Jordan	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Romero	Theunissen
Boissiere	Siracusa	
Total—5		

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was taken up and acted upon as follows:

SENATE BILL NO. 1098—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 17:416.12, relative to certain conduct by students in public schools; to require certain appropriate conduct by all students in public schools in certain circumstances; to provide relative to compliance; to provide for effectiveness; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1

On page 1, lines 2, 3 and 15, after "public" insert "and approved nonpublic"

AMENDMENT NO. 2

On page 1, delete lines 11 and 12, and insert "each governing authority of a public or an approved nonpublic school shall require each student under its jurisdiction to exhibit appropriate"

AMENDMENT NO. 3

On page 2, line 2, delete "public school"

AMENDMENT NO. 4

On page 2, line 9, after "Each" delete the remainder of the line and insert "governing authority of a public or an approved nonpublic school shall provide for"

AMENDMENT NO. 5

On page 2, line 13, after "Each" delete the remainder of the line and insert "governing authority of a public or an approved nonpublic school shall take or provide for"

Rules Suspended

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

Senator W. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dardenne	Landry
Bean	Dean	Robichaux
Boissiere	Dyess	Smith
Cain	Greene	Tarver
Campbell	Hainkel	Thomas
Casanova	Hines	
Cox	Hollis	
Total—19		

NAYS

Bajoie	Fields W	Jordan
Branch	Heitmeier	Malone
Cravins	Johnson	Siracusa
Fields C	Jones	Ullo
Total—12		

ABSENT

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Mr. President	Lambert	Schedler
Ellington	Lentini	Theunissen
Irons	Romero	
Total—8		

The Chair declared the Senate refused to suspend the rules.

Motion

Senator Cain moved the previous question on the amendment.

Without objection, so ordered.

Senator C. Fields moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Fields W	Robichaux
Campbell	Irons	Tarver
Cox	Johnson	
Fields C	Jones	
Total—10		

NAYS		
Mr. President	Dean	Landry
Barham	Dyess	Malone
Bean	Greene	Schedler
Boissiere	Hainkel	Siracusa
Branch	Heitmeier	Smith
Cain	Hines	Thomas
Cravins	Hollis	Ullo
Dardenne	Jordan	
Total—23		

ABSENT		
Casanova	Lambert	Romero
Ellington	Lentini	Theunissen
Total—6		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1
On page 1, line 2, delete "by students"

AMENDMENT NO. 2
On page 1, line 4, after "compliance;" insert "to provide relative to certain conduct by school personnel;"

AMENDMENT NO. 3
On page 1, line 8, after "compliance" insert "; conduct by school personnel"

AMENDMENT NO. 4
On page 2, between lines 8 and 9, insert the following:

"B. When any teacher or administrator is speaking with any student while on school property or at a school sponsored event, such teacher or administrator shall address or refer to the student by his or her given name."

AMENDMENT NO. 5
On page 2, line 9, change "B." to "C."

AMENDMENT NO. 6
On page 2, line 13, change "C." to "D."

AMENDMENT NO. 7
On page 2, line 14, change "student" to "person"

AMENDMENT NO. 8
On page 2, line 15, after "requirements of" delete "Subsection A"

Senator C. Fields moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Fields C	Johnson	Tarver
Fields W	Jones	
Irons	Robichaux	
Total—7		

NAYS		
Mr. President	Cravins	Jordan
Bajoie	Dardenne	Landry
Barham	Dean	Lentini
Bean	Dyess	Malone
Boissiere	Ellington	Schedler
Branch	Greene	Siracusa
Cain	Hainkel	Smith
Campbell	Heitmeier	Thomas
Casanova	Hines	Ullo
Cox	Hollis	
Total—29		

ABSENT		
Lambert	Romero	Theunissen
Total—3		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1
On page 1, delete lines 14 through 16

AMENDMENT NO. 2
On page 2, delete line 1

AMENDMENT NO. 3
On page 2, line 2, change "(2)" to "(1)"

Senator C. Fields moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS, listing names of senators and their counts.

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 17:" insert "10.4 and" and after "conduct" delete "by students"

AMENDMENT NO. 2
On page 1, line 3, after "schools;" insert "to require certain state officials to teach one day each year in a public school;"

AMENDMENT NO. 3
On page 1, line 7, after "R.S. 17:" insert "10.4 and" and change "is" to "are"

AMENDMENT NO. 4
On page 1, between lines 7 and 8, insert the following:

"§10.4. School adoption program; legislators; day of instruction
R.S. 17:10.4 is all proposed new law.
A. Beginning with the 1999-2000 school year and thereafter, each legislator shall adopt a public elementary or secondary school within his or her district and shall donate one day of public service, as his or her schedule may permit, by providing a day of instruction at the selected school each year.
B. The purpose of this program is to increase the awareness of legislators regarding the needs of public education.

Senator C. Fields moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1
On page 1, line 2, after "conduct by" insert "certain"

AMENDMENT NO. 2
On page 1, line 12, after "school" insert "in kindergarten through third grade"

Senator Campbell moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

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Boissiere
Branch
Cain
Cravins
Total—13

Ellington
Greene
Hainkel
Hollis

Smith
Ullo

ABSENT

Lambert
Lentini
Total—4

Romero
Theunissen

The Chair declared the amendments were adopted.

Personal Privilege

Senator Bean asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Campbell to Senate Bill No. 1098. He voted yea on the amendment and had intended to vote nay. He asked that the Official Journal so state.

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. 1098 by Senator Cravins

AMENDMENT NO. 1

On page 2, after line 15, insert the following:

"D. Notwithstanding any provision of this Section to the contrary, all school board members, school superintendents, principals, and teachers shall be subject to a ten percent decrease in salary for failure to enforce the provisions of this Section."

Senator Dean moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

Dean
Total—1

NAYS

Mr. President
Bajoie
Barham
Bean
Boissiere
Branch
Casanova
Cox
Cravins
Dardenne
Dyess
Total—33

Ellington
Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Landry
Lentini
Malone
Robichaux
Schedler
Siracusa
Smith
Tarver
Thomas
Ullo

ABSENT

Cain
Campbell
Total—5

Lambert
Romero

Theunissen

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1098 by Senator Cravins

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Campbell and adopted by the Senate on May 12, 1999, delete Amendment No. 2.

AMENDMENT NO. 2

On page 1, line 12, after "school" insert "in kindergarten through fifth grade"

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Total—34

Dyess
Ellington
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Lambert
Landry

Lentini
Malone
Robichaux
Romero
Schedler
Siracusa
Smith
Theunissen
Thomas
Ullo

NAYS

Boissiere
Fields C
Total—5

Fields W
Jordan

Tarver

ABSENT

Total—0

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 38—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 3:264(B) and (C), relative to the Louisiana Agricultural Finance Authority; to increase the number of members of the authority; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture to Reengrossed Senate Bill No. 38 by Senator Cain

AMENDMENT NO. 1

On page 2, line 1, after "Authority" delete the period and insert the following:

" , and shall not be counted for the purpose of constituting a quorum for the transaction of official business."

AMENDMENT NO. 2.

On page 2, at the beginning of line 4, delete "four" and insert "six"

AMENDMENT NO. 3

On page 2, line 5, after "of" and before "persons" delete "three" and insert "six"

AMENDMENT NO. 4

On page 2, at the end of line 7, delete "three" and insert "six"

AMENDMENT NO. 5

On page 2, at the end of line 9, delete "three" and insert "six"

AMENDMENT NO.6

On page 2, line 12, after "of" and before "persons" delete "three" and insert "six"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hill to Reengrossed Senate Bill No. 38 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, after "(C)" delete the comma and insert "and to enact R.S. 3:266(21),"

AMENDMENT NO. 2

On page 1, line 4, after "authority;" insert "to provide relative to powers of the authority;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 3:266(21) is hereby enacted"

AMENDMENT NO. 4

On page 2, line 13, after "Bankers" insert "of Louisiana, Inc."

AMENDMENT NO. 5

On page 2, after line 23, insert the following:

"§266. Powers of authority

The authority shall have all the powers necessary to give effect to and carry out the purposes and provisions of this Chapter, including, in addition to all other powers granted by other provisions of this Chapter, the powers to:

* * *

(21) Notwithstanding any other law, supervise and utilize public employees, equipment and material in carrying out public work, including public work in furtherance of Formosan termite suppression.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided

in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, the Act shall become effective on the day following such approval."

Senator Cain moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—39.

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 329— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:582(A)(4) and (B) and to enact R.S. 11:582(C), relative to the Louisiana State Employees' Retirement System; to provide for a benefit accrual rate for certain members who continue employment following participation in the Deferred Retirement Option Plan; to provide for service credit and eligibility for retirement; to provide for benefit accrual rate; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Conforming amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 329 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 1, delete "service"

AMENDMENT NO. 2

On page 2, line 2, after "twenty-five" change "years or more" to "or more years of service"

AMENDMENT NO. 3

On page 2, at the end of line 3, delete "benefit" and insert in lieu thereof "sum"

AMENDMENT NO. 4

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On page 2, delete lines 24 and 25 and insert in lieu thereof "member who continues employment after participation in the Deferred Retirement Option Plan shall accrue an additional"

AMENDMENT NO. 5

On page 2, line 26, between "benefit" and "of" insert "equal to the sum"

AMENDMENT NO. 6

On page 2, line 26, delete "final"

AMENDMENT NO. 7

On page 3, delete line 1 in its entirety and insert in lieu thereof "but without regard to R.S.11:447(C), and not to exceed"

AMENDMENT NO. 8

On page 3, line 2, delete "his" and insert in lieu thereof "the member's"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and ABSENT, listing names of senators and their counts.

Jordan Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 332— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1422, relative to Assessors' Retirement Fund; to increase the benefit accrual rate; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 332 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, at the beginning of line 10, add "A:"

AMENDMENT NO. 2

On page 1, line 12, after "equal to" delete the remainder of the line and insert in lieu thereof "the benefit accrual rate set forth in Subsection B of this Section, multiplied times the"

AMENDMENT NO. 3

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

"B.(1) The benefit accrual rate applicable to all years of service rendered on or before June 30, 1999 shall equal three percent.

(2) The benefit accrual rate applicable to all years of service rendered on and after July 1, 1999 shall equal three and one-third percent."

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts.

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 418— BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:250.9(B), relative to health insurance; to provide for time limitations for implementation of the federal and state portability requirements; to provide for implementation waivers; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 418 by Senator Bean

AMENDMENT NO. 1

On page 1, line 11, following "B." and before "The" insert "(1)"

AMENDMENT NO. 2

On page 2, line 9, change "(1)" to "(a)"; on line 14 change "(2)" to "(b)"; and on line 20 change "(3)" to "(2)"

Senator Bean moved to concur in the amendments proposed by the House.

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 amendments proposed by the House were concurred in. Senator Bean moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 447—
BY SENATOR DARDENNE

AN ACT

To amend and reenact the introductory paragraph of R.S. 24:53(A), and 53(E), 54(A) and 55(C), relative to certain lobbyist reports, registrations, notices and statements required to be filed with the Board of Ethics; to delete the requirement that such reports be made under oath before an officer authorized by law to administer oaths; to require that such reports include a certification of accuracy by the filer; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 447 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 7, after "filer;" and before "and" insert "to permit filing of documents by mail or by delivery through a commercial delivery service; to permit the filing of documents by facsimile and electronically;"

AMENDMENT NO. 2

On page 2, line 12, after "A." and before "All" insert "(1)"

AMENDMENT NO. 3

On page 2, between lines 21 and 22 insert the following:

"(2) All reports, registrations, notices, and statements required under this Part shall be filed by mailing said documents through the United States Postal Service, delivering by hand or through a commercial delivery service, or by transmitting by facsimile or electronic transfer."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 548—
BY SENATOR ROMERO

AN ACT

To enact R.S. 56:451.1 and to repeal R.S. 56:450(E), relative to shell dredging; to prohibit shell dredging from any state owned waterbottom; to provide for exceptions; to provide penalties; and to provide for related matters.

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

SENATE BILL NO. 693—

BY SENATOR CAIN AND REPRESENTATIVES ILES AND JOHN SMITH
AN ACT

To enact Subpart B-14 of Part IV of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.361 through 130.365, relative to physical development of parishes and municipalities; to authorize creation of the Beauregard Parish Economic and Industrial Development District; to provide for a board of commissioners; to provide for membership and terms of office; to provide for powers of the district; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 693 by Senator Cain, et al.

AMENDMENT NO. 1

On page 2, line 15 after "except the" delete the remainder of the line and delete line 16 and insert "power of taxation."

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AMENDMENT NO. 2

On page 3, line 10, change "cities" to "municipalities"

AMENDMENT NO. 3

On page 4, line 6, after "year," and before "At" insert "The initial terms of each appointee of the police jury shall be determined by lot."

AMENDMENT NO. 4

On page 4, at the end of line 13, delete "of the appointing" and at the beginning of line 14 delete "authority"

AMENDMENT NO. 5

On page 5, at the end of line 12, change "powers" to "power"

AMENDMENT NO. 6

On page 6, line 26, after "business" insert "or"

AMENDMENT NO. 7

On page 5, line 13 after "of taxation" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 8

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

"(10) To enter into contracts for the purchase, acquisition, construction, and improvement of works and facilities necessary in connection with the purposes of the district and in accordance with this Subpart.

(11) In its own name and on its own behalf to incur debt and to issue general obligation bonds, revenue bonds, certificates, notes, and other evidences of indebtedness.

(12) To borrow money and pledge all or part of its revenues, leases, rents, or other advantages as security for such loans."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 693 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, and on page 1, line 11, following "Part VI" and before "of" insert "of Chapter 1"

AMENDMENT NO. 2

On page 3, line 15, following "(a)" and before "Each" delete "(i)"

AMENDMENT NO. 3

On page 3, line 17, before "The" change "(ii)" to "(b)"

AMENDMENT NO. 4

On page 12, line 7, following "of" and before "Subparagraph" change "the" to "this"

Senator Cain moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Cain Hines Siracusa
Campbell Hollis Smith
Casanova Irons Tarver
Cox Johnson Theunissen
Cravins Jones Thomas
Dardenne Jordan Ullo
Dyess Lambert
Total—38

NAYS

Total—0

ABSENT

Dean
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Resolutions on Second Reading Reported by Committees

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

SENATE RESOLUTION NO. 18— BY SENATOR C. FIELDS

A RESOLUTION

To direct the Department of Transportation and Development to study, in conjunction with the United States Department of Transportation, the feasibility of four-laning Harding Lane (L.A. 408), from Southern University to the existing overpass; and to further urge and request Department of Transportation and Development to work with local officials to facilitate the four-laning of Swan Street, from Southern University to Scenic Drive (U.S. 61) and the construction of an overpass at the rail-crossing on Swan Street.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Resolution No. 18 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 10, after "Louisiana" change "directs" to "hereby urges and requests"

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

The resolution was read by title. Senator C. Fields moved to adopt the amended Senate Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bajoie Ellington Landry

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

Total—39

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had adopted the amended Senate Resolution.

Resolutions on Third Reading and Final Passage

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

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

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

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

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 except when acting upon confidential or executive business as provided by Senate Rules.

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

ROLL CALL

The roll was called with the following result:

YEAS

Branch	Fields C	Jordan
Cain	Fields W	Ullo
Dean	Irons	

Total—8

NAYS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Boissiere	Heitmeier	Schedler

Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Landry	Thomas
Total—30		

ABSENT

Lambert
Total—1

The Chair declared the Senate refused to adopt the Senate Resolution.

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 88—
BY SENATOR BARHAM
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to form a committee to study and investigate the tax laws of Louisiana and report to the legislature with respect thereto.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Concurrent Resolution No. 88 by Senator Barham

AMENDMENT NO. 1

On page 1, line 2, before "committee" delete "standing"

AMENDMENT NO. 2

On page 2, line 14, before "committee" delete "standing"

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

The resolution was read by title. Senator Barham moved to adopt the amended 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
Boissiere	Fields W	Romero
Branch	Greene	Schedler
Cain	Hainkel	Siracusa
Campbell	Heitmeier	Smith
Casanova	Hines	Tarver
Cox	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Total—35		

NAYS

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Bean
Total—1

ABSENT

Jordan
Total—3

Lambert Robichaux

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

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Agriculture.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	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 Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture and the House Committee on Agriculture to meet as a joint committee to study the state laws concerning the sale of jointly owned timber and issues related thereto.

Reported favorably by the Committee on Agriculture.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 50 by Senator Jones

AMENDMENT NO. 1

On page 2, between lines 9 and 10 insert "(2) Paul M. Hebert Law Center at Louisiana State University."

AMENDMENT NO. 2

On page 2, line 10, change "2" to "3"

AMENDMENT NO. 3

On page 2, line 11, change "3" to "4"

AMENDMENT NO. 4

On page 2, line 12, change "4" to "5"

AMENDMENT NO. 5

On page 2, line 13, change "5" to "6"

AMENDMENT NO. 6

On page 2, line 14, change "6" to "7"

AMENDMENT NO. 7

On page 2, line 16, change "7" to "8"

AMENDMENT NO. 8

On page 2, line 17, change "8" to "9"

AMENDMENT NO. 9

On page 2, line 19, change "9" to "10"

AMENDMENT NO. 10

On page 2, line 21, change "10" to "11"

AMENDMENT NO. 11

On page 2, line 23, change "11" to "12"

AMENDMENT NO. 12

On page 2, line 25, change "12" to "13"

On page 2, line 26, change "13" to "14"

AMENDMENT NO. 13

On page 2, line 28, change "14" to "15"

AMENDMENT NO. 14

On page 3, line 9, after "Clinic," insert "the Paul M. Hebert Law Center at Louisiana State University,"

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

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

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 53 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 1, line 14, change "60,000" to "sixty thousand"

AMENDMENT NO. 3

On page 2, line 9, change "directed" to "urged and requested"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR HINES AND COX

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide for an additional one hundred personal care attendant Medicaid waiver slots for disabled adults from funds received by the state from any tobacco industry settlement, agreement, or judgment.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 85 by Senator Hines

AMENDMENT NO. 1

On page 1, line 10, change "VI" to "VII"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Robichaux

Total—1

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

SENATE CONCURRENT RESOLUTION NO. 91— BY SENATORS LAMBERT, DYESS, IRONS, LANDRY, SCHEDLER, SMITH AND THOMAS

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to evaluate and update the safety standards for helmets to be approved for use by persons required to wear helmets when operating or riding a motorcycle in the state.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 101— BY SENATORS JOHNSON AND SCHEDLER

A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development develop a plan to deal with the traffic congestion in East New Orleans on the Interstate 10 corridor.

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

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Original Senate Concurrent Resolution No. 101 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 16, change "2001" to "2000"

Senator Johnson moved adoption of the amendments.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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, Hollis, Smith, Casanova, Irons, Tarver, Cox, Johnson, Theunissen, Cravins, Jones, Thomas, Dardenne, Jordan, Ullo, Dean, Lambert, Total—38

NAYS

Total—0

ABSENT

Hines Total—1

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

SENATE CONCURRENT RESOLUTION NO. 87— BY SENATOR SIRACUSA

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to meet jointly to study the issues regarding the recognition by the state of the Grand Caillou/Dulac Band of Biloxi-Chitimacha, the Isle de Jean Charles Band of Biloxi-Chitimacha, and the Lower Lafourche Band of Biloxi-Chitimacha, and the Pointe-aux-Chien Indian tribe as Indian tribes in Louisiana and the Biloxi-Chitimacha Confederation of Muskogees, Incorporated as a Confederation of Indian Tribes of Louisiana and to make a recommendation to the legislature on whether such recognition should occur.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 87 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 2, change "recognize" to "urge and request the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to meet jointly to study the issues regarding the recognition by the state of"

AMENDMENT NO. 2

On page 1, line 5, delete "to recognize"

AMENDMENT NO. 3

On page 1, line 7 after "Louisiana" insert " and to make a recommendation to the legislature on whether such recognition should occur"

AMENDMENT NO. 4

On page 2, delete lines 8 through 25 and insert the following:

THEREFORE BE IT RESOLVED that the Legislature of Louisiana requests the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to meet jointly and study the issues regarding the recognition by the state of the Grand Caillou/Dulac Band of Biloxi-Chitimacha, the Isle de Jean Charles Band of Biloxi-Chitimacha, and the Lower Lafourche Band of Biloxi-Chitimacha, and the Pointe-aux-Chien Indian tribe as Indian tribes in Louisiana and the Biloxi-Chitimacha Confederation of Muskogeans, Incorporated as a Confederation of Indian Tribes of Louisiana.

BE IT FURTHER RESOLVED that the results of such study and the recommendation of the committees acting jointly regarding whether such recognition should occur shall be reported to the members of both houses of the legislature not later than March 15, 2000.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted to the governor and the director of the Office of Indian Affairs."

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

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

Senate Concurrent Resolutions on Third Reading and Final Passage

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

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

A CONCURRENT RESOLUTION

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

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Concurrent Resolution No. 92 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 4, after "author" and before the comma "," insert "or authorized handler"

On motion of Senator Landry, the amendments were adopted.

The resolution was read by title. Senator Landry moved to adopt the amended 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	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Johnson	Ullo
Dardenne	Jordan	
Dean	Lambert	

Total—37

NAYS

Total—0

ABSENT

Jones
Total—2

Siracusa

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 514—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:3048.1(A)(4)(a) and (d) and (L), 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 an effective date; and to provide for related matters.

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

SENATE BILL NO. 696—

BY SENATOR CAIN AND REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 11:1316, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement system as an accessory retirement benefit; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Campbell	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Casanova	Jones	Siracusa
Total—3		

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

SENATE BILL NO. 803—
BY SENATOR LANDRY

AN ACT

To amend R.S. 32:387(C)(3)(f)(ii) and to enact R.S. 32:387.11 and 387.12, relative to special permits; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to a semi-annual (critical off-road equipment) permit; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to an annual (noncritical off-road equipment) permit; to provide for permit criteria; to provide for fees; to provide relative to equipment used for the transfer of certain recyclable products; and to provide for related matters.

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 Reengrossed Senate Bill No. 803 by Senator Landry

AMENDMENT NO. 1

On page 3, line 3, following "classified" and before "critical" insert "as"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones

Siracusa

Total—2

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

Senator Hainkel in the Chair

SENATE BILL NO. 856 (DUPLICATE OF HOUSE BILL NO. 1304)—

BY SENATOR DARDENNE AND REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 15:587.2, relative to children; 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones

Jordan

Siracusa

Total—3

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

SENATE BILL NO. 1039—

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

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

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

**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 C. Fields asked that Senate Bill No. 926 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 926—
BY SENATOR C. FIELDS

AN ACT

To amend and reenact Civil Code Art. 136(A), relative to child custody; to provide certain criteria for visitation rights of non-custodial parent; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 926 by Senator C. Fields

AMENDMENT NO. 1

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

"(3) Notwithstanding the provisions of this Section or any other provisions of law to the contrary, at any time a determination of child support is being made, the court or the tribunal charged with adjudicating such matters, shall provide for visitation rights, if the court finds that it is in the best interest of the child."

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jordan
Boissiere	Fields C	Robichaux
Cain	Fields W	Romero
Cox	Irons	Tarver
Cravins	Johnson	Thomas
Dean	Jones	Ullo
Total—18		

NAYS

Mr. President	Greene	Malone
Barham	Hainkel	Schedler
Bean	Hines	Siracusa
Branch	Hollis	Smith
Casanova	Lambert	Theunissen
Dardenne	Landry	
Ellington	Lentini	
Total—19		

ABSENT

Campbell	Heitmeier
Total—2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jones
Bean	Ellington	Jordan
Boissiere	Fields C	Robichaux
Cain	Fields W	Romero
Campbell	Heitmeier	Tarver
Cox	Hines	Thomas
Cravins	Irons	Ullo
Dean	Johnson	
Total—23		

NAYS

Mr. President	Hainkel	Schedler
Barham	Hollis	Siracusa
Branch	Lambert	Smith
Casanova	Landry	Theunissen
Dardenne	Lentini	
Greene	Malone	
Total—16		

ABSENT

Total—0

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

Mr. President in the Chair

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 698 be called from the Calendar at this time for its final passage.

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

To amend and reenact R.S. 24:51(5) and 52, relative to lobbying; to provide for a definition of lobbyist; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 698 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 24:51(5)" change "and 52" to ", 52, and 53 and to enact R.S. 24:58(D)(1)"

AMENDMENT NO. 2

On page 1, line 3, after "exceptions;" insert "to require notice to and review of certain unregistered persons prior to enforcement action or sanction;"

AMENDMENT NO. 3

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On page 2, after line 20, insert the following:

* * *

§53. Registration of lobbyists with the board; compilation of information

A. Each lobbyist shall register with the board within five days of employment as a lobbyist or within five days after the first action requiring his registration as a lobbyist. He shall give to the board in writing and under oath, on forms provided by them, the following information:

* * *

(2) The name and address of each person by whom he is employed and, if different, whose interests he represents, including the business in which that person is engaged, and whether or not he receives compensation for such activities.

(3) The name of each person by whom he is paid or is to be paid to lobby.

* * *

§58. Enforcement

* * *

D. In addition to any other applicable penalties:

* * *

R.S. 24:58(D)(3) is all proposed new law.

(3) Notwithstanding any provision of law to the contrary, neither the staff nor the board shall impose any late fee, civil penalty, fine, or other sanction, or otherwise take enforcement action against any lobbyist as defined by R.S. 24:51(5)(b), who has failed either to register or to file reports as required by this Part, until the board has notified such person that he appears to be required by law to register or file reports, and has given such person the opportunity to contest such requirement. The board shall determine whether the person is required by law to register as a lobbyist and has failed to register, or is required to file reports and has failed to file the reports required. Any fee, late fee, civil penalty, fine, or other sanction shall not be deemed to be due until five (5) days after the date of the board's decision.

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

Total—38

NAYS

Total—0

ABSENT

Cain

Total—1

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.

Senator Casanova in the Chair

Called from the Calendar

Senator Bean asked that Senate Bill No. 1035 be called from the Calendar at this time for its final passage.

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

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bean, Boissiere, Campbell, Cox, Dyess, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Romero, Siracusa, Tarver, Theunissen. Total—18

NAYS

Table listing names of members voting NAYS: Mr. President, Dean, Malone, Bajoie, Ellington, Robichaux, Barham, Fields C, Schedler, Branch, Fields W, Smith, Cain, Greene, Thomas, Casanova, Hainkel, Ullo, Dardenne, Irons. Total—20

ABSENT

Cravins Total—1

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Bean, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding

legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Called from the Calendar

Senator Cox asked that Senate Bill No. 440 be called from the Calendar at this time for its final passage.

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.

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. 440 by Senator Cox

AMENDMENT NO. 1

On page 2, delete lines 5 and 6

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 440 by Senator Cox

AMENDMENT NO. 1

On page 3, line 12, between "registry" and the period "." insert "which is initially established at forty dollars"

On motion of Senator Cox, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Dean

Malone

Total—2

ABSENT

Total—0

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

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 449 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 449— BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1157.3, relative to enforcement of violations and penalties by the Board of Ethics; to authorize the board to contract with outside counsel for the enforcement of certain judgments; 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, Landry, Barham, Fields C, Lentini, Bean, Fields W, Malone, Boissiere, Greene, Robichaux, Branch, Hainkel, Romero, Cain, Heitmeier, Schedler, Campbell, Hines, Siracusa, Casanova, Hollis, Smith, Cox, Irons, Tarver, Cravins, Johnson, Thomas, Dardenne, Jones, Ullo, Dean, Jordan

Total—38

NAYS

Total—0

ABSENT

Theunissen

Total—1

The Chair declared the 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.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 600 be called from the Calendar at this time for its final passage.

May 12, 1999

SENATE BILL NO. 600—
BY SENATOR SCHEDLER

AN ACT

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

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 600 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 9, after "A." delete the remainder of the line, delete line 10, and at the beginning of line 11 delete "260, each" and insert "Any"

AMENDMENT NO. 2

On page 2, line 1, after "'disaster'" delete ", notwithstanding R.S." and at the beginning of line 2, delete "37:2150(4)," and change "five hundred" to "fifty thousand"

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler 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	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dyess	Landry	
Total—37		

NAYS

Dean
Total—1

ABSENT

Lambert
Total—1

The Chair declared the amended 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.

Called from the Calendar

Senator Cox asked that Senate Bill No. 611 be called from the Calendar at this time for its final passage.

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.

The bill was read by title. Senator Cox 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	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Thomas
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—37		

NAYS

Total—0

ABSENT

Schedler
Total—2
Theunissen

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

Called from the Calendar

Senator Dyess asked that Senate Bill No. 310 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 310—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 17:2047(B), 2048.31(B), and 2048.32(A) and to enact R.S. 17:2047(C), 2048.31(C) and R.S. 37:969(A)(6) and 969.1, relative to nurse and health occupations training programs and licensure; to provide relative to student admittance; to require the Board of Supervisors of Community and Technical Colleges to request and obtain criminal history record information on students making application to enroll in nursing and other health occupations training programs; to require the Louisiana State Board of Practical Nurse Examiners to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for a license or permit which the board is authorized to issue; to authorize the collection of a fee from any applicant for costs incurred in requesting and obtaining any criminal history record information; to provide for definitions; to provide for confidentiality of information; to provide for the release of such information upon written consent of the applicant or by court order; to provide for 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 Robichaux
Boissiere Greene Romero
Branch Hainkel Schedler
Cain Heitmeier Siracusa
Campbell Hines Smith
Casanova Hollis Tarver
Cox Irons Theunissen
Cravins Jones Thomas
Dardenne Jordan Ullo
Dean Lambert

NAYS

Total—0

ABSENT

Johnson
Total—1

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.

Called from the Calendar

Senator Dyess asked that Senate Bill No. 1069 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1069—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(b) and 4574.5, relative to recreational facilities; to increase the percentage of rent or fee charged for hotel occupancy to fund the Alexandria/Pineville Area Convention and Visitors Bureau; to increase membership on said bureau; 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 Ellington Landry
Bajoie Fields C Lentini
Barham Fields W Malone
Bean Greene Robichaux
Boissiere Hainkel Romero
Branch Heitmeier Schedler
Cain Hines Siracusa
Campbell Hollis Smith
Casanova Irons Tarver
Cox Johnson Theunissen
Cravins Jones Thomas
Dardenne Jordan Ullo

Dyess
Total—38

Lambert
NAYS

Dean
Total—1

ABSENT

Total—0

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.

Called from the Calendar

Senator Cox asked that Senate Bill No. 278 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 278—
BY SENATOR COX

AN ACT

To enact Code of Civil Procedure Art. 971, relative to written motions; to provide a special motion to strike in certain civil proceedings; to provide for the duties of the Judicial Council relative thereto; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields C Lambert
Bean Fields W Robichaux
Boissiere Heitmeier Schedler
Cain Hines Siracusa
Campbell Hollis Tarver
Cox Irons Thomas
Cravins Johnson Ullo
Dean Jones
Dyess Jordan

Total—25

NAYS

Barham Greene Romero
Branch Hainkel Smith
Casanova Landry Theunissen
Dardenne Lentini
Ellington Malone

Total—13

ABSENT

Mr. President
Total—1

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

Called from the Calendar

Senator Cox asked that Senate Bill No. 1113 be called from the Calendar at this time for its final passage.

May 12, 1999

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.

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. 1113 by Senator Cox

AMENDMENT NO. 1

On page 2, line 7, following "and" and before "to" change "15:542.1" to "542.1"

AMENDMENT NO. 2

On page 3, line 20, following "and" and before ", not" change "15:542.1" to "542.1"

On motion of Senator Lentini, the amendments were adopted.

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

Mr. President in the Chair

Called from the Calendar

Senator Ullo asked that Senate Bill No. 351 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 351—

BY SENATORS ULLO AND CAIN

AN ACT

To amend and reenact R.S. 33:2218.2(C)(8)(c) relative to police departments; to provide that supplemental compensation be paid to certain elected law enforcement officials; to delete POST certification requirements of certain elected law enforcement officials; and to provide for related matters.

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. 351 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 1, after "(c)" insert "(i)"

AMENDMENT NO. 2

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

"on January 1, 1997, or thereafter,"

AMENDMENT NO. 3

On page 2, line 5, after "compensation" insert the following:

"as provided by Subsection A of this Section, if such person meets the POST certification requirements provided by R.S. 40:2405"

AMENDMENT NO. 4

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

", if the certification requirements have been completed within the periods stipulated in R.S. 40:2405(A) or (E)"

AMENDMENT NO. 5

On page 2, between lines 10 and 11, insert the following:

"(ii) Notwithstanding any other provisions of this Subsection to the contrary, any person who is sworn in as an elected marshal or chief of police of a municipality or tribe with a population of seven thousand or less as established by the most recent federal decennial census, shall, immediately upon taking office, be eligible to receive supplemental compensation. The effective date for beginning such supplemental compensation shall be the date on which such person is sworn into office."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Tarver Total—1

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

Rules Suspended

Senator Siracusa asked for and obtained a suspension of the rules for the purpose of reverting to the order of

Senate Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Siracusa asked that Senate Concurrent Resolution No. 87 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATOR SIRACUSA

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Judiciary B and the House Committee on the Administration of Criminal Justice to meet jointly to study the issues regarding the recognition by the state of the Grand Caillou/Dulac Band of Biloxi-Chitimacha, the Isle de Jean Charles Band of Biloxi-Chitimacha, and the Lower Lafourche Band of Biloxi-Chitimacha, and the Pointe-aux-Chien Indian tribe as Indian tribes in Louisiana and the Biloxi-Chitimacha Confederation of Muskogees, Incorporated as a Confederation of Indian Tribes of Louisiana and to make a recommendation to the legislature on whether such recognition should occur.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 35—

BY SENATOR ELLINGTON

A RESOLUTION

To commend the Louisiana Baptist Children's Home for helping children for one hundred years.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 36—

BY SENATOR IRONS

A RESOLUTION

To express the condolences of the Senate of the Louisiana Legislature on the death of Margaret Amacker Bolton.

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal at the intersection of Scenic Highway and Mills Avenue in Scotlandville in East Baton Rouge Parish.

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

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend Martha Tribble on her outstanding twenty years of service and dedication to the state as a legislative assistant.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

May 12, 1999

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To direct the governor of the state of Louisiana, the president of the Senate, and the speaker of the House of Representatives to, individually or jointly, take appropriate action to prohibit smoking throughout the state capitol thereby creating and declaring the capitol a "smoke-free" environment.

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

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, the New Orleans Regional Planning Commission, and the New Orleans Regional Transit Authority to conduct a study relative to the development of a rapid rail transportation system from East New Orleans to the New Orleans central business district.

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

Reports of Committees

The following reports of committees were received and read:

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 12, 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. 54—

BY SENATOR LANDRY

AN ACT

To amend and reenact Title 51 of the Louisiana Revised Statutes of 1950, relative to trade and commerce; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 79—

BY SENATOR LANDRY

AN ACT

To amend and reenact Title 6 of the Louisiana Revised Statutes of 1950, relative to banks and banking; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1112—

BY SENATORS DARDENNE AND HAINKEL

AN ACT

To amend and reenact R.S. 9:2343(B) and to repeal R.S. 9:2343(C), relative to membership on the board of trustees of certain public trusts; to increase the number of trustees of certain public trusts; to provide for their appointment; to provide for the term of the trustees; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 103—

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

A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE BILL NO. 578—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY

AN ACT

To amend and reenact R.S. 6:535(C) and 536(C), relative to interstate banking; to prohibit out-of-state banks from entering the state through certain means; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 579—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:127(C) and R.S. 13:3733.1(A)(2) and (G), relative to records of financial institutions; to provide for reproduction of documents; to provide for the definition of "records"; to provide for the use of reproductions of certain instruments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 713—

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 51:2131(B), relative to the Louisiana Film and Video Commission; to change the membership of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 887—

BY REPRESENTATIVES PINAC, FRITH, AND MURRAY

AN ACT

To amend and reenact R.S. 6:316(A), relative to deposits in banks; to provide relative to pledge of deposit accounts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1007—

BY REPRESENTATIVES COPELIN, LEBLANC, MURRAY, HUNTER, DOWNER, ALARIO, BARTON, BRUCE, CARTER, CLARKSON, CURTIS, DAMICO, DANIEL, DEWITT, DIEZ, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAUX, GLOVER, GUILLORY, HEATON, ILES, KENNEY, LANDRIEU, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHWEGMANN, THOMPSON, THORNHILL, TRAVIS, WADDELL, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, WILLARD, AND WOOTON

AN ACT

To enact Part XIII of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5061 through 5063, relative to requirements for certain tobacco product manufacturers; to require those tobacco product manufacturers who did not participate in the Master Settlement Agreement signed on November 23, 1998, and who sell tobacco products in Louisiana, to place certain funds in escrow; to provide for the distribution of those funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1014—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:3398(B) and (D) and 3409(A)(introductory paragraph) and (B)(1) and to enact R.S. 37:3409(F), relative to real estate appraisers; to provide for examination; to allow for the levying of fines for violations; to provide for notice of disciplinary charges; to prohibit certain activities during suspension; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1015—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:3891(10) and R.S. 37:1439(A), 1442(A), 1446(G), 1455(A)(introductory paragraph), and (9), 1456(A)(1), and 1462, to enact R.S. 9:3893(F) and 3897(G), and to repeal R.S. 37:1437(C)(6)(c) and 1437.2(F) through (I), relative to the licensure and regulation of real estate licensees; to provide relative to dual agency; to provide for issuance of certificates; to provide for compensation; to provide for the levying of fines for violations; to provide for notice of disciplinary charges; to provide for conditions for recovery; to repeal certain provisions relative to application for licensure; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1469—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:101(B)(4), relative to the commissioner of the office of financial institutions; to provide for qualifications; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1810—

BY REPRESENTATIVES TRAVIS, ALARIO, ANSARDI, BOWLER, DEWITT, PINAC, POWELL, AND THOMPSON AND SENATOR HOLLIS

AN ACT

To amend and reenact Part I of Chapter 2 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:71 through 95, relative to accountants; to provide for a short title; to provide for legislative findings and purpose; to provide for definitions; to create and provide relative to the State Board of Certified Public Accountants of Louisiana; to provide for qualifications for a certificate as a certified public accountant; to provide for issuance and renewal of certificate and maintenance of competency; to provide for firm permits to practice, attest experience and peer review; to provide for appointment of the secretary of state as agent for nonresidents; to provide for enforcement; to provide for investigations; to provide for hearings by the board and complaints; to provide for reinstatement of licenses; to provide for unlawful acts; to provide for injunctions against unlawful acts and criminal penalties; to provide for single acts as evidence; to provide for confidential communications; to provide for accounting and review services for governmental agencies; to provide for licensee working papers and client records; to provide for the discarding of documents after completion of engagement; to provide for accounting documents sent out of state by the insurance commissioner; to provide for privity of contract; to provide for prescriptive and preemptive periods; to provide for proportionate liability; to provide for substantial equivalency; to provide relative to the legislative auditor; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1860—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:1393(A), (B), (D), (E), (G), and (I), 1394(A)(2), 1395(B)(6), (11), and (13) and (C)(2), 1397, 1398(A) and (D), 1400(D), (E)(3) and (4), and (F), and 1401 and to enact R.S. 37:1398(G), relative to locksmiths; to provide relative to board membership, terms, and meetings; to provide for fees for licensure; to provide relative to qualifications for licensure; to provide relative to examinations for licensure; to provide relative to denial, suspension, revocation, and reinstatement of licenses; to provide relative to prohibited activities and penalties; to provide relative to customer identification and record retention; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

Messages from the Governor

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

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

May 12, 1999

To the Honorable President and members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through May 7, 1999. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

Avozelles

Rose L. Batiste
185 Mayeaux Rd.
Marksville, La 71351

Tammy Gonzales
209 Volsin Dr.
Marksville, La 71351

Geraldine G. Goudeau
P. O. Box 155
Marksville, La 71351

Angela Riche
2432 Hwy. 451
Moreauville, La 71355

Carolyn G. Roche
331 Dupuy Dr.
Plaucheville, La 71362

Brenda Thevenot
6415 Hwy. 29
Cottonport, La 71327

Bossier

Donna A. Hickman
981 Judy Ln.
Benton, La 71006

Terry Milam
2314 Ashland Ave.
Bossier City, La 71111

East Baton Rouge

Cecelia Pham Ledoux
13005 Briar Hollow Ave.
Baton Rouge, La 70810

Lafayette

Dianna Kay Laviolette
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Lafayette, La 70502

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Thomas C. Smith
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Rapides

Carol Dianne Jeansonne
701 Murray St.

May 12, 1999

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Alexandria, La 71309

St. Charles

Brandt J. Dufrene, Jr.
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Thibodaux, La 70301

St. Martin

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Aaron Ducote

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Warren Melancon

Hwy. 66
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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 12, 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. 193—

BY REPRESENTATIVE JENKINS

A CONCURRENT RESOLUTION

To commend and congratulate Rev. Jesse 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.

HOUSE CONCURRENT RESOLUTION NO. 194—

BY REPRESENTATIVE WILLARD

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Muriel Cynthia Jones Williams.

HOUSE CONCURRENT RESOLUTION NO. 195—

BY REPRESENTATIVE JETSON

A CONCURRENT RESOLUTION

To commend Seimone Augustus, a native of Louisiana and an outstanding member of the Capitol High Lady Lions Basketball team, who helped lead her team to a record of 36-2, and state runner-up in Class AAAA.

HOUSE CONCURRENT RESOLUTION NO. 196—

BY REPRESENTATIVES MCDONALD, THOMPSON, MCCALLUM, HUNTER, KENNEY, WALSWORTH, ALEXANDER, AND WRIGHT AND SENATORS EWING, BARHAM, ELLINGTON, AND JONES

A CONCURRENT RESOLUTION

To commend LSU baseball coach Skip Bertman for his splendid achievements, for the honor and distinction he has brought to LSU

and Louisiana, for the academic success of his players, and for his effective promotion of baseball throughout the state.

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.

Message to the Governor

SIGNED SENATE BILLS

May 12, 1999

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 322 (DUPLICATE OF HOUSE BILL NO. 515)—

BY SENATOR HEITMEIER AND REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:463, relative to the Louisiana State Employees' Retirement System; to provide for the payment of required medical examinations for certification of continuing eligibility for disability payments; to provide for limitations; and to provide for related matters.

SENATE BILL NO. 326—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:479, relative to the Louisiana State Employees' Retirement System; to provide for the payment through electronic fund transfer of any retirement benefit to a member or beneficiary who becomes eligible for the benefit on or after January 1, 2000; to provide for exceptions; and to provide for related matters.

SENATE BILL NO. 333—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1456(A),(C), and (E), relative to the Assessors' Retirement Fund; to increase the authorized duration of participation in the Deferred Retirement Option Plan; to provide relative to eligibility for such participation; to provide for employee contributions during participation in a Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 334—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:2178(B)(1)(c) and to amend and reenact R.S. 11:2178(B)(2), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to disability retirement; to increase the benefit for partial disability; to permit earning a certain income during total disability; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 404—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:454, relative to the Louisiana State Employees' Retirement System; to provide for an excess benefit arrangement to be administered as provided in federal law; and to provide for related matters.

SENATE BILL NO. 409—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1932(A), relative to the Parochial Employees' Retirement System; to provide relative to computation of benefits and mode of payment options; and to provide for related matters.

SENATE BILL NO. 411—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1925(C), and 1934(D), relative to the Parochial Employees' Retirement System; to revise certain provisions applicable to creditable service and disability retirement benefits; to provide for repayment of withdrawn contributions; to delete obsolete provisions relative to the benefit payable to a disability retirement upon restoration to active service on attainment of age fifty years; and to provide for related matters.

SENATE BILL NO. 419—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:215(A)(4), 250.1(5)(r)(ii); 250.5(A)(1)(b)(ii), to enact R.S. 22:250.17 and to repeal R.S. 22:215.22, relative to health insurance; to provide for portability, availability, and renewability of health insurance; to restrict the classification of franchise health and accident insurance, to provide for mental health parity limitations and coverage for reconstructive surgery following mastectomies; and to provide for related matters.

SENATE BILL NO. 456—
BY SENATOR BEAN

AN ACT

To enact R.S. 22:250.17, relative to health insurers; to require health insurers to provide certain information on member identification cards; and to provide for related matters.

SENATE BILL NO. 555—
BY SENATORS LANDRY AND HEITMEIER AND REPRESENTATIVES CURTIS, DANIEL, JOHNS, STELLY, TRICHE AND WALSWORTH

AN ACT

To amend and reenact R.S. 11:1530(F) and 1641(C), relative to the Clerks' of Court Retirement and Relief Fund and the District Attorneys' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide for the earning of interest in an account; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 621—
BY SENATORS LANDRY AND HEITMEIER AND REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 11:22(C) and 1531 through 1533, and Part VI of Chapter 2 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1575 through 1578, relative to the Clerks' of Court Retirement and Relief Fund; to create an excess benefit plan; to provide for payment of maximum benefits; to provide for direct rollover of eligible rollover distributions; to provide for Internal Revenue Code qualification requirements; and to provide for related matters.

SENATE BILL NO. 675—
BY SENATOR HEITMEIER AND REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:2260(A)(11)(a) and 3843(A), relative to retirement systems; to provide for a merger between Firefighters' Retirement System and firefighters from the Baton Rouge City Parish Employees' Retirement System; to provide for guarantee of benefits contract for certain members of Firefighters' Retirement System and Municipal Police Employees' Retirement System; and to provide for related matters.

SENATE BILL NO. 708—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 24:53(E), relative to lobbying; to provide for the effective date of termination of lobbyist registrations; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Adjournment

Senator Bean moved that the Senate adjourn until Thursday, May 13, 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 13, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk