

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

TWENTY-SEVENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 13, 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 was called with the following result:

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	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ulló
Dean	Jordan	
Total—38		

ABSENT

Tarver
Total—1

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

Prayer

The prayer was offered by Senator Dyess, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Dyess, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

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 13, 1999

The Honorable President and Members of the Senate

Ladies and Gentlemen:

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, Mr. Donald J. Gogreve has been appointed and previously submitted for your consideration to serve on the State Employees Group Benefits Program Trustee.

However, I wish to withdraw the name from submission.

Sincerely,
M. J. "Mike" Foster, Jr.
Governor

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 13, 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. 165—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 39:330.4, relative to the incorporeal property owned by a public institution of higher education; to require that certain transfers of ownership or of the right of use shall be by a public request for proposal process; to require the promulgation of rules and regulations relative to such transactions; to restrict the use of the proceeds of such transfer; and to provide for related matters.

HOUSE BILL NO. 463—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 32:781, relative to used motor vehicle dealers; to require used motor vehicle dealers to provide certain documents; to provide for penalties; to provide for suits for damages; and to provide for related matters.

HOUSE BILL NO. 1224—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 30:5.1, relative to unitization of oil and gas wells; to provide for deep pool units; to provide procedures, terms, and conditions; to provide for rules and regulations; to provide for certain orders of the commissioner of conservation; and to provide for related matters.

HOUSE BILL NO. 1524—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, McMAINS, AND DIEZ AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 30:2054(B)(8)(a) and R.S. 32:1306(C) and to repeal R.S. 30:2054(B)(8)(b), (c), and (d) and R.S. 32:1304(D)(2) and (3), relative to motor vehicle emissions and inspection and maintenance; to provide for the establishment and implementation of a program for the control and abatement of motor vehicle emissions; to provide for applicability of such program and of certain procedures, requirements, and conditions; to provide for emissions inspections; to provide for the imposition and disposition of certain fees; to repeal certain requirements and

May 13, 1999

procedures regarding vehicle emission inspections and reports; and to provide for related matters.

HOUSE BILL NO. 1548—

BY REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 30:2057(B)(5) and (C)(1) and R.S. 33:1236(31)(b)(ii) and to enact R.S. 30:2057(D), (E), (F), (G), and (H) and R.S. 33:1236(31)(c), (d), (e), (f), (g), and (h), relative to air quality; to provide for restrictions on the open burning of yard waste; to provide relative to regulatory authority and exceptions; to provide for certain powers of parish governing authorities; to provide enforcement procedures for violations; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1592—

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

AN ACT

To enact R.S. 30:2289.1(D), relative to the Department of Environmental Quality; to provide relative to hazardous waste or substances and remedial actions; to provide relative to promulgation of rules for fees for review, investigation, and oversight; to authorize the department to impose and collect certain fees; and to provide for related matters.

HOUSE BILL NO. 1593—

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

AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(b), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 1163—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 15:81, relative to bail for violations of municipal ordinances; to increase the bail limit in the Municipal Court of New Orleans; and to provide for related matters.

HOUSE BILL NO. 1320—

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

HOUSE BILL NO. 1463—

BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 11:3442(8), relative to the Firemen's Pension and Relief Fund for the City of Shreveport; to provide with respect to benefits; and to provide for related matters.

HOUSE BILL NO. 1516—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 33:2489.1, relative to municipal fire and police civil service in Baton Rouge; to authorize the police chief to appoint members of the classified police service to command positions; to provide for the qualifications, authority, and civil service status of such persons; and to provide for related matters.

HOUSE BILL NO. 1793—

BY REPRESENTATIVE ALEXANDER

AN ACT

To enact R.S. 33:423.10, relative to certain municipalities; to provide with respect to the powers and duties of the chief of police; to authorize said officer to effect certain disciplinary actions; and to provide for related matters.

HOUSE BILL NO. 1776—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 33:2218.8(G), relative to extra compensation for commissioned full-time deputy sheriffs; to expand eligibility of supplemental pay to include deputies who are employed as field representatives or process servers; and to provide for related matters.

HOUSE BILL NO. 2047—

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL

AN ACT

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

HOUSE BILL NO. 285—

BY REPRESENTATIVE ALEXANDER

AN ACT

To amend and reenact R.S. 37:927, relative to fees collected by the Louisiana State Board of Nursing; to set maximum amounts which may be charged for certain services; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 286—

BY REPRESENTATIVE ALEXANDER

AN ACT

To amend and reenact R.S. 37:921(introductory paragraph) and 929(4) and to enact R.S. 37:913(17) and 918(17), relative to the jurisdiction of the Louisiana State Board of Nursing; to authorize the board to regulate student nurses upon entering and during the clinical phase of nursing education; to authorize the board to discipline student nurses under certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 409—

BY REPRESENTATIVES WELCH, MCMAINS, AND WESTON

AN ACT

To enact R.S. 13:1000.2, relative to the Nineteenth Judicial District Court; to provide for the assessment and collection of additional costs in criminal matters for the support of the court-appointed special advocate (CASA) program; and to provide for related matters.

HOUSE BILL NO. 412—

BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact Code of Criminal Procedure Article 887(A), relative to court costs; to authorize the magistrates of mayor's courts to suspend court costs in criminal cases; and to provide for related matters.

HOUSE BILL NO. 891—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 33:382(G) and 1371(C), relative to municipal reapportionment; to require the governing authority of any municipality to use whole election precincts, to the extent practicable, when reapportioning municipal districts; 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. 165—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 39:330.4, relative to the incorporeal property owned by a public institution of higher education; to require that certain transfers of ownership or of the right of use shall be by a public request for proposal process; to require the promulgation of rules and regulations relative to such transactions; to restrict the use of the proceeds of such transfer; and to provide for related matters.

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

HOUSE BILL NO. 285—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 37:927, relative to fees collected by the Louisiana State Board of Nursing; to set maximum amounts which may be charged for certain services; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 286—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 37:921(introductory paragraph) and 929(4) and to enact R.S. 37:913(17) and 918(17), relative to the jurisdiction of the Louisiana State Board of Nursing; to authorize the board to regulate student nurses upon entering and during the clinical phase of nursing education; to authorize the board to discipline student nurses under certain circumstances; to provide for an effective date; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 166, was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 409—
BY REPRESENTATIVES WELCH, MCMAINS, AND WESTON
AN ACT

To enact R.S. 13:1000.2, relative to the Nineteenth Judicial District Court; to provide for the assessment and collection of additional costs in criminal matters for the support of the court-appointed special advocate (CASA) program; 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. 412—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact Code of Criminal Procedure Article 887(A), relative to court costs; to authorize the magistrates of mayor's courts to suspend court costs in criminal cases; and to provide for related matters.

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

HOUSE BILL NO. 463—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 32:781, relative to used motor vehicle dealers; to require used motor vehicle dealers to provide certain documents; to provide for penalties; to provide for suits for damages; 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. 891—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 33:382(G) and 1371(C), relative to municipal reapportionment; to require the governing authority of any municipality to use whole election precincts, to the extent practicable, when reapportioning municipal districts; and to provide for related matters.

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

HOUSE BILL NO. 1163—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 15:81, relative to bail for violations of municipal ordinances; to increase the bail limit in the Municipal Court of New Orleans; 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. 1224—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 30:5.1, relative to unitization of oil and gas wells; to provide for deep pool units; to provide procedures, terms, and conditions; to provide for rules and regulations; to provide for certain orders of the commissioner of conservation; 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. 1320—
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; 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. 1463—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 11:3442(8), relative to the Firemen's Pension and Relief Fund for the City of Shreveport; to provide with respect to benefits; and to provide for related matters.

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

HOUSE BILL NO. 1516—
BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 33:2489.1, relative to municipal fire and police civil service in Baton Rouge; to authorize the police chief to appoint members of the classified police service to command positions; to provide for the qualifications, authority, and civil service status of such persons; 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. 1524—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, AND DIEZ AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 30:2054(B)(8)(a) and R.S. 32:1306(C) and to repeal R.S. 30:2054(B)(8)(b), (c), and (d) and R.S. 32:1304(D)(2) and (3), relative to motor vehicle emissions and inspection and maintenance; to provide for the establishment and implementation of a program for the control and abatement of motor vehicle emissions; to provide for applicability of such program and of certain procedures, requirements, and conditions; to provide for emissions inspections; to provide for the imposition and disposition of certain fees; to repeal certain requirements and procedures regarding vehicle emission inspections and reports; 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. 1548—
BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 30:2057(B)(5) and (C)(1) and R.S. 33:1236(31)(b)(ii) and to enact R.S. 30:2057(D), (E), (F), (G), and (H) and R.S. 33:1236(31)(c), (d), (e), (f), (g), and (h), relative to air quality; to provide for restrictions on the open burning of yard waste; to provide relative to regulatory authority and exceptions; to provide for certain powers of parish governing authorities; to provide enforcement procedures for violations; 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 Environmental Quality.

HOUSE BILL NO. 1592—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, AND DIEZ AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 30:2289.1(D), relative to the Department of Environmental Quality; to provide relative to hazardous waste or substances and remedial actions; to provide relative to promulgation of rules for fees for review, investigation, and oversight; to authorize the department to impose and collect 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 Environmental Quality.

HOUSE BILL NO. 1593—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(b), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; 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. 1776—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 33:2218.8(G), relative to extra compensation for commissioned full-time deputy sheriffs; to expand eligibility of supplemental pay to include deputies who are employed as field representatives or process servers; 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. 1793—
BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 33:423.10, relative to certain municipalities; to provide with respect to the powers and duties of the chief of police; to authorize said officer to effect certain disciplinary actions; 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. 2047—
BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL
AN ACT

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

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 635 was read by title and returned to the Calendar, subject to call.

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 13, 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. 207—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To commend G. Frank Purvis, Jr., Chairman Emeritus of Pan-American Life Insurance Company, as the recipient of the prestigious Executive of the Year Award presented during the Business Association of Latin American Studies Conference, which was held in New Orleans, April 7-10, 1999, and to commend him for his outstanding contributions to the insurance industry and for his dedication and his lifelong contributions to his country, to the state of Louisiana, and to his community.

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVE JETSON

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Capitol High School Lady Lions on an impressive season which bolstered a school record of 36-2 during the 1998-1999 season.

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. 207—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To commend G. Frank Purvis, Jr., Chairman Emeritus of Pan-American Life Insurance Company, as the recipient of the prestigious Executive of the Year Award presented during the Business Association of Latin American Studies Conference, which was held in New Orleans, April 7-10, 1999, and to commend him for his outstanding contributions to the insurance industry and for his dedication and his lifelong contributions to his country, to the state of Louisiana, and to his community.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dardenne	Johnson	Ullo
Hainkel	Lentini	
Irons	Tarver	

Total—7

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

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVE JETSON

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Capitol High School Lady Lions on an impressive season which bolstered a school record of 36-2 during the 1998-1999 season.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields C	Robichaux
Branch	Fields W	Romero
Cain	Greene	Schedler
Campbell	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Hollis	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	
Total—29		

NAYS

Total—0

ABSENT

Bajoie	Irons	Tarver
Boissiere	Johnson	Ullo
Casanova	Lentini	
Hainkel	Malone	
Total—10		

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

**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. 25—

BY SENATORS COX AND JORDAN

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(B) of the Constitution of Louisiana, relative to extraordinary sessions of the legislature; to provide that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 25 by Senator Cox

AMENDMENT NO. 1

On page 1, line 2, change "(A)" to "(B)"

AMENDMENT NO. 2

On page 1, line 3, before "sessions" insert "extraordinary" and after "provide" delete the remainder of the line and delete lines 4 through 5 in their entirety and insert the following:

"that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for submission of the proposed"

AMENDMENT NO. 3

On page 1, line 11, change "(A)" to "(B)"

AMENDMENT NO. 4

On page 1, line 14, after "Section 2.(A)" delete the remainder of the line and insert:

* * *

AMENDMENT NO. 5

On page 1, delete lines 15 and 16 in their entirety and insert:

"(B) Extraordinary Session. The legislature may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house. The form of the petition shall be provided by law. At least five days prior to convening the legislature in extraordinary session, the governor or the presiding officers, as the case may be, shall issue a proclamation stating in general terms the objects of the session, the date on which it shall convene, and the number of days for which it is convened. The power to legislate shall be limited, under penalty of nullity, to the objects specifically enumerated in the proclamation; however, the power to legislate shall include the power to amend, enact, repeal or suspend any law which is germane to the objects enumerated in the proclamation. The session shall be limited to the number of days stated therein, which shall not exceed thirty calendar days."

AMENDMENT NO. 6

On page 2, delete lines 1 through 27 in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 23 in their entirety

AMENDMENT NO. 8

On page 4, line 1, change "2" to "3"

AMENDMENT NO. 9

On page 4, delete lines 5 through 10 in their entirety and insert:

"To provide that the proclamation for an extraordinary session called by the governor or the presiding officers of the legislature shall state in general terms, the objects of the session; and that the power of the legislature to legislate during the extraordinary session shall be limited to the objects enumerated in the proclamation, but shall include the power to amend, enact, repeal or suspend any law which is germane to the objects enumerated in the proclamation. (Amends Article III, Section 2(B))."

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

SENATE BILL NO. 54—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 51:1, 293, and 471, relative to trade and commerce related to the Louisiana Stadium and Exposition District; to prohibit the sale of the name of the Superdome building without legislative approval; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 54 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line, and insert "R.S. 51:1, 293, and 471,"

AMENDMENT NO. 2

On page 1, line 3, after "commerce" insert "related to the Louisiana Stadium and Exposition District; to prohibit the sale of the name of the Superdome building without legislative approval"

AMENDMENT NO. 3

On page 1, line 5, after "51:1" insert ", 293,"

AMENDMENT NO. 4

On page 1, after line 16, add the following:

"§293. Certain trademarks, service marks and trade names reserved to Louisiana Stadium and Exposition District

(A) The terms "Superdome", "Louisiana Superdome", "Dome (d) Stadium", "Louisiana Dome (d) Stadium" and "Louisiana Dome" and marks including the symbol or image of the general design, appearance and/or configuration of the stadium facility being constructed by the Louisiana Stadium and Exposition District in New Orleans, Louisiana, and the following logo -- "L'S", and terms and marks which include any of the foregoing are hereby reserved to the Louisiana Stadium and Exposition District as trade names, trademarks and service marks in all fields of commerce in the state of Louisiana; and firms, partnerships, corporations, associations or other organizations to utilize the foregoing trade names, trademarks or service marks in connection with the manufacture, sale and/or distribution of goods or with the providing of services.

(B)(1) No trade name, trademark, or service mark which refers to the stadium facility constructed by the Louisiana Stadium and Exposition District shall be sold without the prior approval of a majority of the elected members of the legislature.

(2) Such approval from the legislature may be obtained by means of a mail ballot in the manner provided for in R.S. 39:461.1(B), (C), and (D) except when the legislature is in regular session largely restricted to appropriations, capital budget, and tax matters.

* * *

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

SENATE BILL NO. 79—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 6:314(A) and 703(15), relative to banks and banking; to provide relative to trust deposits; to provide for disposition of such funds upon the death of the depositor; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 79 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "Title 6 of the Louisiana Revised Statutes of 1950" to "R.S. 6:314(A) and 703(15)"

AMENDMENT NO. 2

On page 1, line 3, after the semicolon ";" add "to provide relative to trust deposits; to provide for disposition of such funds upon the death of the depositor;"

AMENDMENT NO. 3

On page 1, line 5, after "R.S." change "6:703(15) is" to "6:314(A) and 703(15) are"

AMENDMENT NO. 4

On page 1, between lines 6 and 7 add the following:

"§314. Trust deposits; death of depositor, payment

A. Upon the death of a depositor who has deposited a sum in any bank account evidencing an intention that upon the death of the depositor, the funds shall belong to such depositor's spouse, or to one or more children, or grandchildren, parents, or siblings of the depositor, the bank may pay the deposit, together with the dividends or interest accruing thereto, to the person for whom the deposit was made. The depositor shall give to the depository bank an affidavit stating that all designated beneficiaries of such an account are within the required degree of kinship as provided herein, and the depository bank may rely conclusively thereon.

* * *

AMENDMENT NO. 5

On page 2, after line 5, add the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 246—
BY SENATOR JONES

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 246 by Senator Jones

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To amend and reenact R.S. 1:55(A)(6),"

AMENDMENT NO. 2

On page 1, line 4, delete "statewide" and after "holiday" insert " for public schools"

AMENDMENT NO. 3

On page 1, line 7, delete line 7 and insert the following:

"Section 1. R.S. 1:55(A)(6) is"

AMENDMENT NO. 4

On page 1, delete lines 12 through 16 and insert

" * * * "

AMENDMENT NO. 5

On page 2, delete lines 1 through 27 in their entirety

AMENDMENT NO. 6

On page 3, delete lines 1 through 21 in their entirety

AMENDMENT NO. 7

On page 3, line 24, delete "and parochial" and after "schools" delete the remainder of the line and delete lines 25 through 27 in their entirety and insert the following:

" ;provided however, that a local school board shall decide to observe this holiday during a regularly scheduled school day with or without the necessity of adjourning school for all or any portion of the school day."

AMENDMENT NO. 8

On pages 4, 5 and 6, delete lines 1 through 27 in their entirety

AMENDMENT NO. 9

On page 7, delete lines 1 through 14 in their entirety

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

SENATE BILL NO. 761—
BY SENATORS BEAN AND HINES

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;

May 13, 1999

to provide for approval of entities conducting such trials; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 761 by Senator Bean

AMENDMENT NO. 1

On page 3, delete lines 5 through 12 and insert:

"(c) The cost of such investigational devices or drugs not required to be covered under R.S. 22:215.20.

(d) Costs not otherwise covered under the insured, subscriber, or enrollee's policy, plan or contract of coverage for noninvestigational treatments.

(10) "Health insurance coverage" means benefits consisting of medical care provided or arranged for directly, through insurance or reimbursement, or otherwise and including items and services paid for as medical care under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization agreement, or health maintenance organization contract offered by a health insurance issuer.

(11) "Health insurance issuer" means an insurance company, including a health maintenance organization as defined and licensed pursuant to Part XII of Chapter 2 of this Title, unless preempted as an employee benefit plan under the Employee Retirement Income Security Act of 1974. For purposes of this Section, a "health insurance issuer" shall include the State Employees Group Benefits Program.

B. All health insurance coverage issued by a health insurance issuer for delivery in this state."

AMENDMENT NO. 2

On page 3, line 16, delete "all"

AMENDMENT NO. 3

On page 3, line 17, after "cancer" insert "except any applicable copayment, deductible, or coinsurance amounts"

AMENDMENT NO. 4

On page 3, delete lines 19 through 26 and insert:

"services not otherwise required under R.S. 22:215.20."

AMENDMENT NO. 5

On page 5, delete lines 19 through 27 and insert:

"H. The department shall be authorized to establish regulations under the Administrative Procedure Act for the submission of annual reports by health insurance issuers describing clinical trials for which coverage was provided to insureds, subscribers, or enrollees. Such regulations shall provide for review by the Louisiana Health Care Commission, who may establish such workgroups as needed to study the adequacy of clinical trial coverage, costs associated with such coverage, and the effect of clinical trial coverage on the quality of health care coverage."

AMENDMENT NO. 6

Delete pages 6 through 7 in their entirety and on page 8, delete lines 1 through 10 and insert:

"I. The provisions of this Section shall apply to all health insurance coverage issued for delivery in this state effective for plan years beginning on or after January 1, 2000."

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

SENATE BILL NO. 903 (DUPLICATE OF HOUSE BILL NO. 1848)—

BY SENATOR DARDENNE AND REPRESENTATIVE WESTON AND COAUTHORED BY REPRESENTATIVES CARTER, CURTIS, DANIEL, DURAND, GLOVER, GUILLORY, HOLDEN, HUDSON, MITCHELL, PIERRE, QUEZAIRE, RIDDLE, THORNHILL AND FRITH 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 903 by Senator Dardenne

AMENDMENT NO. 1

On page 7, line 10, after "supervision" delete "for meeting" and insert "which meets"

AMENDMENT NO. 2

On page 7, line 11, change "must" to "shall"

AMENDMENT NO. 3

On page 8, at the end of line 24, insert the following:

"Nothing in this Chapter shall be construed to authorize any person licensed, certified, provisionally certified, or registered hereunder to prescribe, either orally or in writing, distribute, dispense, or administer any medications. Nothing in this Chapter shall be construed to authorize any social worker licensed, certified, provisionally certified, or registered under this Chapter to administer or interpret psychological tests, or to engage in the practice of psychology, as defined by the provisions of R.S. 37:2352(5). Notwithstanding any provisions of R.S. 37:2352(5), persons covered by this Chapter may, based upon scope of practice, administer, use, or interpret tests of language, educational and achievement, adaptive behavioral tests, and symptom screening checklists instruments, as well as tests of abilities, interests, and aptitudes."

AMENDMENT NO. 4
On page 9, line 16, after "governor" insert ", **subject to Senate confirmation**"

AMENDMENT NO. 5
On page 9, line 25, change "All appointees" to "Each appointee"

AMENDMENT NO. 6
On page 10, line 21, after "education" insert "or a practice specialty other than clinical"

AMENDMENT NO. 7
On page 14, at the beginning of line 12, change "competence" to "education"

AMENDMENT NO. 8
On page 16, line 5, change "must" to "shall"

AMENDMENT NO. 9
On page 16, line 15, change "and/or" to "or" and after "intervention," insert "or both,"

AMENDMENT NO. 10
On page 16, line 23, after "agency" insert a period "." and delete line 24 in its entirety

AMENDMENT NO. 11
On page 22, line 1, change "will" to "shall"

AMENDMENT NO. 12
On page 22, at the end of line 7, change "set out" to "established"

AMENDMENT NO. 13
On page 22, at the beginning of line 13, change "person" to "individual"

AMENDMENT NO. 14
On page 25, line 22, change "liquors" to "beverages"

AMENDMENT NO. 15
On page 26, line 8, after "board" change "and/or" to "or" and after "standards" insert ", or both"

AMENDMENT NO. 16
On page 27, line 1, after "client" change "and/or" to "or"

AMENDMENT NO. 17
On page 27, delete line 3 and insert "Chapter, or both."

AMENDMENT NO. 18
On page 27, line 16, change "and/or" to "or"

AMENDMENT NO. 19
On page 27, line 17, after "board" insert ", or both"

AMENDMENT NO. 20
On page 27, line 22, after "Act" insert a comma ","

AMENDMENT NO. 21
On page 29, line 8, change "person" to "individual"

AMENDMENT NO. 22
On page 29, line 11, change "order" to "decision"

AMENDMENT NO. 23
On page 29, line 24, change "person" to "individual"

AMENDMENT NO. 24
On page 30, line 5, after "any" insert "individual or"

AMENDMENT NO. 25
On page 30, line 25, after "any" insert "individual or"

AMENDMENT NO. 26
On page 31, line 21, change "state" to "people of the state of Louisiana"

AMENDMENT NO. 27
On page 32, line 13, change "persons" to "individuals"

AMENDMENT NO. 28
On page 32, line 19, after "nature" insert "within their legal scope of practice"

AMENDMENT NO. 29
On page 33, line 8, delete "applicable"

AMENDMENT NO. 30
On page 33, line 18, delete "applicable"

AMENDMENT NO. 31
On page 33, line 25, change "person" to "individual"

AMENDMENT NO. 32
On page 33, line 27, change "person" to "individual"

On motion of Senator Hines, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 1848, was read by title and ordered engrossed and passed to a third reading.

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 by the Committee on Senate and Governmental Affairs. The bill was read by title. Senator Dardenne moved the bill be indefinitely postponed.

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	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen

May 13, 1999

Cravins	Jones	Thomas
Dardenne	Jordan	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Hainkel	Tarver	
Johnson	Ullo	
Total—4		

The Chair declared Senate Bill No. 1014 was indefinitely postponed.

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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 1112 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 15, after "public trust" insert "in existence on August 15, 1999 or which creates a public trust after such date," and after "that" delete "hereafter"

AMENDMENT NO. 2
On page 2, line 1, change "eleven" to "seven"

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

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

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

HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. 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. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 45 by Representative Windhorst

AMENDMENT NO. 1
On page 1, line 2, delete "relative to the Administrative Procedure" and insert "and to enact R.S. 49:982.1, relative to administrative procedure;"

AMENDMENT NO. 2
On page 1, line 3, delete "Act;"

AMENDMENT NO. 3
On page 2, line 2, change "the rule or changes thereto" to "such changes to any rule or regulation or body of rules or regulations, or any fee or any increase, decrease, or repeal of any fee"

AMENDMENT NO. 4
On page 2, line 4, change "rule or changes thereto" to "changes"

AMENDMENT NO. 5
On page 2, line 9, change "rule or changes thereto" to "changes to any rule or regulation or body of rules or regulations, or any fee or any increase, decrease, or repeal of any fee"

AMENDMENT NO. 6
On page 2, between lines 12 and 13, insert the following:

"Section 2. R.S. 49:982.1 is hereby enacted to read as follows:

§982.1. Rules, regulations and fees subject to legislative veto, amendment, or suspension

R.S. 49:982.1 is all proposed new law.

Upon receipt of any concurrent resolution passed by the legislature suspending, amending or repealing any rule or regulation or body of rules or regulations, or any fee or any increase, decrease, or repeal of any fee, adopted by a state department, agency, board, or commission, the office of the state register shall publish in the "Louisiana Register" such rules, regulations or fees to be promulgated in the Louisiana Administrative Code in such manner as they may have been affected by such concurrent resolution, and indicating those sections that have been suspended."

On motion of Senator Dardenne, 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Insurance. 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 616 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:230.2" insert ", 250.10(D)(2),"

AMENDMENT NO. 2

On page 1, line 6, after "policies;" insert "to provide for enforcement provisions;"

AMENDMENT NO. 3

On page 1, line 10, after "R.S. 22:230.2" insert ", 250.10(D)(2),"

AMENDMENT NO. 4

On page 8, between lines 3 and 4 insert the following:

“§250.10 Enforcement provisions

D. * * *

(2) In addition to all other taxes and assessments, each insurer subject to this Part shall be assessed ~~and within sixty days after December thirty-first~~ on July first of each year and by July thirtieth of each year shall pay to the commissioner of insurance a sum not to exceed two one-hundredths of one percent of the amount of premiums received in this state by such insurer during the preceding year ending December thirty-first. On March first of each year, each insurer shall file with the commissioner of insurance a form provided by the commissioner of insurance, which shall include information requested by the commissioner to determine the total premiums received by each insurer subject to this Part in the preceding calendar year and for the commissioner

to calculate the basis of the July first assessment. The commissioner shall provide notice of the annual assessment percentage amount for each calendar year which shall be published in the state register no later than July first. The commissioner shall establish the annual assessment percentage amount based on the cost of administering and enforcing the provisions of this Part. In determining the cost of administering and enforcing the provisions of this Part, the commissioner shall deduct any amounts collected from penalties imposed which are available and appropriated for use.

* * *

On motion of Senator Bean, 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. 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 by the Committee on Insurance. 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 669 by Representative Johns

AMENDMENT NO. 1

On page 1, line 4, after "enact" insert "R.S. 22:9(A)(1)(gg) and"

AMENDMENT NO. 2

On page 1, line 13, between "reenacted" and "to" insert the following:

"and R.S. 22:9(A)(1)(gg) is hereby enacted"

AMENDMENT NO. 3

On page 3, between lines 21 and 22 insert:

"(gg) The Louisiana Optometry Association."

On motion of Senator Bean, 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.

May 13, 1999

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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Health and Welfare. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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, GAUTREAU, 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Insurance. 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. 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-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 by the Committee on Senate and Governmental Affairs. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Senate and Governmental Affairs. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1810 by Representative Travis

AMENDMENT NO. 1

On page 24, between lines 18 and 19, insert the following:

"I. All persons, who on the day before the effective date of this Part, have met the then-existing requirements to become certified public accountants, but who have not met the then-existing requirements to be licensed as a certified public accountant, shall be presumed to have met all of the requirements for obtaining a certificate under this Part except for the experience requirements set forth in Subsection (G) of this Section. Upon furnishing satisfactory evidence to the board that the experience requirements in Subsection (G) have been satisfied, any such person shall be granted a certificate. Prior to obtaining a certificate under this Part, all such persons shall be entitled to use the designation "CPA inactive"."

AMENDMENT NO. 2

On page 27, line 3, after "person" delete the remainder of the line, delete line 4, and at the beginning of line 5, delete "such individual's" and insert "whose"

AMENDMENT NO. 3

On page 56, line 16, delete "licensee" and insert "licensed Certified Public Accountant or licensed CPA firm"

AMENDMENT NO. 4

On page 76, line 16, after "or" delete the remainder of the line, delete line 17, and insert "its designee verification that"

On motion of Senator Hollis, 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1823 by Representative Johns

AMENDMENT NO. 1

On page 2, line 7, after "insurer." add the following:

"An insurer may but shall not be required to establish a percentage of eligible employees who are required to enroll and participate in a group policy if the entire premium is not paid by the employer."

AMENDMENT NO. 2

On page 2, line 20, after "jointly." add the following:

"An insurer may but shall not be required to establish a percentage of eligible employees who are required to enroll and participate in a group health and accident policy if the entire premium is not paid by the employer or association."

On motion of Senator Bean, 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. 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 by the Committee on Insurance. 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.

May 13, 1999

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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1860 by Representative Durand

AMENDMENT NO. 1

On page 1, line 5, delete "37:1398(G)," and insert "R.S. 37:1395(B)(14), 1395.1, and 1398(G),"

AMENDMENT NO. 2

On page 1, line 16, delete "37:1398(G) is" and insert "37:1395(B)(14), 1395.1, and 1398(G) are"

AMENDMENT NO. 3

On page 2, line 24, after "Corrections" delete the remainder of the line and on line 25, delete "applicants"

AMENDMENT NO. 4

On page 5, line 19, after "finds" insert "through a criminal history record information check"

AMENDMENT NO. 5

On page 5, after line 26, insert the following:

"R.S. 37:1395(B)(14) is all proposed new law.

(14) Submission with the license application of classifiable impressions of his fingerprints on a form approved by the board."

AMENDMENT NO. 6

On page 6, between lines 10 and 11, insert the following:

"§1395.1 State Licensing Board for Locksmiths; authorization to obtain criminal history record information

R.S. 37:1395.1 is all proposed new law.

A. As used in this Section the following terms shall have the following meaning:

(1) "Bureau" means the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections.

(2) "Criminal history record information" means information collected by state and federal criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, bills of information, or any formal criminal charges, and any disposition arising therefrom, including sentencing and criminal correctional supervision and release, but does not include intelligence for investigatory purposes, nor does

it include any identification information which does not indicate involvement of the individual in the criminal justice system.

(3) "FBI" means the Federal Bureau of Investigation of the United States Department of Justice.

(4) "Licensure" means any license or registration which the board is authorized to issue.

B. In addition to any other requirements established by law or board rules, the board shall require an applicant, as a condition for eligibility for licensure, to submit two full sets of fingerprints, on a form and in a manner prescribed by the board, to permit the board to request and obtain state and national criminal history record information on the applicant and to charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history record information on the applicant.

C. In accordance with the provisions and procedure prescribed by this Section, the board shall request and obtain state and national criminal history record information from the bureau within the FBI relative to any applicant for licensure whose fingerprints the board has obtained pursuant to this Section for the purpose of determining the applicant's suitability and eligibility for licensure.

D. Upon request by the board and upon the board's submission of an applicant's fingerprints and such other identifying information as may be required, the bureau shall conduct a search of its criminal history record information relative to the applicant and report the results of its search to the board within sixty days after receipt of any such request. The bureau may charge the board a reasonable processing fee for conducting and reporting the results of any such search.

E. The board shall also forward the applicant's fingerprints and such other identifying information as may be required to the FBI with a request for a search of national criminal history record information relative to the applicant.

F. Any and all state or national criminal history record information obtained by the board from the bureau or FBI which is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. No such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

G. Any person who violates the provisions of this Section shall be subject to the provisions of R.S. 37:1400(F).

* * *

AMENDMENT NO. 7

On page 10, line 13, delete "certified mail" and change "ten working" to "three"

On motion of Senator Hollis, 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1868 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "644," insert "861(A)(introductory paragraph), 1005(J),"

AMENDMENT NO. 2

On page 1, line 3 change "22:6(15) through (17)" to "R.S. 22:5(16), 6(15), (16) and (17)" and at the end of the line delete "and"

AMENDMENT NO. 3

On page 1, line 4, after "644.1," insert "and 1415(G),"

AMENDMENT NO. 4

On page 1, line 15, after "644," insert "861(A)(introductory paragraph), 1005(J),"

AMENDMENT NO. 5

On page 1, line 16 change "22:6(15) through (17)," to "R.S. 22:5(16), 6(15), (16) and (17),"

AMENDMENT NO. 6

On page 1, line 17 delete " and 644.1" and insert "644.1, and 1415(G)"

AMENDMENT NO. 7

On page 1, between lines 17 and 18, insert the following:

"§5. General definitions

In this Code, unless the context otherwise requires, the following definitions shall be applicable:

* * *

R.S. 22:5(16) is all proposed new law.

(16) "Small company" shall mean a domestic life insurer which does business exclusively in the state of Louisiana, with admitted assets not exceeding ten million dollars and having gross annual premiums not exceeding two million dollars."

* * *

AMENDMENT NO. 8

On page 2, line 15 change "provides" to "may provide"

AMENDMENT NO. 9

On page 2, line 16 between "intervals" and the period "." insert "at the direction of the contract holder"

AMENDMENT NO. 10

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

"§861. Reports; risk-based capital

A. Unless it appears in the discretion of the commissioner that the condition of a small company renders the continuance of its business hazardous to the public or its insureds, a small company shall not be required to submit to the department a risk-based capital report required by this Section. Every other domestic insurer shall submit to the department on or prior to March first of each year a report of its risk-based capital levels as of the end of the prior calendar year, in a form that contains information required by the risk-based capital instructions. In addition, every other domestic insurer shall file the risk-based capital report:

* * *

§1005. Registration of insurers

* * *

J. Exemptions

(1) The provisions of this Section shall not apply to any insurer, information, or transaction if and to the extent that the commissioner by rule, regulation, or order shall exempt the same from the provisions of this Section.

R.S. 22:1005(J)(2) is all proposed new law.

(2) Unless it appears in the discretion of the commissioner that the condition of a small company renders the continuance of its business hazardous to the public or its insureds, a small company shall not be required to submit to the department a registration statement required by this Section, but shall be considered a registered insurer for the purposes of the following:

- (a) Subsection E of this Section,
(b) R.S. 22:1006(A), and
(c) R.S. 22:1007.

* * *

AMENDMENT NO. 11

On page 5, between lines 7 and 8, insert:

* * *

"§1451. Annual reports required

* * *

R.S. 22:1451(G) is all proposed new law.

G. Unless it appears in the discretion of the commissioner that the condition of a small company renders the continuance of its business hazardous to the public or its insureds, a small company shall be exempted from the following filings required by this Section:

- (1) Quarterly statements.
(2) Management discussion and analysis accompanying the annual statement.
(3) Computer diskette filings of the annual statement.

On motion of Senator Bean, 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.

May 13, 1999

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 by the Committee on Insurance. 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.

Reconsideration

On motion of Senator Hainkel, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 12, 1999 was reconsidered.

HOUSE BILL NO. 295—

BY REPRESENTATIVE WILLARD

AN ACT

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3611 through 3622, relative to the licensure of hypnotherapists; to provide for definitions; to provide for the creation and duties of the Louisiana Board of Licensed Hypnotherapists; to provide for the requirement of licensure, qualifications, and continuing education; to provide for exemptions from licensure and restrictions and limitations; to provide for licensure renewal and restoration and licensure of persons in the military and with inactive status; to provide for fees; to provide relative to privileged communications and exceptions; to provide for revocation and suspension, disciplinary measures, and hearings; to provide for investigations, injunctions, and cease and desist orders; 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.

Reconsideration

On motion of Senator Bean, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 12, 1999 was reconsidered.

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.

On motion of Senator Bean, 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. 1, was taken up and acted upon as follows:

SENATE BILL NO. 9—

BY SENATOR CAMPBELL

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(1) of the Constitution of Louisiana, relative to the legislative branch; to limit the number of bills a legislator may introduce for a regular session of the legislature to fifteen; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 9 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 6, between "legislature" and the period "." insert "unless, in case of an emergency, the member is authorized to introduce each additional bill by a favorable record vote a two-thirds vote of the elected members of each house"

AMENDMENT NO. 2

On page 2, line 17, between "fifteen" and the period "." insert ", with certain exceptions"

On motion of Senator Campbell, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 9 by Senator Campbell

AMENDMENT NO. 1

On page 1, at the beginning of line 5, change "fifteen" to "ten"

AMENDMENT NO. 2

On page 2, line 5, after "total of" change "fifteen" to "ten"

AMENDMENT NO. 3

On page 2, line 17, after "legislature to" change "fifteen" to "ten"

Senator Dean moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Casanova Dean Total—2

NAYS

Mr. President Ellington Landry Bajoie Fields C Lentini

Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dyess	Lambert	
Total—35		

ABSENT

Fields W	Tarver
Total—2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dean	Malone
Branch	Hines	Robichaux
Campbell	Irons	Siracusa
Casanova	Johnson	Thomas
Cox	Jordan	
Cravins	Lambert	
Total—16		

NAYS

Mr. President	Ellington	Landry
Bajoie	Fields C	Lentini
Bean	Fields W	Romero
Boissiere	Greene	Schedler
Cain	Hainkel	Smith
Dardenne	Heitmeier	Ullo
Dyess	Jones	
Total—20		

ABSENT

Hollis	Tarver	Theunissen
Total—3		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Campbell, 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. 1114—
 BY SENATORS DARDENNE AND ULLO (Substitute For Senate Bill 254)
 A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, relative to legislative sessions; to provide for the subject matter and duration of regular legislative sessions; to provide

deadlines for the pre-filing and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as it relates thereto; to specify an election for submission of the proposition to electors and provide a ballot proposition.

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. 1114 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 11, change "even-numbered" to "odd-numbered"

AMENDMENT NO. 2

On page 3, line 7, change "even-numbered" to "odd-numbered"

AMENDMENT NO. 3

On page 3, line 27, change "odd-numbered" to "even-numbered"

AMENDMENT NO. 4

On page 5, line 8, change "odd-numbered" to "even-numbered"

AMENDMENT NO. 5

On page 5, line 11, change "even-numbered" to "odd-numbered"

Senator Landry moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cravins	Jones
Bajoie	Dyess	Jordan
Bean	Fields C	Landry
Cain	Fields W	Lentini
Campbell	Heitmeier	Robichaux
Casanova	Hines	Siracusa
Cox	Irons	Thomas
Total—21		

NAYS

Barham	Ellington	Malone
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Dardenne	Johnson	Smith
Dean	Lambert	Ullo
Total—15		

ABSENT

Hollis	Tarver	Theunissen
Total—3		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senators Ullo and Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

May 13, 1999

Amendments proposed by Senators Lambert and Ullo to Engrossed Senate Bill No. 1114 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 13, change "sixty" to "forty-five"

AMENDMENT NO. 2

On page 2, line 14, change "eighty-five" to "sixty"

AMENDMENT NO. 3

On page 2, line 15, change "eighty-fifth" to "sixtieth"

AMENDMENT NO. 4

On page 2, line 18, change "fifteenth" to "tenth"

AMENDMENT NO. 5

On page 2, line 22, change "fifty-seventh" to "forty-second"

AMENDMENT NO. 6

On page 3, line 16, change "thirty" to "forty-five"

AMENDMENT NO. 7

On page 3, line 17, change "forty-five" to "sixty"

AMENDMENT NO. 8

On page 3, line 18, change "forty-fifth" to "sixtieth"

AMENDMENT NO. 9

On page 3, line 24, change "twenty-seventh" to "forty-second"

Senators Ullo and Lambert moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell
Cox
Total—4

Cravins
Lambert

NAYS

Mr. President
Bajoie
Barham
Bean
Boissiere
Branch
Cain
Dardenne
Dean
Dyess
Total—28

Ellington
Fields C
Fields W
Greene
Hainkel
Heitmeier
Hines
Irons
Jones
Jordan

Landry
Malone
Robichaux
Romero
Schedler
Smith
Thomas
Ullo

ABSENT

Casanova
Hollis
Johnson
Total—7

Lentini
Syracusa
Tarver

Theunissen

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Branch
Campbell
Casanova
Cox
Total—24

Dardenne
Dean
Dyess
Ellington
Greene
Hainkel
Heitmeier
Hines

Irons
Jordan
Landry
Lentini
Robichaux
Schedler
Smith
Ullo

NAYS

Boissiere
Cravins
Fields C
Fields W
Total—10

Johnson
Jones
Lambert
Malone

Romero
Thomas

ABSENT

Cain
Hollis
Total—5

Syracusa
Tarver

Theunissen

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Dardenne, 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.

Motion

On motion of Senator Bean, Senate Bill No. 1035 was made Special Order of the Day, No. 1 on Tuesday, May 18, 1999 immediately following the Morning Hour.

Rules Suspended

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 13, 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. 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.

Reported without amendments.

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

Privilege Report of the
Legislative Bureau

May 13, 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. 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 without amendments.

HOUSE BILL NO. 62—

BY REPRESENTATIVES SCHNEIDER, BRUNEAU, DONELON, MCMAINS, WINSTON, BRUCE, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DIEZ, DURAND, FLAVIN, FRITH, GAUTREAU, 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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 62 by Representative Schneider

AMENDMENT NO. 1

On page 7, line 15, following "than" and before "the" insert "by"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 159 by Representative Hill

AMENDMENT NO. 1

On page 7, line 4, delete "this Section" and insert "R.S. 9:2795.1"

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 175 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, following "to" and before the comma "," change "amend and reenact R.S. 33:441(A)" to "enact R.S. 33:447.2"

AMENDMENT NO. 2

On page 1, line 9, following "Section 1." and before "to" change "R.S. 33:441(A) is hereby amended and reenacted" to "R.S. 33:447.2 is hereby enacted"

AMENDMENT NO. 3

On page 1, line 11, before "Mayor's court" change "\$441" to "\$447.2" and following "court" insert "; town of Vinton; additional court costs"

AMENDMENT NO. 4

On page 1 delete lines 12-17 and on page 2, delete lines 1 and 2

AMENDMENT NO. 5

On page 2, line 3, before "Notwithstanding" delete "(2)"

AMENDMENT NO. 6

On page 2 delete line 7

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 217 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 13, following "Paragraph" change "D(2) of this Section" to "2 of this Subsection"

AMENDMENT NO. 2

On page 2, line 4, at the beginning of the line, change "D(3) of this Section" to "3 of this Subsection"

AMENDMENT NO. 3

On page 2, line 13, following "Paragraph" change "D(3) of this Section" to "3 of this Subsection"

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 250 by Representative Hill

AMENDMENT NO. 1

On page 1, line 2, following "To" and before the comma "," change "amend and reenact R.S. 33:441(A)" to "enact R.S. 33:447.2"

AMENDMENT NO. 2

On page 1, line 9, following "Section 1." and before "to" change "R.S. 33:441(A) is hereby amended and reenacted" to "R.S. 33:447.2 is hereby enacted"

AMENDMENT NO. 3

On page 1, line 11, before "Mayor's court" change "\$441" to "447.2" and following "court" insert "; town of Kinder; additional court costs"

AMENDMENT NO. 4

On page 1 delete lines 12-17 and on page 2, delete lines 1 and 2

AMENDMENT NO. 5

On page 2, line 3, before "Notwithstanding" delete "(2)"

AMENDMENT NO. 6

On page 2, delete line 7

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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 375 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, following "To" and before the comma "," change "amend and reenact R.S. 33:441(A)" to "enact "R.S. 33:447.2"

AMENDMENT NO. 2

On page 1, line 10, following "Section 1." and before "to" change "R.S. 33:441(A) is hereby amended and reenacted" to "R.S. 33:447.2 is hereby enacted"

AMENDMENT NO. 3

On page 1, line 12, before "Mayor's court" change "\$441" to "447.2" and following "court" insert "; town of Clinton; additional court costs"

AMENDMENT NO. 4

On page 1, delete lines 13-17 and on page 2, delete lines 1-3

AMENDMENT NO. 5

On page 2, line 4, before "Notwithstanding" delete "(2)"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

May 13, 1999

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1389 by Representative Alexander

AMENDMENT NO. 1

On page 4, line 3, following "adult" and before "to" insert "or"

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1694 by Representative Diez

AMENDMENT NO. 1

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Environmental Quality adopted by the Senate on May 12, 1999, on page 2, line 7, following "of," and before the comma "," change "Subsection (E)(1)" to "Paragraph 1 of this Subsection"

AMENDMENT NO. 2

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Environmental Quality adopted by the Senate on May 12, 1999, on page 2, line 10, following "to," delete the remainder of the line and insert "Paragraph 1 of this Subsection."

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 without amendments.

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 without amendments.

Respectfully submitted,
ARTHUR J. LENTINI
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 37—

BY SENATOR BAJOIE

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Lenora Drake, mother, daughter, sister, grandmother, great-grandmother, cook, Christian, and friend.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 38—

BY SENATOR JOHNSON

A RESOLUTION

To amend and readopt Senate Rule No. 10.13(A) of the Senate Rules of Order, relative to legislative instruments reported by committee for which a fiscal note has been requested; to require the receipt of a fiscal note prior to the instrument going on the Senate calendar for third reading; and to provide for related matters.

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

Called from the Calendar

Senator Robichaux asked that Senate Bill No. 968 be called from the Calendar at this time.

SENATE BILL NO. 968—

BY SENATOR ROBICHAUX

AN ACT

To amend and reenact, R.S. 47:3201(A) and (B), 3203(A), 3024(A), (B)(1), (D), and (G), R.S. 33:4302(B), 4305(B), R.S. 51:2454, 2455, 2457, 2458, 2460, and 2461, and to enact R.S. 47:1711, 3204.1, 4305.1, and R.S. 51:2462, relative to contracts of tax exemption; and to provide for related matters.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Original Senate Bill No. 968 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 2, after "To", delete the remainder of the line, delete line 3, on line 4 delete "2458, 2460, and 2461, and to" and " 3204.1, 4305.1, and", on line 5, delete "R.S. 51:2462," and between "exemption" and the semicolon ";" insert "from ad valorem taxes"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line, delete line 9, and on line 10, change ", 3204.1, 4305.1 are" to "is"

AMENDMENT NO. 3

On page 3, delete lines 11 through 27, delete pages 4 through 19, and on page 20, delete lines 1 through 23, and on line 24, change "Section 3." to "Section 2."

On motion of Senator Robichaux, the amendments were adopted.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

May 13, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 113—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Transportation and Development to study the long term effects of taking water from public water sources to be used for commercial purposes.

Reported favorably.

SENATE BILL NO. 490—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 56:325(A)(6) and 326(A)(7)(b), relative to fishing; to provide for certain freshwater game fish and commercial fish; to reduce the minimum legal size limit for channel catfish; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 867—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:116.5, relative to hunting; to prohibit the sale or donation of any zoo animal for use in certain hunting activities; to provide definitions, prohibitions, exemptions and penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1094—

BY SENATOR MALONE

AN ACT

To enact Chapter 3-A of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:231 through 235, relative to oil and gas; to create and provide for the disposition of funds concerning the New Field Discovery Incentive Fund; to provide for certain incentives to be paid through cooperative endeavor agreements; to provide for the administration of the New Field Discovery Incentive Program and the powers and duties of the commissioner; to provide for criminal penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1096—

BY SENATOR MALONE

AN ACT

To enact Chapter 3-A of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:231 through 233, relative to oil and gas; to create and provide for the disposition of funds concerning the Stripper and Incapable Well Property Tax Relief Fund; to provide for the administration of the program and powers and duties of the commissioner of conservation; to prohibit the participation of certain legislators, their spouses, and legal entities related to them; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1110—

BY SENATOR ROMERO

AN ACT

To authorize Spanish Lake State Game and Fish Commission to assess and collect an entrance fee; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study the results and consequences of the introduction of livestock on the Dewey Wills Wildlife Management Area, and to report findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 107—

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

A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend the Federal Migratory Bird Conservation Act (16 U.S.C.A. 715) to authorize certain states to issue temporary federal duck stamp privileges through electronic license issuance systems.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 125—

BY REPRESENTATIVE WIGGINS

A CONCURRENT RESOLUTION

To urge and request the office of state parks to consider developing a state park in the Pineville area.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVE DUPRE
A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE BILL NO. 405—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:325.2 and 326(E)(1), relative to possession of finfish; to set limits for possession of finfish consumption at sea; to exempt bait species; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 428—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To authorize and provide for the transfer, lease, or cooperative endeavor of certain state property in Vernon Parish to the Vernon Parish Police Jury; to provide certain conditions and requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 485—

BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT
AN ACT

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

Reported favorably.

HOUSE BILL NO. 531—

BY REPRESENTATIVES ODINET, FAUCHEUX, FRUGE, GAUTREUX, HOPKINS, SCHNEIDER, AND TRICHE
AN ACT

To amend and reenact R.S. 56:431(D), relative to the unlawful removal of oysters from leased propagating grounds; to increase the penalty; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 959—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:34(A)(1) and to enact R.S. 56:118, relative to violations of wildlife laws; to increase the penalty for initial class four violations; to provide relative to violations of the Migratory Bird Treaty Act of 1972; to establish fines for such violations; to provide for the distribution of revenues from such fines; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 961—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 56:325(A)(6) and (7) and (B) and to enact R.S. 56:325(A)(8) through (13), relative to catfish and shad; to provide size and creel limits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1083—

BY REPRESENTATIVE HAMMETT
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1207—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 56:116.1(C)(2), relative to hunting; to authorize landowners and farmers to hunt raccoon, opossum, and squirrel in order to protect crops; to provide relative to permits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1525—

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

To amend and reenact R.S. 56:8(12)(a)(introductory paragraph) and (69) and 301.2(introductory paragraph) and to enact R.S. 56:8(69.1) and 301.2(B), relative to wildlife and fisheries; to provide relative to the obtaining of certain commercial licenses by persons or entities who are not United States citizens or not organized and domiciled in the United States; to provide definitions, requirements and fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1527—

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

To enact R.S. 56:804, relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to define the boundaries of the sanctuary; to provide for administration of the sanctuary; to provide for fishing regulations and restrictions within the sanctuary; to provide penalties for violations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1528—

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

To enact R.S. 56:14, relative to sale of fish and wildlife; to provide relative to prohibited acts involving interstate commerce; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported favorably.

May 13, 1999

HOUSE BILL NO. 1529—

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

AN ACT

To enact R.S. 56:332(L), relative to taking of crabs; to establish a recreational daily and possession limit for blue crabs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1530—

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

AN ACT

To amend and reenact R.S. 56:326(F)(4), relative to size and possession limits for commercial fish; to provide penalties for possession of undersize crabs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1558—

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

AN ACT

To amend and reenact R.S. 56:500(B), relative to fishing; to provide relative to shrimp and recreational possession limits; to provide relative to the amount of shrimp which can be taken with a castnet from a land vehicle; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1562—

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

AN ACT

To amend and reenact R.S. 56:116.1(D), relative to hunting; to provide relative to outlaw quadrupeds; to provide relative to the hours for taking of outlaw quadrupeds; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1563—

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

AN ACT

To amend and reenact R.S. 56:495(A)(13) through (24), (26) and (27), (29) through (31), (34), (35), (46.1), (46.2), and (54) and to enact R.S. 56:495(A)(27.1), relative to the inside/outside shrimp line; to alter the line in Zone 2 to conform to the existing coastline after changes resultant from coastal erosion and subsidence; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1565—

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

AN ACT

To amend and reenact R.S. 56:326(A), relative to size limits for commercial fish; to prohibit the selling or purchase of commercial fish species under or over the prescribed size or creel limit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1566—

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

AN ACT

To amend and reenact R.S. 56:36, relative to wildlife and fisheries; to provide relative to violations and penalties; to provide relative to class six violations and penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1567—

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

AN ACT

To amend and reenact R.S. 56:497(C) and (D), relative to bait shrimp permits; to provide relative to penalties for violation of the bait shrimp regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1569—

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

AN ACT

To repeal R.S. 56:799, relative to the Wildlife Refuge and Game Preserve Fund and the Wildlife Refuge Protection Trust; to repeal such funds.

Reported favorably.

HOUSE BILL NO. 1640—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide the state through the Department of Transportation and Development to transfer or lease certain tracts of land situated in St. James Parish to the St. James Parish Council; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1732—

BY REPRESENTATIVE WRIGHT

AN ACT

To authorize and provide for the transfer or lease of certain state property in Grant Parish to the Grant Parish Police Jury from the Department of Health and Hospitals; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

May 13, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 95—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

Reported with amendments.

SENATE BILL NO. 257—
BY SENATOR BRANCH

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D) of the Constitution of Louisiana, to provide that for certain effects and purposes the Zachary community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 831—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 17:3921.2(E), relative to the Classroom-based Technology Fund; to provide relative to the deposit of monies in the fund; to provide for the use of such monies deposited into the fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1079—
BY SENATOR BRANCH AND REPRESENTATIVES TRAVIS AND HOLDEN

AN ACT

To enact R.S. 17:58.2(G), 64, and 64.1, relative to the Zachary community school system; to provide for the school board and an interim board of control; to provide for board membership, apportionment, qualifications, method of selection, terms of office, filling of vacancies, compensation, expenses, powers, duties, and responsibilities; to provide relative to facilities and property; to provide for the reapportionment of the East Baton Rouge Parish School Board; to provide for effectiveness and for implementation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 470—
BY REPRESENTATIVE COPELIN

AN ACT

To enact Chapter 20-A-2 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.21 through 3041.23, relative to a loan repayment program for certain social workers; to provide for program establishment, administration, and eligibility; to provide relative to contracts and cancellation of contracts; to provide for implementation; to provide for the adoption of program rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 718—
BY REPRESENTATIVES DANIEL, BARTON, DOERGE, KENNEY, LONG, MCDONALD, POWELL, PRATT, WINSTON, WRIGHT, THOMPSON, AND WADDELL

AN ACT

To enact R.S. 17:421.6, relative to teacher salaries; to provide a salary adjustment for certain public school teachers having certificates issued by the National Board for Professional Teaching Standards; to provide conditions and guidelines for receiving the adjustment; to provide the minimum amount of the salary adjustment; to provide definitions; to provide for payment; to provide for the reimbursement to school boards of certain costs; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 826—
BY REPRESENTATIVE WESTON

AN ACT

To enact R.S. 17:1602, to designate the Louisiana State University Museum of Natural History as the official state museum of natural history; to provide that such museum shall be known as the Louisiana Museum of Natural History; and to provide for related matters.

Reported favorable.

HOUSE BILL NO. 904—
BY REPRESENTATIVE MCDONALD

AN ACT

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

Reported favorable.

HOUSE BILL NO. 1176—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:2737.71, relative to the Vermilion Parish School Board; to authorize the Vermilion Parish School Board to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

Reported favorable.

HOUSE BILL NO. 1216—
BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 17:3361(A)(5), relative to the authority of postsecondary education management boards to lease certain immovable property; to provide guidelines and limitations for such leases to private entities; and to provide for related matters.

Reported favorable.

HOUSE BILL NO. 1236—
BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(k), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorable.

HOUSE BILL NO. 1613—
BY REPRESENTATIVE LONG

AN ACT

To amend and reenact R.S. 17:5, relative to the State Board of Elementary and Secondary Education; to provide for the per diem of board members; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1650—
BY REPRESENTATIVE BAUDOIN

AN ACT

To amend and reenact R.S. 17:1946(B), relative to the operation of residential schools for certain children; to include visually impaired children and the Louisiana School for the Visually Impaired in provisions relative to such schools; and to provide for related matters.

May 13, 1999

Reported favorable.

HOUSE BILL NO. 1753—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:8(C) and (G), 8.1, 352(A)(1), and 415.1(C) and R.S. 39:1615(D), all relative to school books for students; to provide relative to contracts with publishers for purchase of school books and contracts for a school book depository; to provide relative to sale, donation, and disposal of unusable school books; to provide relative to textbook adoption procedures; and to provide for related matters.

Reported favorable.

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

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

Reported favorable.

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

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

Reported favorable.

HOUSE BILL NO. 2113—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 33:2737.71, relative to the levy of sales and use taxes by school boards; to authorize certain school boards, subject to voter approval, to levy and collect an additional sales and use tax; and to provide for related matters.

Reported favorable.

Respectfully submitted,
THOMAS A. GREENE
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 13, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 244—
BY SENATOR CAMPBELL

A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution, relative to municipal fire and police civil service; to remove certain prohibitions against political activity by members of the municipal fire and police civil service; to authorize political activities by members of municipal fire and police civil service; to prohibit solicitation of contributions for political purposes from any member of the municipal fire and police civil service; to prohibit the punishment or coercion of any member in the classified service of the municipal fire and police civil service to influence his vote or other political activity; to prescribe penalties for violations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 444—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 33:1972(A), relative to fire protection; to provide for the organization of fire districts within certain fire departments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 894—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1996, relative to fire protection for municipalities; to provide for scheduled paid vacation days for firemen; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 98—
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 33:103(C)(1)(introductory paragraph) and to enact R.S. 33:103(C)(1)(k), relative to the Iberville Parish planning commission; to authorize and otherwise provide relative to the compensation of the members of such commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 132—
BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 33:381(C)(13), relative to the village of Shongaloo; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 142—
BY REPRESENTATIVES JOHN SMITH AND ILES

AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to the city of Leesville; to authorize the municipal governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing or demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 157—
BY REPRESENTATIVES FLAVIN, BARTON, MICHOT, PERKINS, PINAC,
AND TOOMY AND SENATOR ROMERO
AN ACT

To enact R.S. 33:4725.1, relative to municipal zoning; to provide certain restrictions on zoning of annexed property; to provide relative to waivers of such restrictions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 452—
BY REPRESENTATIVE BRUCE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 606—
BY REPRESENTATIVES THOMPSON AND HAMMETT
AN ACT

To enact R.S. 33:2721.12, relative to Tensas Parish; to authorize the governing authority of Tensas Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 698—
BY REPRESENTATIVE HOPKINS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 761—
BY REPRESENTATIVE HOPKINS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 878—
BY REPRESENTATIVES GREEN, ANSARDI, BOWLER, DAMICO,
DONELON, LANCASTER, AND VITTER AND SENATORS LENTINI AND
ULLO
AN ACT

To amend and reenact R.S. 33:113.1(A)(1), relative to administrative procedures for approving or certifying certain plats involving modifications of existing parcels of land; to provide for such modifications qualifying for such administrative approval or certification; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 915—
BY REPRESENTATIVE WINSTON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1017—
BY REPRESENTATIVE HAMMETT
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1101—
BY REPRESENTATIVES STELLY, JOHNS AND FLAVIN
AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i) and 4754(A)(1) and (3) and (C)(1) and to repeal R.S. 33:1236(21)(e), relative to property maintenance; to provide relative to materials which may be removed from private property; to provide relative to the authority of the governing authorities of Calcasieu Parish and Cameron Parish to take certain actions to maintain safe and healthful conditions on private property, including provision for grass and weed cutting, garbage removal, and securing or demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1156—
BY REPRESENTATIVE HAMMETT
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1322—
BY REPRESENTATIVE WADDELL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1962—
BY REPRESENTATIVE BRUCE
AN ACT

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

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

May 13, 1999

To the President and Members of the Senate:

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

SENATE 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.

Reported with amendments.

SENATE BILL NO. 96— BY SENATOR LANDRY

AN ACT

To amend and reenact Title 34 of the Louisiana Revised Statutes of 1950, relative to navigation and shipping; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 339— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 9:5626, relative to prescription; to provide that all claims and actions for land and improvements taken for levee and levee drainage purposes shall prescribe within two years from actual occupancy, use or destruction; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 483— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2251(B)(1) and R.S. 39:1595(B) and to enact R.S. 38:2251(J), relative to public contracts; to require that notice of Louisiana preferences be given to bidders on public contracts; to require any such bidder to certify his eligibility for such preferences; to remove responsibility for offering such preference when such certification is not provided; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1003— BY SENATOR JONES

AN ACT

To enact R.S. 32:398.6, relative to the uniform issuance of traffic citations under the Highway Regulatory Act; to require the collection of statistical evidence by traffic enforcement officers; to provide for annual reporting of findings; and to provide for related matters.

Reported without action.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE THERIOT

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to install a traffic light at the intersection of Louisiana Highway 1 and Louisiana Highway 3235 in Cut Off, Louisiana, Lafourche Parish no later than one hundred twenty days after passage of this Resolution.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVES ANSARDI AND CHAISSON

A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

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

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

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

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE ILES

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic light at the intersection of Louisiana Highway No. 114 and Louisiana Highway No. 171 in Beauregard Parish, Louisiana.

Reported favorably.

HOUSE BILL NO. 52—

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the McKinley High School prestige license plate; to provide for the color and design of such plates; to provide relative to donations and fees for such plates; to provide for the use of such donations and fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 945—

BY REPRESENTATIVE CLARKSON

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide for a Life Center Full Gospel Baptist Cathedral prestige license plate; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1004—
BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 32:863(A)(3)(b), relative to the use of certain reinstatement fees imposed by the office of motor vehicles within the Department of Public Safety and Corrections; to specify the uses of a portion of the reinstatement fees relative to salary increases of personnel in the office of motor vehicles; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1108—
BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the Coastal Conservation prestige license plate; to provide relative to the design of such plate; to provide relative to the fee for such plates; to designate the use of such fees; to authorize promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1246—
BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 32:473.1 and 1728.3, relative to abandoned motor vehicles; to provide a procedure for municipal and parochial authorities to remove certain abandoned vehicles from public streets; to provide relative to the procedure for tow truck owner-operators to dispose of certain vehicles; to provide for the application thereof; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1944—
BY REPRESENTATIVES THERIOT AND MCCAIN

AN ACT

To enact R.S. 38:2212(G), relative to letting of public contracts; to provide relative to professional maintenance contracts by public entities; to authorize public entities to enter into multiyear contracts for the repair and maintenance of water storage tanks; to provide for the payment of such contracts; to provide for the duration of such contracts; to require such contracts to include a nonappropriation clause; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
RON LANDRY
Chairman

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 39 from the Committee on Transportation, Highways, and Public Works.

SENATE CONCURRENT RESOLUTION NO. 39—
BY SENATOR SMITH AND REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and the Red River Waterway Commission to contact the United States Army Corps of Engineers to study the flooding on Black Lake, Saline Lake, and Clear Lake as it relates to pool stages between locks and dams on the Red River and to propose possible solutions to the problem.

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

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 14 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 14—
BY SENATOR SMITH

AN ACT

To enact R.S. 49:252.1, relative to the attorney general; to require an annual report to the legislature; to provide for the content; and to provide for related matters.

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

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 117 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 117—
BY SENATOR SMITH

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to the Code of Governmental Ethics; to allow a higher education management board to employ a member of the immediate family of a board member as faculty or staff; and to provide for related matters.

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

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 201 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 201—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 49:257(D) and to enact R.S. 49:258(4), relative to state contracts for private legal services; to provide for approval of fees by the director of the office of risk management; to provide for limitations on the payment of fees under contingent fee contracts; to provide for exceptions; and to provide for related matters.

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

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1848 from the Committee on Health and Welfare.

HOUSE BILL NO. 1848—
BY REPRESENTATIVES WESTON, CARTER, CURTIS, DANIEL, DURAND,
GLOVER, GUILLORY, HOLDEN, HUDSON, MITCHELL, PIERRE, QUEZAIRE,
RIDDLE, THORNHILL, AND FRITH AND 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 37:2701 through 2723, R.S. 37:3372(9)(b), R.S. 40:1098.2(5)(b), 1299.39(A)(1)(a)(ii)(introductory paragraph) and

1299.41(A)(1), Children's Code Articles 326(A)(7), 1172, 1173(A)(2), and 1272(D), Code of Criminal Procedure Article 644(D)(1), Code of Evidence Article 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.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 13, 1999

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 38—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 3:264(B) and (C) and to enact R.S. 3:266(21), relative to the Louisiana Agricultural Finance Authority; to increase the number of members of the authority; to provide relative to powers of the authority; and to provide for related matters.

SENATE BILL NO. 329 (DUPLICATE OF HOUSE BILL NO. 1600)—

BY SENATOR HEITMEIER AND REPRESENTATIVE TRICHE AND COAUTHORED BY REPRESENTATIVES DANIEL, DURAND AND JOHNS
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.

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.

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.

SENATE BILL NO. 447 (DUPLICATE OF HOUSE BILL NO. 723)—

BY SENATOR DARDENNE AND REPRESENTATIVE LANCASTER
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; 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; and to provide for related matters.

SENATE BILL NO. 693 (DUPLICATE OF HOUSE BILL NO. 1717)—

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH AND COAUTHORED BY REPRESENTATIVE ILES
AN ACT

To enact Subpart B-14 of Part IV of Chapter 1 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.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 13, 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. 198—
BY REPRESENTATIVE WILLARD

A CONCURRENT RESOLUTION

To commend and congratulate Louisiana Air National Guard Colonel Leon Simmons, Jr. on his retirement as the Director of Command, Control, Communications, and Computer Systems at the Louisiana Air National Guard Headquarters.

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.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Tarver 1 Day

Adjournment

Senator Bean moved that the Senate adjourn until Monday, May 17, 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 Monday, May 17, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk